

# City of Boston Assessment of Fair Housing

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Mayor Michelle Wu

## City of Boston Assessment of Fair Housing<sup>1</sup>

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**This Assessment of Fair Housing (AFH) is dedicated to the memory of Wilbur E. Commodore, J.D., longtime employee and General Counsel to the Boston Housing Authority. Wilbur was a kind and tireless worker on behalf of BHA residents and employees, a staunch advocate for fair housing, and an important contributor to the AFH.**

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<sup>1</sup> This assessment also serves as the City of Boston’s Analysis of Impediments to Fair Housing Choice and its plan to affirmatively further fair housing.

# City of Boston Assessment of Fair Housing

## Executive Summary/Introduction

### Background

In 1968 Congress enacted the Fair Housing Act to provide for “fair housing throughout the United States.”<sup>2</sup> The Fair Housing Act and other federal laws require state and local governments receiving federal housing funds not just to avoid housing discrimination, but to “*affirmatively* further fair housing”.<sup>3</sup> The duty to affirmatively further fair housing is:

a mandate to take the types of actions that **undo historic patterns of segregation and other types of discrimination and afford access to opportunity that has long been denied.**<sup>4</sup>

In recent years, the U.S. Department of Housing and Urban Development (HUD) required that funding recipients complete an Analysis of Impediments to Fair Housing Choice (AI). The City of Boston released its last AI in 2010, In 2015, HUD issued a regulation setting forth a process and standards for state and local governments to affirmatively further fair housing by developing an Assessment of Fair Housing (AFH).<sup>5</sup> The AFH is “an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities,” using HUD’s Assessment Tool and involving a community engagement process.<sup>6</sup> The AFH sets out how the government will:

take meaningful actions that, taken together, address **significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity,** and fostering and maintaining **compliance with civil rights and fair housing laws.**<sup>7</sup>

### Boston’s Assessment of Fair Housing

In 2016 the City of Boston began the process of creating an AFH for Boston. The City enlisted an AFFH Community Advisory Committee (CAC)<sup>8</sup> and engaged in an extensive 16-month

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<sup>2</sup> Fair Housing Act, Title VIII of the Civil Rights Act of 1968, 42 U.S.C. § 3601, *et seq.*

<sup>3</sup> 42 U.S.C. § 3608(d); Sections 104(b)(2) and 106(d)(7)(B) of the Housing and Community Development Act, 42 U.S.C. §§ 5304(b), 5306(d)(7)(B); Section 105 of Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. § 12705 (b)(15).

<sup>4</sup> U.S. Department of Housing & Urban Development Affirmatively Furthering Fair Housing Final Rule, 80 Fed. Reg. 42,272-42,370, at 42,274 (July 16, 2015)(emphasis added).

<sup>5</sup> 42 U.S.C. § 3608(d); Sections 104(b)(2) and 106(d)(7)(B) of the Housing and Community Development Act, 42 U.S.C. §§ 5304(b), 5306(d)(7)(B); Section 105 of Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. § 12705 (b)(15).

<sup>6</sup> 24 C.F.R. §§ 5.152, 5.154(d)(6), 5.158(a), 91.100(a), (e)(1)-(2).

<sup>7</sup> 24 C.F.R. §§ 5.152, 5.154(d)(6), 5.158(a), 91.100(a), (e)(1)-(2) (emphasis added).

<sup>8</sup> CAC is a group of housing and civil rights advocates who played a major role in the completion of the AFFH. Please see Appendix A for the list of CAC members.

community outreach effort involving public testimony, multiple community meetings, and a citywide survey generating over 2,000 resident responses. As the City was working with the AFFH Community Advisory Committee to develop the AFH, in January, 2018 the new federal administrators at HUD suspended the existing rule, discontinued review of AFHs, and in July 2020, the Trump Administration terminated the 2015 AFFH rule in favor of the rule “Preserving Community and Neighborhood Choice.”<sup>9</sup> Despite the changing HUD requirements, the City resolved not to stop its efforts, and agreed to continue to work with the AFFH Community Advisory Committee to complete the AFH. The CAC insisted on the importance of moving forward with a reader-friendly report that includes assessment of past goals, state of implementation, and new goals based on data and community meetings, as well as information the City has collected about fair housing issues.

While this document represents the work of a strong partnership between the CAC and the City the role of CAC and other community-based organizations cannot be minimized in terms of where we are today. The CAC helped to organize public meetings and conducted extensive outreach to community organizations alerting them about the importance of a comprehensive assessment of furthering fair housing. It utilized hard data, public testimony, community meetings, and meetings with city officials to complete the first draft (referred to as the *June 2019 Plan*) of the AFFH.<sup>10</sup> The CAC employed a wealth of fair housing advocacy and knowledge of history, laws, needs, and unique understanding of the history and state of fair housing in Boston. The strength of their commitment, advocacy, and collective experiences created momentum that pushed the City towards adopting more comprehensive fair housing policies and goals.

The CAC continually worked with the Boston Housing Authority (BHA) and the Mayor's Office of Housing (DND) (now known as the Mayor's of Housing (MOH)) to collect data and public testimony. During the 14 public meetings organized by the CAC in partnership with community and neighborhood groups, and city representatives, several issues were highlighted such as gentrification and rapidly rising rents. Over 500 people were involved with these community meetings. Additionally, the Boston Tenant Coalition (BTC) and the BHA designed two surveys to assess resident and community concerns about fair housing and discrimination. BTC played a major role in chronicling the feedback from respondents reported in the surveys and documenting discussions raised in community meetings.

Capturing the voices of residents represented a key tool in developing the assessment of fair housing. In total, approximately 2,500 residents responded to both surveys. There was much testimony from residents who had been displaced or were in fear of such, and who have

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<sup>9</sup> U.S. Department of Housing and Urban Development (2020) “Preserving Community and Neighborhood Choice.” *Federal Register* 85 FR 47899. Accessed January 4, 2021 at <https://www.govinfo.gov/content/pkg/FR-2020-08-07/pdf/2020-16320.pdf>

<sup>10</sup> Dr. James Jennings, Professor Emeritus of Urban and Environmental Policy and Planning, as a consultant to BHA and then the DND until December 2019, worked closely with the CAC and Robert (Bob) Gehret, former Deputy Director, Policy Development and Research Division, Department of Neighborhood Development, and the late Wilbur E. Commodore, former General Counsel for the Boston Housing Authority in collecting and analyzing a range of materials, HUD information, and census data. The data in this report was updated by Amelia Najjar, Senior Research and Development Analyst at DND with the American Community Survey 5 Year Estimates 2014- 2018, when this more recent data became available.

experienced housing discrimination. Alarm about evictions were raised in the midst of real estate development perceived as out of control. In many places, developers were buying properties in a frenzy and then asking long-time residents to leave or simply raising rents to unaffordable levels. Residents drew strong connections between the latter and increasing homelessness primarily impacting families and children in communities of color.

This report reviews Boston's efforts and findings in assessing how to affirmatively further fair housing in Boston; it captures important narratives and data that are critical for achieving fair housing for protected classes, as well as for all residents of Boston. The report serves as both an analysis of impediments to fair housing and a citywide plan for affirmatively furthering fair housing in Boston. Essentially, this report applies a 'fair housing lens' on strategies, policies, and actions adopted to meet major challenges, including the attainment of racial equity in the lives of residents of Boston. It identifies barriers to fair housing for protected groups but also takes into account a context of rapid demographic and economic growth and gentrification. Barriers and context help to inform the goals that have been proposed in community meetings, and meetings with civil rights and housing representatives, as well as with local government officials and representatives.

A draft was presented to the public at a virtual Town Hall on June 6, 2020 organized by the CAC. The feedback from the Town Hall meeting indicated widespread support for the adoption of this comprehensive assessment of furthering fair housing report.

Throughout the city common themes emerged from public testimony and surveys regarding existing barriers to fair housing, and were foundational in the adoption of goals detailed in the report. The themes included:

- Gentrification is a city-wide, serious concern, along with a growing sense of housing vulnerability, creating angst and concern that there are not enough protections for low- and moderate-income residents across the city and in gentrifying areas. Low- and moderate-income residents of these areas are disproportionately people of color and members of other protected classes.
- Rapidly rising rents across the city are a concern, especially in low-income parts of the city;
- There is a widely shared perception that evictions are being used in exploitative ways to displace or move low- and moderate-income renters;
- There are concerns about the definition and concept of housing affordability. If income guidelines are not based on actual incomes of residents in some neighborhoods, then it will hurt their chances in terms of access to affordable housing, since they are in competition with households with significantly higher incomes;
- There is a sense that the real estate sector is out of control and operating as its own master, and that local government should take steps to control the negative impacts (or what economists refer to as 'externalities') that this sector is having on Boston's neighborhoods;

- There is a need for more information and opportunities to increase homeownership, especially in communities of color, and among low-income and extremely low-income groups.<sup>11</sup> Along with traditional homeownership opportunities, there should also be an expansion of alternative forms of resident-owned housing, such as community land trusts;
- There is concern about community safety; crime and gun violence are a major problem, and youth involvement with violence is too high;
- The current state of public transportation is a problem in terms of access to quality service for many communities, but especially low-income communities and communities of color;
- Segregation by neighborhood/areas continues in Boston. Some ‘opportunity areas’ are in predominantly white, segregated neighborhoods and building affordable housing in these areas should be encouraged in ways that increase racial and ethnic diversity;
- Current policies related to commercial linkage, inclusionary development, and community preservation should be expanded for the benefit of low-income households and protected groups;
- Neighborhood-based organizations and businesses should be strengthened and financially supported by the City with CDBG or other appropriate funds as a bulwark against gentrification;
- Zoning is a powerful tool to help vision a Boston for all and it should be used more aggressively for furthering fair housing and preventing displacement;
- Fair housing cannot be ‘silo-ed.’-Strategies to promote fair housing should reflect connections to public schools, public health, public safety, and the availability of economic opportunities;
- Enforcement of fair housing laws needs to be strengthened and made more aggressive and visible; and
- There is a need for ongoing evaluation and assessment of efforts to AFFH, and goals and actions should be modified to meet needs on the ground that are responsive to ongoing community input and new or changing data.

The report is organized into five sections, as follows:

**Section I** provides a historical and contemporary social and racial context relevant to affirmatively furthering fair housing by way of a brief historical overview of racism and segregation in Boston.

**Section II** provides an overview of the community engagement process, including a summary of the myriad activities implemented to solicit community input, but also the major ideas, suggestions, and proposed goals that emerged in numerous public discussions.

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<sup>11</sup> Low-income refers to persons or families, or households with a median income of less than 60% of the Area Median Income (AMI); extremely low-income refers to less than a median income of less than 30% of the AMI.

**Section III** provides a review and analysis of data pertinent to fair housing issues and discussion about opportunity barriers to fair housing. The section is organized into three parts: Part A provides an overview of relevant data and maps regarding the demographic trends and geographic distribution of people in various protected classes, as well as characteristics of the city's housing stock. Part B examines the income-restricted housing supply, including the city's publicly-funded units and expiring use units. Part C provides a discussion about barriers to fair housing and accessing opportunity, looking at a range of topics from housing discrimination to public health.

**Section IV** outlines broad goals and specific actions that should be considered for strengthening the pursuit of fair housing and eliminating or reducing barriers to fair housing. These goals and actions emerged from reflecting on our history, the demographic data, and most importantly on the city-wide public input and the work of the City in coordination with the Community Advisory Committee. The goals and actions reflect both ongoing City efforts, as well as new initiatives. Whether existing or new it is important to place these goals and actions within a framework of fair housing. There are 14 overarching goals and over 100 actions. These goals and actions are outlined here, with further detail in Section IV.

1. Increase Housing Availability and Accessibility for Older Adults and People with Disabilities
2. Reduce and Prevent Homelessness
3. Build and Strengthen Regional Strategies to Create Housing and Further Fair Housing
4. Expand Housing Choice for Voucher Holders
5. Redevelop and Preserve Existing Public and Income Restricted Housing
6. Enhance Fair Housing by Creating Economic Opportunity
7. Use Zoning as a Fair Housing Tool
8. Reduce the Disparity in Homeownership Rates by Race and Ethnicity
9. Develop Practices across Agencies that Instill the Use of an Equity Lens
10. Promote Equitable Access to Housing and Reduce and Eliminate Discrimination, Both Intentional and Non-intentional
11. Ensure the Equitable Distribution of City Resources Based on Need by Providing Supports for Rent-Burdened Residents and Residents Facing Potential or Actual Displacement
12. Increase Resources for Housing and Homelessness
13. Create Healthy Homes and Promote Collaboration between Efforts to Address Housing, Health, and Safety
14. Address Discrimination Against LGBTQIA People and Create LGBTQIA Inclusive Housing Opportunities

**Section V** outlines how the AFH will be implemented and monitored.

## Section I: Select Historical and Contemporary Review of Racism, Segregation, and Fair Housing in Boston, Massachusetts

According to a report issued by the Mayor's Office of Resilience and Racial Equity, *Resilient Boston: An Equitable and Connected City*, while Boston has witnessed increasing racial and ethnic diversity: "...neighborhoods still remain largely segregated. In fact, according to 2010 Census data, the Boston [metropolitan region] remains one of the most residentially segregated large metropolitan regions in the country."<sup>12</sup> Important progress has been made in the City of Boston regarding racial inequalities and systemic racism, including the current administration's acknowledgement of racism as a major dynamic in the history and the current realities of Boston. This is a critically important development, but there are still too many people who are not aware of Boston's social, political, and racial context that resulted in the need for major actions to ensure fair housing for all, or how some of these earlier problems are still being played out today. This section, therefore, presents a brief overview of both the history and context of racial and ethnic inequality and racism in Boston and select examples of continuing problems. A few bibliographic citations which provide a more comprehensive and deeper analysis than the overview presented here are included at the end of the section.

### Historical Overview

Racial segregation and disparities in housing exist today because of a collection of historical actions instituted and/or implemented at the federal, state, and local level, as well as from discriminatory practices in the real estate community and many White residents. The City's 2010 *Analysis of Impediments to Fair Housing Choice* explains the role of policy in shaping Boston's racial landscape and why affirmatively furthering fair housing is necessary:

The responsibility to act affirmatively to further fair housing derives from the laws that govern the use of HUD community planning and development funds and the federal Fair Housing Act (Title VIII of the 1968 Civil Rights Act). These laws reflect a congressional recognition of the role that official governmental policies have played in creating the current geography of racial separation and concentration of poverty that characterizes the Boston metropolitan area. Indeed, many of the same historical trends that contributed to conditions of racial segregation in Massachusetts were evident throughout the United States.

Racial separation was promoted by federal housing policy, particularly starting in the 1930s in federal public housing programs, and continuing for several decades. Nationwide, public housing was originally built for White working-class defense workers in World War II and returning veterans. WWII exacerbated an already serious housing shortage, and after the war middle-class Whites and poor Blacks alike could not afford housing. President Roosevelt's New Deal responded with an expansion of the public housing program for civilian households not involved with defense work. However, Black residents were banned from applying to many public housing developments, and segregated public housing was built specifically for Blacks, only in Black-majority neighborhoods.<sup>13</sup> "Federal public housing programs were used by federal

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<sup>12</sup> Mayor's Office of Resilience and Racial Equity (2017). *Resilient Boston: An Equitable and Connected City*. Page 13. Accessed May 20, 2020, at [https://www.boston.gov/sites/default/files/file/document\\_files/2017/07/resilient\\_boston.pdf](https://www.boston.gov/sites/default/files/file/document_files/2017/07/resilient_boston.pdf)

<sup>13</sup> Rothstein, Richard (2017) *The Color of Law: A Forgotten History of How Our Government Segregated America* Liveright Publishing Corporation.



and local housing officials to separate races, and contain families of color in high poverty, racially segregated locations.”<sup>14</sup>

Policies such as these resulted in segregated public housing. In the early 1980s, a change of laws legally forced the Boston Housing Authority (BHA) to make efforts to address the lack of integration in its housing developments. These efforts, however, were limited to a goal-based preference system which permitted a limited number of families of color to move into predominantly White developments.<sup>15</sup> Beginning in 1987–1988, as a result of a HUD Voluntary Compliance Agreement (VCA) and litigation initiated by the NAACP and the Lawyers Committee for Civil Rights, all of the BHA's predominantly segregated developments in South Boston and Charlestown became open to all applicants, particularly applicants of color and transfers.

Historically, national economic policies that were meant to address the needs of working class Americans have largely excluded people of color in places across the nation, including Boston. For example, in the wake of the Great Depression, the National Recovery Administration offered more jobs and paid higher wages to White workers, furthering the disparities in opportunities for Black Americans.

Additionally, the banking and insurance industries largely contributed to patterns of segregation nationally and in Boston. As a 2017 Greater Boston Legal Services (GBLS) memo explains: “Abetted by federal agencies, banks and insurance companies contributed to the destabilization of neighborhoods across Dorchester and Roxbury.”<sup>16</sup> The Federal Housing Administration (FHA) would not insure mortgages in neighborhoods that were home to communities of color, nor in White neighborhoods that incorporated racially restrictive covenants.<sup>17</sup> This practice is known as redlining. These FHA's and Veterans Administration's underwriting practices opened up the suburbs almost exclusively to White homebuyers.<sup>18</sup> Even when the worst of the FHA policies changed in the 1960s, a local plan to address lending disparities by providing low-interest loans to homebuyers of color instead further increased segregation by restricting these loans to Mattapan, parts of Dorchester, and other areas of Boston where the majority of Blacks and Latinx residents live today.<sup>19</sup>

Segregated residential patterns are also a result of racist practices from the private real estate community and hostile attitudes towards Blacks by Whites, even to the point of using violence to prevent the integration of neighborhoods or public schools. As Cohen (2017) describes:

Racial harassment and violence drove non-white residents away from the Commonwealth's cities, towns and neighborhoods from colonial times, when white townspeople would “warn out” black families, to the present day, where people of color residing in governmentally assisted housing still face racial

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<sup>14</sup> Nadine Cohen, (2017). “History of Redlining, Mortgage Lending Discrimination and Foreclosures in Boston,” GBLS Memorandum. July 26.

<sup>15</sup> See *Schmidt v. Boston Housing Authority*, 505 F. Sup. 988 (D. Mass. 1981)

<sup>16</sup> Nadine Cohen, (2017). “History of Redlining, Mortgage Lending Discrimination and Foreclosures in Boston,” GBLS Memorandum. July 26. Page 1.

<sup>17</sup> Rothstein, Richard (2017) *The Color of Law: A Forgotten History of How Our Government Segregated America* Liveright Publishing Corporation.

<sup>18</sup> Nadine Cohen, (2017). “History of Redlining, Mortgage Lending Discrimination and Foreclosures in Boston,” GBLS Memorandum. July 26.

<sup>19</sup> Finfer, Lew (2019). “The “Good Intentions” Program that Devastated Boston's Neighborhoods,” *The Boston Globe*, January 18. Accessed May 20, 2020 at <https://www.bostonglobe.com/opinion/2019/01/18/the-good-intentions-program-that-devastated-boston-neighborhood/s/7ZWLqOYfM03SaTBJn4jRiK/story.html>

hostility. Nineteenth century laws allowed Massachusetts cities to remove unwanted newcomers based on skin color.

Real estate agents would often only show Black families homes in non-White neighborhoods, and in many communities, property owners resorted to racial covenants in deeds that forbade the sale of homes to “non-Caucasians.” Further, “Some Massachusetts suburbs deliberately refused to provide municipal services to housing developers and the developer’s prospective home buyers for the explicit purpose of preventing people of color from moving to the community.”<sup>20</sup> Evidence of discriminatory real estate practices still exist today, and are further discussed later in this section.

Historically, the lack of affordable housing opportunities in the metro region outside of Boston and a few other inner core cities has limited households’ (largely renters’) access to communities with relatively low levels of poverty. Many of these municipalities have zoning restrictions that make it difficult or impossible to site multi-family rental properties. Based on an analysis by the Fair Housing Center of Greater Boston, “43% of municipalities in the Boston metropolitan area have over 90% of land zoned for single-family use, while an additional 27% and 10% contain 81%-90% of land zoned for single-family use and prohibit multi-family housing or limit it to age-restricted housing (55 years of age or older), respectively. Furthermore, the 75 communities with no multi-family zoning, or alternatively age-restricted zoning or large minimum lot size requirements, are predominantly “high opportunity communities.”<sup>21</sup> Higher land costs, sales prices and rents, as well as racial and ethnic animosity, coupled with zoning restrictions in many places, represent historical and continuing barriers for lower-income persons of color seeking housing in these communities.<sup>22</sup>

Communities of color, immigrants, and low-income households also faced the effects of Urban Renewal—a national initiative to clear out supposedly “blighted” neighborhoods and make way for new investment and housing. In Boston, this included areas with strong Black and immigrant populations, such as the West End, the New York Streets neighborhood (the northernmost portion of the South End), and Washington Park in Roxbury.<sup>23</sup> But urban renewal did not revitalize neighborhoods for its residents; it displaced low-income communities and “isolated neighborhoods of color, leading to decades of disinvestment and deterioration in housing.”<sup>24</sup>

The Fair Housing Center of Greater Boston developed an insightful and useful interactive timeline tool for understanding the history of racism and segregation in Greater Boston, and highlights that even with the reduction of direct forms of discrimination, policies and practices continue to prop up the region’s segregation and inequality. This tool also provides examples of

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<sup>20</sup> Nadine Cohen, (2017). “History of Redlining, Mortgage Lending Discrimination and Foreclosures in Boston,” GBLS Memorandum. July 26.

<sup>21</sup> Commonwealth of Massachusetts (2014). *Analysis Of Impediments To Fair Housing Choice -Access To Opportunity In The Commonwealth*. Pg 236. <https://www.mass.gov/files/documents/2017/10/25/2013analysis.pdf>

<sup>22</sup> To be emphasized: ‘Fair housing’ and ‘affordable housing’ “are distinctly separate concepts in law and public policy, but they are interrelated. The fair housing statutes were enacted to ensure that members of the protected classes – regardless of income or need for assisted housing – would not face discrimination in the sale, rental, financing, and insuring of housing. Without an adequate supply of housing that is affordable and accessible to members of protected classes in healthy communities offering good schools and employment opportunities, they will continue to face barriers.” See, *Analysis of Impediments to Fair Housing Choice: Access To Opportunity In The Commonwealth*, Massachusetts Department of Housing and Community Development (2013), p.35.

<sup>23</sup> Vrabel, Jim (2014). “A People’s History of the New Boston”

<sup>24</sup> City of Boston Fair Housing Commission (2010). *City of Boston Analysis of Impediments to Fair Housing Choice*. Pg 10. Accessed May 20, 2020 at [https://www.boston.gov/sites/default/files/embed/b/boston\\_ai\\_press\\_pdf\\_version\\_tcm3-16790.pdf](https://www.boston.gov/sites/default/files/embed/b/boston_ai_press_pdf_version_tcm3-16790.pdf)

practices in Boston and the region which impede fair housing and is available at [www.bostonfairhousing.org](http://www.bostonfairhousing.org). This tool goes into greater detail than is possible here, so accessing each section would be useful for those who do want to take a deeper dive into the following time periods:

- [1920s-1948: Racially Restrictive Covenants](#)
- [1934-1968: FHA Insurance Requirements Use Redlining](#)
- [1948-1968: Unenforceable Covenants](#)
- [1950s-1970s: Development of Rte. 128 and Rte. 495 Suburbs](#)
- [1968-Present: Housing Discrimination](#)
- [1970s-Present: Disparate Impact of Local Land Use Regulations](#)

Mac McCreight summarizes Boston's history of racial segregation as having played out in various areas, including siting housing; the legacy of busing; the disparate impact of housing choices; the loss of affordable housing; and racial harassment.<sup>25</sup> While policies, procedures, and advocacy have attempted to reverse the damage with many successes, the remnants of this history are still alive in the residential patterns in Boston today. Furthermore, accounts of housing discrimination in the housing market still exist, and are outlined further below.

### **Fair Housing Today: Segregation and Discrimination Continues**

A 2017 *Boston Globe* Spotlight series exposed that there are many sectors in Boston life, including education, health, and media institutions which still reflect racial and ethnic segregation.<sup>26</sup> A 2018 *Boston Globe* article revealed, "Nearly 60 percent of the city's schools meet the definition of being intensely segregated—meaning students of color occupy at least 90 percent of the seats. Two decades ago, 42 percent of schools were intensely segregated."<sup>27</sup> The effects of earlier periods of segregation, the adoption of racist federal policies, and the racially biased distribution of resources are evident both in Boston's schools and in its residential patterns.<sup>28</sup>

Alongside segregation, discrimination still exists today despite the many successful changes in laws and attitudes. Furthermore, discrimination in housing persists beyond race; it is evident across several protected classes including disability, the use of rental assistance, and national origin. Complaint data, testing efforts, and mortgage origination data provide the evidence.

#### *Discrimination Complaints*

The Boston Fair Housing Commission (BFHC) reported the following discrimination patterns for the period of fiscal year 2017 through fiscal year 2019:

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<sup>25</sup> Mac McCreight, (2017). "Background on History of Boston's Fair Housing Issues," *GBLS Memorandum*, July 18.

<sup>26</sup> Boston Globe Spotlight Team, (2017) *The Boston Globe*, "Boston. Racism. Image. Reality." Accessed on May 22, 2020 at <https://apps.bostonglobe.com/speciallight/boston-racism-image-reality/>

<sup>27</sup> Vaznis, James (2018). "Boston's Schools are Becoming Resegregated," *The Boston Globe*, August 4. Accessed on May 22, 2020 at

<https://www.bostonglobe.com/metro/2018/08/04/boston-schools-are-becoming-resegregated/brwPhLuupRzkOtSa9Gi6nL/story.html?event=event12>

<sup>28</sup> See Katznelson, Ira (2005) *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-century America*. WW Norton & Company, and Rothstein, Richard (2017). *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation.

- Disability was cited as the basis for discrimination the most, in 43 percent of cases. Discrimination based on race (25 percent) and rental assistance (25 percent) were the second and third most common, followed by national origin (19 percent).
- Of particular note is 2017, where there was a spike in cases filed solely under Rental Assistance, without discrimination of other federal protected classes alleged.

The BFHC also reported there has been an increase in discrimination in the race and national origin categories. At a point-in-time count in 2017, race and national origin made up 36 percent of open cases. The BFHC attributes this increase to a national context of increased racism, xenophobia, and anti-immigrant sentiment, with a particular concern for those who are undocumented or are Muslim, or whose national origin is primarily a Muslim country. This has increased mistrust of government and most likely served to lower official complaints, but fair housing, health and local civil rights organizations hear accounts of immigrant families being unwilling to file discrimination or lead paint complaints because of fears of ICE and deportation, and landlords using threats of deportation to force a family to move without an eviction process.

Data provided by the Massachusetts Commission Against Discrimination (MCAD) show that statewide their top category for protected class complaints in 2017 was disability (36 percent), followed by race or color (16 percent). The use of public assistance accounted for 12 percent of complaints, and national origin was eight percent (Table 1).

Table 1. Housing Complaints Filed with MCAD by Type, Massachusetts

Basis for Complaint	Housing Complaints	Percent of Total
Disability	225	36%
Race or Color	97	16%
Public Assistance	74	12%
Retaliation	62	10%
National Origin	48	8%
Sex	25	4%
Children	18	3%
Sexual Orientation	14	2%
Creed	13	2%
Age	12	2%
Family Status	11	2%
Lead Paint	9	1%
Marital Status	9	1%
Gender Identity	4	1%
Veteran	2	0.3%
<b>Total Complaints Filed</b>	<b>623</b>	<b>100%</b>

## Testing

The Housing Testing Discrimination Program (HDTP) based at Suffolk University Law School conducts fair housing tests of the rental housing market with “matched paired testing,” a recognized methodology for research and enforcement. Matched paired testing is done by having two trained testers inquire about the same available housing. The two testers are similar in all ways except for the protected class that is being tested. An example of this would be for a race-based test, the two testers would have the same gender identity and assigned sex at birth; be of approximately the same age; and have a similar income assigned, with the only difference being the race of the testers. This investigative tool provides an opportunity to determine if similarly situated housing seekers are being given the same information and treatment or if there are differences due to a person’s protected class status.

In 2020, Suffolk Law released the results of a test of 50 randomly selected rental listings in Greater Boston. In this test, Suffolk Law was looking for differential treatment along two axes: whether the tester was Black or White, and whether the tester had a housing voucher (“Section 8”) or not. The results of this test confirms the significant challenges Black people and voucher holders face in the marketplace, and that differential treatment could be found at each step of the rental process, starting with the initial interaction. While White market rate testers were able to see an apartment in 80 percent of the tests, Black market rate testers were only able to view a unit 48 percent of the time. Voucher holders of both races saw high levels of discrimination, as only 12 percent of White testers with vouchers were shown a unit, and only 18 percent of Black testers were shown a unit.<sup>29</sup>

Earlier tests have shown high levels of discrimination for a range of protected classes. During calendar years 2015 and 2016 the HDTP completed 156 systemic and complaint-based tests (some of these may be follow-up tests related to the same matter) in Boston.<sup>30</sup> Discrimination was found in the areas of public assistance reciprocity, familial status, race and color, and disability. Sexual orientation discrimination, particularly against transgender persons, has also been found to be widespread.<sup>31</sup>

Through testing, the Fair Housing Center of Greater Boston has found that Black and Latinx residents experience discrimination in half of their attempts to rent, purchase, or finance homes in greater Boston. Families with children and people with Section 8 vouchers are discriminated against two-thirds of the time when seeking rental housing. Black and Latinx testers were:

- Shown fewer homes and told about fewer listings
- Asked more questions about their qualifications
- Steered to other communities, to lower priced homes or to open houses
- Required to provide 24 to 48 hours’ notice before viewing houses

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<sup>29</sup> Langowski, Jamie, et al (2020). “Qualified Renters Need Not Apply: Race and Voucher Discrimination in the Metro Boston Rental Housing Market. Suffolk University Law School and The Boston Foundation. Page 7. Accessed July 1, 2020 at

<https://www.tbf.org/news-and-insights/press-releases/2020/july/housing-voucher-discrimination-report-20200701>.

<sup>30</sup> This number does not include tests that were cancelled due to housing becoming unavailable or if one or both testers was unable to make contact with the housing provider. A systemic test is an audit of the market with a housing site or housing professional chosen at random or based only on an advertisement. A complaint-based test is a test that is conducted after a bona fide housing seeker contacts an agency alleging possible discriminatory behavior.

<sup>31</sup>Langowski, Jamie and Berman, William and Holloway, Regina and McGinn, Cameron, (2017). *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market*. Yale Journal of Law & Feminism, Vol. 29, No. 2, 2017; Suffolk University Law School Research Paper No. 17-9. Available at SSRN: <https://ssrn.com/abstract=2941810>.

- Quoted higher loan rates and offered fewer discounts on closing costs

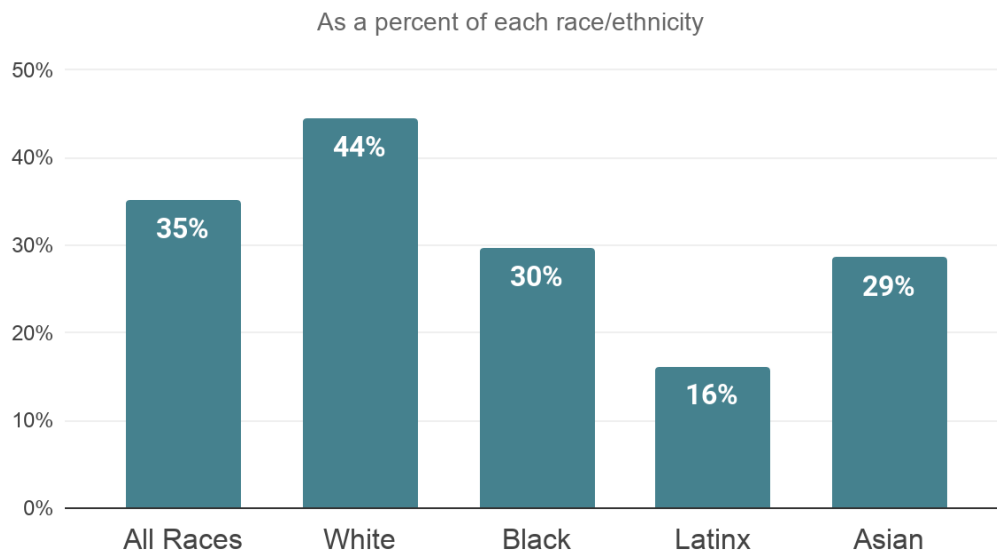
A 2004 rental audit in Lowell found evidence of discrimination in 47 percent of the 66 paired tests; the highest incidence of discrimination was experienced by Latinxs (63 percent), followed by Blacks (53 percent), Asians (38 percent), and families with children (33 percent). A 2005 rental audit in Newton found evidence of discrimination in 46 percent of the 24 paired tests. Discrimination based on national origin was the most common (66 percent), followed by race (50 percent), then by families with children and source of income (both at 33 percent).<sup>32</sup>

Discrimination also extends into mortgage lending. A 2005-2006 report by the Fair Housing Center of Greater Boston found differences in treatment that disadvantaged homebuyers of color in 45 percent of the tests (9 of 20 tests).<sup>33</sup>

### *Mortgage Lending Data*

There are significant differences in the homeownership rate by race and ethnicity. The figure below shows that White households are more likely to be homeowners than any other racial/ethnic group as 44 percent of White households are homeowners, compared to only 30 percent of Black households, 29 percent of Asian households, and 16 percent of Latinx households.

Figure 1. Homeownership Rate



Source: American Community Survey 5-year estimates, 2014-2018, Table B25003

Mortgage lending patterns reveal some of the challenges non-White households have in becoming homeowners. Since 1995, Jim Campen, on behalf of the Massachusetts Community & Banking Council (MCBC), has released an annual report on mortgage lending in Massachusetts. Each year, the report highlights the fact that Black and Latinx households are

<sup>32</sup> Metropolitan Area Planning Council (2017). *Fair Housing and Equity Assessment for Metropolitan Boston*, pg 80. Accessed May 22, 2020 at

[http://www.mapc.org/wp-content/uploads/2017/09/Fair\\_Housing\\_and\\_Equity\\_Assessment.pdf](http://www.mapc.org/wp-content/uploads/2017/09/Fair_Housing_and_Equity_Assessment.pdf)

<sup>33</sup> Fair Housing Center of Greater Boston (2006). *The Gap Persists: A Report on Racial and Ethnic Discrimination in the Greater Boston Home Mortgage Lending Market*. Pg. 9. Accessed May 21, 2020 at

[https://www.hud.gov/sites/documents/DOC\\_7403.PDF](https://www.hud.gov/sites/documents/DOC_7403.PDF)

underrepresented among those who receive mortgages, and there are challenges Black and Latinx households face the moment they start the mortgage process. Table 2 highlights the 2017 denial rate disparities by race, with Black households more than two times likely to have a mortgage denied.<sup>34</sup>

Table 2. Home Purchase Loan Denial Rates, by Race and Ethnicity, Boston 2017

Race/Ethnicity	Denial Rate	Ratio to White Denial Rate
White	8.1%	1.00
Black	16.8%	2.07
Latinx	13.0%	1.60
Asian	4.7%	0.58

These disparities cannot be explained by income alone. The most recent MCBC report stated:

Even though black and Latino applicants had, on average, substantially lower incomes than their white counterparts, the higher denial rates experienced by blacks and Latinos cannot be explained by their lower incomes. When applicants in Boston, in Greater Boston, and statewide are grouped into income categories, the 2017 denial rates for blacks and for Latinos were generally well above the denial rates for white applicants in the same income category. For Example, in Greater Boston the denial rates for applicants with incomes between \$101,000 and \$125,000 were 10.2% for blacks, 7.4% for Latinos, and 3.7% for whites.<sup>35</sup>

This disparity is threaded throughout the entire mortgage process, as there are also disparities in the type of mortgages families get by race and ethnicity. Again, these disparities cannot be explained by income alone. The 2018 report found that for higher income households Greater Boston, “Blacks were 4.9 times more likely to receive an FHA [Federal Housing Authority] loan than their white counterparts, and Latinos were 5.0 times more likely than whites to receive their mortgage in the form of an FHA loan.”<sup>36</sup> FHA loans are somewhat more expensive than traditional loans, and the use of these loans is an indicator of where the traditional mortgage market is not filling local needs, and that there is still discrimination in the Boston housing market.

Because of this history of discrimination in the mortgage market and the paucity of choices for households of color, subprime mortgage lenders benefited during the early- to mid-2000s. *Paying More for the American Dream* tells this story, and among the take-aways is the fact that high-risk lenders’ market share in 2006 was 4.2 times higher in low minority than in high minority

<sup>34</sup> Campen, Jim (2018) *Changing Patterns XXV: Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Boston, Greater Boston and Massachusetts, 2017*. Massachusetts Community & Banking Council. Appendix Table 7. Accessed May 22, 2020 at <http://mcbc.info/wp-content/uploads/2018/11/CP25-Final-Report-Nov2018.pdf>

<sup>35</sup> Ibid, Pg iii.

<sup>36</sup> Campen, Jim (2018) *Changing Patterns XXV: Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Boston, Greater Boston and Massachusetts*, Massachusetts Community & Banking Council. Pg 9. Accessed May 22, 2020 at <http://mcbc.info/wp-content/uploads/2018/11/CP25-Final-Report-Nov2018.pdf>

neighborhoods in Boston.<sup>37</sup> MCBC found that in Boston, at the height of the subprime mortgage boom in 2005, 33 percent of Black borrowers and 30 percent of Latinx borrowers had subprime loans, compared to only 11 percent of white borrowers.<sup>38</sup> Again, income is not the only factor. MCBC reported, “In Boston in 2005, highest-income blacks received 71.1% of their home-purchase loans in the form of HALs [subprime loans] and the HAL share for highest-income Latinos was 56.2%, while the HAL loan share was 9.4% for highest-income whites.”<sup>39</sup>

## Fair Housing Also Depends on Solutions at the Regional Level

The City of Boston can and must address the challenges to fair housing at the local level, but regional action is also necessary. Boston’s patterns of intentional and unintentional segregation are part of a wider regional problem. In recent years, the Metropolitan Area Planning Council (MAPC) has outlined the problem and established an equity agenda. MAPC noted in the *State of Equity for Metro Boston Policy Agenda Update*:

Metro Boston is becoming more diverse every decade. In 1970, the region’s population was 5% people of color—Asian, Black, Latino, Native American, multiracial and other non-White residents; by 2010, that figure had grown to 28%. MAPC projects that by 2040 the region will be at least 40% people of color. The region has also grown in share of foreign-born residents, and as of 2011-2015, 20% of Metro Boston residents were born outside of the U.S.

Yet even as it grows more diverse, the region remains racially and economically segregated. The Dissimilarity Index, which measures the extent to which two groups are similarly distributed across the region, has shown decreasing Black to White segregation since 1980. However, Latino to White segregation is now higher than it was in 1990, according to the Index. Economic segregation in the region has been growing more severe since 1990. According to the Neighborhood Income Segregation Index the region’s poorest households are becoming increasingly concentrated into low-income neighborhoods with little income diversity.<sup>40</sup>

As noted earlier in this section, “Massachusetts has a long history of residential segregation, which can be traced in large part to restrictive local zoning and permitting decisions, as well as discriminatory real estate and lending practices.”<sup>41</sup> One strategy to reverse patterns of segregation and provide opportunity to low- and moderate-income families is comprehensive zoning reform. MAPC summarizes the strategy succinctly:

Massachusetts has not comprehensively updated its core zoning and subdivision laws in several decades. Municipalities across the Commonwealth use existing

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<sup>37</sup> California Reinvestment Coalition, et al (2008). *Paying More for the American Dream The Subprime Shakeout and Its Impact on Lower-Income and Minority Communities*. Pg 6. Accessed May 22, 2020 at [https://www.communityprogress.net/filebin/pdf/nvpc\\_trnsfr/Woodstock\\_PayingMoreAmericanDream.pdf](https://www.communityprogress.net/filebin/pdf/nvpc_trnsfr/Woodstock_PayingMoreAmericanDream.pdf)

<sup>38</sup> Campen, Jim (2007). *Borrowing Trouble VII: Higher-Cost Mortgage Lending in Boston, Greater Boston and Massachusetts, 2005*, Massachusetts Community & Banking Council. Appendix Table 5. Accessed May 22, 2020 at <http://mcbc.info/wp-content/uploads/2016/04/BT7-Jan07.pdf>

<sup>39</sup> Ibid, pg. 8.

<sup>40</sup> Metropolitan Area Planning Council (February 2018). *State of Equity for Metro Boston: Policy Agenda Update*. Pg 6. Accessed May 21, 2020 at [https://equityagenda.mapc.org/uploads/9.10%20SOEREPOR\\_T\\_FINAL.pdf](https://equityagenda.mapc.org/uploads/9.10%20SOEREPOR_T_FINAL.pdf)

<sup>41</sup> Metropolitan Area Planning Council (February 2018). *State of Equity for Metro Boston: Policy Agenda Update*. Pg 6. Accessed May 21, 2020 at [https://equityagenda.mapc.org/uploads/9.10%20SOEREPOR\\_T\\_FINAL.pdf](https://equityagenda.mapc.org/uploads/9.10%20SOEREPOR_T_FINAL.pdf)



zoning laws to prevent changes that would allow more affordable homes, condominiums, and apartments. An update to the Commonwealth's outdated zoning laws should ensure that most cities and towns will allow at least some districts where multi-family housing can be built, while encouraging municipalities to adopt bylaws or ordinances that ensure at least a portion of this housing will be deed-restricted affordable. Both tools will help to increase housing type diversity and affordability in Metro Boston and across the Commonwealth.<sup>42</sup>

There still exists major impediments to fair housing in many places in the Boston metropolitan area.<sup>43</sup> Regional efforts paired with local policies will be needed to truly desegregate communities and provide fair housing opportunities across the region.

### Further Reading

There are many studies about discrimination and the topics covered above in Boston and Massachusetts; the list below is but a short list which helps to highlight some of these historical and contemporary discussions:

- Morse, Patricia, and others, (1975). *Route 128: Boston's Road to Segregation*, Massachusetts Commission Against Discrimination (MCAD). <https://eric.ed.gov/?id=ED118666>
- Paul Watanabe, et al. (1996). *A Dream Deferred: Changing Demographics, Challenges, & New Opportunities for Boston*, Institute for Asian American Studies, University of Massachusetts Boston and The Boston Foundation. <https://eric.ed.gov/?id=ED413368>
- David Harris and Nancy McArdle, (2004). *More than Money: The Spatial Mismatch Between Where Homeowners of Color in Metropolitan Boston Can Afford to Live and Where They Actually Reside*, Metropolitan Boston Equity Initiative of the Harvard Civil Rights Project. <https://civilrightsproject.ucla.edu/research/metro-and-regional-inequalities/metro-boston-equity-initiative-1/more-than-money-the-spatial-mismatch-between-where-homeowners-of-color-in-metro-boston-can-afford-to-live-and-where-they-actually-reside>
- Ana Patricia Muñoz, et al. (2015). *The Color of Wealth in Boston*, Duke University, The New School and the Federal Reserve Bank of Boston. <https://www.bostonfed.org/publications/one-time-pubs/color-of-wealth.aspx>
- Metropolitan Area Planning Council (2017). *Fair Housing and Equity Assessment for Metropolitan Boston*. [http://www.mapc.org/wp-content/uploads/2017/09/Fair\\_Housing\\_and\\_Equity\\_Assessment.pdf](http://www.mapc.org/wp-content/uploads/2017/09/Fair_Housing_and_Equity_Assessment.pdf)
- *Boston-Racism-Image-Reality*, *The Boston Globe* (December 10, 2017), <https://apps.bostonglobe.com/spotlight/boston-racism-image-reality/series/image/?event=event12>

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<sup>42</sup> Ibid, pg 19.

<sup>43</sup> Unless otherwise indicated we are using "Boston Metropolitan area" to refer to the "Boston Metropolitan Division" encompassing the counties of Suffolk; Norfolk and Plymouth.

## **Section II: Community Outreach and Engagement Process**

This section is an overview of the community outreach and engagement activities undertaken to encourage broad and meaningful community participation to understand the history, context, and obstacles to fair housing in Boston and the metropolitan region, and to solicit concerns and ideas for strengthening fair housing. This section also includes a summary of the findings and concerns raised by the participants in these outreach and engagement activities. Meaningful community engagement must be a critical component of the development of any Assessment of Fair Housing (AFH).

### ***The Process***

The City of Boston, through the Department of Neighborhood Development (DND) (now the Mayor's Office of Housing (MOH)), the Boston Housing Authority (BHA), and the Boston Fair Housing Commission (BFHC) implemented a citywide strategy to engage residents and encourage community participation throughout the Assessment of Fair Housing planning process. The City convened a leadership team and a Community Advisory Committee (CAC) (see Appendix A for CAC members) to support the planning of the community meetings and overall community engagement process, who planned the series of community meetings, and helped to establish dates and locations, language needs, facilitators, agendas, and meeting processes.

The federal Fair Housing Act protects individuals on the basis of race, color, religion, sex, familial status, national origin, or having a disability. In addition to the Federal protected classes, Massachusetts Anti-Discrimination Law, M.G.L. ch.151B, prohibits discrimination against the following protected classes: sexual orientation, marital status, ancestry, age, presence of children, veteran status or membership in the armed forces, receipt of Section 8 or other public assistance, source of income, or genetic information. Efforts were made to reach out to and engage people from all of these protected classes and public meetings were held at locations convenient for them. Special efforts were made to select locations for community meetings in areas with racial and ethnic concentrations of poverty (R/ECAPs)<sup>44</sup> and to provide interpretation in languages used by persons who speak a Language Other than English (LOTE). One meeting was held entirely in Chinese and summarized in English. Community meetings were held in neighborhoods with large populations of African Americans, Chinese, Vietnamese, Cape Verdeans, Haitians, Africans, and Latinos including but not limited to residents from the Caribbean, South America, and Central America. Meetings were also held with LGBTQ elders and groups who represented low-income voucher holders and/or those who had experienced homelessness.

To facilitate the work and broaden community participation with these groups the following tools were utilized:

- DND launched a dedicated website for the AFH and posted the AFH outreach brochure, HUD data tables, the AFH survey, the AFH Tool, and links to the HUD AFFH website,

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<sup>44</sup> HUD defined racially or ethnically concentrated areas of poverty (R/ECAPs), as census tracts where more than 50 percent of the population was non-white, and where more than 40 percent of the individuals lived at or below the poverty line. In metropolitan areas where poverty is very low, this threshold was lowered. See: US Department of Housing and Urban Development (2017). Affirmatively Furthering Fair Housing (AFFH) Data Documentation, p, 12. Accessed May 19, 2020 at <https://files.hudexchange.info/resources/documents/AFFH-T-Data-Documentation-AFFHT0003a-September-2017.pdf>

including links to and instructions for the HUD Mapping and Data Tool. The website included a link for submitting comments and suggestions on the AFH.

- An informational pamphlet was designed and distributed in six languages: English, Spanish, Haitian Creole, Vietnamese, Chinese, and Cape Verdean.
- Pamphlets and community meeting flyers were distributed to Boston's 24 public library branches and 36 community centers.
- Surveys for city-wide and BHA residents were translated into five languages: English, Spanish, Haitian Creole, Chinese, and Cape Verdean.
- DND, BHA, and the BFHC created and utilized an email listserv of all meeting attendees and interested parties to communicate important updates and opportunities to stay engaged.

Twenty public meetings were held throughout the City in 2017 in order to solicit ideas and concerns from residents about fair housing and its related issues, and provided information about the progress in developing the AFH report. The dates and summaries of these meetings are provided in Appendix B.

The City's AFH team (DND, BHA, BFHC, and BPHC) engaged more than 60 organizations during the community participation process of the AFH. These organizations consulted with the AFH team and the CAC, recruited residents and others to attend and participate in meetings, and encouraged attendants to complete surveys at each public meeting. Strategic consideration was given to the meeting locations. They were carefully selected in consultation with the CAC to provide for the greatest opportunity for residents to learn about the AFH and to express their views on housing issues and concerns. The meetings, for the most part, were held in locations and neighborhoods identified as R/ECAPs and located near public housing developments. The CAC, in preparing for each meeting, identified language needs of residents and engaged professional interpretation services for persons who speak a language other than English, and provided ASL interpretation upon request. Further, the breakout groups at the meetings were led by the host group or a local resident (not CAC) thereby encouraging participants to speak candidly about their housing experiences.

Additional community input was also solicited by a survey that was distributed at community meetings and posted on the AFH webpage. The Boston Tenant Coalition, in consultation with the CAC, designed a nine-question survey adapted from the survey New Orleans used for their AFH process. To promote input from residents who speak a language other than English, the survey was produced in four languages (Spanish, Haitian Creole, Chinese, and Cape Verdean), in addition to English. The survey was distributed in paper form at the community meetings; and to encourage participation, gift cards to local supermarkets were drawn from the names of survey respondents who attended in person meetings. The survey was posted on the AFH website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) for easy download in all five language versions.

A link to the survey was included in leaflets, promotional materials, and weets. By September 22, 2017, 480 surveys had been completed by Boston residents (325 on paper, 155 online). Seventy-five percent of survey respondents were female; 43 percent were over 50 years of age; and 28 percent were Hispanic/Latinx. In terms of racial breakdown, 45 percent were Black/African-American; 34 percent White; 9 percent Asian; and 8 percent other. Out of the 325 paper surveys, 12 percent were submitted in languages other than English. The survey questions and summary of the responses can be found in Appendix C.

The BHA also provided an opportunity for resident input regarding their experiences using a non-random survey in late 2017 that resulted in more than 3,000 responses (See Appendix D).

More than half (60 percent) of all respondents were female; an overwhelming proportion (75 percent) were 50 years and over; and 47 percent of the respondents were Latinx.<sup>45</sup> In terms of racial breakdown, 39 percent were Black/African-American; 33 percent White; 9 percent Asian; 13 percent other; 3 percent American Indian/Alaskan Native; and 1 percent Native Hawaiian/Pacific Islander. The survey asked residents about the quality of their housing and neighborhood; major barriers to safe and affordable housing; qualities desired for neighborhoods; problems facing neighborhoods; experiences with housing or other discrimination; and recommendations for local government to increase the quality of neighborhoods for all people. Respondents were located throughout Boston as shown in Appendix D.

Both surveys provided context to stimulate conversation at some of the public focus groups. Each group consisted of a facilitator, a note taker, and whenever possible, an equal number of community members. Based on the number of attendees, some community meetings had five or more breakout groups; smaller meetings may have had one or two groups. Further, the facilitators attempted to lead their group through the questions (typically three to five) in the allotted time. The comments from the 500+ attendees are grouped below in four areas based on the common questions asked at the meetings.

### ***Community Feedback and Findings***

The public feedback reflected an impressive degree of civic participation and dedication towards building a more socially just city where everyone could partake of its opportunities to live in decent and affordable housing, and be able to participate in the local economy as productive residents who could meet every day needs, whether for individuals or families. The feedback also reflected an overall civic consciousness about how public policy, government, and the private sector impact fair housing issues. Public and community engagement has helped to mold the kinds of goals further explained later in this report.

Several themes and concerns were raised in community meetings in Mattapan, Charlestown, Dorchester, Roxbury, as well as in meetings held with the NAACP, the Roxbury Neighborhood Council, the Fair Housing Center for Greater Boston, Homes for Families and other community organizations.<sup>46</sup> One major issue was affordable rents as a barrier to safe and affordable homes in one's neighborhood; this was associated with gentrification. (At least 51 individuals reported being displaced from their homes, primarily due to rent increases, and then evictions). Other top issues included credit issues, lack of good jobs, and lack of good transit.

When people were asked about their concerns, the most frequently mentioned issues were:

- Rising rents or home prices pushing people out of the neighborhood
- Lack of affordable housing
- Violent crime and/or gun violence
- Racial segregation/discrimination
- Lack of accessible housing
- Lack of family size housing

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<sup>45</sup> While the term "Hispanic" is often used in demographic/data sources, it is not a term in common/daily use in New England. "Latino," "Latina," "Latinos," and more recently "Latinx" are used more frequently. In this report, Hispanic and the various forms of Latinx are used interchangeably, depending on the source.

<sup>46</sup> See "Main Issues Raised in Community Meetings..." Notes by Kandynese Paz and BTC.

- Other frequently mentioned issues included poverty, substandard housing, families and others not being able to utilize housing vouchers (due to high rents and discrimination), and abandoned housing and lots.

Participants were also asked: “What do you think the City of Boston can do to address racial and ethnic segregation in housing?” The strongest response was for adopting restrictions on rent increases. Other responses included:

- Making affordable housing truly affordable to Boston incomes
- More resources and assistance for homeowners and small landlords including de-leading
- Promoting land trusts as an anti-gentrification tool
- Using city-owned parcels to create more affordable housing
- Building more family-friendly housing in all neighborhoods
- More testing and prosecution of landlords and realtors who engage in discrimination

These themes were repeated in the written surveys conducted by the BTC and DND. Except for affordable rents and lack of affordable housing, followed by violent crime/gun violence, there was not one issue or situation that was ranked as much more important than others. In terms of what these respondents said they would look for in a neighborhood the responses included: good schools, good jobs and economic opportunities, accessible and quality health care including access to healthy food, access to public transportation options consistent with resident and family needs, and quality recreation in terms of parks, swimming pools and other facilities.

Under Housing Choice, the key question was, “What are the major barriers to finding a safe and affordable home in your neighborhood of choice?” The responses were sobering, and not confined to any one part of the city:

- Affordability; quickly rising rents
- Gentrification; building of luxury housing displacing long-term residents
- Shortage of low-income housing
- Lack of suitable units (disabled, family, and elderly)
- Discrimination by landlords and realtors (housing voucher, racial, young children, nationality)
- Poor credit and/or CORI issues
- Lack of good jobs or sufficient income to move (1st month’s rent, last month’s rent, and security deposits)

Under Neighborhood Quality the question was “Are you concerned about high levels of any of the following in your neighborhood?” The major concerns cited include:

- Displacement and gentrification
- Discrimination
- Racial segregation
- Crime (gun violence, drugs)
- Poor rental conditions (lead paint, environmental hazards)
- Lack of jobs
- Blighted lots and homes
- Relaxed zoning
- The burden of increased property values and associated taxes on low-income homeowners, especially seniors

There were several key findings related to the Assessment of Fair Housing on the part of BHA respondents. The vast majority of survey respondents (74 percent) were generally satisfied with the quality of their housing; 67 percent of survey respondents did not have health concerns related to their housing, and 64 percent did not have safety concerns. Affordable rents were identified by 65 percent of respondents as a major barrier to finding safe and affordable housing in the neighborhoods of choice on the part of respondents. Affordable housing and rising rents was a major concern found throughout the survey; this was followed, to a lesser extent, by concerns related to disabilities, lack of jobs, and credit issues.

The following is a thematic synthesis of public meetings and the surveys described above. The themes below, along with the analysis of fair housing data, are addressed in the report's fair housing goals and actions in Section IV:

- Gentrification is a city-wide and serious concern. In the public meetings, the City heard residents from communities of color across the city, whether Black, Latinx, or Asian, express anxiety and concern, and a sense of vulnerability, that they may not only lose their homes but their communities, as well;
- There is a concern that there are not enough protections for low-income and moderate-income residents in areas facing gentrification pressures, or more generally;
- Rapidly rising rents across the city is a concern, but especially in low-income parts of the city;
- There is widely shared perception that evictions are being used in exploitative ways to displace or move low- and moderate-income renters;
- There are concerns about the definition and concept of housing affordability; if the call for affordability is not based on actual incomes of residents in some neighborhoods, then it will hurt their chances in terms of access to affordable housing since they are in competition with households with significantly higher incomes, but still at or below 80 percent of the Area Median Income;
- There is a sense that the real estate industry is not serving all of the residents of Boston. New development of luxury/market-rate properties throughout Boston has contributed to rising housing costs and land values in all parts of the City. These rising costs and land values are creating exploitative opportunities for landlords of unsubsidized, low rent properties to sell their properties or empty out buildings, renovate them, and either rent them to higher-income households or convert the properties to high-priced condominiums;
- There is a need for more information and opportunities to increase homeownership, especially in communities of color, and among low-income groups. Additionally, opportunities should be increased for expanding alternative resident-owned housing, community land trusts, and cooperative housing; many raised the issue regarding the use of vacant land or city-owned land for cooperative housing;
- Crime and gun violence is a major problem and youth involvement with violence is too high;
- The current state of public transportation is a problem in terms of access to quality service for many communities, but especially low-income communities and communities of color;
- Segregation by neighborhood areas continues in Boston; some 'opportunity areas' are located in segregated neighborhoods and building affordable housing in these areas should also increase racial and ethnic diversity;
- Current policies like the Linkage Policy (requires large commercial projects to pay into a fund for income restricted housing), the Inclusionary Development Policy (requires residential development to create or fund income restricted housing), and the

Community Preservation Act (property taxes and state matching dollars fund income restricted housing, open space, and historic preservation) should be expanded and strengthened;

- Neighborhood-based organizations and businesses should be strengthened as a bulwark against gentrification;
- Zoning is a powerful tool to help vision a Boston for all; it should be used more aggressively for furthering fair housing and preventing displacement; and
- Fair housing cannot be 'siloes'--it is part of public schools, public health, public safety, and the availability of economic opportunities.

## **Completing this Report and Establishing Goals**

While the public process was taking place, City staff had been drafting the Assessment of Fair Housing (AFH). The second draft of the AFH was available for comment at the same time as the final public meetings were taking place, in September 2017, in preparation for a spring 2018 submission to HUD under the Obama era Affirmatively Further Fair Housing requirements. In January 2018, the Trump administration suspended these requirements.<sup>47</sup> With no guidance from HUD on how to proceed, completion of the AFH process was put on hold.

After consultation with the Community Advisory Committee (CAC), the City agreed to proceed with an AFH, as part of its ongoing support for affirmatively furthering fair housing. The City also agreed to hire James Jennings, PhD, to write a new draft of the report, which was submitted to DND in June of 2019. Both prior to, and after submission of this draft, the City of Boston continued to meet with the CAC to refine the goals and actions. Further revisions of the draft and meetings on goals and actions were put on hold after November 2019. In February 2020, the CAC asked the City to complete the process. The City agreed to move forward, though the COVID-19 pandemic slowed this process.

A draft was presented to the public at a virtual Town Hall on June 6, 2020 organized by the CAC. This Town Hall meeting included a presentation by City Councilor Lydia Edwards calling for the adoption of fair housing language within the city's zoning codes. The feedback from the Town Hall meeting indicated widespread support for the adoption of a comprehensive assessment of furthering fair housing report. Further edits and refinements were made during the fall of 2020, resulting in this early 2021, final document.

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<sup>47</sup> U.S. Department of Housing and Urban Development (2018). "Affirmatively Furthering Fair Housing: Extension of Deadline for Submission of Assessment of Fair Housing for Consolidated Plan Participants," *Federal Register*, Vol 83, No. 4, page 683. Accessed 5/20/2020 at <https://www.govinfo.gov/content/pkg/FR-2018-01-05/pdf/2018-00106.pdf>

## Section III: Data on Demographics, Housing, and Barriers to Fair Housing

The Federal Fair Housing Act prohibits discrimination against seven protected classes: race, color, national origin, religion, sex, familial status, and disability. Massachusetts fair housing laws add seven additional protected classes: source of income, sexual orientation, gender identity, age, marital status, veteran or active military status, and genetic information. This section provides data, where available, on populations in these protected classes in Boston.

*Part A* provides an overview of relevant data and maps regarding the demographic trends and geographic distribution of people in various protected classes, as well as characteristics of the city's housing stock. *Part B* examines the income-restricted housing supply, including the city's publicly-funded units and expiring use units. *Part C* provides a discussion about barriers to fair housing and accessing opportunity, looking at a range of topics from housing discrimination to public health.

For each figure or chart presented there is a corresponding table in the Appendix that provides more detailed numbers for reference.

Throughout this chapter, “White” refers to White, non-Hispanic/Latinx persons or households unless otherwise noted. Similarly, “Black” refers to Black/African Americans who are not Hispanic/Latinx, and “Asian” refers to Asians who are not Hispanic/Latinx. Latinx is used to refer to households or individuals who identify as Hispanic/Latinx, and can be of any race. For example, an individual who identified themselves racially as Black and ethnically as Latino on their US Census form would be counted here as Latinx, unless otherwise noted.

## PART A. Boston's Demographic and Housing Characteristics

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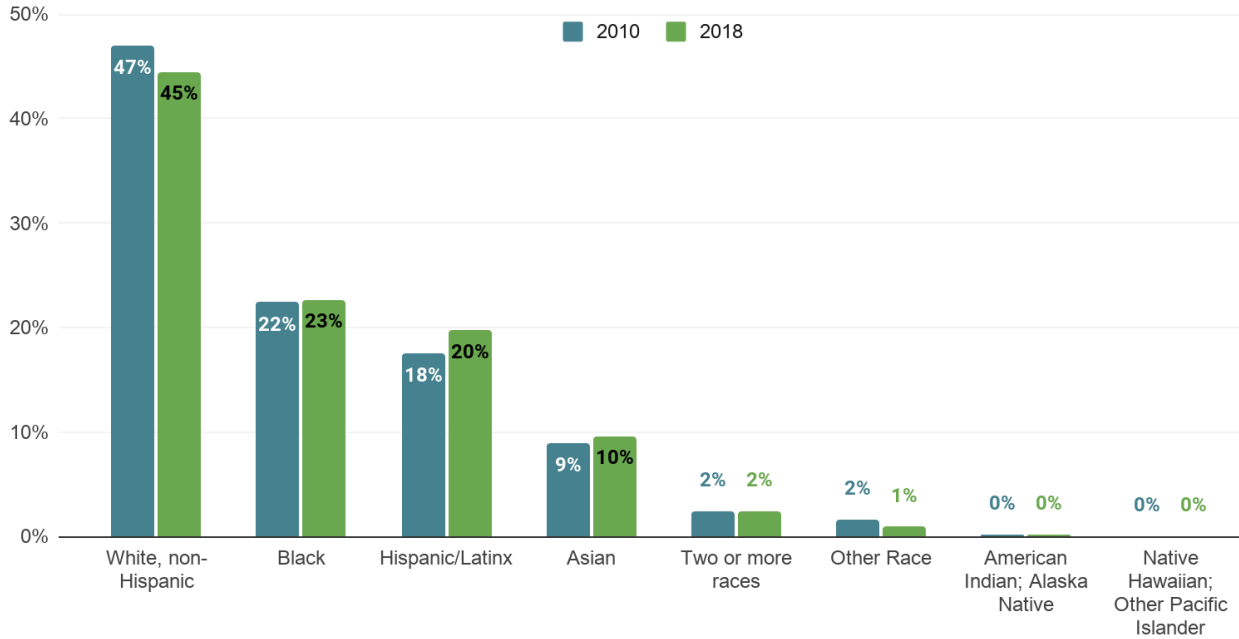
### Race/Ethnicity

The 2010 Census counted 617,594 persons in Boston, of whom 47 percent (290,312) were non-Latinx White, 22 percent (138,073) were non-Latinx Black, 9 percent (54,846) were non-Latinx Asian, and 18 percent (107,917) were Latinx (who can be of any or multiple races).

From the 2010 Census to 2018, Boston's total population grew by 10 percent. As part of this increase, the population of every major racial/ethnic group also increased, though at different rates, altering the demographic composition somewhat (Figure 1). Boston's Latinx population grew the fastest (24%). As a result, Latinx are now 20 percent of the population, up from 18 percent. Significant (18%) growth in the Asian population increased this group's share of the total population from 9 percent to 10 percent. The Black population increased by 12 percent, raising their share of the total population from 22 percent in 2010 to 23 percent in 2018. As the White population grew more slowly than the City as a whole, their share of the population declined from 47 percent to 45 percent.



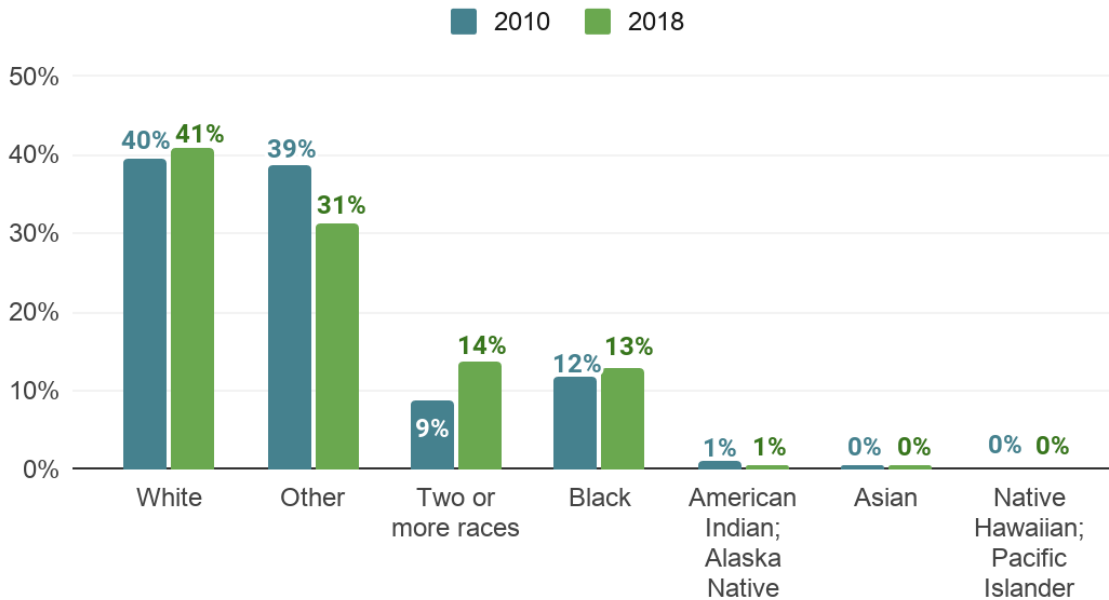
Figure 1. Total Population of Boston by Race and Ethnicity, 2010-2018



Source: 2010 Decennial Census and American Community Survey 5-Year Estimates, 2014-2018, Table B03002

It is also useful to understand that Boston’s Latinx population is very racially diverse. In 2018, nearly 41 percent of the Latinx population identified their race as “White alone,” up over 1 percentage point from 2010 (Figure 2). A notable increase occurred in the percentage of Latinx who identified their race as Black, up to 12.9 percent in 2018 from 11.7 percent in 2010. Another 31 percent identified their race as “some other race alone” rather than one of the five Census Bureau designated racial categories in 2018, down from 38.8 percent in 2010. Latinx identifying as multiple races also increased by over 5 percentage points from 2010-2018.

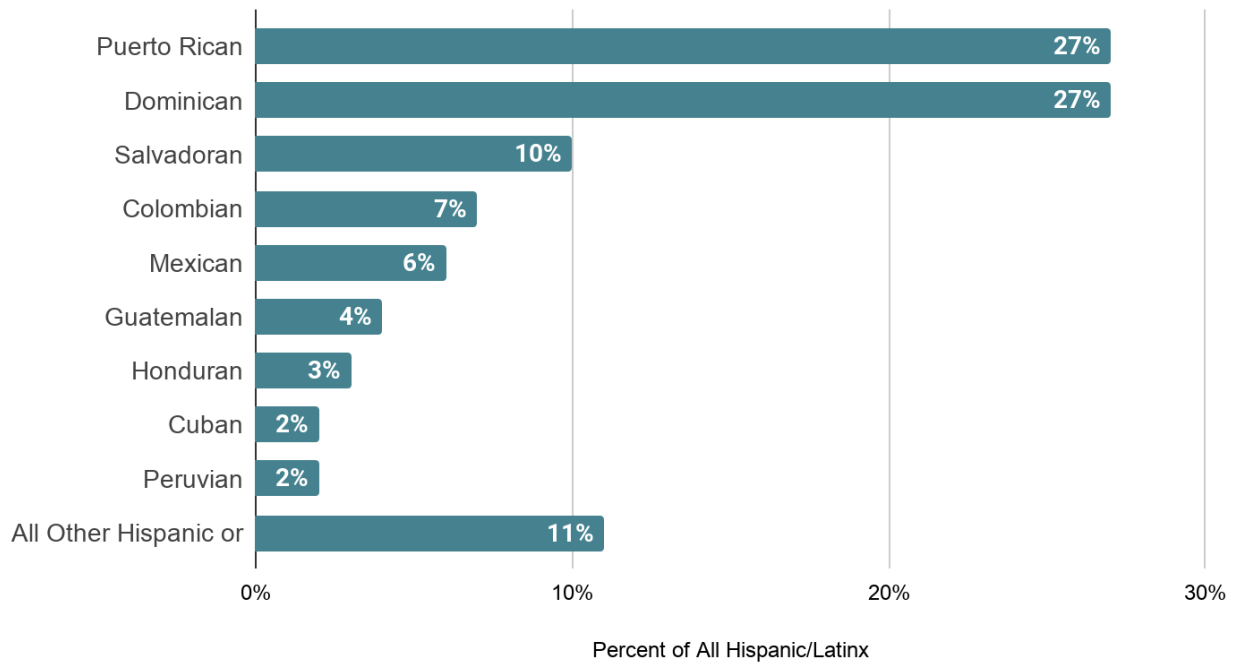
Figure 2. Latinx Population by Race



Source: U.S. Census Bureau, 2010 Decennial Census (Table P5) and 2014-2018 American Community Survey 5-Year Estimates, Table B03002

There is also ancestral diversity among Latinx in Boston. As Figure 3 shows, 27 percent (36,607) of all Latinx in Boston have Puerto Rican ancestry, and another 27 percent (36,430) have Dominican ancestry. The Salvadoran and Colombian populations are also sizable, with 10 percent (14,018) and 7 percent (9,640) of the Latinx population, respectively.

Figure 3. Latinx Population by Ancestry



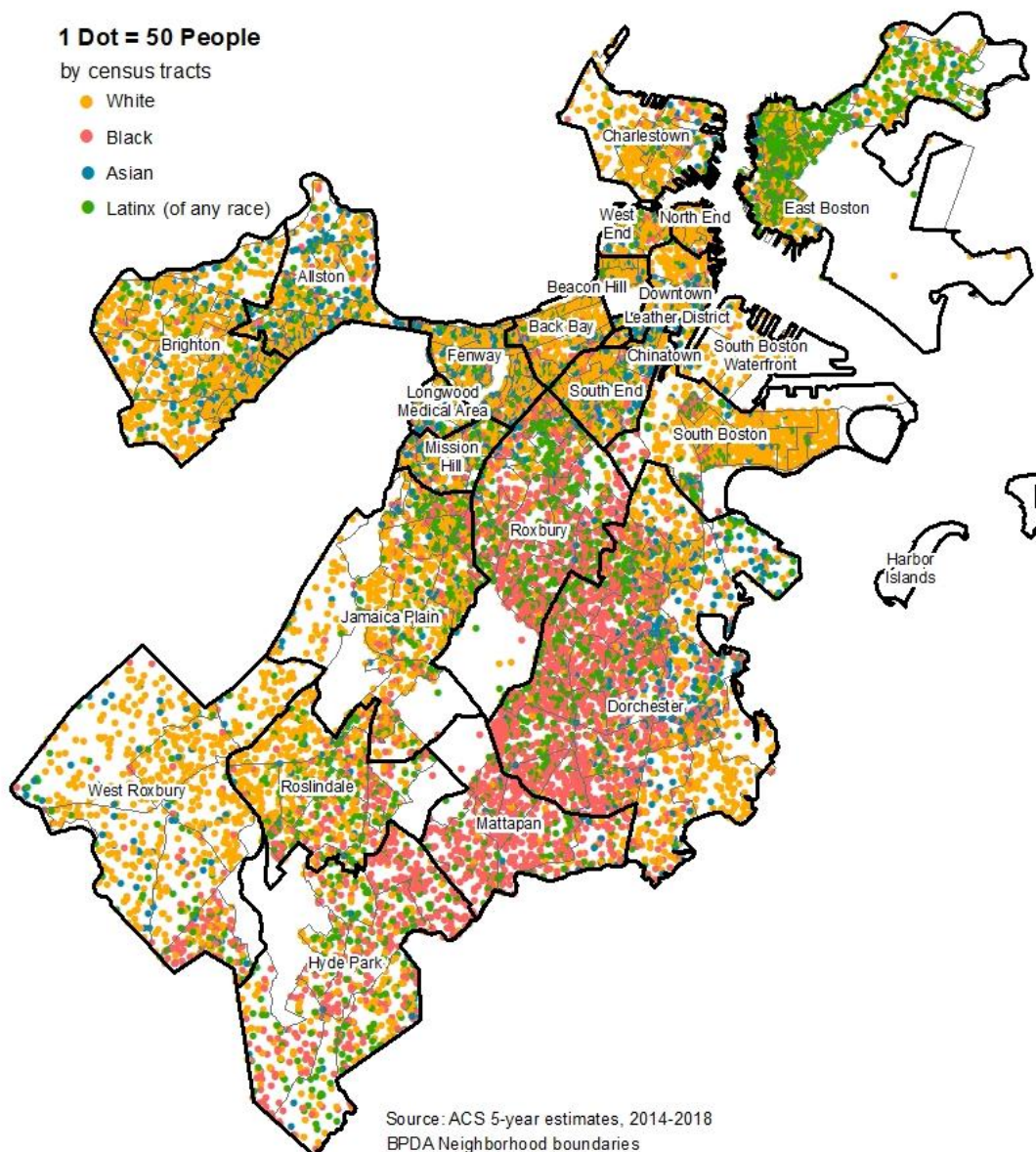
Source: American Community Survey 5-year estimates, 2014-2018, Table B03001  
 \*Includes all ancestries reporting 1% or fewer proportion of all Latinx persons

## Geographic Distribution of Racial and Ethnic Populations

Boston has realized important racial progress over the last several decades. Black, Latinx, and Asian residents now reside in some of the same neighborhoods that were too dangerous for them to go to in the past due to racial discrimination and physical violence. Despite this progress, Boston still shows strong patterns of racial and ethnic concentration and segregation by residential location.

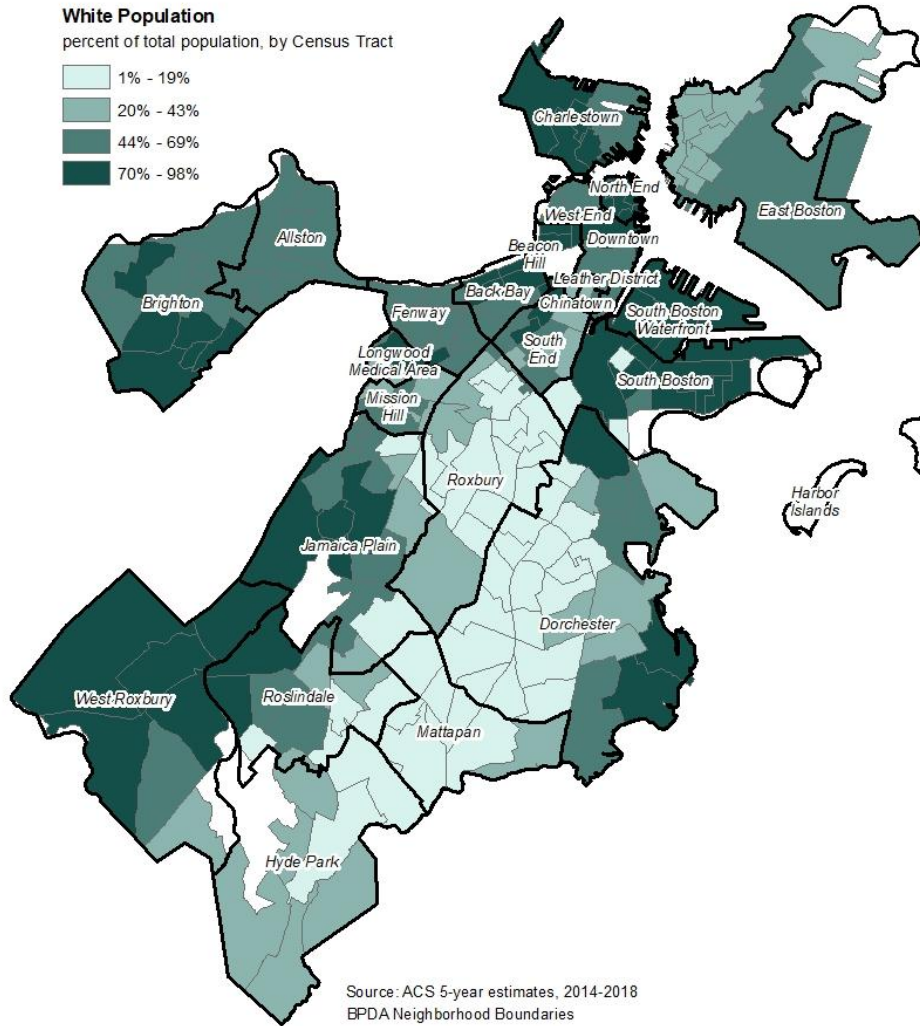
Map 1 shows Boston's population by race and ethnicity. Each dot represents 50 people. The map clearly shows that despite being a majority-minority city where people of color represent 55 percent of the total population, Boston's racial groups are segregated.

Map 1. Population by Race/Ethnicity



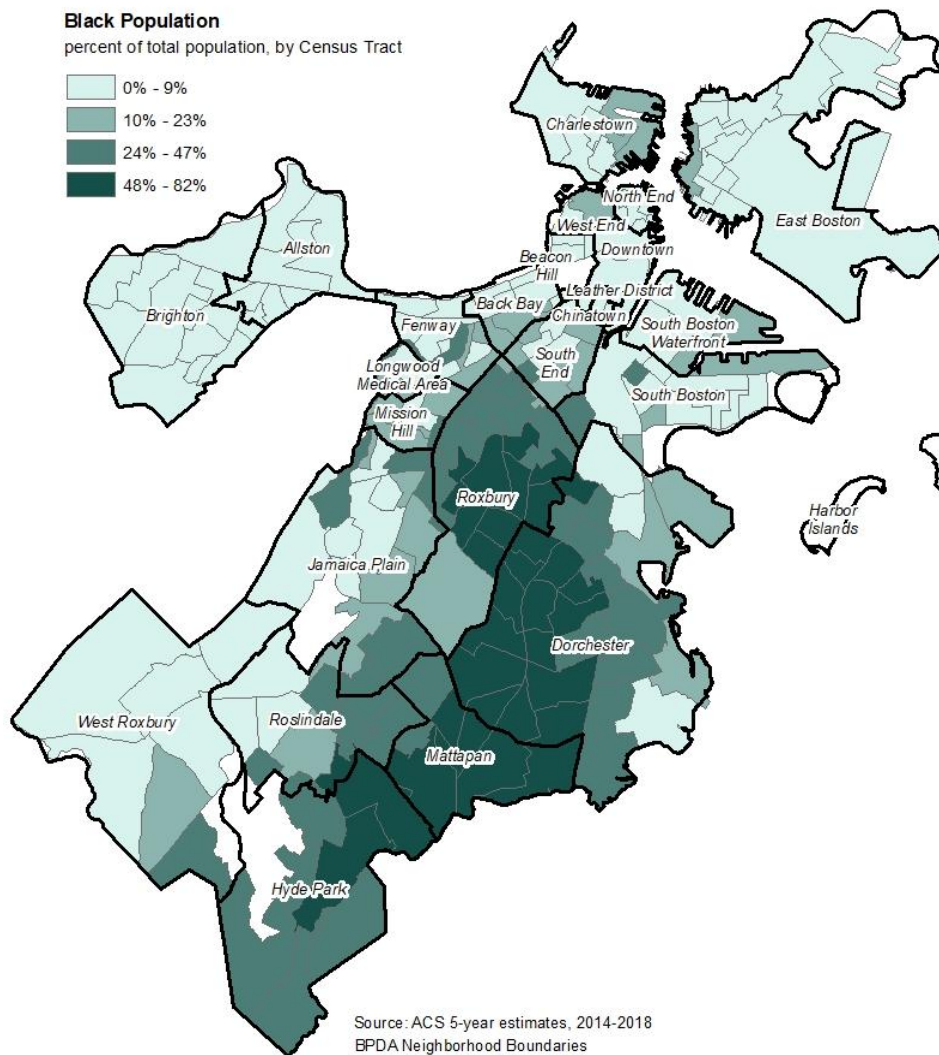
White, non-Latinx residents make up 45 percent of Boston's population, and are more than 70 percent of the residents in South Boston and West Roxbury, as well as in portions of Brighton, Charlestown, the downtown neighborhoods, Jamaica Plain, and Dorchester (Map 2).

Map 2. White Population



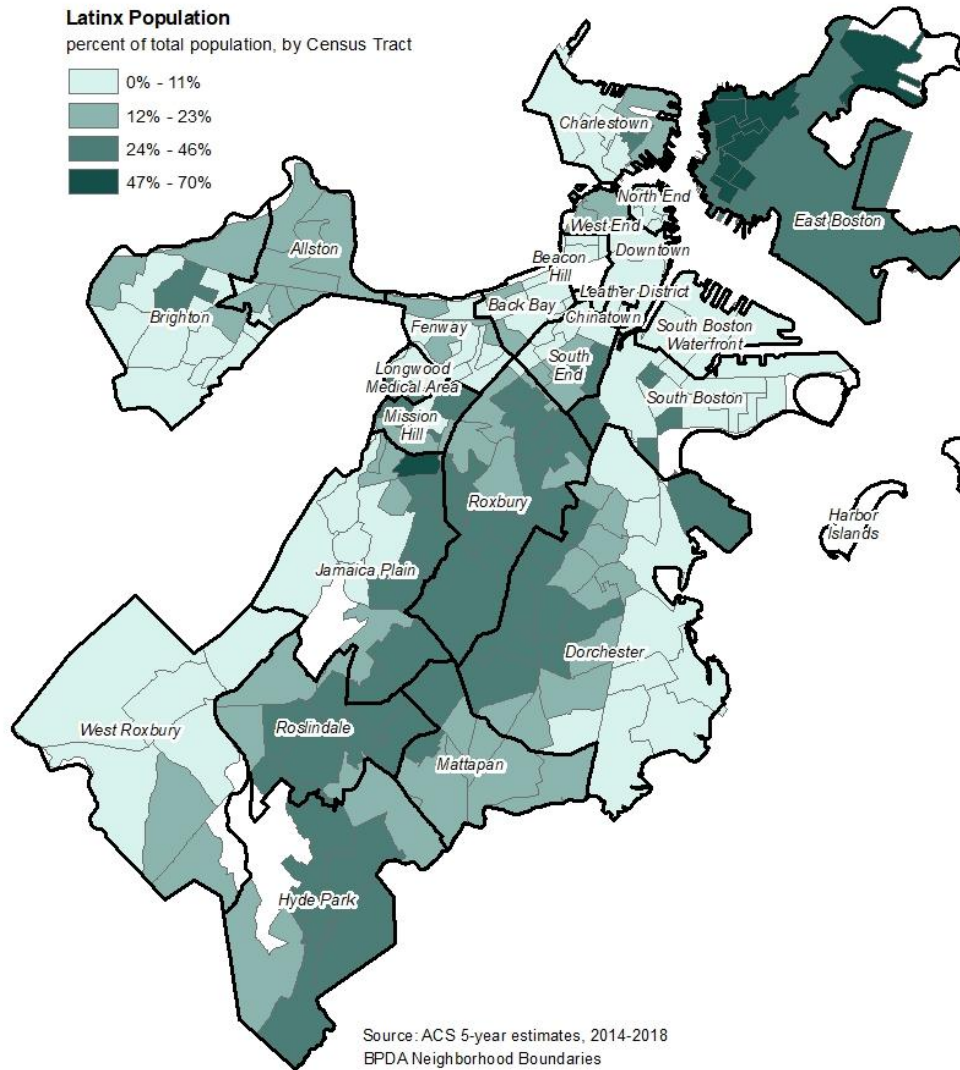
Black residents make up 22.7 percent of Boston's total population and are concentrated in Roxbury, Dorchester, Mattapan, and Hyde Park. Within this population there is significant diversity in historical origin: some families trace their roots to Boston's first Black neighborhood in Beacon Hill, some moved to Boston as part of the migration of Blacks from the South, while others came to Boston in one of the several periods of immigration from places such as Jamaica, Trinidad, Haiti, and more recently from parts of Africa such as Somalia and Nigeria. There are several tracts where Black residents make up over 80 percent of the population and many more where they are over 50 percent of the population.

Map 3. Black Population



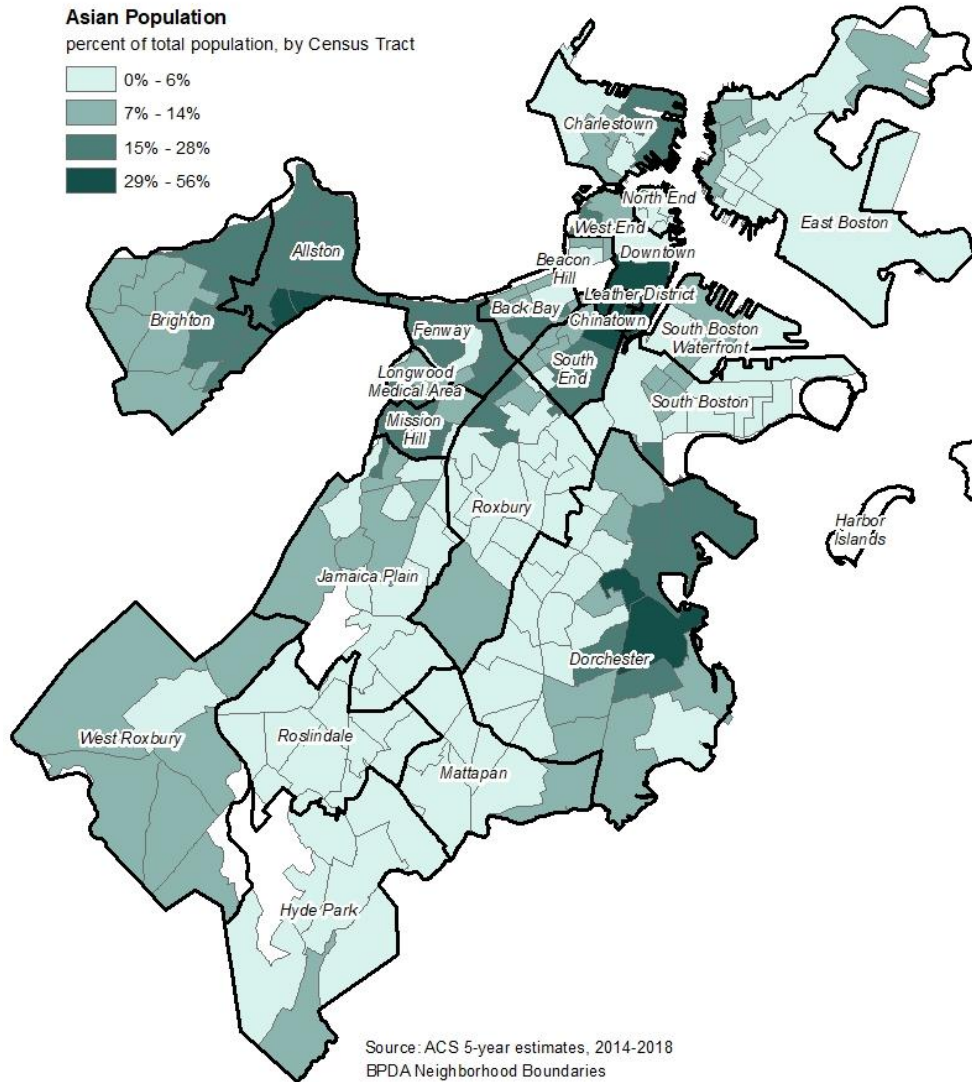
Boston's Latinx population today is widely distributed across a number of neighborhoods. This pattern is due in part to the fact that Boston's Latinx population (19.7% of Boston's population) has its roots in a number of places, with Puerto Ricans and Dominicans residing more in the South End, Jamaica Plain, Roxbury, and Dorchester, while Salvadorans, Columbians, Mexicans, and Guatemalans are more concentrated in East Boston.

Map 4. Latinx Population



Boston's Asian population makes up 9.3 percent of the population. Chinatown is easily identifiable as Boston's largest concentration (over 50%) of Asians, though there has been more recent growth of an Asian population in Allston, and a strong Vietnamese community in Dorchester.

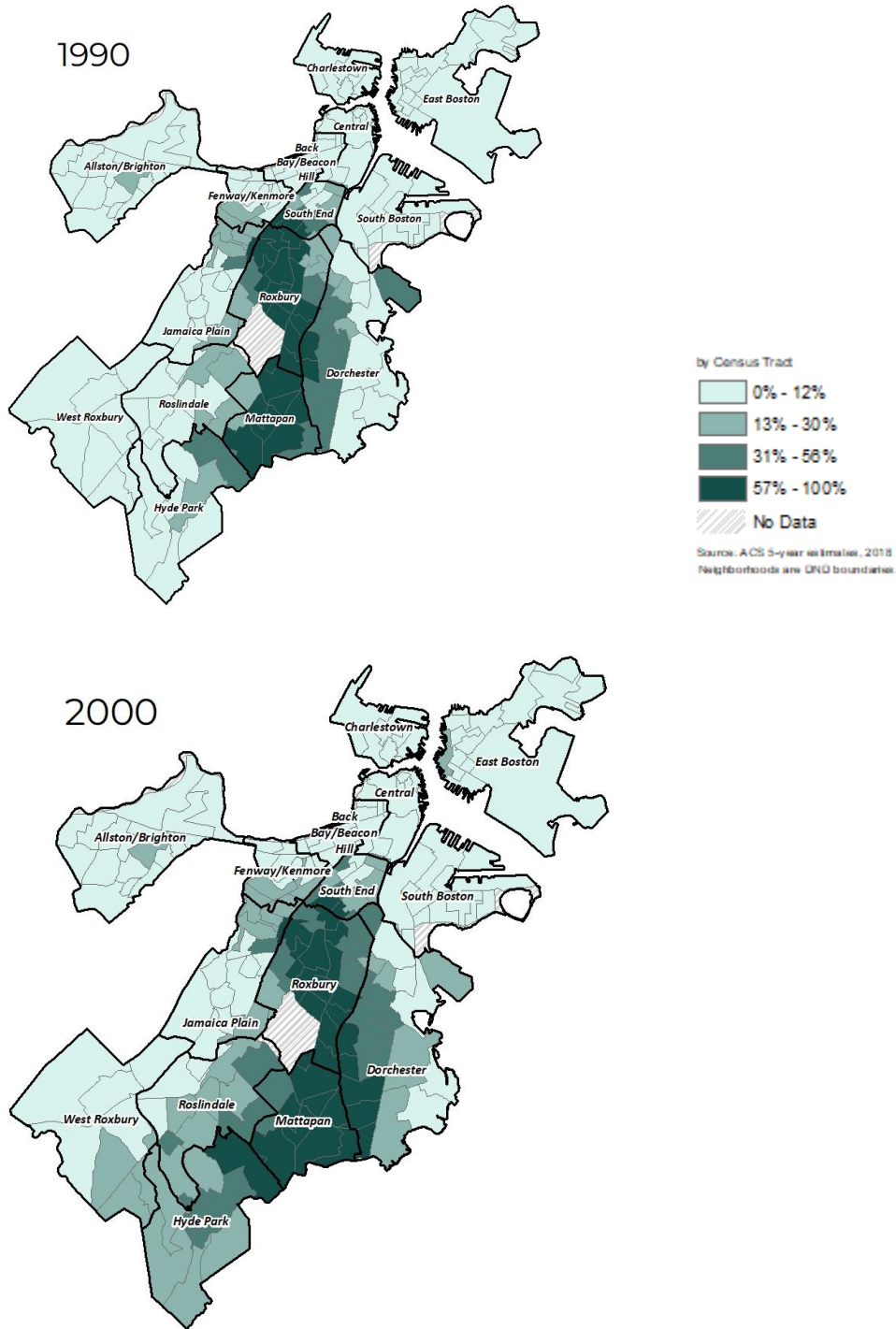
Map 5. Asian Population



Map 6 is a series of maps showing how the geographic concentration of the Black non-Hispanic population has changed over time, between 1990-2018. In 1990, the Black population was heavily concentrated in only Roxbury, South End (Lower Roxbury), Mattapan, and the eastern portions of Dorchester. Black communities were highly segregated during this time. Over the past nearly three decades, the Black population has somewhat deconcentrated, gaining a stronger residential presence in other neighborhoods, such as Dorchester, Hyde Park, and Roslindale. However, while some deconcentration has occurred, the 2018 map still shows clear segregation in the city overall. Non-Latinx Black residents are concentrated in certain

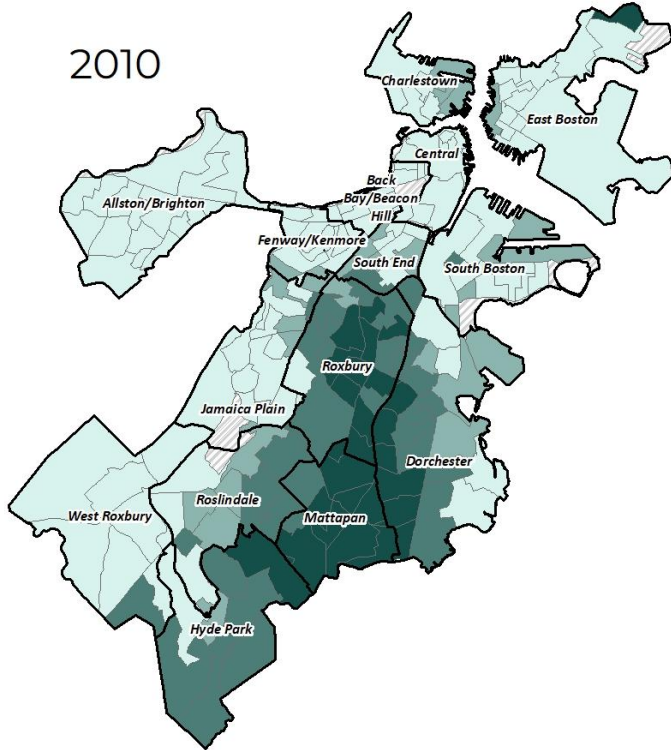
neighborhoods, with almost no presence in other neighborhoods. Note that this pattern changes a bit when we look at Black Latinx residents, who have a presence in neighborhoods like Jamaica Plain, but the overall segregation of racial groups still holds true.

Map 6. Share of Population that is Black, Non-Latinx, 1990-2018

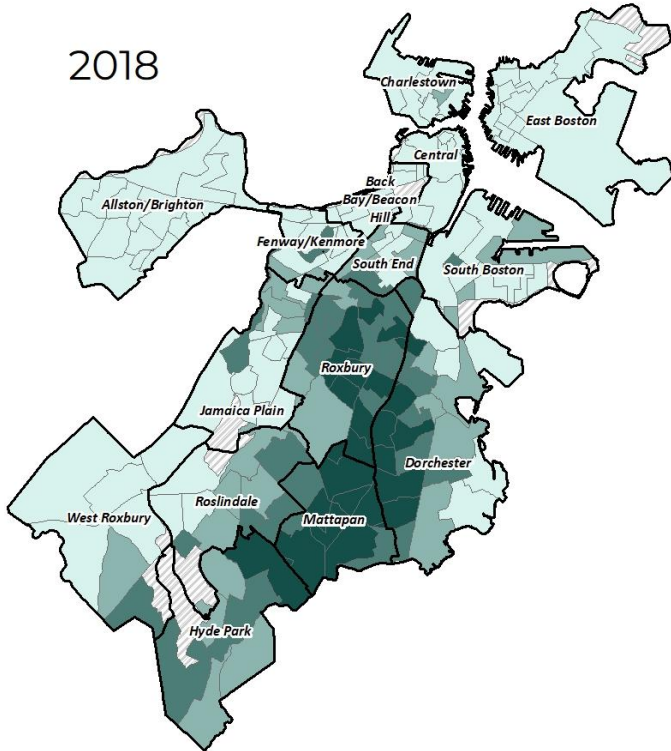




2010



2018



### ***Racially and Ethnically Concentrated Areas of Poverty (R/ECAPS)***

Of particular concern are areas with concentrations both of persons in protected classes and of persons living in poverty. HUD has identified such census tracts as Racially/Ethnically Concentrated Areas of Poverty (“R/ECAP”). HUD defines a R/ECAP as a census tract where at least 50 percent of the population is non-white and that meets one of the two following poverty measures: 1) the poverty rate exceeds 40 percent, or 2) the poverty rate is three or more times the average poverty rate for tracts in the metropolitan area, whichever is lower.<sup>48</sup> HUD has requested that cities take special note of these census tracts, and define goals to reduce poverty and barriers to opportunity for the residents of these tracts.

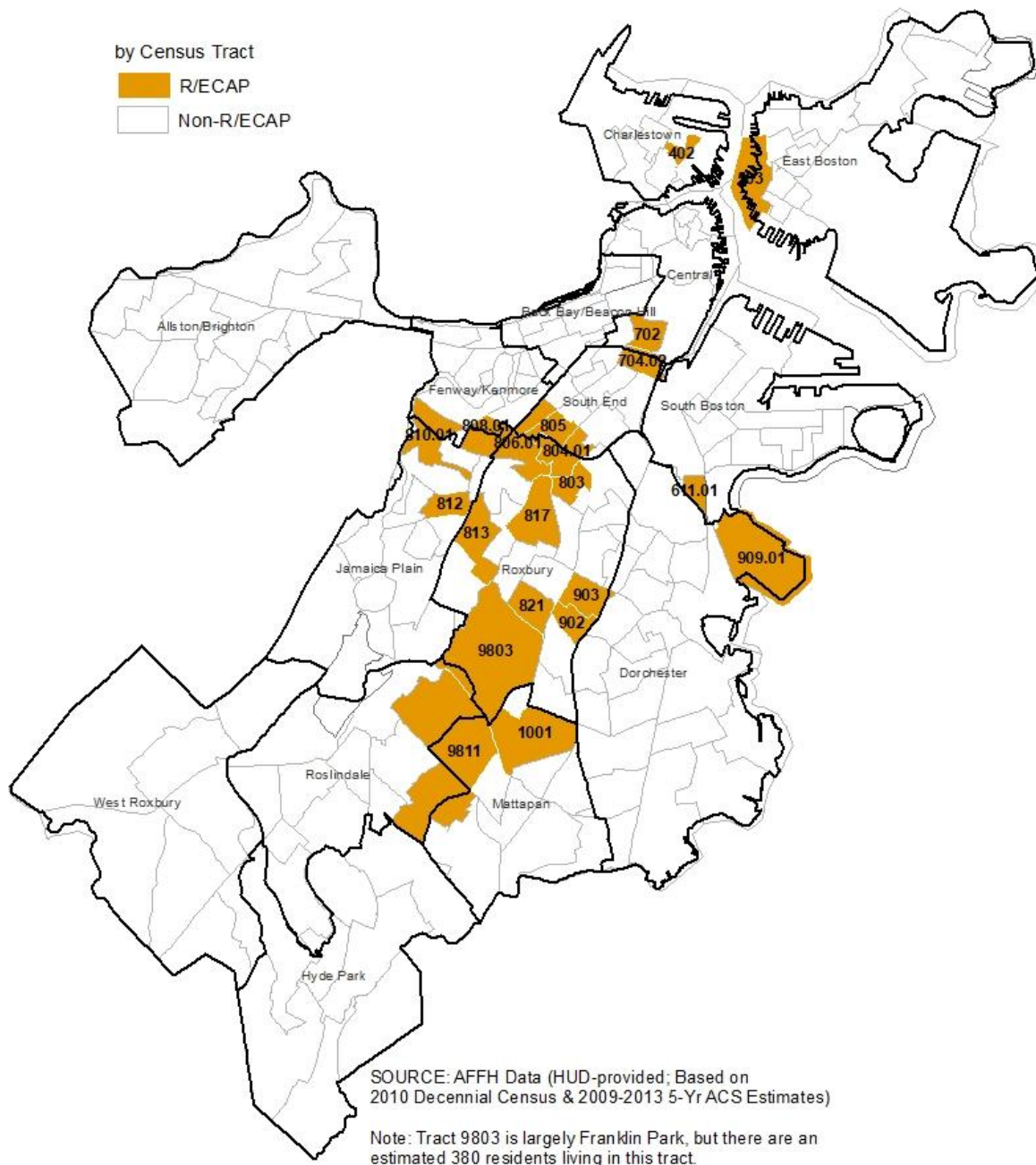
Map 7 identifies Boston’s R/ECAPs (shaded in yellow) as defined by HUD.<sup>49</sup> These R/ECAPs will be used to provide further understanding as to how certain protected classes and populations are concentrated within these tracts.

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<sup>48</sup> More information on the methodology for defining R/ECAPs can be found on the HUD web site at [https://hudgis-hud.opendata.arcgis.com/datasets/56de4edea8264fe5a344da9811ef5d6e\\_0](https://hudgis-hud.opendata.arcgis.com/datasets/56de4edea8264fe5a344da9811ef5d6e_0)

<sup>49</sup>2013 version of R/ECAPs are used, which is the most updated version released by HUD

Map 7. Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs)



R/ECAPs are highly concentrated in Roxbury, with other R/ECAPs also falling in the South End, Chinatown, Jamaica Plain, and Mattapan. East Boston, Charlestown, Roslindale, Dorchester, and South Boston each have one R/ECAP. These R/ECAPs can be generally subdivided into three categories (Table 1): 1) tracts where there has been little housing development since 2010 and a very high percentage of income restricted/affordable housing (including public housing), as well as Housing Choice Vouchers (HCVs), 2) tracts that have had significant housing development since 2010, but also have high percentages of income-restricted housing and

HCVs, and 3) tracts with little to no development and also little to no income-restricted housing and HCVs.

Table 1. R/ECAPs Categorized by Development and Income-Restricted Housing

	Little Development; High Percentages of Income Restricted Housing	Strong Development; High Percentages of Income Restricted Housing	No Development; Little/No Income-Restricted Housing
Census Tract	402	503	909.01
	611.01	702	9803
	803	704.02	
	804.01	806.01	
	805	9811	
	808.01		
	810.01		
	812		
	813		
	817		
	821		
	902		
	903		
	1001		
Percentage of R/ECAPs	67%	24%	10%

Source: 2013 R/ECAPs (HUD), Income-Restricted Housing Inventory (MOH), HCV data (HUD), Housing Permits (ISD; MOH)

Out of the 21 R/ECAPs, 67% are in tracts with little development and high percentages of income-restricted housing. For tracts in this category, between 29%-91% of the housing stock is income-restricted, and new housing permits account for 0%-8% of all housing units. For four of those tracts, HCVs account for 24%-30% of all housing units. An approach to addressing R/ECAPs in this category may include focusing efforts on services that provide existing residents ladders to opportunity, and/or reducing the concentration of poverty by expanding the availability of homeownership or mixed-income rental units.

24% of all R/ECAPs are in tracts where housing permits have accounted for 13%-144% of all housing units. These same tracts, however, also all have high percentages of income-restricted housing and/or HCVs. In four out of the five tracts in this category, 49%-90% of housing is income-restricted, and in the fifth tract 47% of housing units have a household with a HCV. Addressing R/ECAPs in this category may include expanding preservation efforts, and/or increasing the number of income-restricted units through production, or through acquisition of naturally affordable market-rate housing.

Two R/ECAPs have lower percentages of income-restricted units, but have seen no development since 2010. These tracts are likely to stay R/ECAPs for the foreseeable future.

In 2018, just over 12 percent of Boston’s foreign-born population lived in R/ECAPs. This percentage has hardly changed from 2010, when just under 12 percent were living in R/ECAPs.

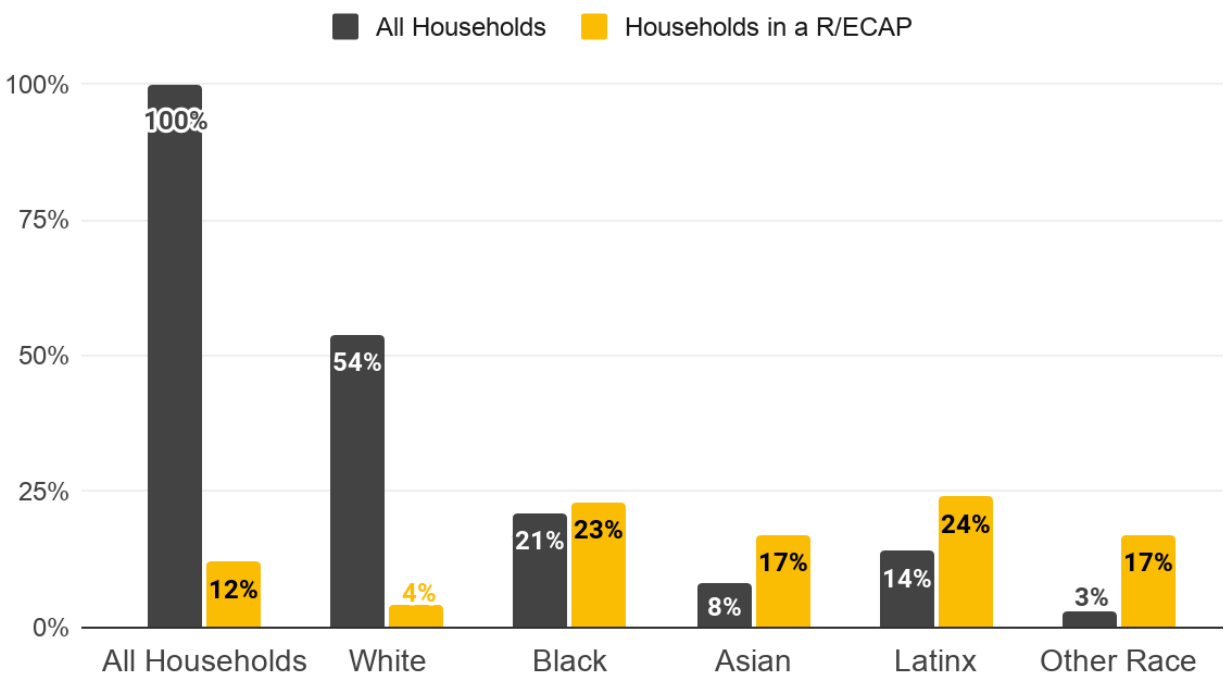
Table 2. Percent of Foreign Born Residents Living in R/ECAPs

Year	Percent
2010	11.7%
2018	12.4%

Source: ACS 5-Year estimates 2014-2018, Table B05006

Figure 4 shows the distribution of households by race/ethnicity across R/ECAPs. There are 29,515 households in Boston’s R/ECAPs representing 12 percent of Boston’s total households. 24,582 or 83 percent of these are non-White households. Only four percent of White households live in a R/ECAP, compared to 24 percent of Latinx households, 23 percent of Black households, and 17 percent of Asian households.

Figure 4. Percent of Households in R/ECAPs by Race/Ethnicity



Source: American Community Survey 5-Year Estimates, 2014-2018 and 2013 R/ECAPs

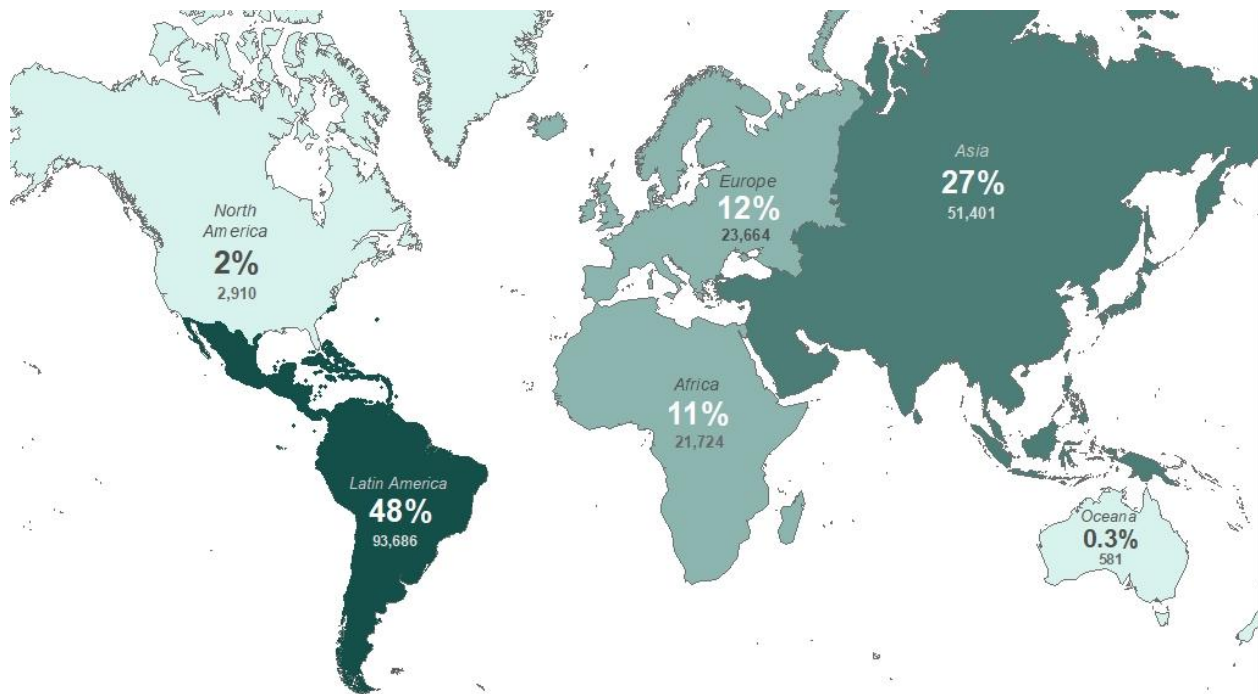
Another way of measuring concentrated areas of race/ethnicity and poverty is by looking at environmental justice populations, as measured by the Environmental Justice Policy of the Massachusetts Executive Office of Energy and Environmental Affairs. Environmental justice

populations include areas based on census block groups where “25 percent of households within the census block group have a median annual household income at or below 65 percent of the statewide median income for Massachusetts; or 25 percent or more of the residents are minority; or 25 percent or more of the residents have English Isolation.”<sup>50</sup> This can be used to proxy for, or further understand, R/ECAPs. Map A in the Appendix shows environmental justice populations in Boston.

### **Foreign Born Persons, National Origin, and Ancestry<sup>51</sup>**

Traditional Census-based categories of race and ethnicity do not tell the whole story of Boston’s diversity. In Boston, 31 percent (193,966) of all residents are foreign-born, of whom 51 percent are not U.S. Citizens.<sup>52</sup> Almost half (48%) of all foreign-born persons come from Latin America, followed by Asia (27%), Europe (12%), and Africa (11%). Boston is more diverse than Massachusetts as a whole, where 16.5 percent of all residents are foreign-born.<sup>53</sup>

Map 8: Region of Birth by Foreign-Born Persons Living in Boston, 2018<sup>54</sup>



Source: American Community Survey 5-Year Estimates, 2014-2018, Table S0502

If we take a closer look at the specific places of birth, we find that the Dominican Republic is the #1 country of origin for foreign born residents in Boston (11%), closely followed by China (10%), and Haiti (9%). Figure 5 shows that the top 10 places of birth are a rich mix of countries in Asia,

<sup>50</sup> See, <https://www.mass.gov/environmental-justice>

<sup>51</sup> National origin refers to the world place of birth (in this case, for the foreign-born population) and ancestry refers to ethnicity, or one’s ethnic roots.

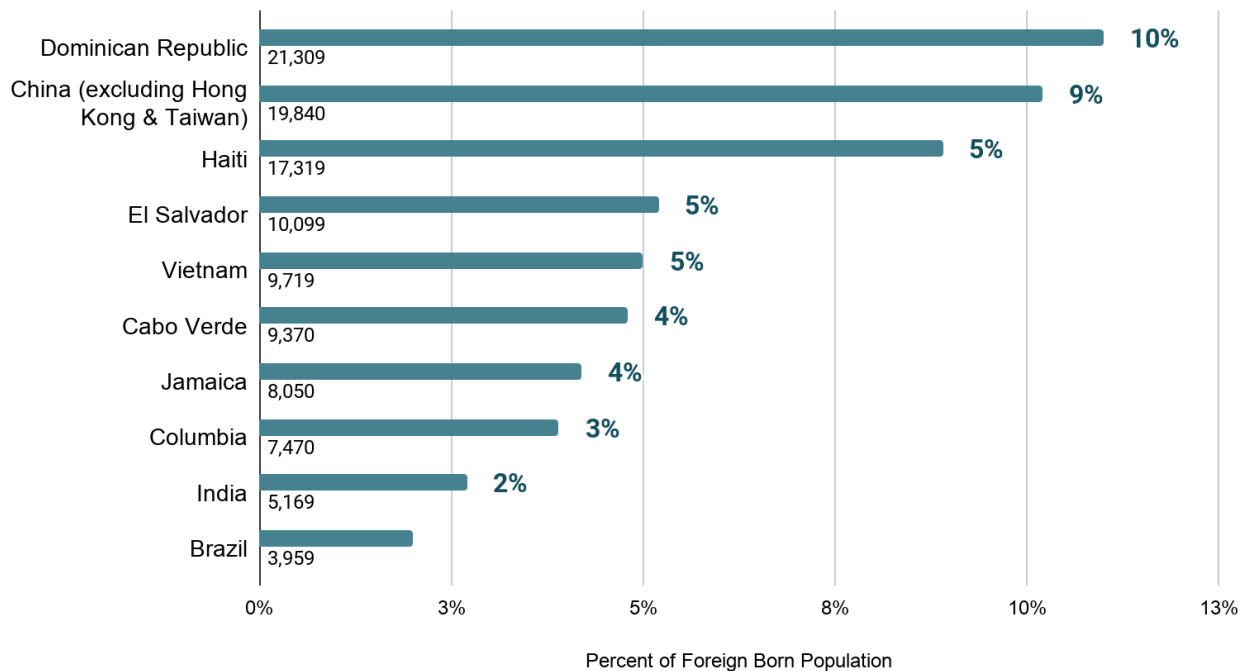
<sup>52</sup> American Community Survey 2014-2018, 5-year estimates, Table S0502

<sup>53</sup> American Community Survey 2014-2018, 5-year estimates, Tables S0502 and B01003

<sup>54</sup> Data table available in Appendix. See: “Data for Map 4”

the Caribbean, and Central America. In addition, the Republic of Cabo Verde (also known as Cape Verde), located just off the west coast of Africa, is the home for a significant number of Boston's immigrants (5%). This variation in Boston's foreign-born population can impact the strategies needed to address fair housing issues in these communities.

Figure 5. Top Ten Places of Birth for Boston's Foreign Born Population



Source: American Community Survey 5-Year Estimates, 2014-2018, Table B05006

Boston also has an estimated 3,239 foreign-born residents from the six predominantly Muslim countries whose entry into the United States has been restricted by a Presidential Executive Order: Somalia; Iran; Syria; Sudan; Yemen; and Libya.<sup>55</sup> There is much concern that residents from or who appear to be from these countries, and other Muslim majority countries may find themselves subject to increasing discrimination based on national origin or religion.

In addition to the foreign-born population, Boston also has a significant number of residents who were born in Puerto Rico. Of the 36,607 persons of Puerto Rican ancestry living in Boston, 14,649 (40%) were born in Puerto Rico.<sup>56</sup> Additionally, 74 percent of Puerto Ricans speak Spanish and 34 percent of those Puerto Ricans who speak Spanish speak English “less than very well.”<sup>57</sup>

### ***Residents who Speak a Language Other than English***

Given that Boston has a high percentage of residents born in another country or in Puerto Rico, it is not surprising that there are also a considerable number of persons who speak a language

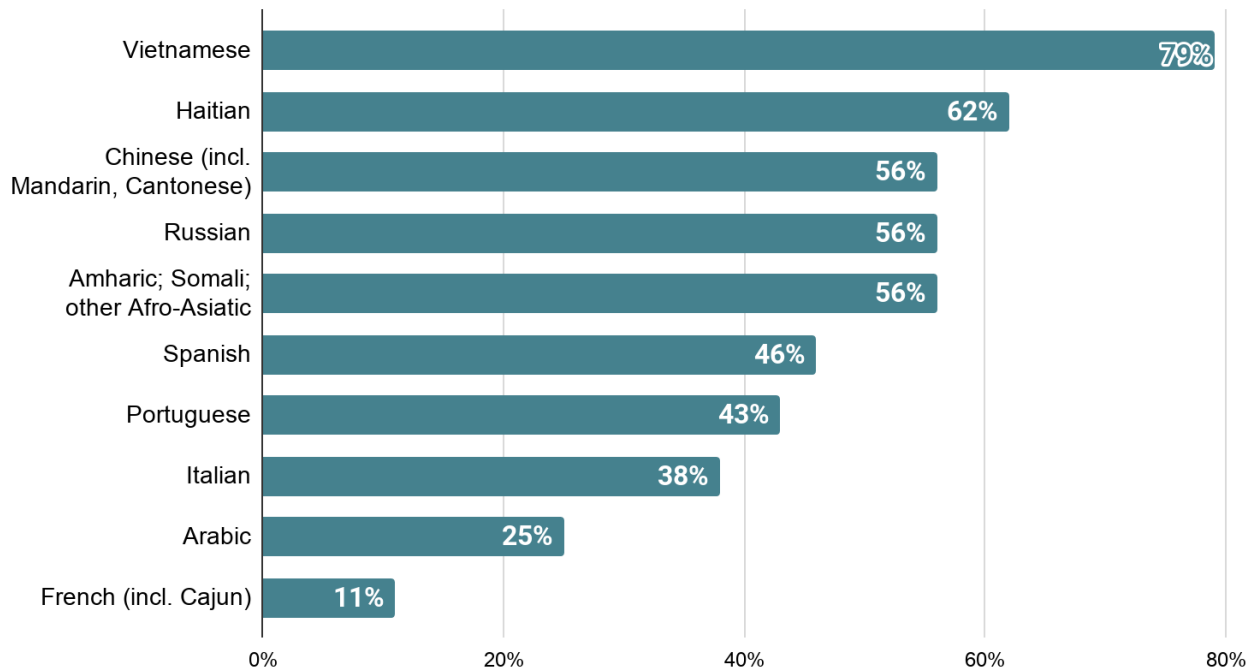
<sup>55</sup> American Community Survey 2014-2018, 5-year estimates, Table B05006

<sup>56</sup> American Community Survey 2011-2015, 5-year estimates, Tables B05002 and B03001

<sup>57</sup> American Community Survey 2014-2018, 5-year estimates, PUMS, BPDA Research Division Analysis

other than English. The Census Bureau counts people who speak English “less than very well” as having “Limited English Proficiency” or LEP. While the term Limited English Proficiency (LEP) is commonly used, including by the U.S. Department of Housing and Urban Development (HUD), this plan instead adopts the use of the term Language other than English (LOTE) to refer to these residents. Of Boston residents, 46 percent (113,260) speak a language other than English and speak English “less than very well.”<sup>58</sup> Figures 6A and 6B show the top ten languages with the largest number of persons over age 5 who speak English less than very well. Vietnamese speakers have the highest percentage (79%) of such persons, while Spanish speakers are by far the largest number (49,812) of such persons.

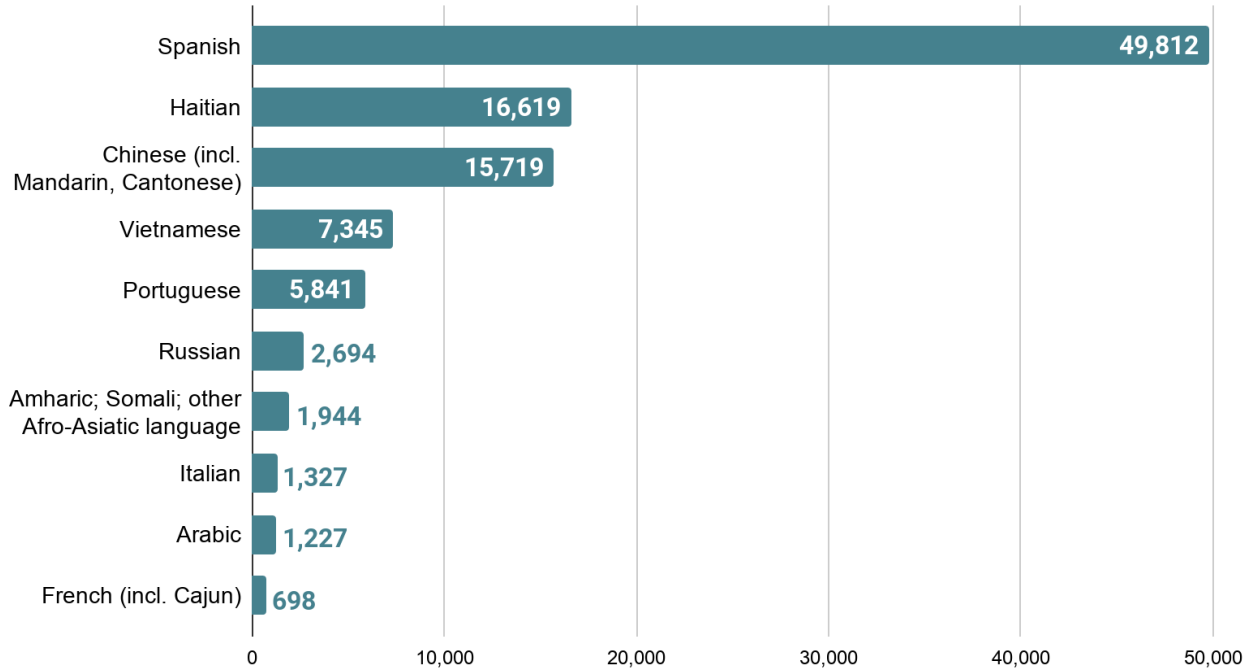
Figure 6A. Percent of Persons Who Speak English Less Than Very Well, by Language Spoken



<sup>58</sup> American Community Survey 2014-2018, 5-year estimates, Table S1601



Figure 6B. Numbers of Persons Who Speak English Less Than Very Well, by Language Spoken



Source: American Community Survey 1-year estimates, 2018, Table B16001

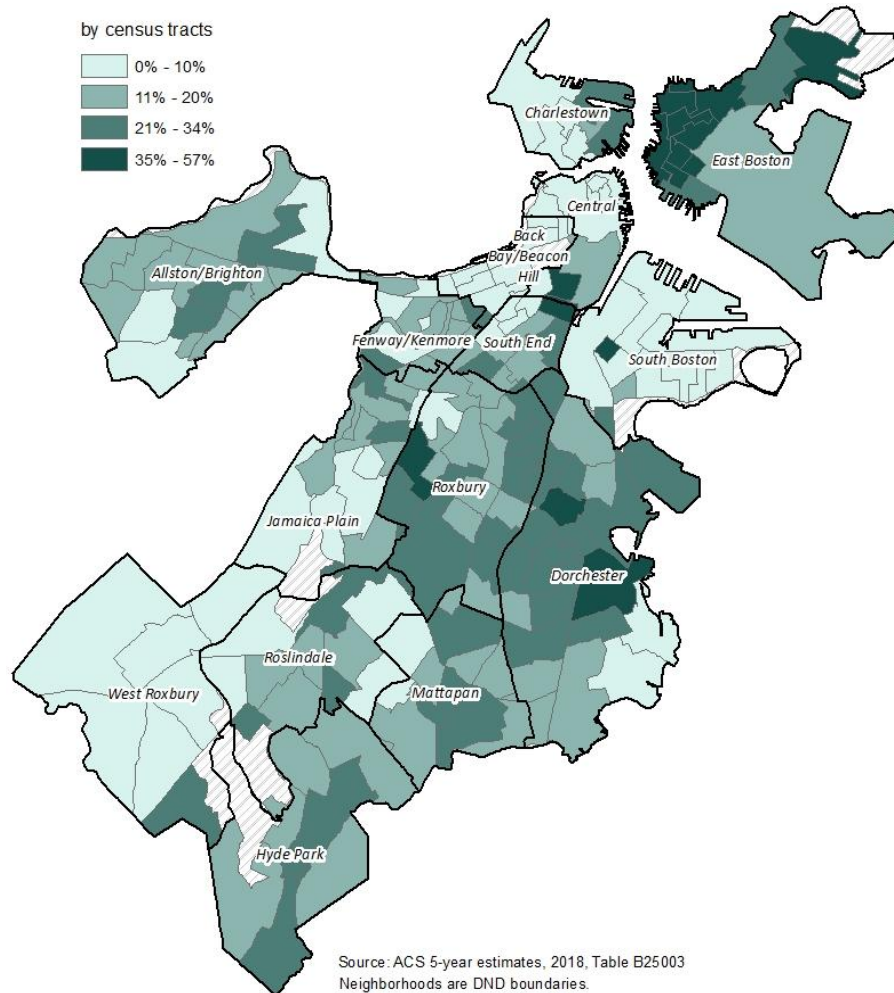
Note: Only the top ten languages spoken in Boston (by number of people over age 5 who speak that language) are listed here.

Map 9 shows the distribution of persons who identify as LOTE across Boston; they are particularly concentrated in East Boston, Chinatown, and parts of Roxbury and Dorchester.

Additionally, of the residents in Boston who identify as LOTE, 17,160 (15%) live in R/ECAPs.<sup>59</sup>

<sup>59</sup> American Community Survey 5 year estimates, 2014-2018, Table S1601 and 2013 R/ECAPs

Map 9. Percent of People Who Speak English “Less Than Very Well”

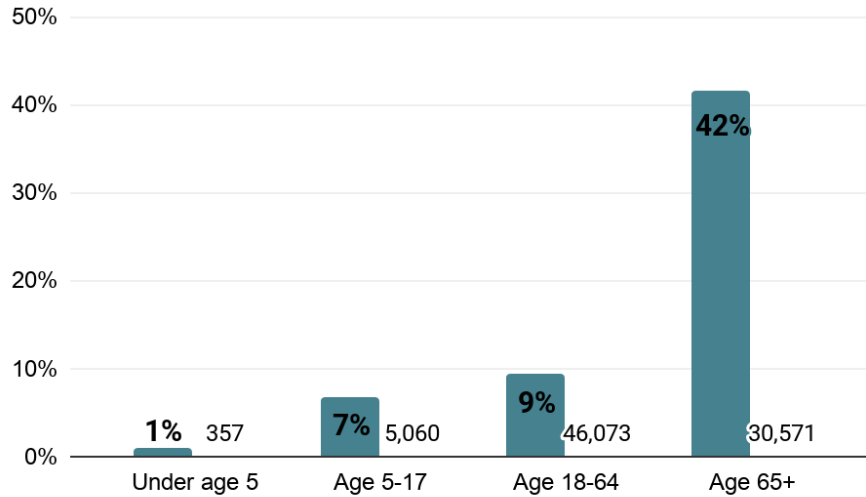


## Disability Status

The Census Bureau’s American Community Survey (ACS) provides data on six types of disability: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulties. Overall, about 12 percent of Boston’s population has a disability. The largest age group with a disability is the population 65 years and older (42%) (Figure 7). While 7 percent of the total population has an ambulatory disability (trouble walking or climbing stairs), nearly 29 percent of persons *over age 65* have an ambulatory disability (Figure 8). Five percent of the total population has a cognitive disability but 14 percent of those *over age 65* have a cognitive disability. Those over age 65 also have significantly higher percentages of persons with hearing, vision, self-care, and independent living disabilities. Persons with ambulatory, vision, and hearing disabilities may need special housing adaptations. Persons with cognitive, self-care, and independent living disabilities may need specialized supportive housing or supportive services

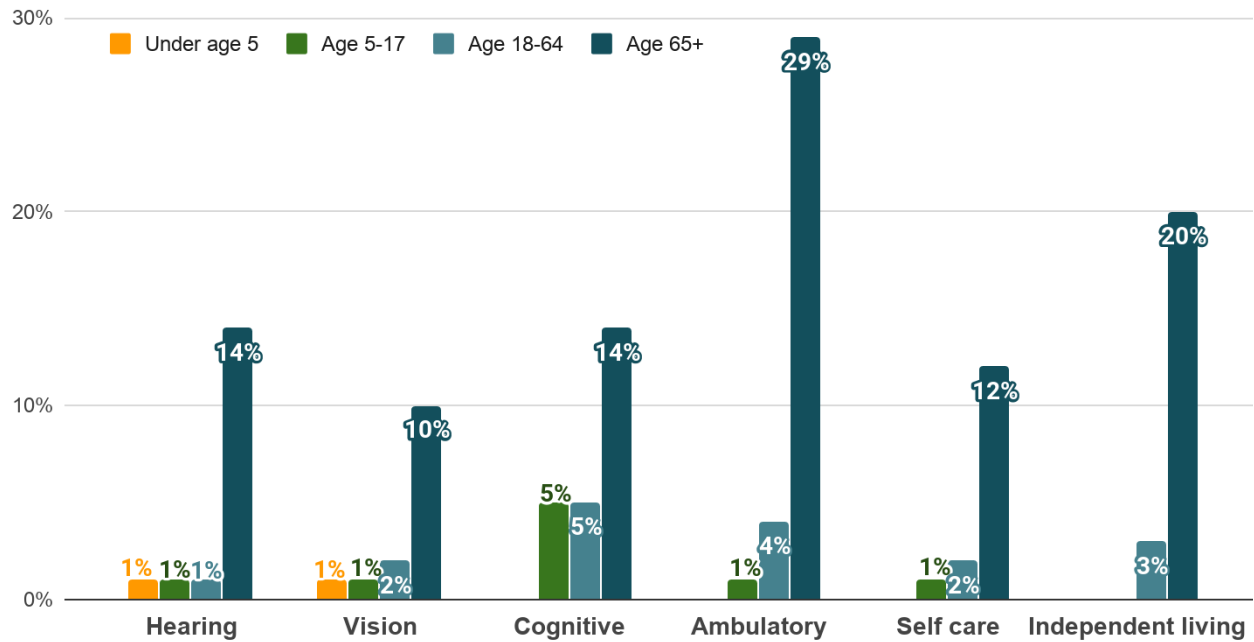
in their existing homes depending on the severity of their disability and the resources of their families or other caregivers.

Figure 7. Percent of Population with a Disability, by Age



Source: American Community Survey 5-Year Estimates, 2014-2018, Table S1810 (Total Disabled is an unduplicated count)

Figure 8. Type of Disability, by Age



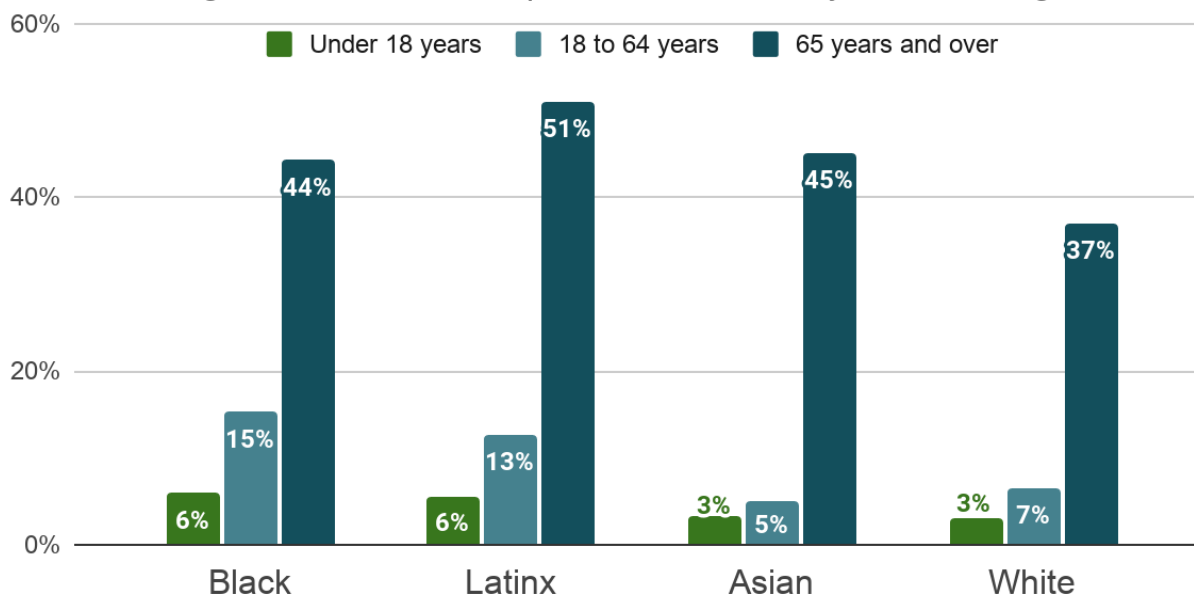
Source: American Community Survey 5-Year Estimates, 2014-2018, Table S1810

While this data does give us a general sense of the scope and nature of the population with disabilities, it is difficult to estimate the unmet housing need based on the ACS data. The disability estimates here are based on persons rather than households. Some of these individuals with disabilities may be living in the same household. Also, many of these persons with disabilities are already living in supportive housing, in appropriately adapted private housing, or senior housing.

Figure 9 further drills into the patterns of overall disabilities by race, ethnicity, and age. Latinx and Black children under 18 years of age each reported a 6 percent disability rate, significantly higher than for White, non-Latinx children (3%), and Asian children (3%). These gaps become wider for those aged 18 to 64: the Black population has the highest disability rate at 15 percent, followed by the Latinx population at 13 percent. Both of these findings are twice or more than twice the rate for White (non-Latinx) in this age category (7%), and Asians (5%). Racial and ethnic gaps in reported disabilities narrow for those 65 years and over, but there are still lingering gaps as more than half (51%) of Latinx persons have a disability(s), compared to 44 percent for Black, 45 percent for Asian, and 37 percent for White persons.

Given both the intersection between disability and race<sup>60</sup> and the concentration of persons with disabilities in public housing developments,<sup>61</sup> it is not surprising that persons with disabilities are more likely to be living in R/ECAPs (15%), than the population as a whole (12%).<sup>62</sup>

Figure 9. Percent of Population Disabled, by Race and Age



Source: American Community Survey 5-Year Estimates, 2014-2018, Table B18101

## Household Type

More of Boston's households are non-family households (52%) than family households (48%). As Figure 10 shows, individuals living alone are the largest household type overall, accounting for 36% of all households, followed by married couple families (28%).

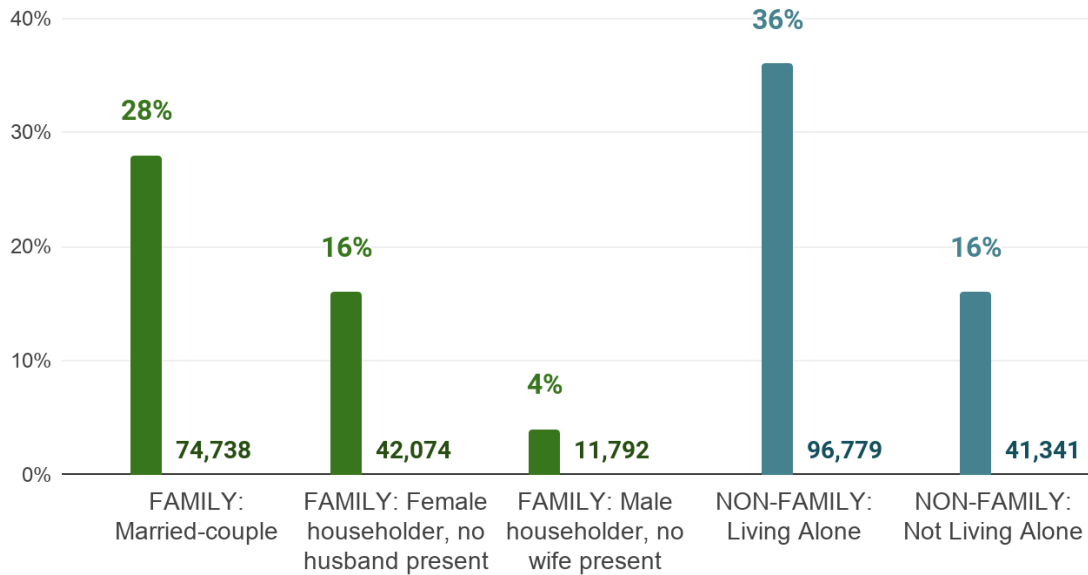
<sup>60</sup> [Disability Housing Task Force Report](#), 2017 (p.18)

<sup>61</sup> According to the Boston Housing Authority, 32.38% of public housing residents and 26% of residents in BHA-leased housing have a disability (November 2020).

<sup>62</sup> American Community Survey, 2014-2018, 5-year estimates, Table S1810

Figure 10. Family and Non-Family Households by Type

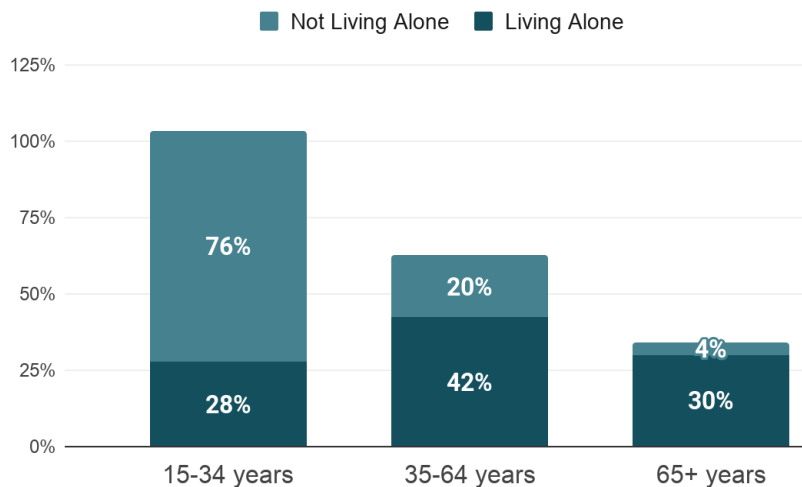
As a percent of all households



Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates, Table B11001

Of the 138,120 non-family households in Boston, 70 percent are individuals living alone. 40% of the individuals living alone are between the ages of 35-64 years old, and another 30% are seniors over age 65 (Figure 11). Fewer young householders between the ages of 15-34 are living alone (28%), likely in part because of the higher housing cost of doing so. Of the non-family households who are not living alone, the overwhelming majority (76%) are younger householders ages 15-34. This makes sense as many of these householders are students or young professionals living with roommates.

Figure 11. Non-Family Households by Age

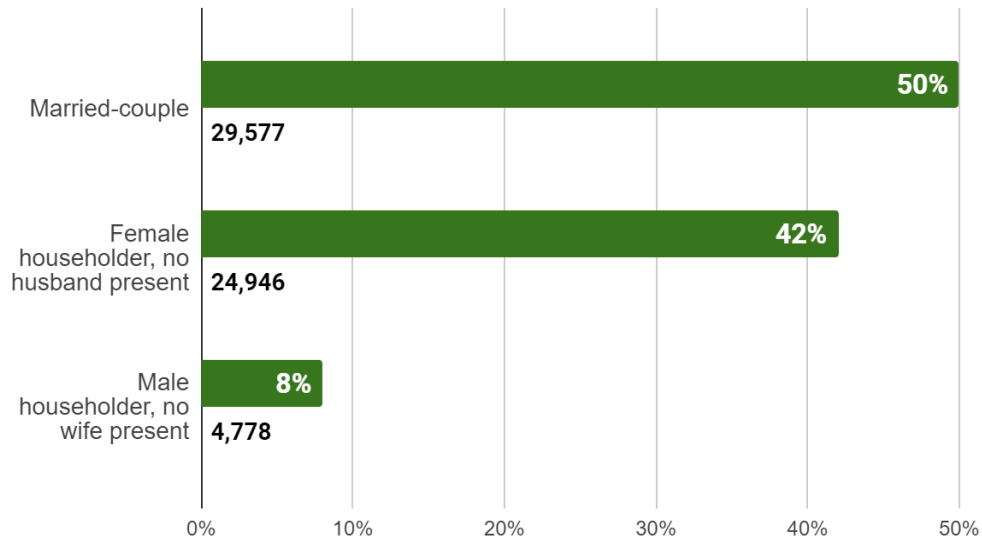


Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates

## Families with Children

It is important to take a closer look at households with children because they may face discrimination in the rental housing market and a large percentage of single parent households also face financial challenges. Less than a quarter (22% or 59,301) of all Boston's households have children under the age of 18. However, of those households with children, a very high percentage (42%) are female-headed households with no husband present (Figure 12).

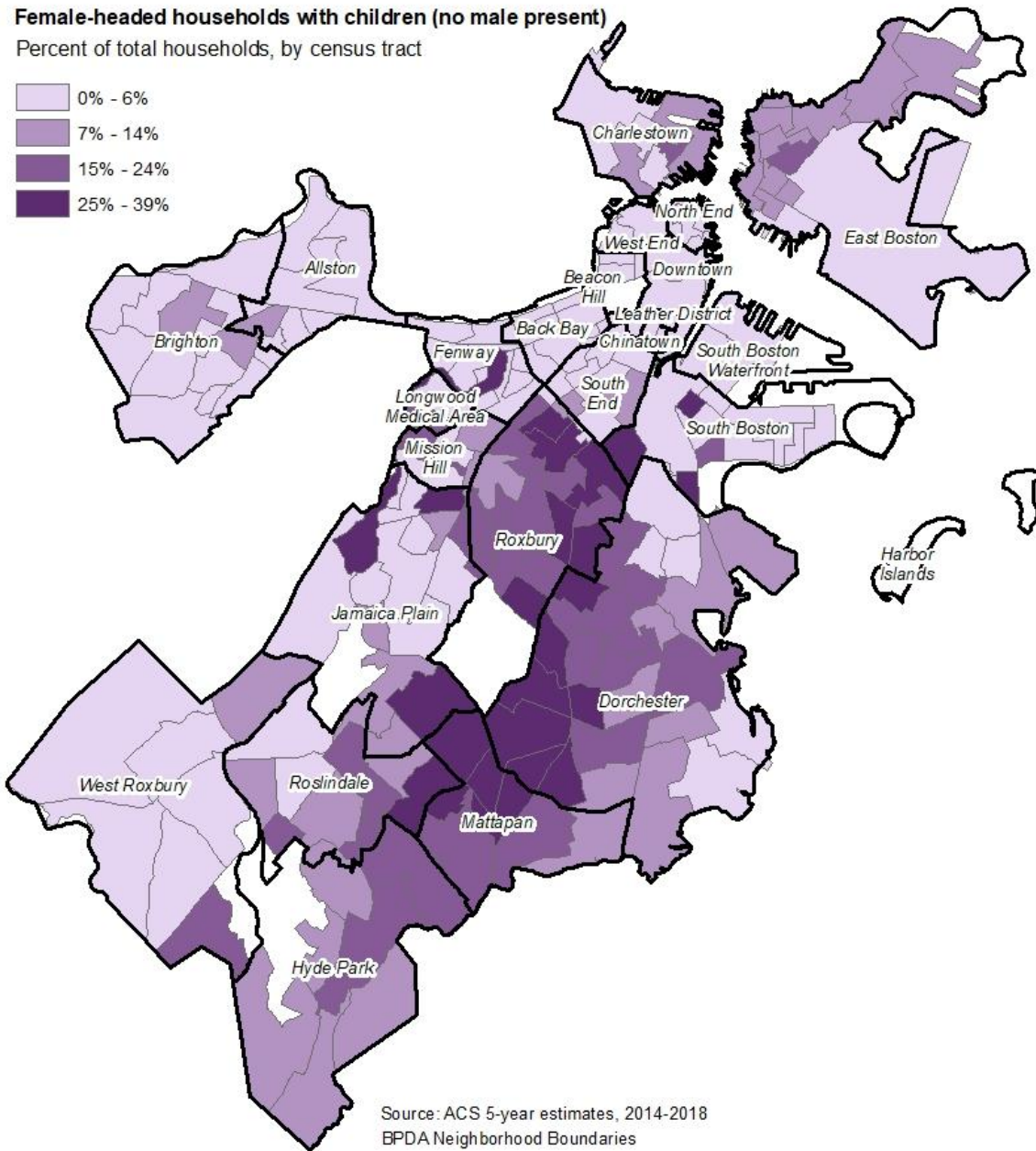
Figure 12: Family Households with Children under Age 18



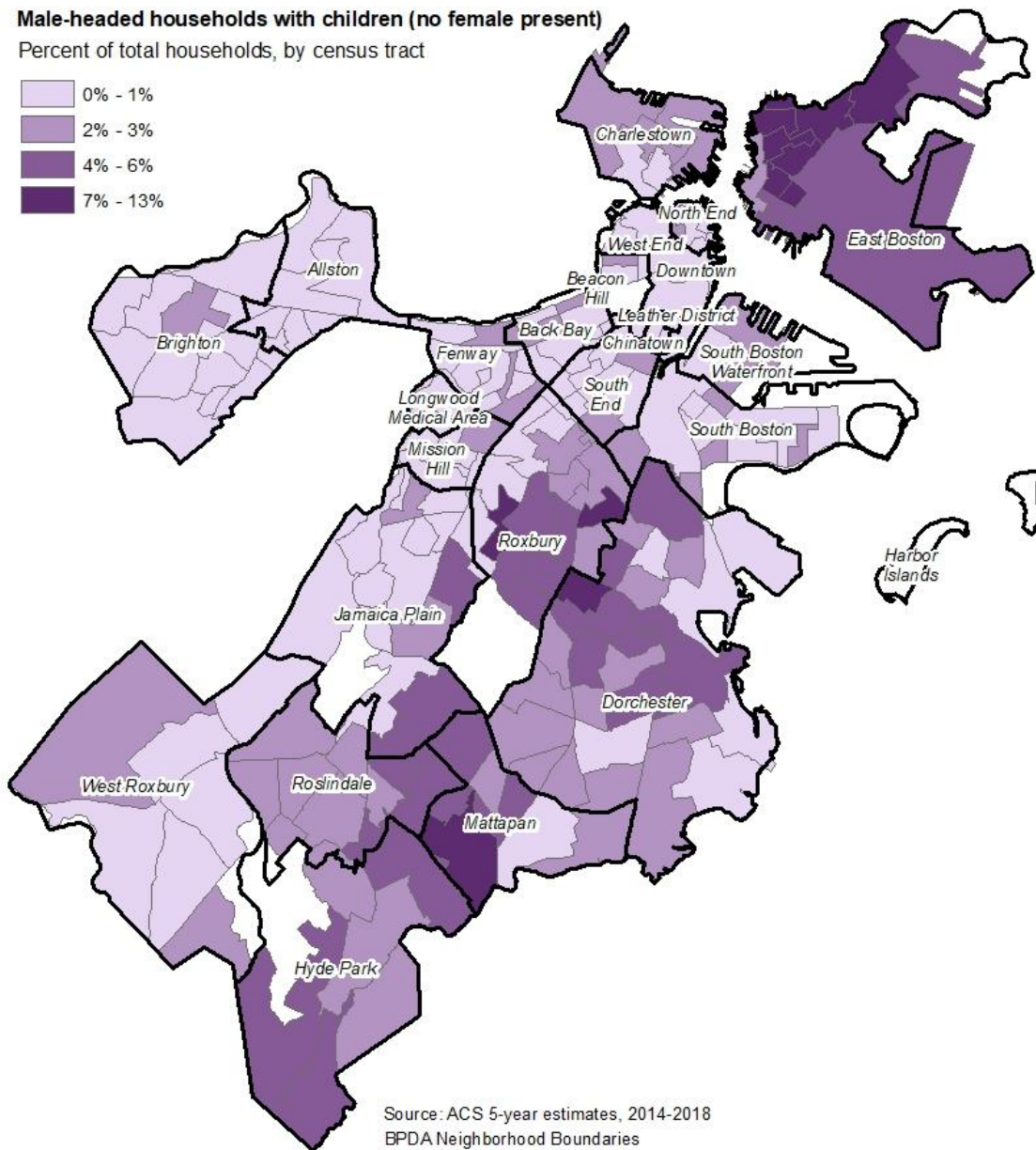
Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates, Table B11005

When this information is presented spatially (see Maps 10-12) it shows that some neighborhoods have significantly higher proportions of children living in female-headed households than other parts of the city, which roughly corresponds to tracts with a higher proportion of persons of color (see Map 1). Female-headed households with no male present are concentrated mostly in Roxbury and parts of Mattapan, Dorchester, and the South End. There are also concentrations of female-headed households with children in pockets of Jamaica Plain and South Boston where the Mildred C. Hailey, Mary Ellen McCormick, West Broadway, and Old Colony public housing developments are located. Male-headed households with children are most concentrated in East Boston. Married couples with children are more prevalent in areas where there are higher percentages of White households.

Map 10. Female-Headed Households with Children

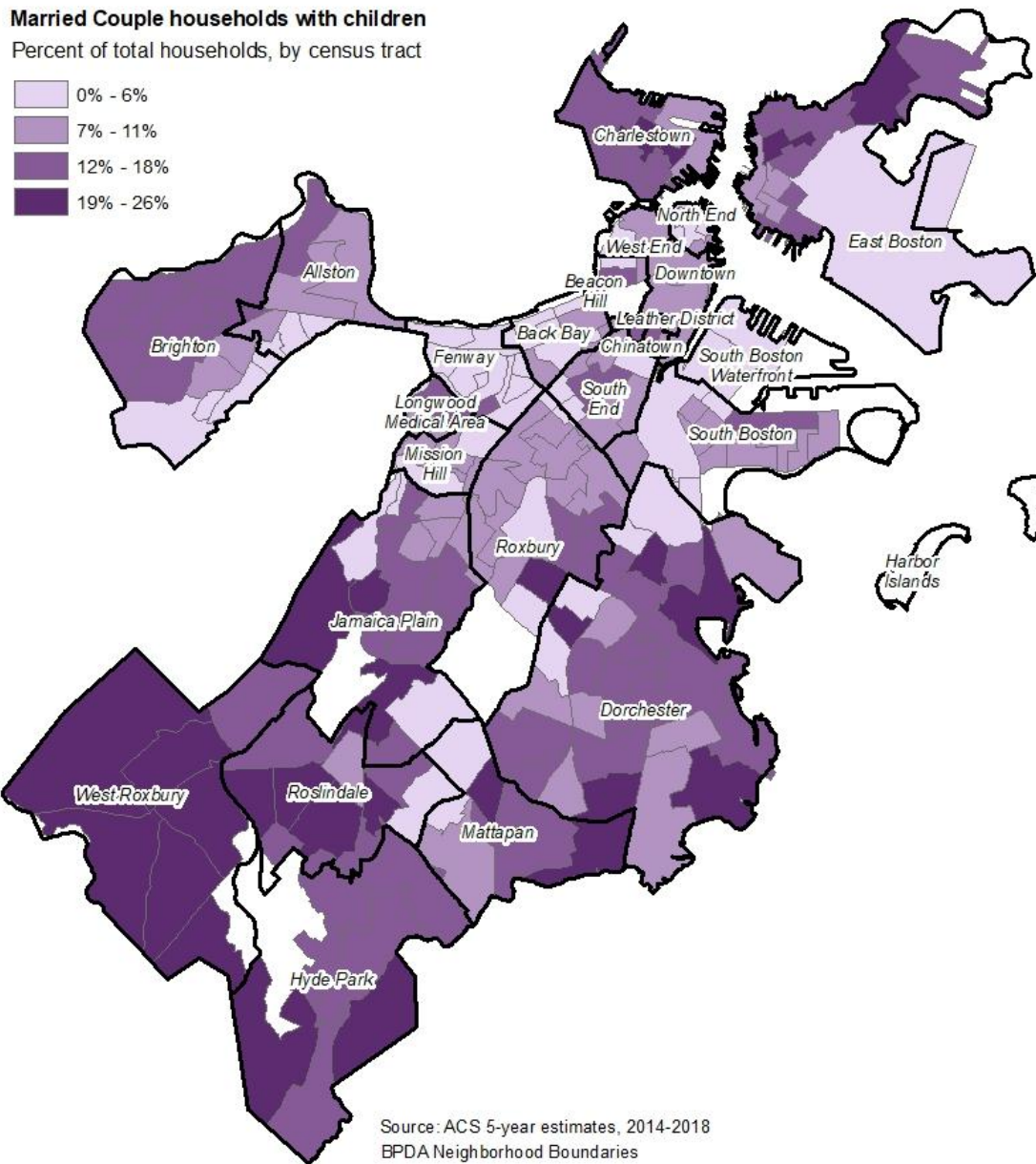


Map 11. Male-Headed Households with Children





Map 12. Married Couple Households with Children



## Age by Race/Ethnicity

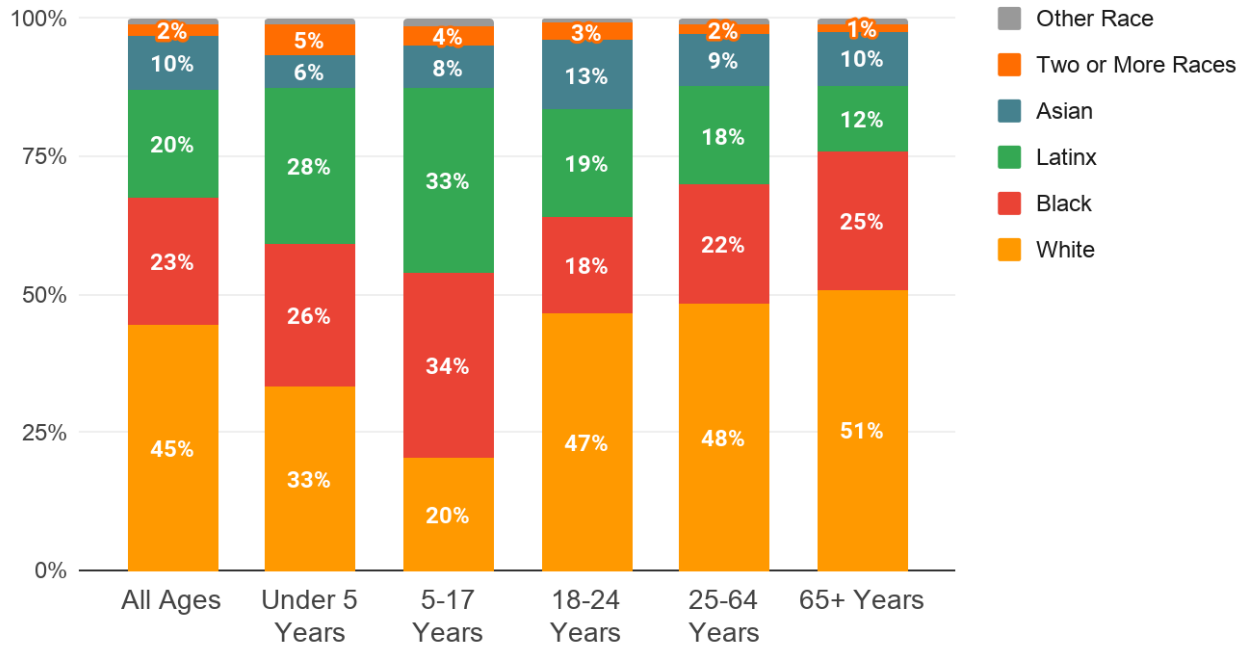
While 55 percent of Bostonians are persons of color, 75 percent of children under 18 are children of color.<sup>63</sup> This fact alone calls for us to dig deeper into the demographics of race/ethnicity by age. When looking at a large geographic area, such as a state or a country, the typical population pyramid normally shows a relatively even distribution of a population across age cohorts. In the United States, significant “bulges” have occurred only at unique moments in our history, as with the birth of the “baby boomer” generation after World War II. You would also normally expect that the distribution of the population by race and ethnicity within each age cohort would mirror the composition of their share in the total population. However, the distribution of the population within age cohorts can also be impacted by factors such as the influx of college students and young millennials, or significant immigration. The uneven distribution of racial and ethnic groups within age cohorts may result in disparate impacts with regard to housing needs and other opportunities. For example, an over representation in the “Under age 5” age cohort may mean that that group would probably be at greater risk of discrimination against families with children or at greater risk for exposure to childhood lead paint poisoning. Similarly, an over representation in the “Over age 65” category may indicate a greater likelihood of disparate impact with regard to disabilities.

Figure 13 examines age cohorts by racial and ethnic categories. In 2018, 58 percent of all children under age 5 were Black or Latinx, compared to 33 percent who were White, and 6 percent who were Asian. Children ages 5 to 9 years are even more overwhelmingly Black or Latinx (72 percent), compared to 22 percent White and 6 percent Asian. This trend reverses in the adult age categories: in the 18-24 age cohort (college-age) and 25-65 age cohort (working-age), Blacks and Latinx are slightly underrepresented, and Whites and Asians are slightly overrepresented. In the 65+ age cohort, Whites account for over half (51%) of that cohort. Due to their very small numbers in Boston we have not included data for the American Indian/Alaskan Native and the Native Hawaiian/Pacific Islander census categories. In the Two or More Races category, Boston’s children are more likely than the overall population to identify as multi-racial: only 2 percent of Bostonians selected that category in the census, but 5 percent of children under 5 years old and 4 percent of school aged children (aged 5-17) identify as multi-racial. Figures 14 and 15 are presented so as to provide some context and an understanding as to how Boston differs from Massachusetts at the United States.

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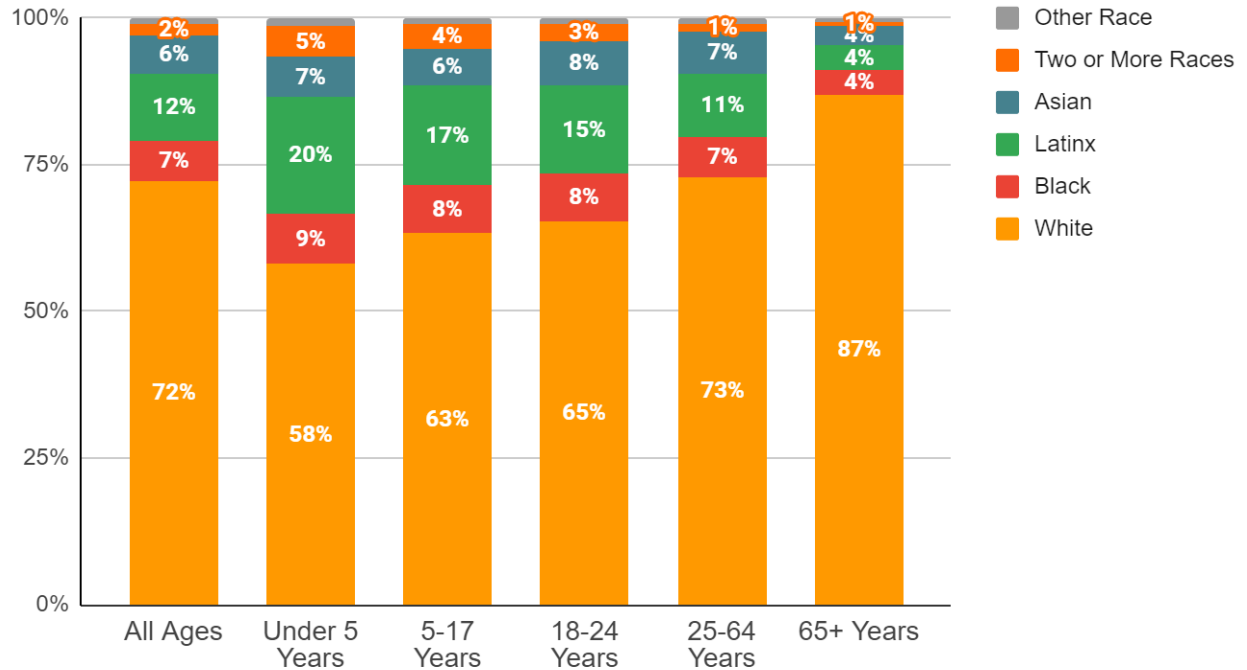
<sup>63</sup> American Community Survey 5-year estimates, 2014-2018, Table B01001

Figure 13. Proportion of Population by Race & Age: Boston



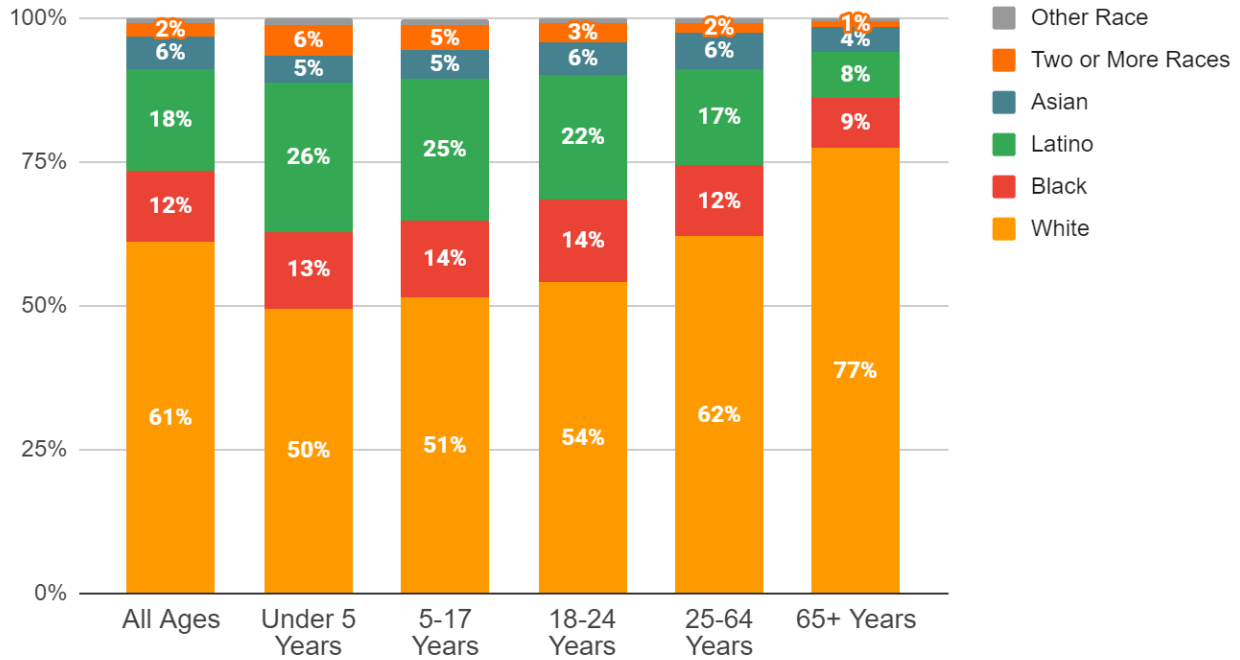
Source: 2014-2018 American Community Survey, PUMS, BPDA Research Division Analysis

Figure 14. Proportion of Population by Race & Age: Massachusetts



Source: 2014-2018 American Community Survey, PUMS, BPDA Research Division Analysis

Figure 15. Proportion of Population by Race & Age: United States

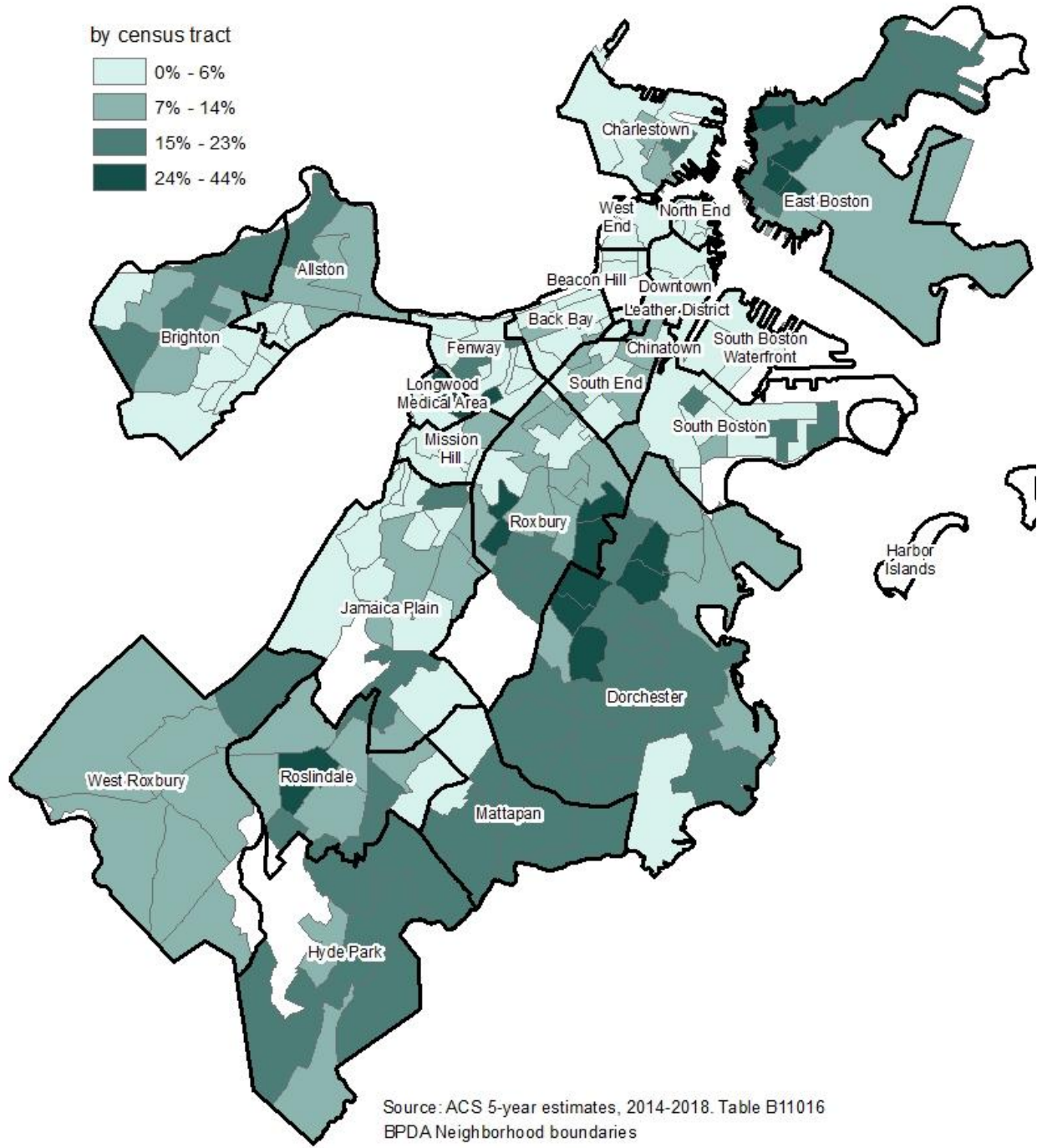


Source: 2014-2018 American Community Survey, PUMS, BPDA Research Division Analysis

## Large Family Households

Map 13 shows the distribution of large family households (family households with five persons or more) by census tract. Citywide, only 6 percent of all households and 13 percent of family households have five or more persons (16,622 households). The census tracts with the highest concentration of large family households are located in Roxbury, Dorchester, and East Boston, which all have higher concentrations of persons of color and recent immigrants. This is important because it shows that the need for larger units is strongest in neighborhoods with a greater proportion of persons of color.

Map 13. Percent of Family Households with 5 or More People



Additionally, there are significant differences in the average size of households by race and ethnicity: in 2018, average household size for Latinx was 2.61; Blacks 2.47; Asians 2.29; and Whites 1.95 (Table 3).

Table 3. Average Household Size by Race/Ethnicity

	Average Number of People per Household
Latinx	2.61
Black	2.47
Asian	2.29
White	1.95

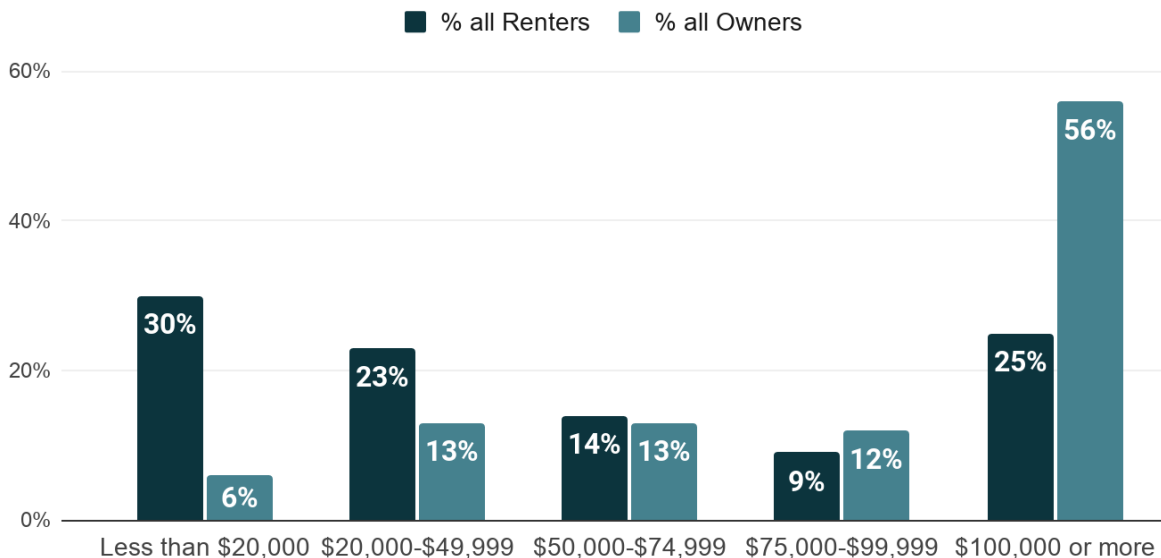
Source: ACS 5 year estimates, 2014-2018, PUMS, BPDA Research Division Analysis

## Household Income

### *Income by Tenure*

Figure 16 shows the distribution of owners and renters by income levels. 56 percent (52,235) of all owners have incomes above \$100,000. Renters are widely distributed across income categories, with 30 percent (51,987) making less than \$20,000, 23 percent (39,405) making between \$20,000-\$49,999, and 25 percent (42,450) making over \$100,000. The middle-income categories between \$50,000-\$100,000 have the smallest percentages of both owners and renters.

Figure 16. Income Level by Tenure



Source: American Community Survey 5-year estimates, 2014-2018, Table B25118

## Income by Household Type and Size

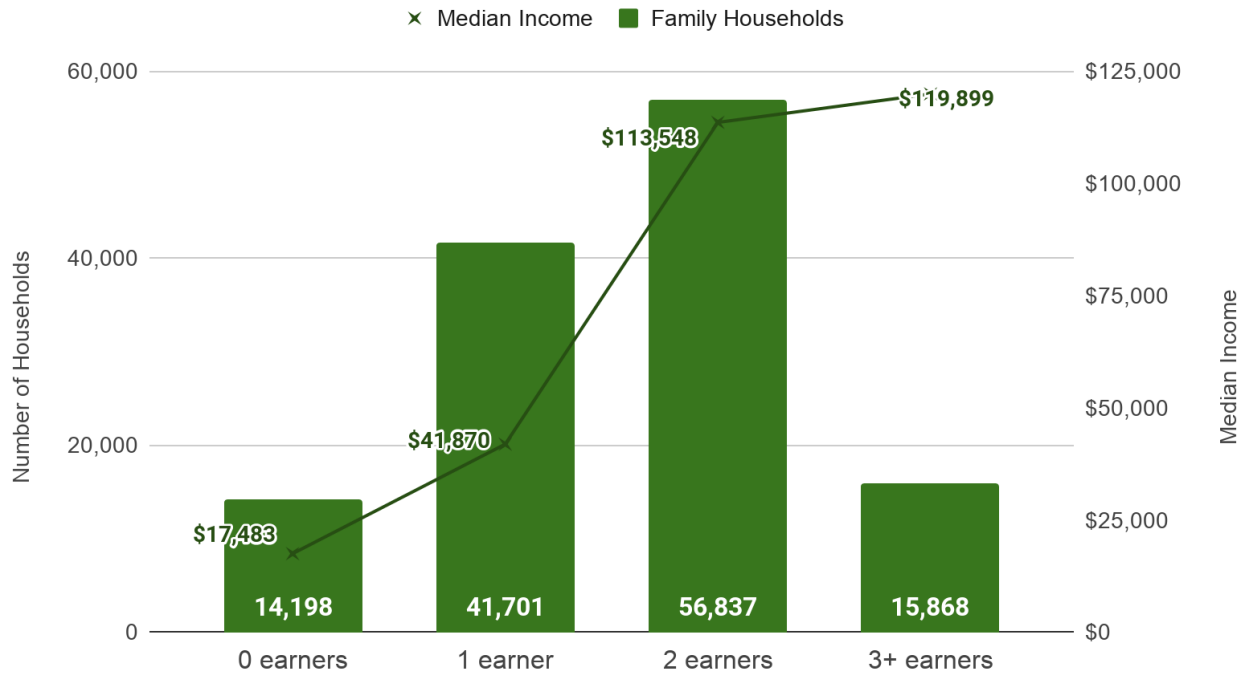
Family type and household size are directly related to household income. Figure 17 shows how median income changes with household size and type (family vs non-family). Part of the reason for Boston’s relatively low median income is the very large number of 1-person households, as seen in Figure 15. Many of these one person non-family households would certainly face a challenge finding housing they can afford in Boston’s high-priced market. The median income for 2-person family households is nearly double the median income for 1-person households, and the median income for 2-person non-family households is over double that for 1-person households.



Source: American Community Survey 5 year estimates, 2014-2018, PUMS; BPDA Analysis

More telling than the number of persons in the household is the number of income earners in the household, shown in Figure 18. The median income of two-earner households is 2.7 times that of single earner households and over six times that of households with no earners. About 44 percent (55,899) of Boston’s family households have no or only one income earner. Many of those households would be priced out of most market rate housing in Boston. Many of Boston’s 24,946 female-headed households with children and no husband present would likely be in the no earner or single earner category.

Figure 18. Median Income by Number of Earners in Family Households



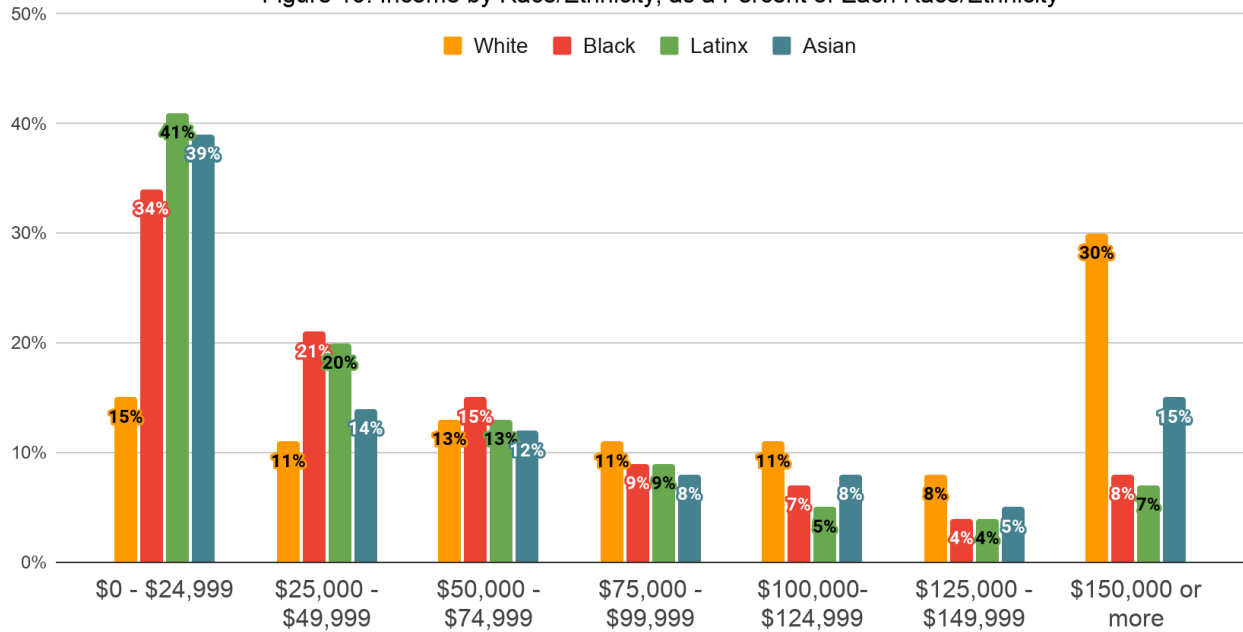
Source: American Community Survey 5-year estimates, 2014-2018, Tables B19121 and B19122

### ***Income by Race/Ethnicity***

While income, by itself, is not a protected class, the intersection between race/ethnicity and income is an important one in the fair housing context, as we must consider income if we are to address segregation and access to opportunity. There are significant differences in the proportion of various racial and ethnic groups at each income level, shown in Figure 19. Forty-one percent of Latinx households have incomes under \$25,000, as do 39 percent of Asian households and 34 percent of Black households, compared with only 15 percent of White households. In raw numbers, Whites make up the largest number of households with incomes under \$25,000 (21,138), followed by Black households (20,438), Latinx households (18,283) and Asian households (9,296). 26 percent of all households have incomes under \$25,000. The under \$25,000 income level has the largest number of households for all racial and ethnic groups.



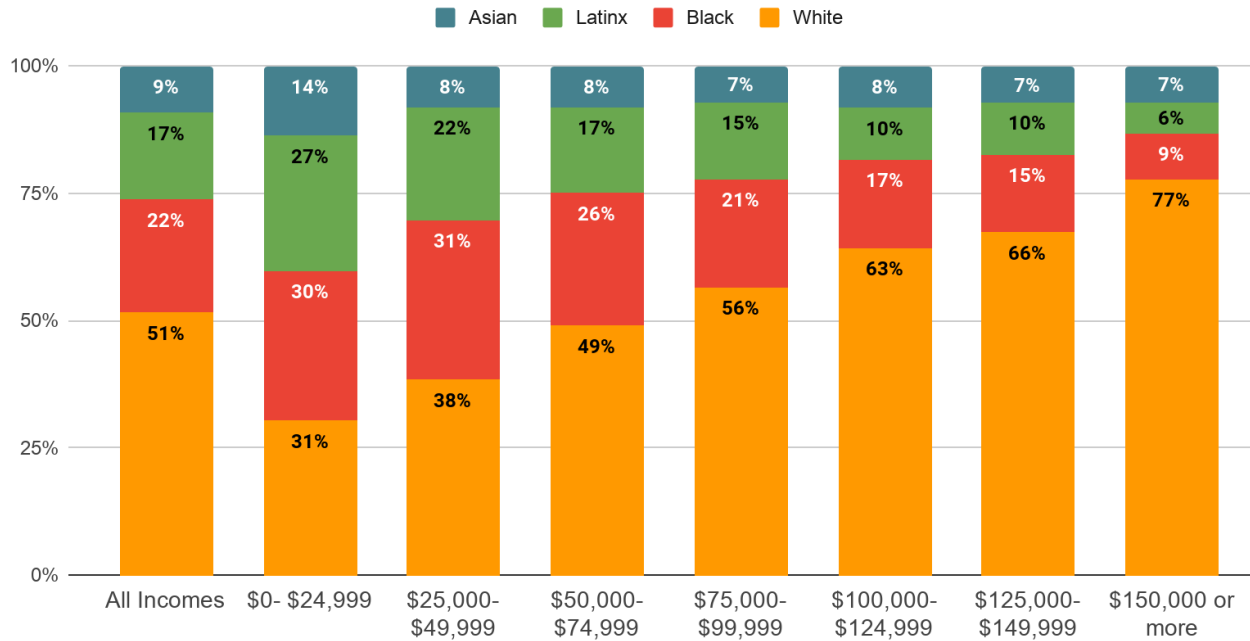
Figure 19. Income by Race/Ethnicity, as a Percent of Each Race/Ethnicity



Source: American Community Survey 5-year estimates, 2014-2018, Table B19001

Another way to look at the same data is to compare each racial and ethnic group's share (percent) of the total households to their share of each income group (Figure 20). White households are underrepresented in the under \$50,000 income groups and overrepresented in income groups over \$75,000. Conversely, Black and Latinx households are overrepresented in the under \$75,000 categories and underrepresented in the over \$75,000 income categories. Asian households are overrepresented in the under \$25,000 income category.

Figure 20. Income by Race/Ethnicity, as a Percent of All Households



Source: American Community Survey 5-year estimates, 2014-2018, Table B19001

Median household income varies widely by race and ethnicity. The citywide median income in Boston is \$65,883 (Table 4). The median income of White households is the highest at \$98,342. This is nearly double the next highest median of \$52,116 for multiracial householders (identified as two or more races). The next highest median income is for Asian households (\$43,891), followed by Black households (\$42,175) and Latinx households (\$34,852). Households who responded as “other race” have the lowest median incomes of \$27,312. It is important to remember that medians are the center point of all households; therefore, half of households fall above the median, and half fall below. Still, the disparities in household income between races is wide, and has implications for household’s housing outcomes at both an individual level and community level. Additionally, household size does not explain but instead reveals deeper disparities in income: Whites have the smallest average household size (1.95) but the highest median incomes, while Latinx have the largest average household size (2.61) but one of the lowest median incomes.<sup>64</sup>

<sup>64</sup> American Community Survey 5-year estimates, 2014-2018, PUMS, BPDA Research Division Analysis

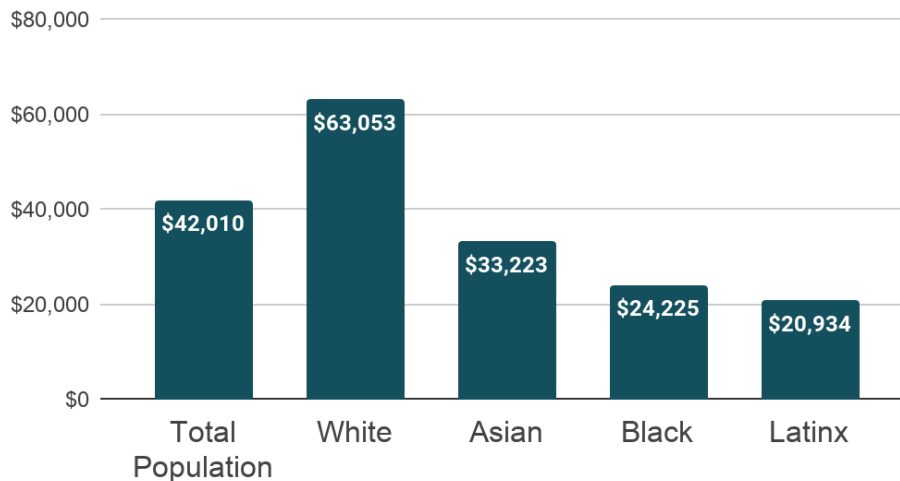
Table 4. Median Household Income by Race/Ethnicity

Race/Ethnicity	Median Income
White	\$98,342
Two+ Races	\$52,116
Asian	\$43,891
Black	\$42,175
Latinx	\$34,852
Other	\$27,312
<b>ALL HOUSEHOLDS</b>	<b>\$65,883</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table S1903

Another way to measure income is with per capita income, which is the average per-person income. It's calculated by dividing the aggregated total income of an area (here, the city of Boston) by the total population of that area. In Boston, disparities in per capita income exist between racial/ethnic groups. The per capita income of the White population is \$63,053, while it is only \$33,223 for the Asian population, \$24,225 for the Black population, and \$20,934 for the Latinx population.

Figure 21. Per Capita Income, by Race/Ethnicity



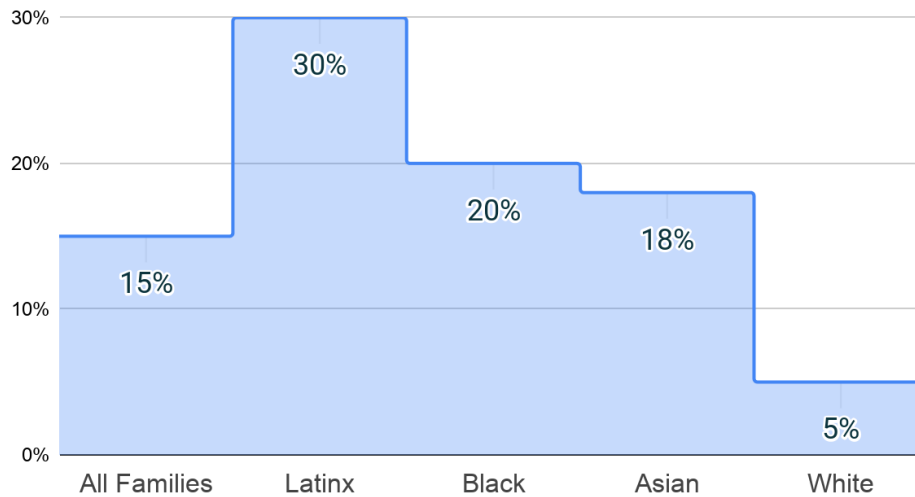
Source: ACS 5-Yr estimates, 2014-2018, Table B19301

### Poverty Rates

The differences in income by race/ethnicity contribute to disparities in economic opportunity and housing stability, and are reflected in the racial disparities in poverty. While 15 percent of all family households in the city are under the poverty level, all communities of color fall above the citywide average. As Figure 22 shows, 30 percent of Latinx families, 20 percent of Black

families, and 18 percent of Asian families are below the poverty level, compared to only 5 percent of White families.

Figure 22. Percent of Families Below Poverty Level, by Race



Source: American Community Survey 5-year estimates, 2014-2018, Table

Map 14 below shows how poverty is distributed across Boston. There is a clear pattern between areas with the most poverty and the concentration of households of color. The 19 census tracts that report poverty rates of 40 percent or higher are found in predominantly Black, Latinx, and Asian areas of Boston, particularly in Roxbury, the South End/Lower Roxbury, and census tracts with large public housing developments. Exceptions to this pattern are areas where high poverty rates are attributed to their large student populations, such as Fenway/Kenmore, Mission Hill, and Allston. Another 56 tracts have poverty rates between 20 and 39 percent, including tracts in Allston/Brighton, Dorchester, East Boston, the South End, Fenway/Kenmore, Jamaica Plain, Roxbury, and Mattapan. For the most part, the 96 tracts with poverty rates below 20 percent are located in places where the residents are predominantly non-Latinx Whites, though there are exceptions, such as Hyde Park and parts of Mattapan, Dorchester, and Jamaica Plain. In some areas, the poverty rate is extremely high largely due to the presence of sizable public housing developments that account for nearly all households in that area. For example, nearly half of households in census tract 607 in South Boston are below the poverty line, but this is, in part, because of the West Broadway/D St public housing development, which accounts for essentially all of the households in the block group it sits within. Still, poverty and segregation can go hand-in-hand. Not effectively addressing segregation and racial inequity in housing and economic opportunity makes reducing poverty more difficult.

Map 14. Percent of Households Below Poverty Level

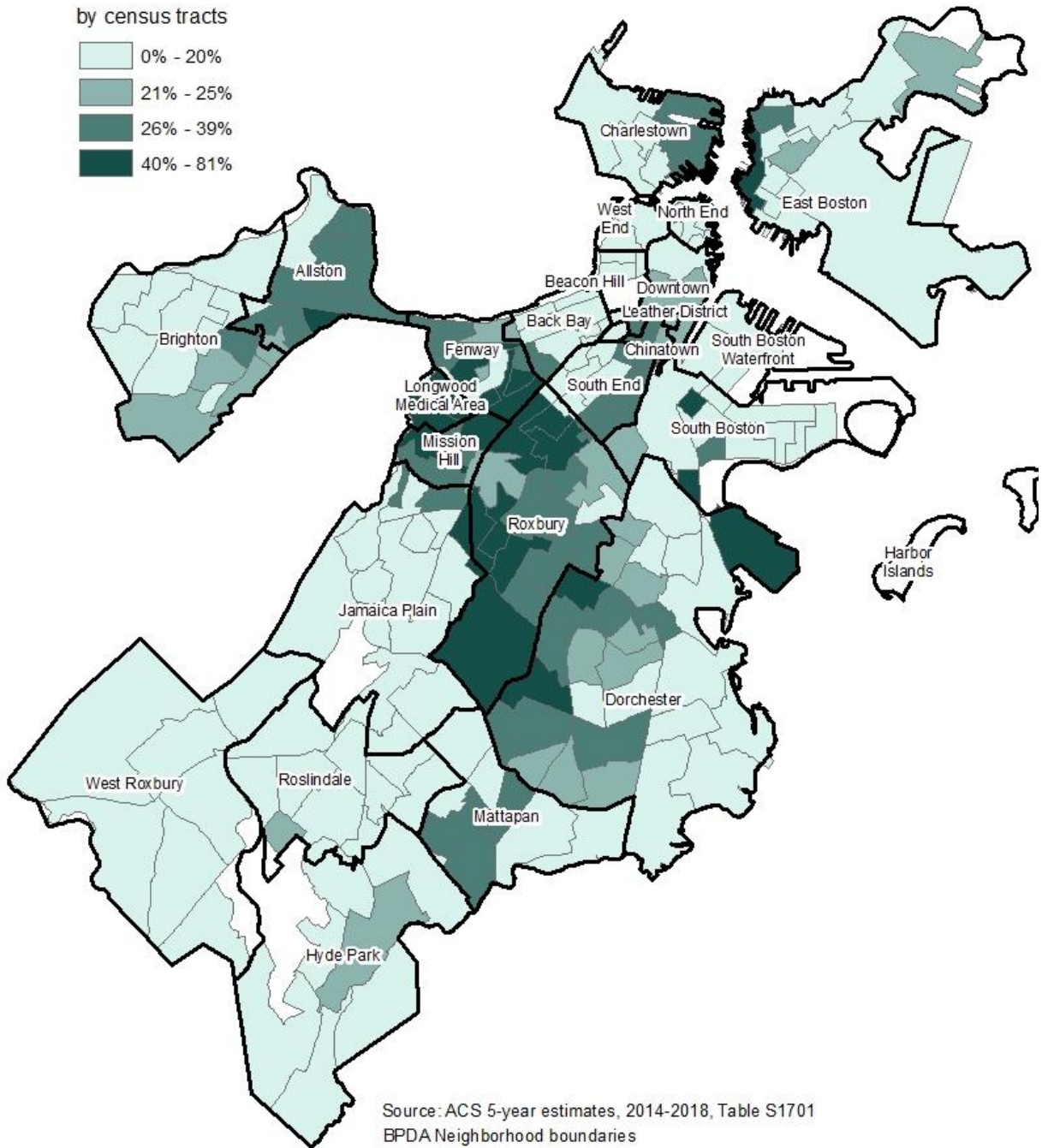
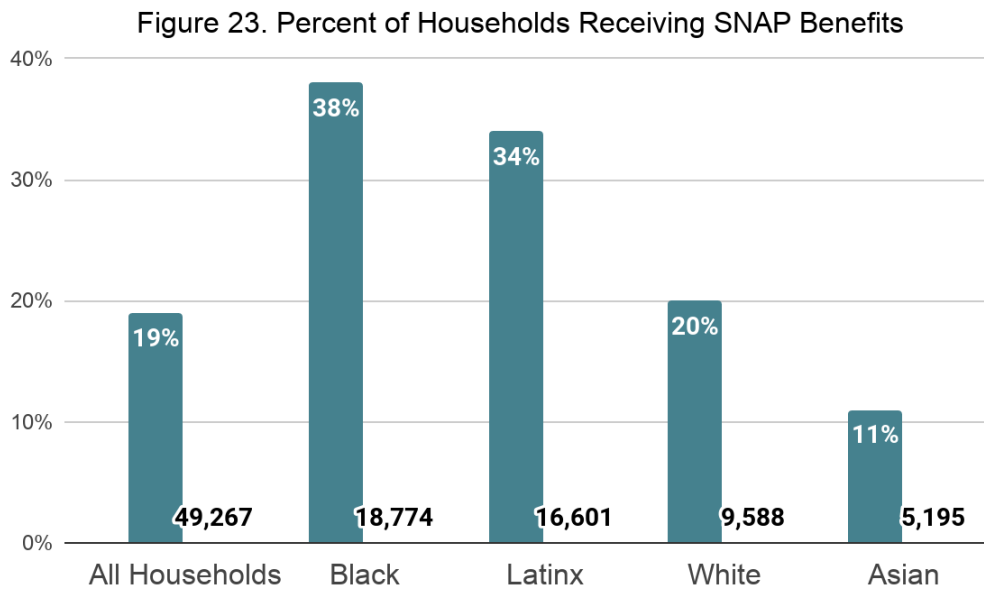


Figure 23 below shows the percentage of households using SNAP (Supplemental Nutrition Assistance Program, commonly known as Food Stamps). Thirty-eight percent of all Black households and 34 percent of Latinx households received SNAP benefits, compared to 20

percent of White households. Asian households have the lowest percentage of SNAP utilization, at 11 percent.



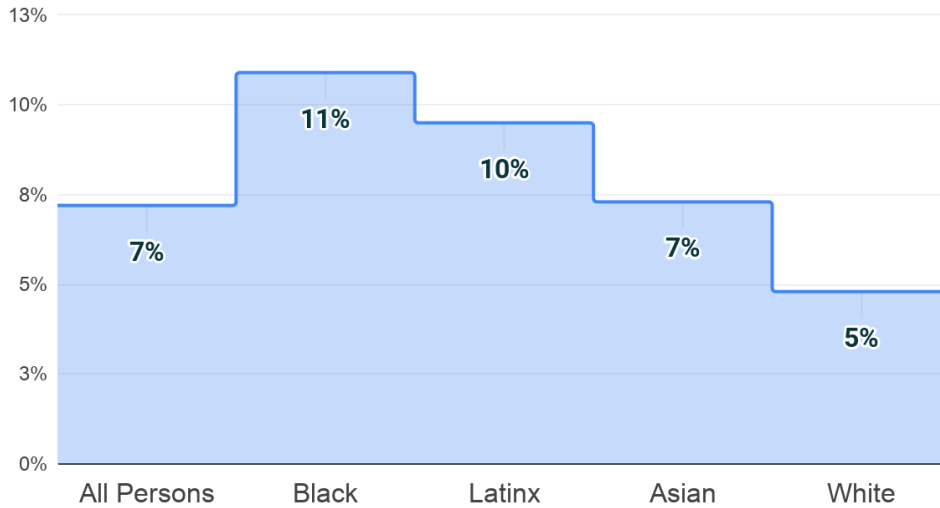
Source: American Community Survey 5-year estimates, 2014-2018, Table S2201

## Unemployment

“Boston’s Workforce: An Assessment of Labor Market Outcomes and Opportunities” provides in-depth analysis of the barriers to employment opportunities in Boston. The Office of Economic Development’s labor market study reported that the City’s highest rates of unemployment clustered around Dorchester, Roxbury, and Mattapan, which have high percentages of Black and Latinx residents.

Black residents (16 to 64 years of age) continue to have the highest unemployment rate in Boston (11%), followed by Latinx (10%), Asian (7%), and White (5%) residents (Figure 24).

Figure 24. Unemployment Rates for Persons in the Labor Force, by Race

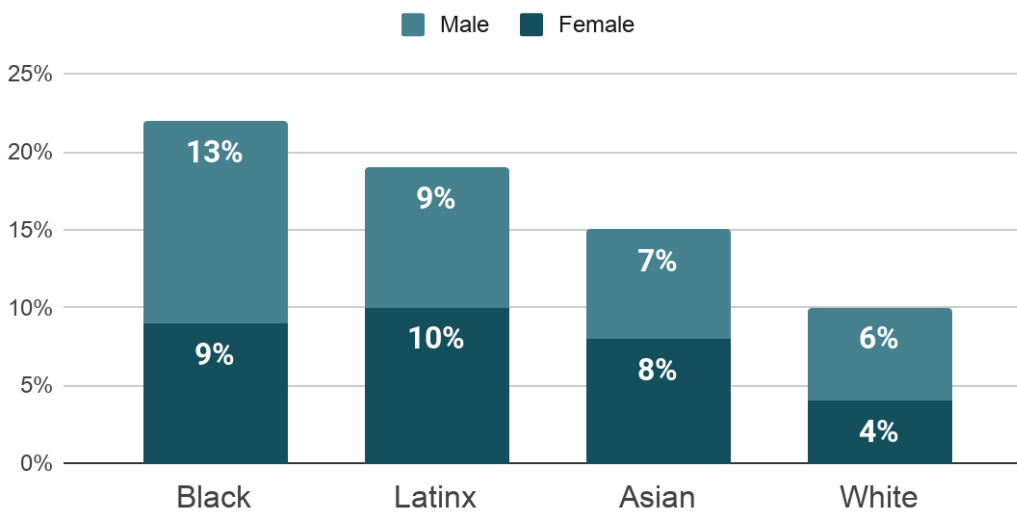


Source: American Community Survey 5-year estimates, 2014-2018, Table S2301 (for persons 16-64 years)

When the unemployment data is broken out by gender, we see generally higher unemployment rates in males than in females. Disparities are particularly clear between Black males (with an unemployment rate of 13%), and White males (with an unemployment rate of 6%). Unemployment is also particularly high among the Latinx population in both genders: 9% for Latinx males compared to 6% for White males, and 10% for Latinx females compared to 4% for White females. Asian females have an unemployment rate double that of White females (8% compared to 4%, respectively).

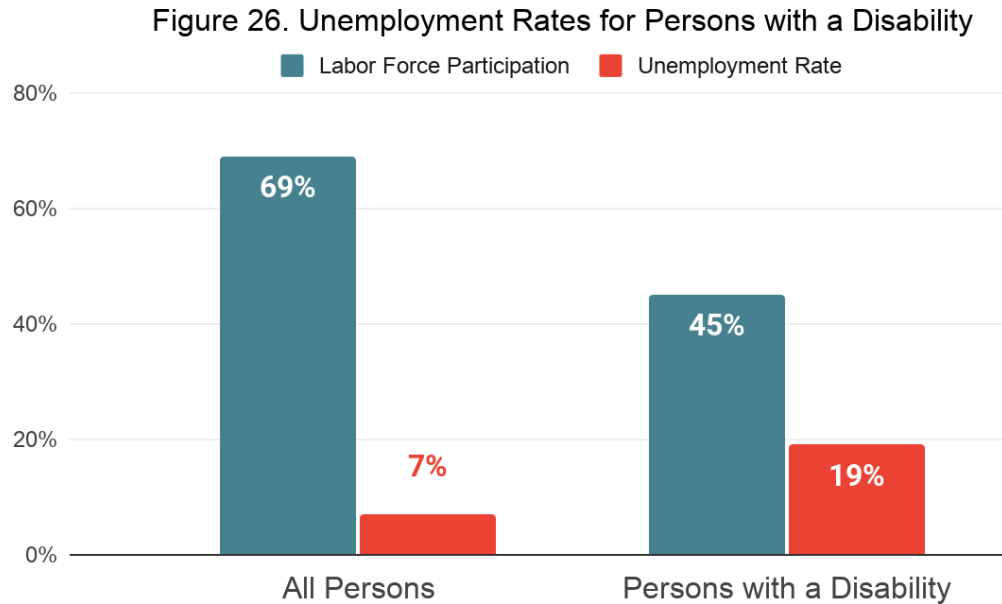
Figure 25. Unemployment Rate by Race/Ethnicity & Gender

Population 16-64 in the labor force



Source: ACS 5-Yr Estimates, 2014-2018, Table C23002

Persons with a disability have significantly higher unemployment rates than the overall population. Only 45 percent of disabled persons participate in the labor market, compared to 69 percent of the overall population. Of disabled persons in the labor force, 19 percent are unemployed, creating further barriers to a stable income and safe housing (Figure 26).



Source: American Community Survey 5-year estimates, 2014-2018, Table S2301 (for persons 16-64 years)

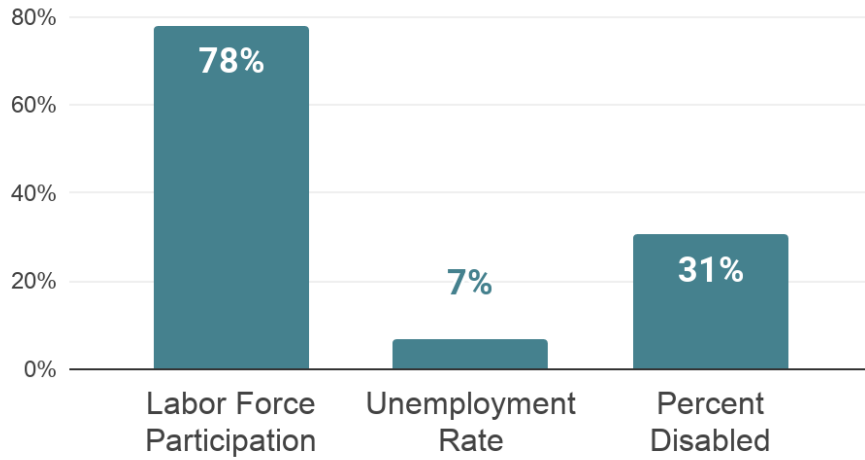
### ***Veteran Unemployment***

The veteran population tends to be older and overwhelmingly White. Forty-five percent (7,428) of veterans are over age 65, and 66 percent are White, while 22 percent are Black, 2 percent are Asian, and 8 percent are Latinx.

Veterans have a higher labor participation rate (78%) than that of Boston's population as a whole (69%), and unemployment rates among veterans is the same as it is for the population at large. However, a high percentage of veterans have some sort of disability (31%), many of whom experience challenges maintaining stable incomes and housing (Figure 27).



Figure 27. Veteran Characteristics



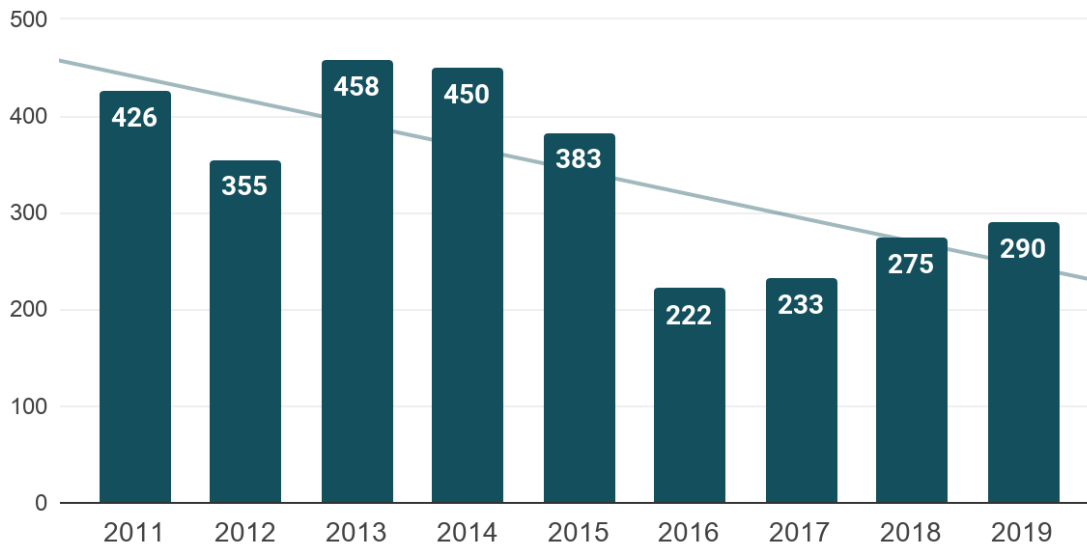
Source: American Community Survey 5-year estimates, 2014-2018, Table S2101

Many veterans not only need access to affordable housing but are also challenged by lack of economic mobility or an inability to access supportive services in response to mental health issues or substance abuse.

Veteran homelessness in Boston has been vastly reduced over the years from a high of 458 homeless veterans in 2013 to 290 in 2019 (based on point-in-time estimates reported by HUD). Continuing to track trends is important for analyzing why the veteran homeless population experiences increases or decreases, projecting vulnerable sub-populations, and supporting proactive strategies to combat this issue.

Figure 28. Number of Homeless Veterans

Based on HUD's Point-in-Time Estimates



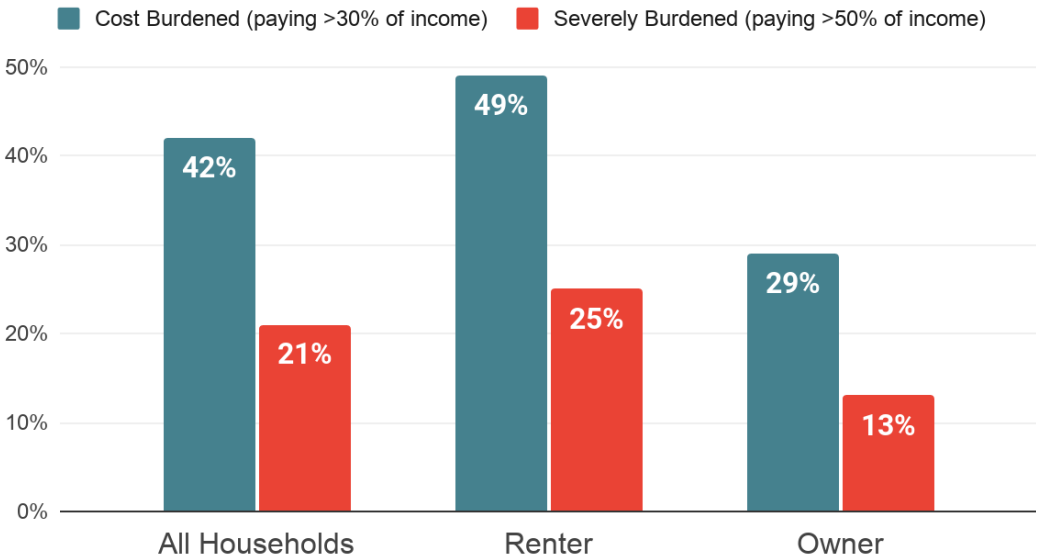
Source: [https://www.hudexchange.info/resource/5772/2018-pit-estimate-of-veteran-homelessness-in-the-us/?utm\\_source=HUD+Exchange+Mailin+g+List&utm\\_campaign=2e58cdf5fa-Dedline+Veteran+Homelessness+11.1.2018&utm\\_medium=email&utm\\_term=0\\_f32b935a5f-2e58cdf5fa-19466417](https://www.hudexchange.info/resource/5772/2018-pit-estimate-of-veteran-homelessness-in-the-us/?utm_source=HUD+Exchange+Mailin+g+List&utm_campaign=2e58cdf5fa-Dedline+Veteran+Homelessness+11.1.2018&utm_medium=email&utm_term=0_f32b935a5f-2e58cdf5fa-19466417)

# Housing Cost Burden

One of the most significant and challenging problems facing Boston’s residents is housing cost burden. Households are considered to be cost burdened if their monthly housing costs exceed 30 percent of their monthly income. They are considered *severely* cost burdened if their housing costs exceed 50 percent of their monthly income. Severely cost burdened households are particularly vulnerable to housing instability and are of particular concern.

As Figure 29 shows, 42 percent (111,075) of Boston’s households (renters and owners together) are housing cost burdened, and 21 percent (55,256) are severely housing cost burdened. Renters have a higher percentage of cost burdened households, with 49 percent (84,230) of households paying more than 30 percent of their income on rent, and 25 percent (43,016) paying more than 50 percent of their income on rent.

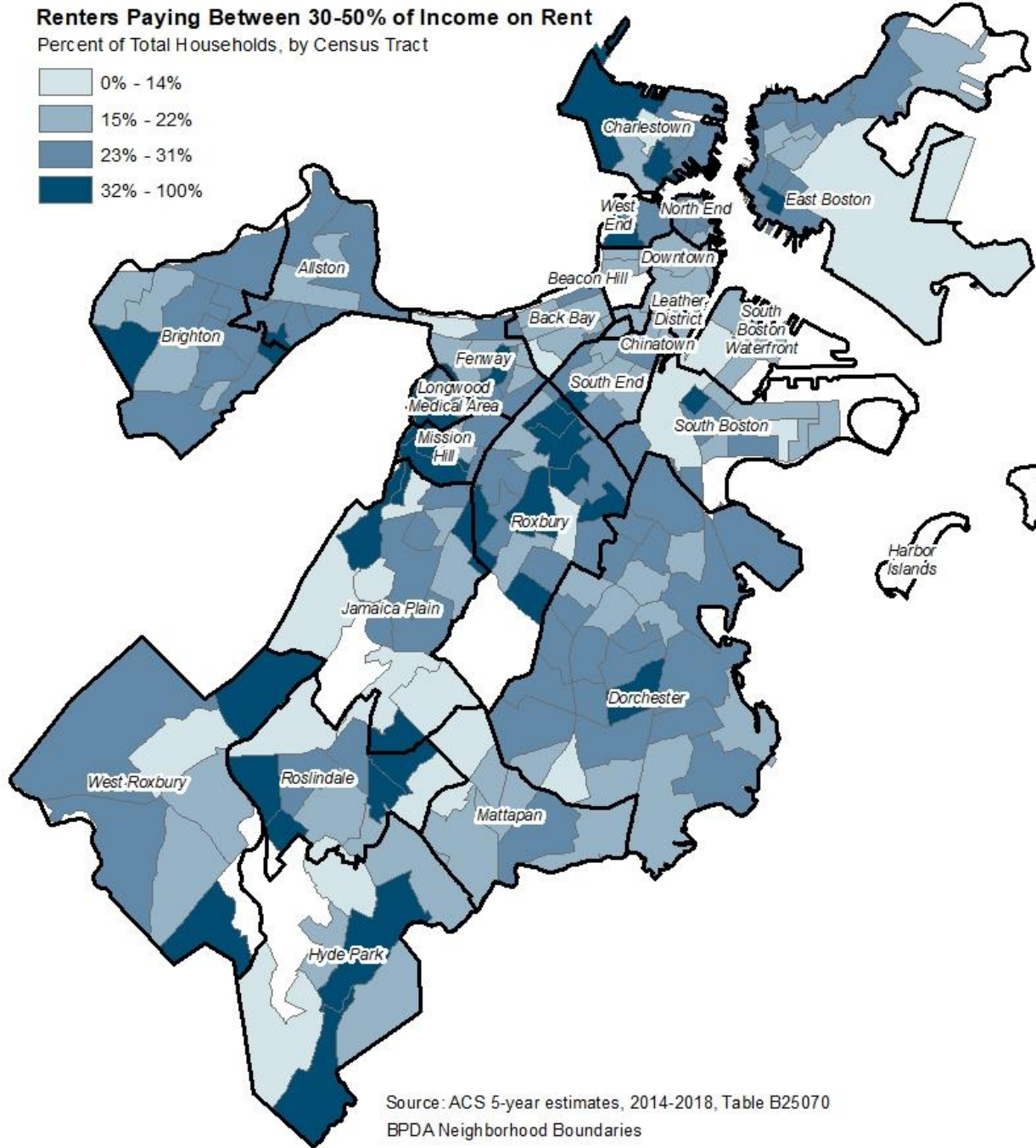
Figure 29. Housing Cost Burden by Tenure



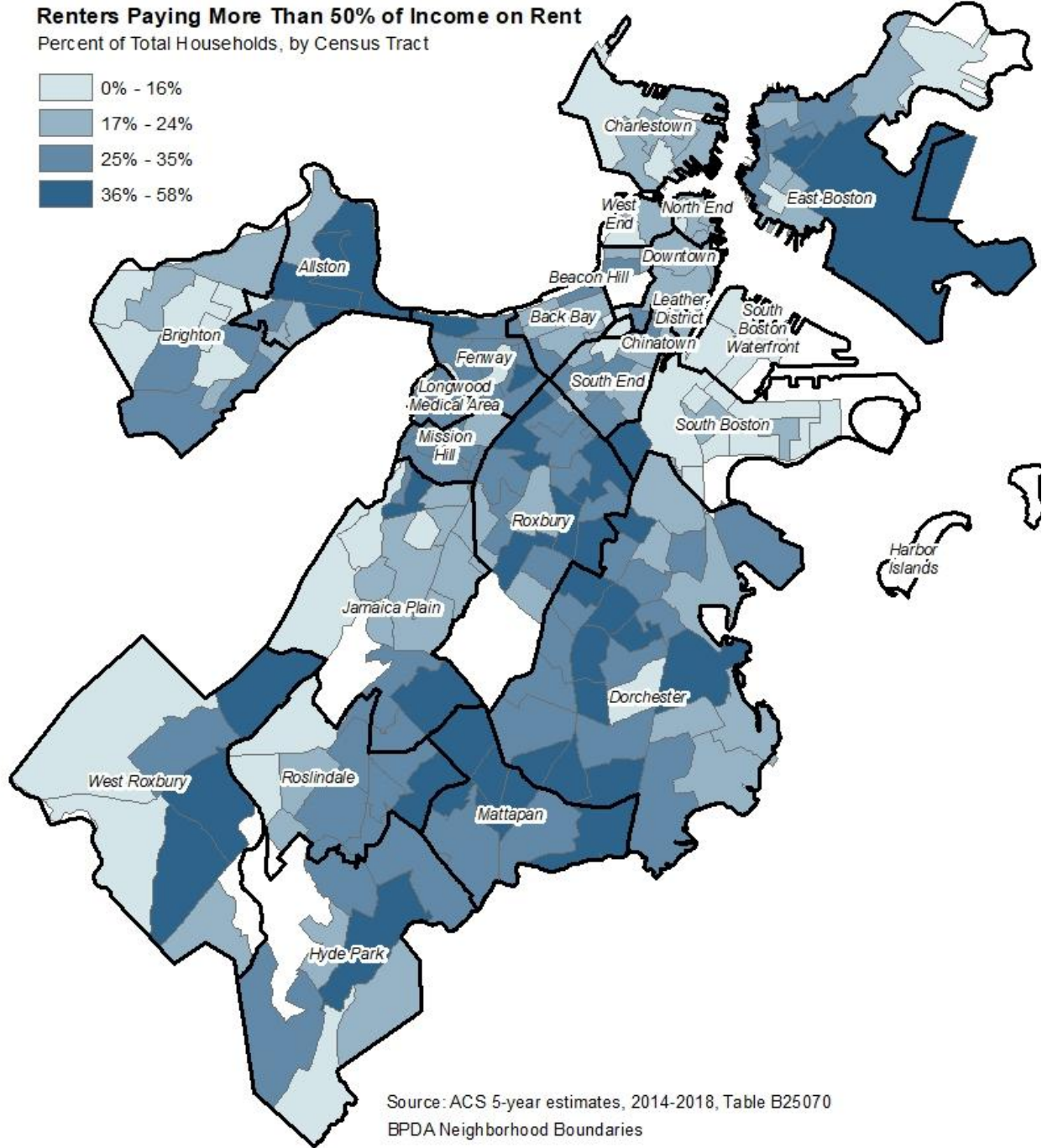
Source: American Community Survey 5-year estimates, 2014-2018, Tables B25074 and B25095

Maps 15-18 show the distribution of households who are moderately and severely cost-burdened across the city. Cost-burdened renters, in particular, are found widely across the city, though severe cost-burden increases in the non-downtown neighborhoods where median incomes are generally lower. Far fewer homeowners are housing cost-burdened, and they are scattered across the city. Still, high concentrations of burdened homeowners can be found closer to downtown, particularly in the South End.

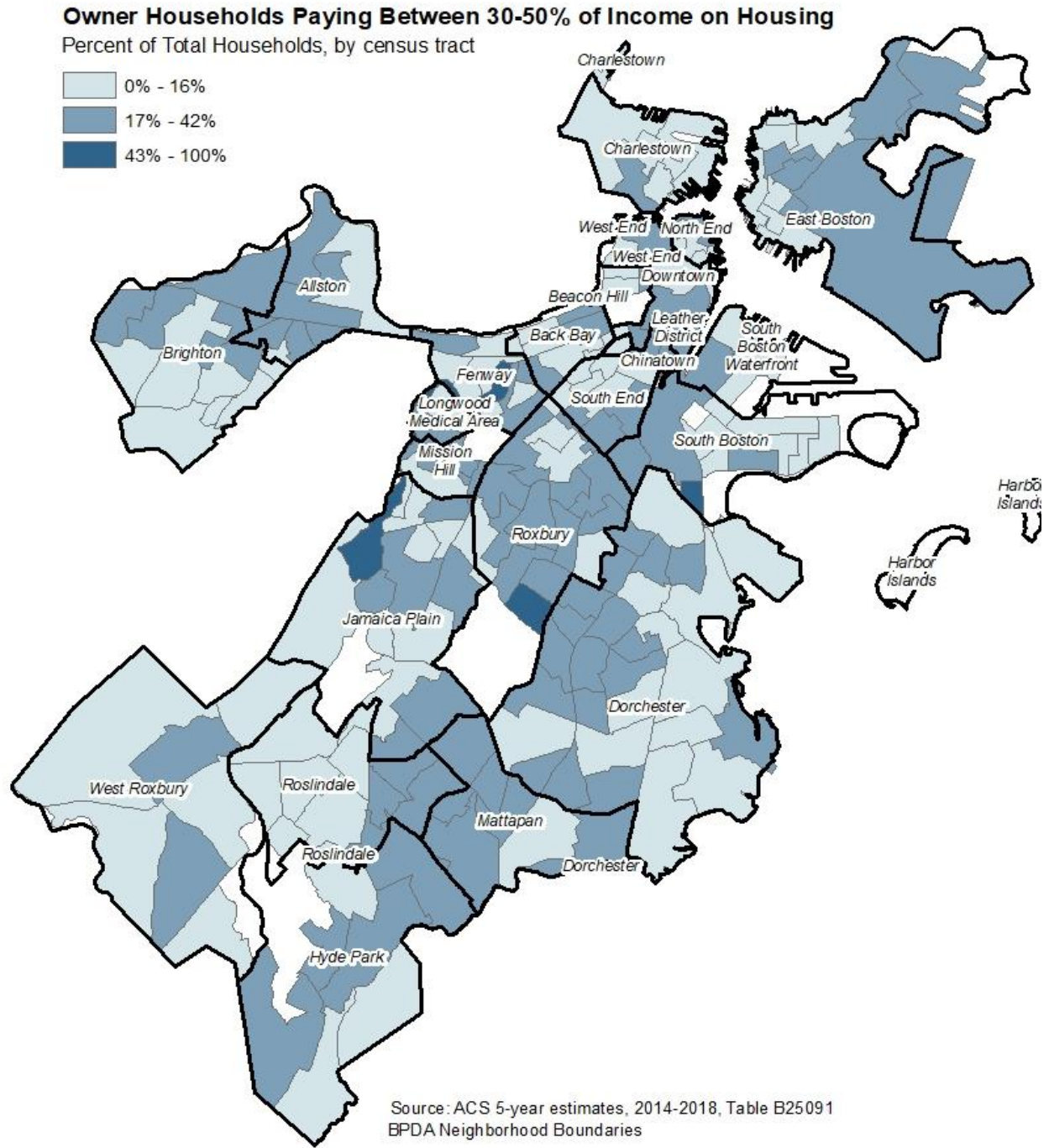
Map 15. Rent Burdened Households



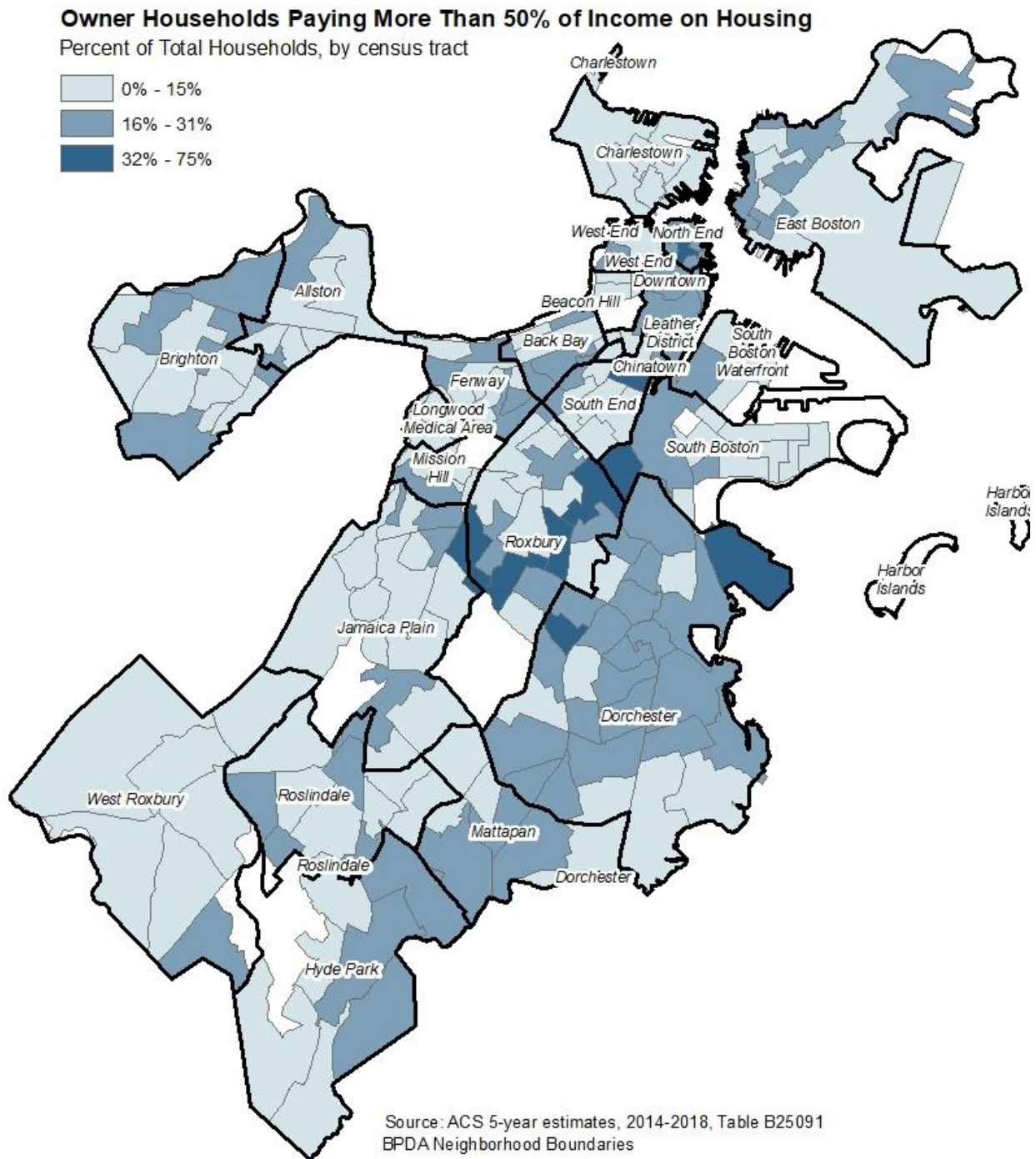
Map 16. Severely Rent Burdened Households



Map 17. Housing Cost Burdened Owner Households



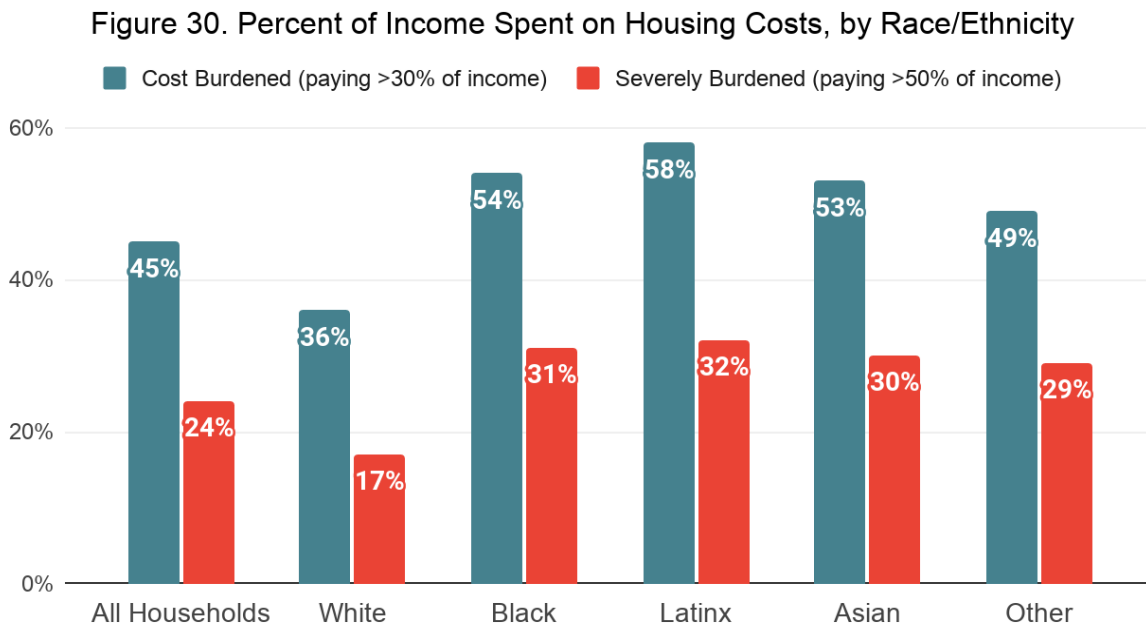
Map 18. Severely Housing Cost Burdened Owner Households



### ***Housing Cost Burden by Race/Ethnicity***

White non-Latinx households make up the largest number of households experiencing housing cost burden in terms of raw numbers. However, significantly higher percentages of Latinx and households of color are impacted by severe housing cost burdens: 31 percent (16,654) of Black

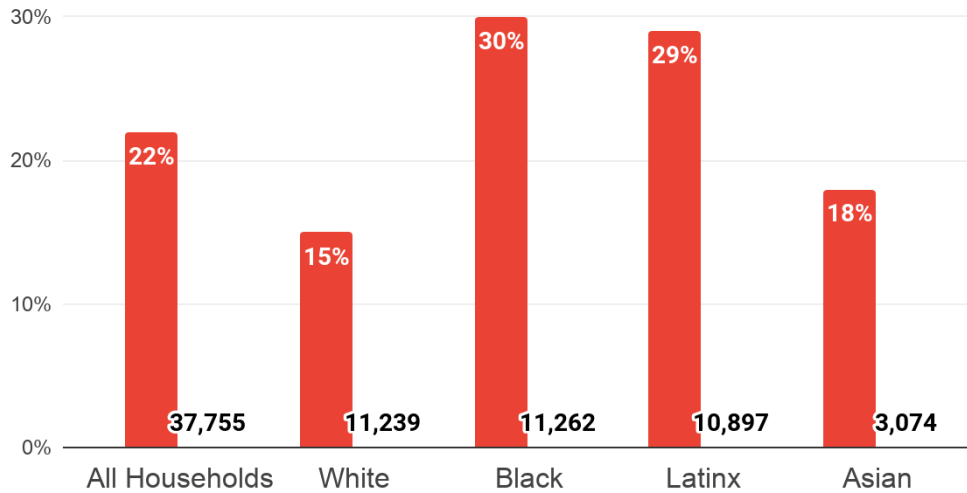
households, 32 percent (14,266) of Latinx households, and 30 percent (7,043) of Asian households are severely cost burdened, compared to 17 percent (23,936) of White households (Figure 30).



Source: American Community Survey 5-year estimates, 2014-2018, PUMS, BPDA Research Division Analysis

One of the populations most vulnerable to potential displacement are renters who are severely cost-burdened. Since they're paying so much of their income on rent already, any increase in rent could force them to move, or not have enough money to pay other essential needs. Figure 31 shows severe rent burden by race for the non-student population, as many student renters are only temporarily cost-burdened while in school or have other sources by which they pay their rent. Twenty-two percent of all non-student renter households are severely cost burdened. The percentage of severely rent burdened Black and Latinx households is much higher than the citywide average--30 percent and 29 percent, respectively.

Figure 31. Severe Rent Burden by Race/Ethnicity  
Non-Student Renter Households



Source: American Community Survey 5-year estimates, 2014-2018 PUMS, BPDA Research Division Analysis

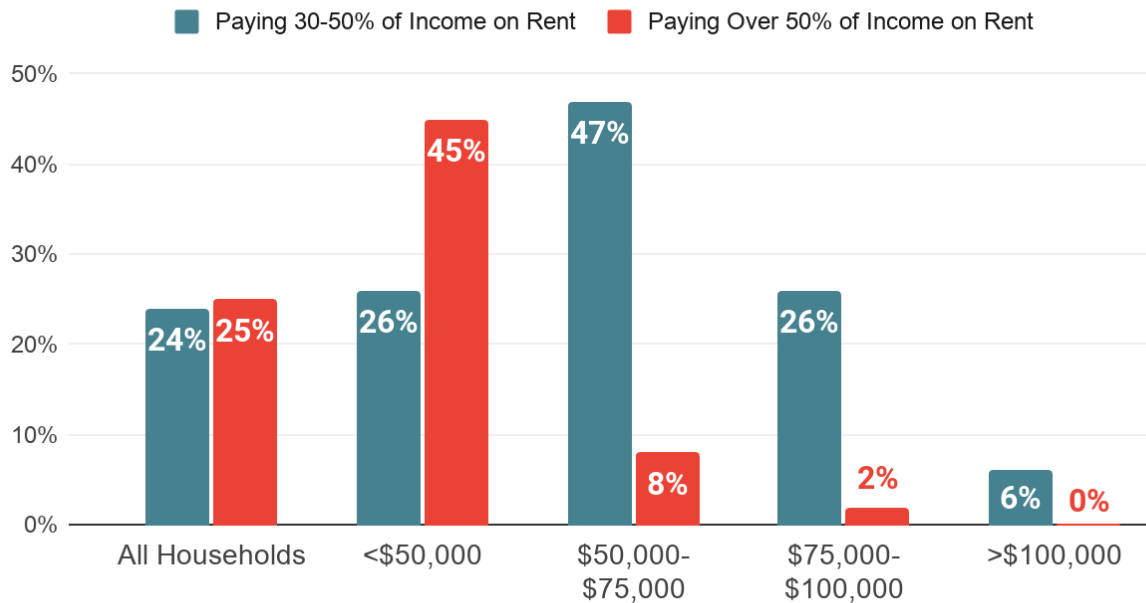
### ***Housing Cost Burden by Income***

This section provides a deeper look at housing cost burden by income level and tenure. Low-income renter households who are cost-burdened are of particular concern, as they are most vulnerable to evictions. Low-income homeowners are also of concern, as they are more likely to fall behind on mortgage payments and be at risk of foreclosure.

As shown in Figure 32, 24 percent of all renters (41,214 households) are paying between 30 and 50 percent of their income on rent and are considered moderately cost burdened. An additional 25 percent (43,010) are severely cost burdened, paying more than 50 percent of their income on rent. When breaking down this data by income, it is clear that the lowest income households are the most cost burdened. For the 26 percent of burdened renter households with incomes less than \$50,000, the analysis is complicated by the fact that many already live in income restricted housing. Residents living in public housing should not be paying more than 30 percent of their income towards housing. However, for those with certain types of vouchers and for those who live in income restricted housing where the rents are not tied directly to the tenant's income, households may still be rent burdened. It can be assumed, however, that the 45 percent of low- and very-low income renter households who are severely rent burdened are living in private, market-rate housing. Among households with incomes of \$50,000 to \$75,000, housing costs remain a problem, though a higher percentage of renters are moderately rent burdened (47%), and a smaller percentage (8%) are severely cost burdened. Given Boston's high housing costs, even a substantial percentage (28%) of renter households with incomes of \$75,000 to \$100,000 are housing cost burdened.



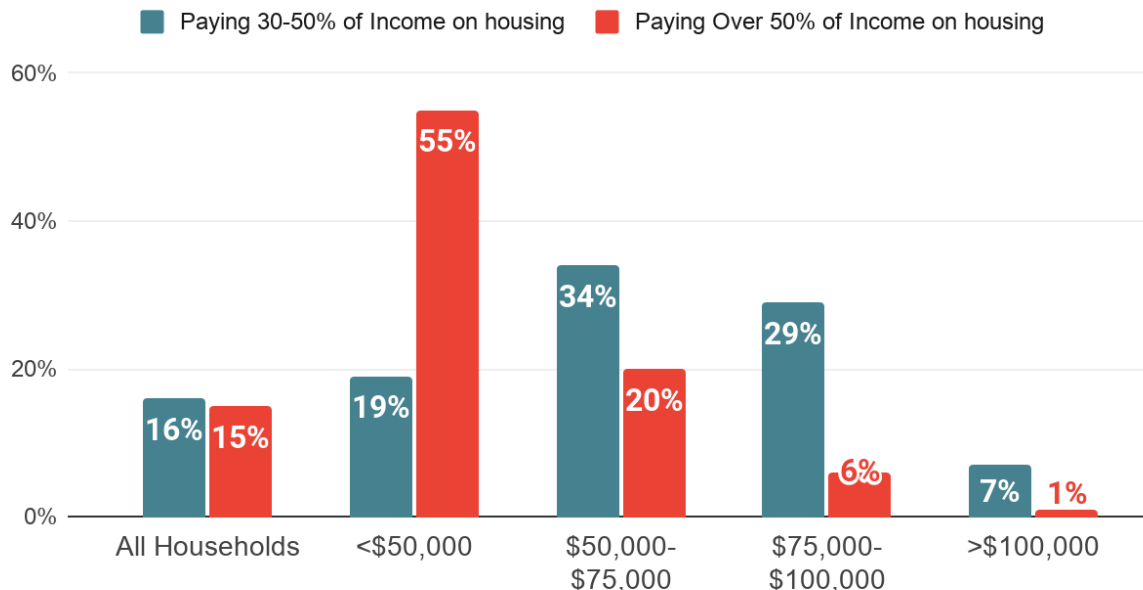
Figure 32. Rent Burden by Income, Renter Households



Source: American Community Survey 5-year estimates, 2014-2018, Table B25074

Figure 33 shows housing cost burden among homeowners: 15 percent (13,756) of owners are severely cost burdened and another 16 percent (14,648) are moderately cost burdened. Purchasing a home in the Boston housing market can be quite expensive: that reality is reflected in the fact that over 52,000 (56%) owners make over \$100,000. For 34 percent (4,141) of moderate income residents (making \$50,000-\$75,000), and 29 percent (3,232) of residents making \$75,000-\$100,000, owning a home comes at the expense of being moderately cost-burdened. Fifty-five percent (9,989) of low-income residents making less than \$50,000 are severely cost burdened by owning their home. These households are most at risk of foreclosure.

Figure 33. Cost Burden by Income, Owner Households



Source: American Community Survey 5-year estimates, 2014-2018, Table B25095

Comparing rent and owner burden, a greater percentage of owners than renters are severely cost burdened at each income level. This difference may be due to the fact that a higher percentage of extremely low and very low income renters live in income restricted housing where the rents are stabilized, or they receive rental assistance, while homeowners have significantly fewer opportunities for assistance with their housing costs. As low income households are more likely to be renters, the number of renters who are cost burdened is larger than the number of owners for almost every income category. For example, among households with income below \$50,000, there are 9,989 severely cost burdened owners, but 40,720 severely cost burdened renters. For incomes above \$75,000, though, we see the opposite: a higher number of owners (1,323) are burdened than renters (349). This likely reflects the fact that at this income, a higher percentage of renters are able to find housing in the marketplace that is affordable to them, while high sales prices and any continued hangover from the subprime loan crisis has made it difficult for this income bracket to pay for housing without being cost burdened. In addition, homeowners may be more willing to be mildly cost burdened (30% to 35% of income to housing costs), because tax benefits and the prospects of future profits from the growth of the asset encourage some owners to pay more for a house than they would for a rental. While severely cost burdened households can be found among renters and homeowners, and at different income ranges, the most important takeaway is that the vast majority of severely cost burdened households are those making under \$50,000.

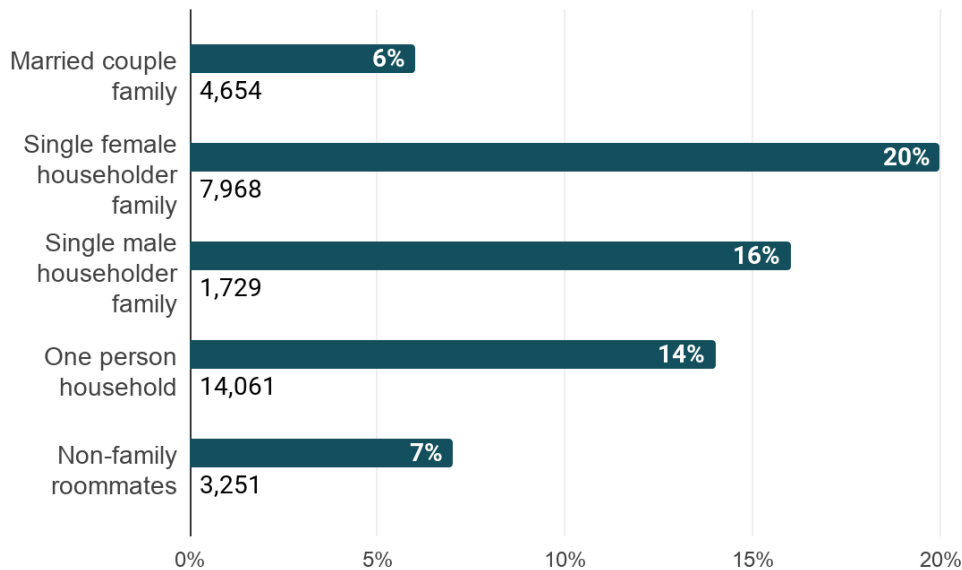
### ***Housing Cost Burden by Household Type and Size***

As Figure 34 shows, single-headed households are more likely to be severely cost-burdened than married couple or roommate households, likely due to only having one income-earner. Single female-headed family households have the highest rate of severe cost-burden at 20

percent, followed by single males heading family households at 6 percent. Fourteen percent of one-person households (non-family) are also severely cost-burdened, whereas roommates are less severely cost-burdened (7 percent). Single person households make up the largest number of severely cost-burdened households (14,061), followed by single female headed family households (7,968).

Figure 34. Severe Cost Burden by Household Type

Households paying 50% of income or more on housing

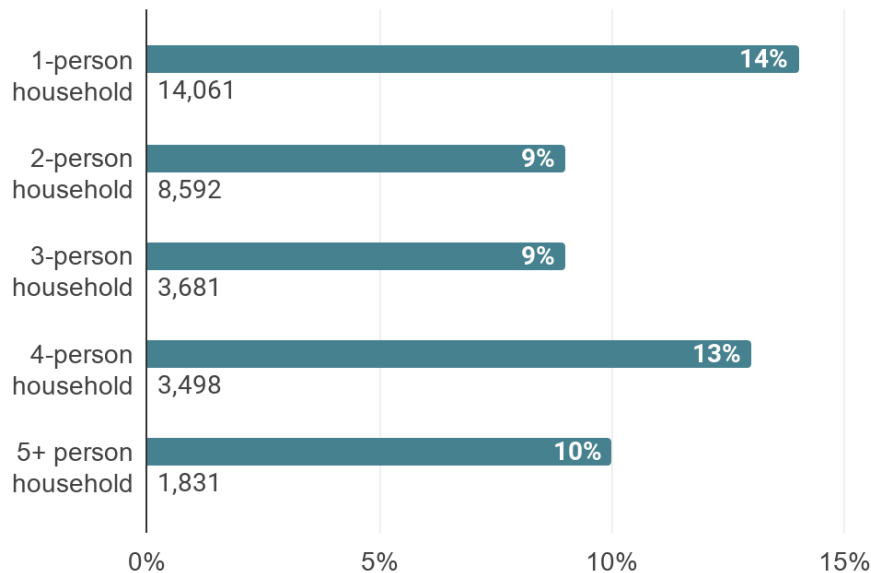


Source: American Community Survey 5-year estimates, 2014-2018, PUMS, BPDA Research Analysis

When looking just at household size, Figure 35 shows that one-person households have the highest rate of severe cost burden (14 percent), followed closely by four-person households at 13 percent. This aligns with the patterns of cost burden shown above by household type, where one-person non-family households and family households headed by single parents saw the most burden. Two- and three-person households, which include many roommate households with more than one earner, had a lower percentage who were severely cost burdened (9 percent).

**Figure 35. Severe Cost Burden by Household Size**

Households paying 50% of income or more on housing



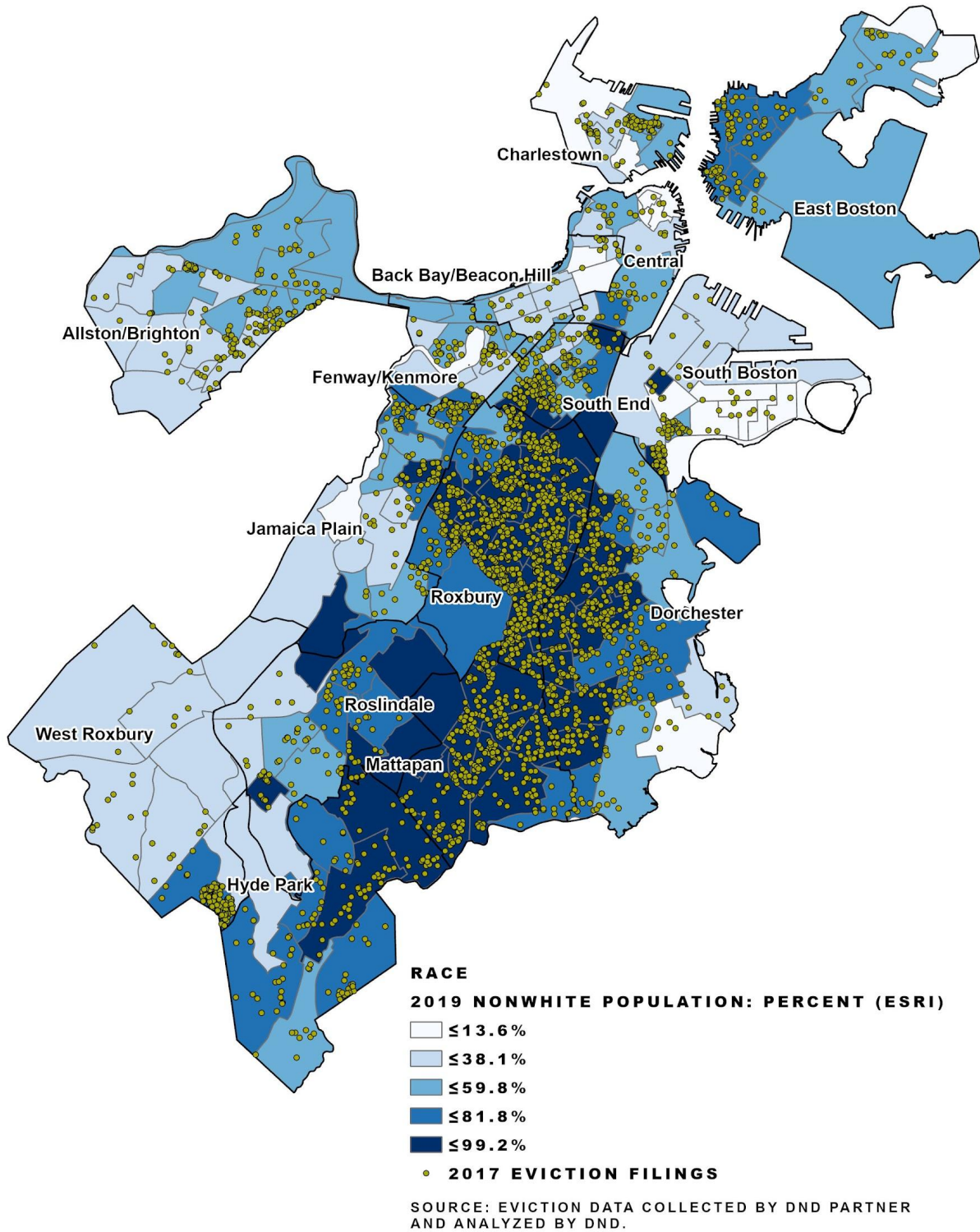
Source: American Community Survey 5-year estimates, 2014-2018, PUMS, BPDA Research Analysis

## **Evictions**

Households struggling with rent burden are particularly vulnerable to eviction. In 2017, there were over 2,000 evictions executed by the courts in Boston. The vast majority of evictions, 76 percent, were for nonpayment of rent. An execution allows a constable or sheriff to physically move a tenant and their belongings from the apartment if the tenant does not move on their own. The eviction rate in Boston is 1.3 percent annually per rental unit—less than the nationwide rate of 2.34 percent.<sup>65</sup> As Map 11 shows, evictions are overwhelmingly concentrated in communities of color, particularly Roxbury, Mattapan, and parts of Dorchester. The actual eviction rate in these neighborhoods, and among Boston’s households of color, is thus significantly higher than the eviction rate for the City overall, and much higher than the eviction rate among White households. Evictions disproportionately affect neighborhoods with households of color, high poverty, and have particularly damaging impacts on families with children. Evictions are extremely tumultuous for households, deepening housing instability, uprooting children, separating families, interfering with essentials such as employment and medical care, and leads to homelessness. The evictions counted here do not include informal evictions, where households vacate their home without ever going through the court system, which can be just as damaging to families as evictions through the court.

<sup>65</sup> The Eviction Lab: <https://evictionlab.org/rankings/#/evictions?r=United%20States&a=0&d=evictionRate>

Map 19. Evictions Filings, 2017



## Homelessness

There are many types of homelessness that have different barriers to housing, including chronically homeless individuals; chronically homeless families; veterans; adult individuals; unaccompanied homeless youth under 18 years; unaccompanied youth between 18 and 24 years; people with disabilities; people with health challenges; sheltered and unsheltered homeless individuals and families; and others.<sup>66</sup> One night each winter, the City of Boston completes a point-in-time homelessness count, which includes data from shelters and service providers, and is augmented by teams who fan out across the city to count those living on the street. The 2019 report found that there were 6,203 persons experiencing homelessness, of which 2,348 were single adults, and the remaining 3,855 were people living in families, of which there were 1,221 families. Single adult homelessness was relatively flat from the previous year, though the number of families experiencing homelessness was up 6 percent.<sup>67</sup>

Table 5. 2019 Homeless Census (January 30, 2019): Summary

Program Type				
<b>Single Adults</b>	<b>Individuals</b>		<b>Percent Change in Persons Experiencing Homelessness, 2018 to 2019</b>	
Street Count	121		-26%	
Emergency Shelter	1,867		+5%	
Transitional Housing	360		-10%	
<b>Subtotal: Single Adults</b>	<b>2,348</b>		<b>+&lt;1%</b>	
<b>Families</b>	<b>Persons in Families</b>	<b>Number of Families</b>	<b>Percent Change in Persons Experiencing Homelessness, 2018 to 2019</b>	<b>Percent Change in Number of Families Experiencing Homelessness, 2018 to 2019</b>
Emergency Shelter	3,647	1,145	+5%	+7%
Transitional Housing	119	45	-32%	-18%
<b>Subtotal: Families</b>	<b>3,766</b>	<b>1,190</b>	<b>+3%</b>	<b>+6%</b>
<b>Domestic Violence</b>	<b>Persons in Families</b>	<b>Number of Families</b>	<b>Percent Change in Persons Experiencing Homelessness, 2018 to 2019</b>	<b>Percent Change in Number of Families Experiencing Homelessness, 2018 to 2019</b>
Emergency Shelter	89	31	+19%	-11%
Transitional Housing	None Reported			
<b>Subtotal: Domestic Violence</b>	<b>89</b>	<b>31</b>	<b>+19%</b>	<b>-11%</b>
<b>Total</b>	<b>6,203</b>	<b>1,221</b>	<b>+1%</b>	<b>+3%</b>

<sup>66</sup> See, "Part 1: Point-in-Time Estimates of Homelessness" *The 2017 Annual Homeless Assessment Report (AHAR) to Congress*, HUD (December 2017)

<sup>67</sup> City of Boston Mayor's Office of Housing (2019). *City of Boston 39th Annual Homeless Census*. Pg 2. Accessed May 28, 2020 at [https://www.boston.gov/sites/default/files/document-file-05-2019/2019\\_homeless\\_census\\_5-15-19\\_190515.pdf](https://www.boston.gov/sites/default/files/document-file-05-2019/2019_homeless_census_5-15-19_190515.pdf).

While this report did not provide a breakdown by family type or household size, in 2017, 50 percent of the family households included a child/children under age 12, and 77 percent of the families had a female head of household (of which 20 percent were headed by a female aged 18-30). Household size varied as 30 percent of families experiencing homelessness were two-person households, 25 percent were three-person households, 19 percent were four-person households, and the remaining 25 percent had five or more persons in the household.<sup>68</sup>

There are also indications that as is the case nationally, Black and Latinx persons have a higher likelihood of experiencing homelessness than non-Latinx White persons. According to the Center for Social Innovation, “Although Black people comprise 13 percent of the general population in the United States and 26 percent of those living in poverty, they account for more than 40 percent of the homeless population, suggesting that poverty rates alone do not explain the over-representation.” Further, “High rates of homelessness among Black Americans is documented across all age groups, including youth, families, and single adults, and across geographic diversity.”<sup>69</sup> As stated in Boston’s Consolidated Plan, in 2017, “The racial and ethnic composition differs for homeless families and individuals. For homeless families in emergency shelters or transitional housing 46 to 50 percent are Black or African American; 10 to 11 percent are White non-Hispanic/non-Latinx; 19 percent identified as multi-racial and race and ethnicity is unknown for about 20 percent. For Homeless individuals, 43 to 49 percent are White, non-Hispanic/non-Latinx; about 37 percent are Black/African American, 12 percent are multi-racial and 8 percent are other or unknown. About 45 percent of homeless families are Hispanic and 20 percent of homeless individuals are Hispanic.”<sup>70</sup>

MOH is the lead agency for the Boston Continuum of Care (CoC) and is the main architect of *Boston’s Way Home – An Action Plan to End Veteran and Chronic Homelessness*.<sup>71</sup> The plan called for an end to Veteran and Chronic Homelessness by the end of 2018 and expanded tools to achieve coordinated entry and rapid exit from shelters.<sup>72</sup> This information is tracked through HUD’s System Performance Measures which include: “...length of time (LOT) persons remain homeless; whether persons who exit homelessness for permanent housing return to homelessness (recidivism); the change in the number of homeless persons through the annual Point In Time Count; the growth in employment and income for homeless persons in CoC-funded programs; the number of persons who become homeless for the first time and successful placement from Street Outreach to permanent housing.”<sup>73</sup> Boston’s Continuum of Care includes numerous organizations working collaboratively to prevent or reduce

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<sup>68</sup> City of Boston (2018). *Five Year Consolidated Plan*. Pg 71. Accessed May 28, 2020 at

[https://www.boston.gov/sites/default/files/embed/c/consolidated\\_plan\\_part\\_i\\_narratives\\_190708.pdf](https://www.boston.gov/sites/default/files/embed/c/consolidated_plan_part_i_narratives_190708.pdf).

<sup>69</sup> Jeffrey Olivet, Marc Dones, Molly Richard, Catriona Wilkey, Svetlana Yampolskaya, Maya Beit-Arie, Lunise Joseph, *Supporting Partnerships for Anti-Racist Communities*, Center for Social Innovation (March 2018), p.7.

<sup>70</sup> City of Boston (2018). *Five Year Consolidated Plan*. Pg 47. Accessed May 28, 2020 at

[https://www.boston.gov/sites/default/files/embed/c/consolidated\\_plan\\_part\\_i\\_narratives\\_190708.pdf](https://www.boston.gov/sites/default/files/embed/c/consolidated_plan_part_i_narratives_190708.pdf).

<sup>71</sup> Appreciation is extended to Kristin Hass, Data and Policy Coordinator at Project HOPE, and Sonja M. Spears, Chief Equity and Inclusion Officer at the Boston Health Care for the Homeless Program for providing important information about homelessness in Boston (Email Correspondence: Nov. 6, 2018 and Nov. 7, 2018).

<sup>72</sup> City of Boston Mayor’s Office of Housing (2015). *Boston’s Way Home – An Action Plan to End Veteran and Chronic Homelessness*. Accessed May 28, 2020 at

<https://documents.boston.gov/MOH/PDFs/An%20Action%20Plan%20to%20End%20Veteran%20and%20Chronic%20Homelessness%20in%20Boston%202015-2018.pdf>

<sup>73</sup> City of Boston (2018). *Five Year Consolidated Plan*. Pg 7. Accessed May 28, 2020 at

[https://www.boston.gov/sites/default/files/embed/c/consolidated\\_plan\\_part\\_i\\_narratives\\_190708.pdf](https://www.boston.gov/sites/default/files/embed/c/consolidated_plan_part_i_narratives_190708.pdf).

homelessness. These are described briefly under Section IV’s goals to reduce homelessness in Boston.

## Housing Stock

Boston is largely a city of renters: 65 percent of all occupied housing units are renter-occupied, compared with just 39 percent in the Boston metro region (Table 6). Here, the Boston metro region is defined as HUD’s Boston-Cambridge-Newton Core Based Statistical Area (CBSA), which spans from Southern New Hampshire down to Plymouth County in Southern Massachusetts. Slightly over a third (35 percent) of all housing units in Boston are owner-occupied, compared to 61 percent of all housing units in the Boston metro region.

Table 6: Tenure, Boston and Boston-Cambridge-Newton, MA-NH CSBA

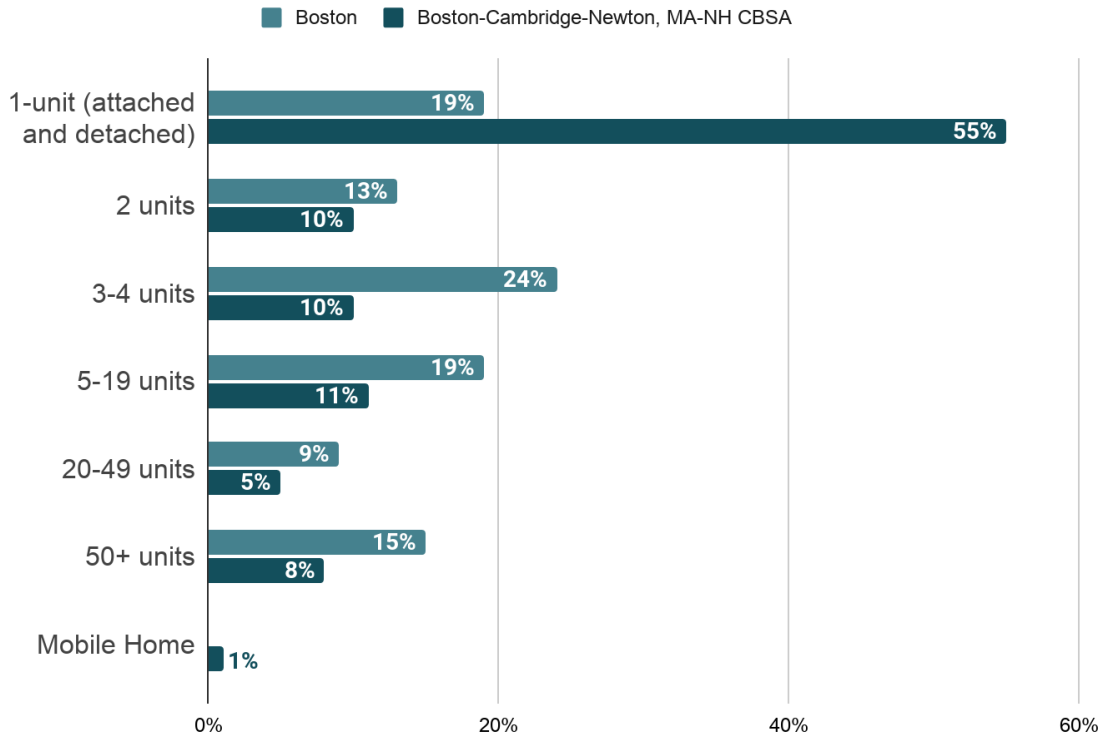
	Boston		Boston-Cambridge- Newton, MA-NH CSBA	
	Units	Percent	Units	Percent
Owner-occupied	93,800	35%	1,121,715	61%
Renter-occupied	172,924	65%	697,398	39%
<b>Total</b>	<b>266,724</b>	-	<b>1,819,113</b>	-

Source: American Community Survey 5-year estimates, 2014-2018, Table B25003

Figure 36 shows that Boston has a greater proportion of multi-unit housing compared to the region, as 81 percent of the housing stock in Boston is multi-unit buildings (2+ units) compared to only 44 percent in Metro Boston. Figure 33 breaks down the number of units further. Metro Boston has far more single-unit properties (994,613 units, or 55%) than Boston (51,365 units, or 19%). While Boston accounts for about 15 percent of the total housing stock in Metro Boston, Boston accounts for 33 percent of Metro Boston’s multi-unit housing stock. A large proportion (24 percent) of Boston’s housing units are in 3-4 unit structures, including Boston’s iconic “Triple-Deckers.”



Figure 36. Number of Units in Structure, Boston vs Region



Source: American Community Survey 5-year estimates, 2014-2018, Table B25032

Boston’s housing units account for 15 percent of all units in the Boston metro region. Twenty-seven percent of the region’s multi-unit properties (2+ units) are located in Boston. Conversely, only 5 percent of the region’s single-unit properties are in Boston (Table 7).

Table 7. Number of Units in Structure

	Boston's Units as percent of Metro Region
1-unit (attached and detached)	5%
2 units	20%
3-4 units	34%
5-19 units	26%
20-49 units	24%
50+ units	29%
Mobile Home	2%
<b>All Multi-Unit (2+)</b>	<b>27%</b>
<b>Total Units</b>	<b>15%</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table B25032

In addition to providing a disproportionate share of the rental and multi-family housing units, Boston also provides a disproportionate share of the income-restricted housing in the state of Massachusetts. Data from the state's Subsidized Housing Inventory<sup>74</sup> shows that while Boston has just 10 percent of the state's total housing units, it has nearly 20 percent of the state's total inventory of subsidized housing units (Table 8). Part B of this section goes into further detail on Boston's subsidized housing.

Table 8. Total and Subsidized Units

	Total Units <sup>75</sup>	Subsidized Housing Inventory	Percent
Boston	269,482	51,283	19.0%
Massachusetts	2,692,186	262,223	9.7%
Boston as percent of Massachusetts	10%	19.6%	-

Source: Massachusetts Department of Housing and Community Development, 40B Subsidized Housing Inventory (9/14/17).

### ***Tenure by Race/Ethnicity***

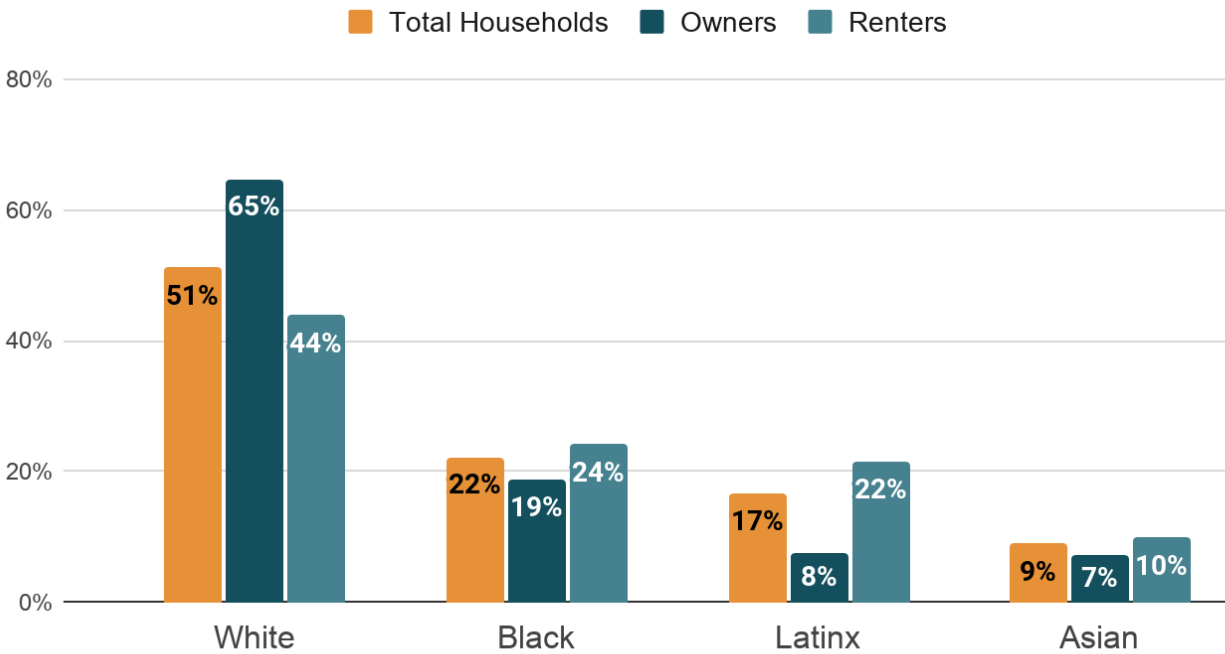
There are significant differences in the homeownership rate by race and ethnicity. Figure 37 shows that White households are more likely to be homeowners than any other racial/ethnic group: of all ownership households in Boston, 65 percent are White, and only 19 percent are Black, 8 percent are Latinx, and 7 percent are Asian. Of all renter households, 44 percent are White, 24 percent are Black, 22 percent are Latinx, and 10 percent are Asian. Although 17 percent of all households are Latinx, only 8 percent of Latinx households own their home.

<sup>74</sup> The Subsidized Housing Inventory (SHI) reports units that count under Chapter 40-B: a Massachusetts state law that allows developers seeking to build an affordable housing project in a community that has not met Chapter 40-B's 10% subsidized housing threshold to request state authorization to override local zoning restrictions. Please note that some units counted towards the SHI are market rate units in mixed income buildings. For this reason the actual number of income restricted units may be smaller than the SHI unit count. This is often true in suburban locations. On the other hand, some income restricted units, such as Boston's Inclusionary Development Policy units, are not counted in this SHI total, and Boston's actual income restricted housing count is higher (55,122 as of 2019) than is reported in the SHI.

<sup>75</sup> 2010 Decennial Census, Total Housing Units

**Figure 37. Households by Race and Tenure**

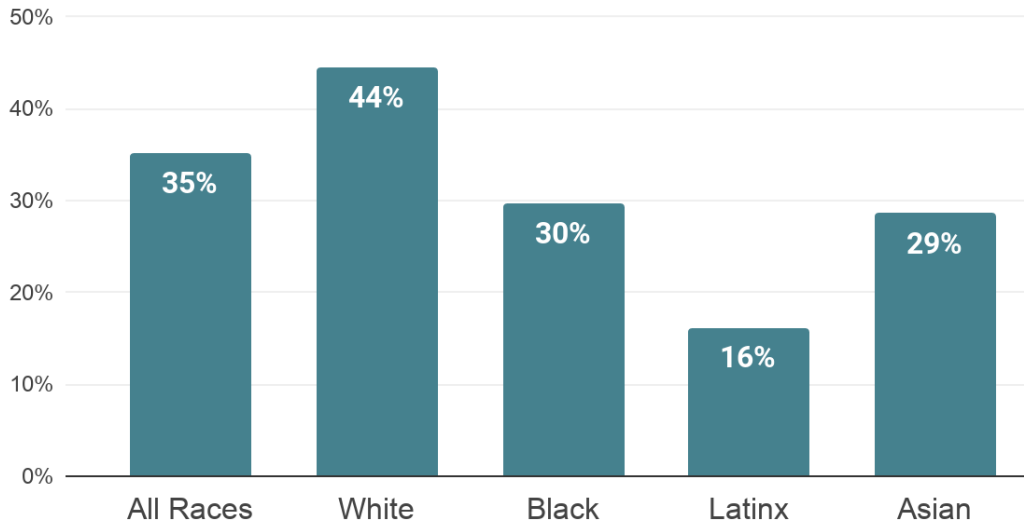
As a percent of Total, Owner, and Renter Households, respectively



Source: American Community Survey 5-year estimates, 2014-2018, Table B25003

Figure 38 shows homeownership as a percentage of each race/ethnicity. While 35 percent of all households in the city are owners, 44 percent of all White households are owners. All households of color have ownership rates under the citywide rate of 35 percent: owners only constitute 30 percent of all Black households, 16 percent of Latinx households, and 29 percent of Asian households, showing disparities in ownership for households of color, especially Latinx.

**Figure 38. Homeownership Rate**  
As a percent of each race/ethnicity



Source: American Community Survey 5-year estimates, 2014-2018, Table B25003

Map 20 below shows where the homeownership percentage is above or below the citywide percentage (35 percent) along with the distribution of the Black and Latinx populations. Areas where there are large Black and Latinx populations tend to have low homeownership rates, except for Hyde Park, which is largely non-White but has some of the highest homeownership rates in the city.

Map 20. Homeownership Rates

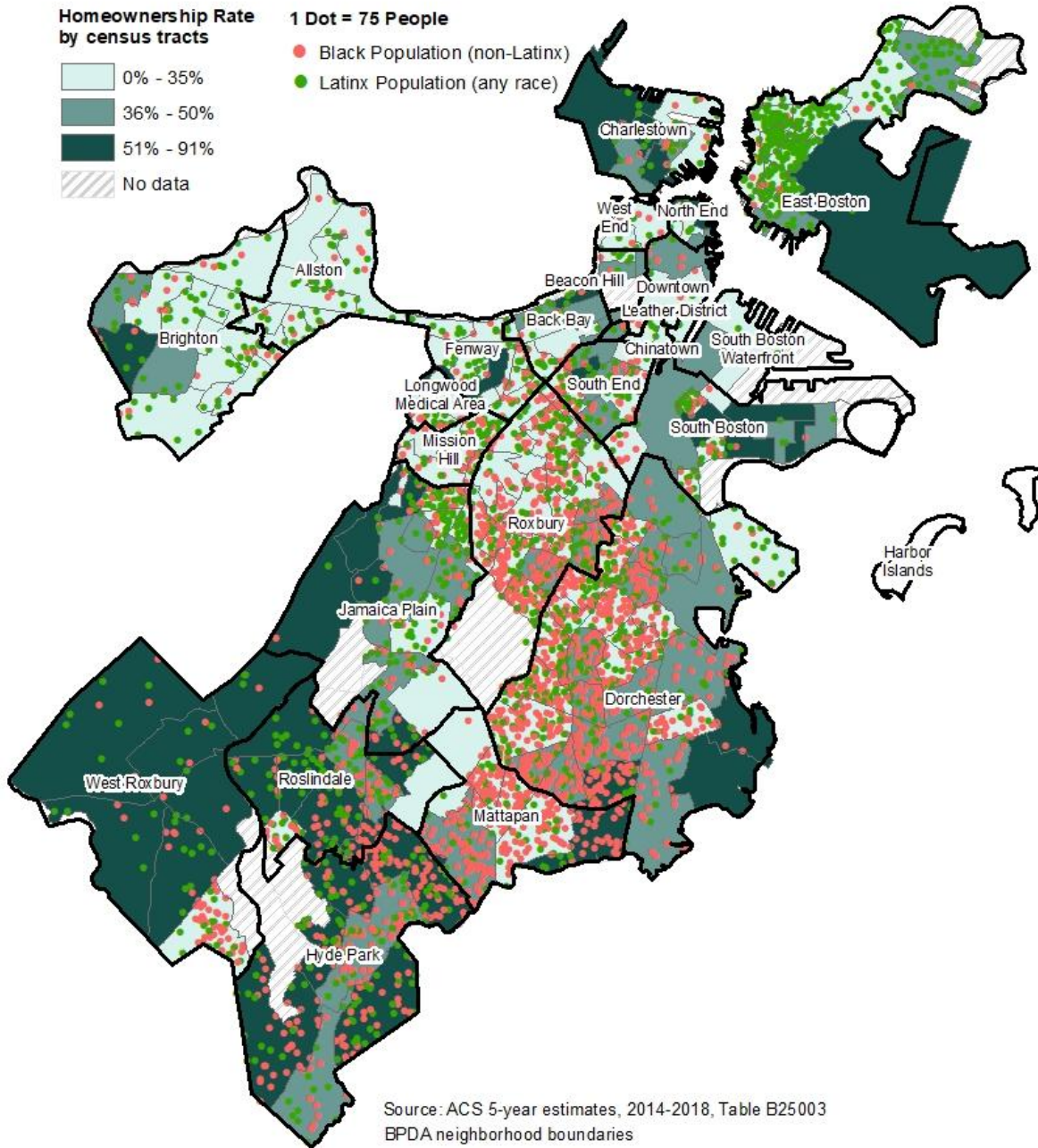
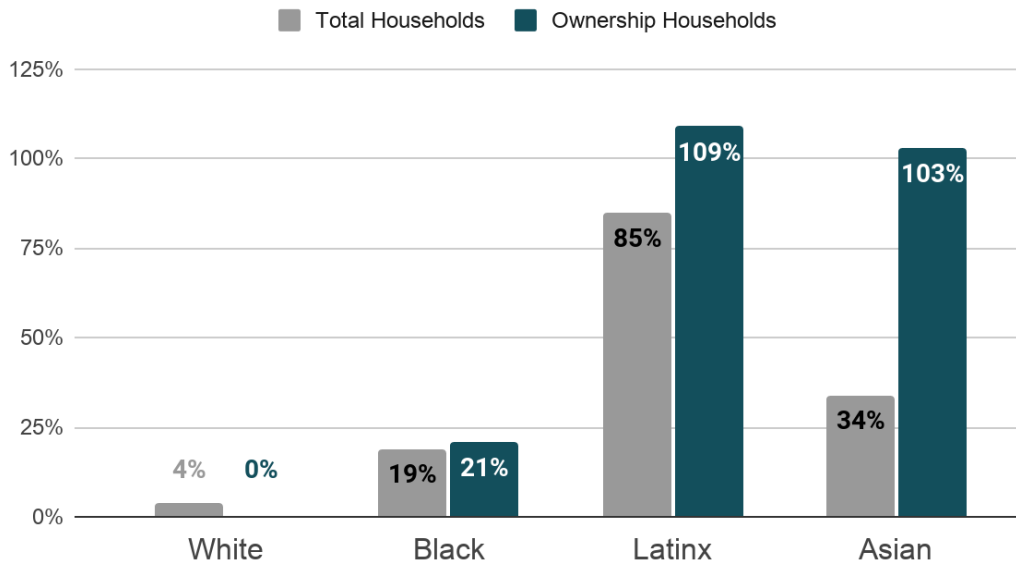


Figure 39 shows the percent change in total households by race and number of owners by race, from 2005-2018. While White households account for the highest number of homeowners in the city, the percentage of homeowners who are White has not changed since 2005. The number of Black homeowners, however, increased by 21 percent, which is consistent with their increase in total households (19 percent). The total number of Latinx households increased drastically by 85% from 2005-2018, and their homeownership rate increased by a steep 109%. There has been a significant inflow of Latinx immigrants into Boston over the past several years, in part explaining the drastic increases in both total Latinx households and homeownership. The

number of Asian households increased by 34 percent from 2005-2018, and saw a disproportionate increase in the number of homeowners--103 percent. This data suggests that Latinx and especially Asian households are becoming homeowners at faster rates than other races or ethnicities.

Figure 39. Percent Change in Households by Race between 2005-2018



Source: American Community Survey 1-year estimates, 2005 and 2018, Table B25003

The higher White homeownership rates can, in part, be explained by differences in income. However, there are other factors at play impacting homeownership rates in the city. A study of mortgage lending in Boston and the metro area shows that even when income is controlled for, significant differences in mortgage lending by race and ethnicity remain.<sup>76</sup> In addition, households of color (Black, Latinx, as well as specific communities of Caribbean origin) are less likely to own their homes, and for those who do, are more likely to have mortgage debt. As a result, households of color have substantially lower levels of wealth.<sup>77</sup>

Historically, national economic policies that were meant to address the needs of working class Americans have largely excluded people of color.<sup>78</sup> The historical disinvestment in communities of color in Boston and throughout the nation is highly attributed with the current wealth gap experienced nationally. MAPC’s “State of Equity in Metro Boston” report also found “...that people of color—even those who earn a substantial income—face continued discrimination in choosing where to live. In particular, high-income applicants (those earning more than \$118,000

<sup>76</sup> *Changing Patterns XXIII: Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Boston*, Greater Boston and Massachusetts, 2015

<sup>77</sup> Muñoz, Ana Patricia. *The Color of Wealth in Boston*. Federal Reserve Bank of Boston, 2015, <https://www.bostonfed.org/publications/one-time-pubs/color-of-wealth.aspx>

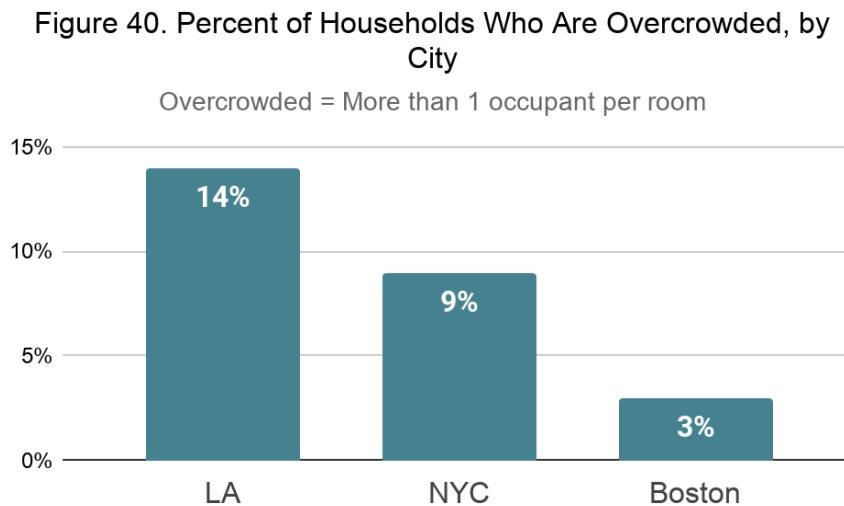
<sup>78</sup> Katznelson, Ira. *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-century America*. WW Norton & Company, 2005.

per year) who are Black are more than twice as likely to be denied a mortgage as high-income borrowers, who are White.”<sup>79</sup>

In addition to mortgage discrimination, the “Color of Wealth in Boston” report highlights other financial barriers to homeownership among households of color. Households of color are more likely than Whites to have student loans and medical debt and are less likely to have assets such as stocks and bonds. As a result these households have fewer resources to assist with home purchases. Households of color are more likely than Whites to experience very poor long-term housing and retirement outcomes as a consequence of their lack of homeownership, housing-based equity, and retirement savings.

### **Overcrowding and Need by Unit Size**

Overcrowding is commonly defined as 1.01 or more occupants per room. Compared to other large American cities, Boston has a relatively low rate of overcrowding. For example, while 3% of Boston households live in overcrowded conditions, 9% of New York and 14% of Los Angeles households do so (Figure 40). Even though overcrowding in Boston is not as significant as in many other cities, the COVID-19 Pandemic has revealed the dangers of overcrowding, and communities of color and immigrant groups are impacted by overcrowding more than Whites. While only 2 percent of White non-Latinx households are overcrowded, approximately 6 percent of Latinx, 5 percent of Asian, and 4 percent of Black households are overcrowded (Figure 41).

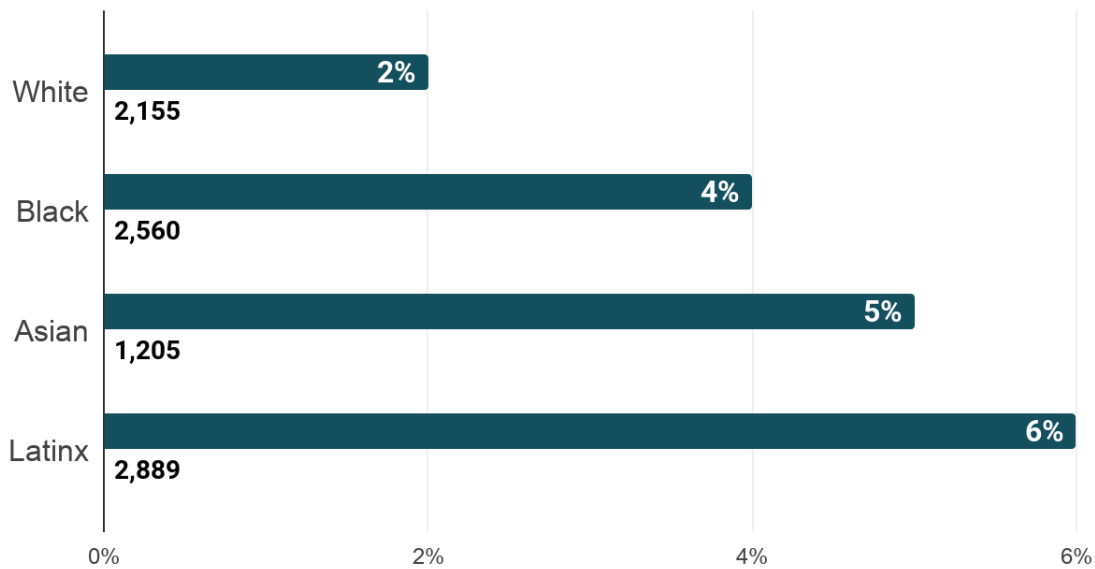


Source: American Community Survey 5-year estimates, 2014-2018, Table B25014

<sup>79</sup> Metropolitan Area Planning Council, *State of Equity for Metro Boston Policy Agenda Update* (February 2018), p.14

**Figure 41. Percent of Households That Are Overcrowded, by Race**

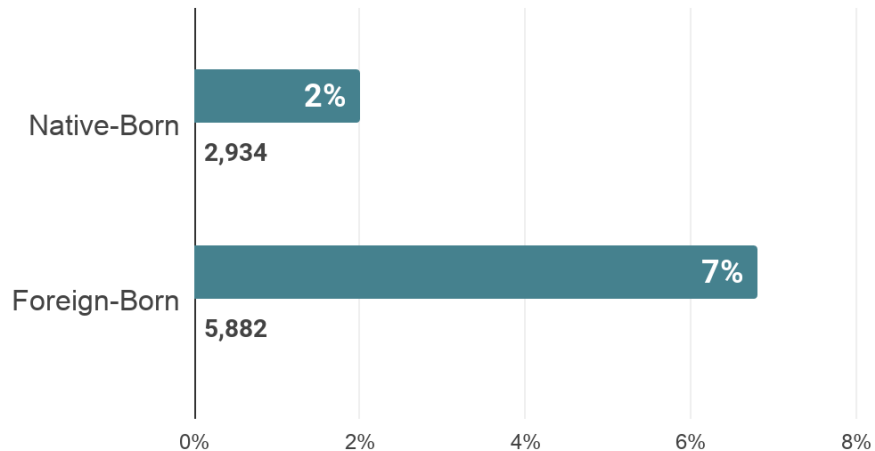
Overcrowded = More than 1 occupant per room



Source: American Community Survey 5-year estimates, 2014-2018, Table B25014

Overcrowding rates are higher for foreign-born households than native-born households. Seven percent of foreign-born households live in housing with 1.01 or more occupants per room, compared to only 2 percent of native-born households (Figure 42).

**Figure 42. Overcrowded Households by Nativity**

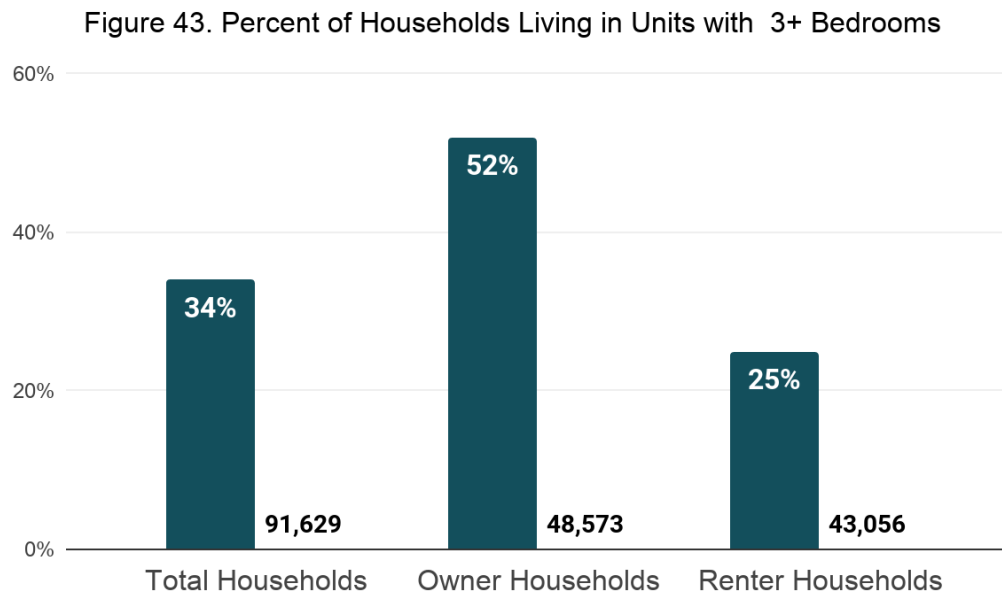


Source: American Community Survey 5-year estimates, 2014-2016, Table S0502 and B25014

Overcrowding is a direct result of insufficient low cost housing available for families, and particularly larger families. For large households, 34 percent of the housing stock has three or more bedrooms, many of which may be in Boston’s “Triple Decker” housing stock. Larger units



are more common in ownership units (52 percent), however, than in rental units (25 percent) (Figure 43).



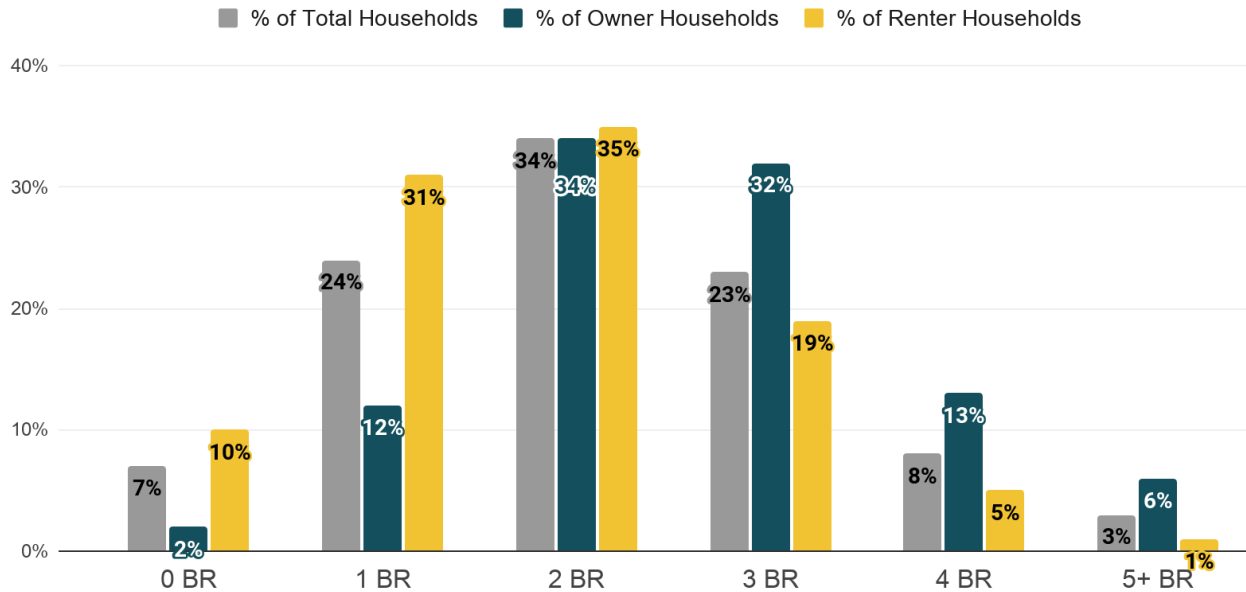
Source: American Community Survey 5-year estimates, 2014-2018, Table B25042

As Figure 44 shows, over a third (91,714) of Boston’s housing units are 2-bedroom units, while another 23 percent (62,443) have 1-bedroom. The rental stock overwhelmingly consists of smaller units, with 76 percent having 2-bedrooms or less. Thirty-two percent (30,173) of ownership units have 3-bedrooms, but much of this stock is inaccessible to larger families who cannot afford to purchase a home.

While the smaller number of large rental units may be a contributing factor to overcrowding, it is very difficult to accurately estimate the need or demand for such large units. Two circumstances make it difficult to understand what the mismatch is between household or family size and available unit size. First, some households are renting larger units than they need. If it is affordable to them, a two person household may decide to rent a three or four bedroom unit to have a guest room, an office, or a room for a future child. An analysis by the Metropolitan Area Planning Council found that in Greater Boston, “Fully one quarter of all large units—more than 50,000 homes—are occupied by an over-55 household of only one or two people.<sup>80</sup> Secondly, many larger units may be occupied by unrelated adults (both students and non-students). For these households, the problem could be a shortage of inexpensive studio and one-bedroom units. An increase in the number of smaller units would then open up these larger units for families.

<sup>80</sup> “Crowded In and Priced Out,” MAPC (2020) <https://metrocommon.mapc.org/reports/10>

Figure 44. Percent of Households by Number of Bedrooms



Source: American Community Survey 5-year estimates, 2014-2018, Table B25042

## Furthering Fair Housing for Lesbian, Gay, Bisexual, Transgender, Queer, Intersexed, and Asexual Persons

No Federal laws exist that establishes lesbian, gay, bisexual, transgender, queer, intersexed, and asexual (“LGBTQIA”) persons<sup>81</sup> as a protected class or classes, although the Obama administration promulgated regulations which did outline protections for LGBT persons.<sup>82</sup> The Trump administration rolled back these regulations and policies, including a May 22, 2019 announcement by HUD Secretary Ben Carson that he would rescind the 2012 Equal Access Rule, which provided protections for transgender individuals accessing homeless shelters.<sup>83</sup> In addition, federal case law on this matter is not settled. While a federal district judge in Colorado (the 10<sup>th</sup> Circuit) ruled in April 2017 that Fair Housing Law can be interpreted to cover LGBT

<sup>81</sup> This section focuses on LGBTQIA persons, but many sources are narrowly focused on gay, lesbian, or bisexual persons or on other sub-groups. Where a study or source only mentions specific groups, this document’s use of “LGBT” or other designation is consistent with the original source.

<sup>82</sup> See “HUD Addresses LGBT Housing Discrimination,” accessed June 5, 2019, at <https://obamawhitehouse.archives.gov/blog/2011/10/13/hud-addresses-lgbt-housing-discrimination>. Among the Obama administration efforts was a 2011 regulation that clarified that “family” was inclusive of same sex couples, regardless of marital status. (See <https://www.govinfo.gov/content/pkg/FR-2011-01-24/pdf/2011-1346.pdf>).

<sup>83</sup> Pyke, Alan (2019), “Ben Carson Guts Homeless Shelter Gender Protections 24 Hours after Telling Congress He Wouldn’t,” ThinkProgress.org, May 22. Accessed on July 5, 2019, at <https://thinkprogress.org/ben-carson-guts-transgender-homeless-shelter-protections-f67c648df75d/>

people,<sup>84</sup> in a January 2019 ruling, a federal district judge in Missouri (the 8<sup>th</sup> Circuit) ruled that the federal Fair Housing Act does not protect against discrimination based on sexual orientation.<sup>85</sup> While the June 15, 2020 ruling by the U.S. Supreme Court did outlaw job discrimination for these two protected classes, it did not address housing discrimination. The Biden administration has begun reversing the actions of the Trump administration, but the actions of the Trump administration reveals the continuing challenges that LGBTQIA persons face.

Massachusetts, however, does provide explicit protections based on sexual orientation or gender identity, including in the provision of housing. Sexual orientation was added to Massachusetts anti-discrimination law in 1989, and gender identity was added in 2016. For this reason, as protected classes, this AFFH Plan also addresses these persons and the unique challenges that they face in Boston's housing market.

LGBTQIA persons can be of any race, class, ethnicity, religion, or disability status, and as such, the barriers each faces depends on the overlap between their LGBTQIA identity and the hardships they may face as a member of more than one protected class.<sup>86</sup>

### ***Evidence of Discrimination***

There are no statistically reliable estimates of the number of persons in Boston who identify as lesbian, gay, bisexual, transgender, or queer. However, there is significant evidence of prejudice against Lesbian, Gay, Bi-Sexual and Transgender (LGBT) persons nationally and locally. In 2013, HUD released the results of its first ever national study of housing discrimination against same sex couples. It found that both gay male and lesbian couples were much less likely than heterosexual couples to receive responses to e-mail inquiries about rental listings.<sup>87</sup> In addition, a 2015 survey found that LGBT people were very concerned about being discriminated against in housing.<sup>88</sup> As part of the community engagement process for developing the Assessment of Fair Housing, the Suffolk University Law School organized a consultation meeting with a group of LGBT older adults to solicit their input for the AFH. The presentation for that meeting included a summary of the results of *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market*. The study found that transgender

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<sup>84</sup> Barbash Fred (2017), "Federal Fair Housing Law Protects LGBT couples, Court Rules for First Time," The Washington Post, April 6<sup>th</sup>. Accessed June 4, 2019, at [https://www.washingtonpost.com/news/morning-mix/wp/2017/04/06/federal-fair-housing-law-protects-lgbt-couples-court-rules-for-first-time/?utm\\_term=.0fef805a4d91](https://www.washingtonpost.com/news/morning-mix/wp/2017/04/06/federal-fair-housing-law-protects-lgbt-couples-court-rules-for-first-time/?utm_term=.0fef805a4d91).

<sup>85</sup> Harris, Joe (2019), "Judge Rules Housing Law Does not Cover LGBT Bias." *Courthouse News Service*, January 17. Accessed June 4, 2019, at <https://www.courthousenews.com/judge-rules-housing-law-does-not-cover-lgbt-bias/>

<sup>86</sup> For an overview of the demographics of Massachusetts' LGBTQIA populations, see Sean Cahill, et al., (2018). *Equality and Equity Advancing the LGBT Community in Massachusetts*. The Fenway Institute and The Boston Foundation. Accessed May 29, 2020 at [https://www.tbf.org/-/media/tbf/reports-and-covers/2018/lgbt-indicators-report\\_may-2018.pdf](https://www.tbf.org/-/media/tbf/reports-and-covers/2018/lgbt-indicators-report_may-2018.pdf)

<sup>87</sup> Friedman, Samantha, et al (2013) "A Estimate of Housing Discrimination against Same Sex Couples." HUD. Accessed July 11, 2019 at [https://www.huduser.gov/portal/publications/pdf/Hsg\\_Disc\\_against\\_SameSexCpls\\_v3.pdf](https://www.huduser.gov/portal/publications/pdf/Hsg_Disc_against_SameSexCpls_v3.pdf).

<sup>88</sup> Eisenberg, Richard (2015). "Housing Discrimination: The Next Hurdle for LGBT Couples." Accessed July 11, 2019 at <https://www.forbes.com/sites/nextavenue/2015/07/02/housing-discrimination-the-next-hurdle-for-lgbt-couples/#2b24478a5900>.

and gender non-conforming people received discriminatory differential treatment 61 percent of the time. In addition, they were 27 percent less likely to be shown additional areas of the apartment complex, 21 percent less likely to be offered a financial incentive to rent, 12 percent more likely to be told negative comments about the apartment and the neighborhood, and 9 percent more likely to be quoted a higher rental price than people who were not transgender and conformed to typical gender standards.<sup>89</sup>

While discrimination can affect LGBTQIA persons of any age, researchers and advocates on LGBTQIA issues have identified two areas of chief concern related to the housing needs of LGBTQIA persons: youth homelessness and housing for older adults.

### **Youth Homelessness**

Common causes of youth homelessness are problems at home related to physical and sexual abuse, mental health disorders, and/or substance abuse, or transitions from foster care or juvenile detention. While these conditions contribute to homelessness for all youths, according to a 2015 study, 55 percent of LGBQ and 67 percent of transgender youth said they had been forced out by parents or ran away because of their sexual orientation or gender identity or expression.<sup>90</sup> This additional cause is a major reason why a 2017 study concluded that LGBT youth are 120 percent more likely to experience homelessness than other youth.<sup>91</sup> According to the same study, 20 percent of youths experiencing homelessness identified as gay or lesbian, 7 percent identified as bisexual, 2 percent identified as questioning their sexuality, 2 percent identified as transgender female, 1 percent identified as transgender male, and 1 percent identified as gender queer.<sup>92</sup> In Boston, between 25 and 29 percent of youth and young adults experiencing homelessness identify as LGBTQ+.<sup>93</sup>

### **Housing for Older LGBTQIA Adults**

In 2014, the Equal Rights Center and SAGE (Services and Advocacy for GLBT Elders) completed 200 “matched pair” tests (older lesbian, gay, or bisexual testers, matched with an older heterosexual tester) across ten states, and found that in 48 percent of the tests, these older lesbian, gay, or bisexual testers experienced at least one form of adverse treatment, such

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<sup>89</sup> Langowski, Jamie and Berman, William and Holloway, Regina and McGinn, Cameron, *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market* (March 27, 2017). *Yale Journal of Law & Feminism*, Vol. 29, No. 2, 2017; Suffolk University Law School Research Paper No. 17-9. Available at SSRN: <https://ssrn.com/abstract=2941810>.

<sup>90</sup> Choi, S.K., Wilson, B.D.M., Shelton, J., & Gates, G. (2015). *Serving Our Youth 2015: The Needs and Experiences of Lesbian, Gay, Bisexual, Transgender, and Questioning Youth Experiencing Homelessness*. Los Angeles: The Williams Institute with True Colors Fund. Pg 5. <http://truecolorsunited.org/wp-content/uploads/2015/05/Serving-Our-Youth-June-2015.pdf>.

<sup>91</sup> Morton, M.H., Dworsky, A., & Samuels, G.M. (2017). *Missed opportunities: Youth homelessness in America. National estimates*. Chicago, IL: Chapin Hall at the University of Chicago. Pg. 12. Accessed June 5, 2019 at <http://voicesofyouthcount.org/wp-content/uploads/2017/11/VoYC-National-Estimates-Brief-Chapin-Hall-2017.pdf>

<sup>92</sup> Choi, S.K., Wilson, B.D.M., Shelton, J., & Gates, G. (2015), pg 4.

<sup>93</sup> City of Boston Mayor's Office of Housing (2019). *Rising to the Challenge: A Plan to Prevent and End Youth & Young Adult Homelessness in Boston*. Pg. 2. Accessed May 29, 2020 at [https://docs.google.com/document/d/194B6nqBXjRlp5OqUDhUf\\_Mkul1QMA57aXx0xT1NWXGo/edit?ts=5dd553a9](https://docs.google.com/document/d/194B6nqBXjRlp5OqUDhUf_Mkul1QMA57aXx0xT1NWXGo/edit?ts=5dd553a9).

as given fewer options or quoted higher rents or fees.<sup>94</sup> Discrimination in access to housing is just one piece of the puzzle. The National Resource Center on LGBT Aging has identified a number of other challenges, including harassment by staff in nursing homes and in assisted living facilities, being forced to “go back into the closet,” are less likely to have children and more likely to be socially isolated, are less likely to be financially secure, and are more likely to be suffering from chronic conditions, especially HIV.<sup>95</sup> While specific data on the size or specific needs of older LGBTQIA adults in Boston is not available, we can look to the guidance and recommendations of Massachusetts’ Special Legislative Commission on Lesbian, Gay, Bisexual, and Transgender Aging. In their 2015 report, the Commission made a series of recommendations related to housing, ranging from the creation of elderly housing developments that are specifically targeted to older LGBTQIA adults, to efforts that will make elderly development in general more inclusive and welcoming.<sup>96</sup>

## PART B. Publicly Supported Housing

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This section will give an overview of publicly supported housing. The data that HUD provided to communities to support the process of developing an Assessment of Fair Housing focused on just four categories of HUD-supported housing: HUD Public Housing, HUD Project-Based Section 8 developments, HUD-financed multi-family developments, and HUD Section 8 Housing Choice Vouchers. In Boston’s case, this leaves out a very large number of state- and locally-assisted publicly supported housing units. In order to present a more comprehensive picture of publicly supported housing, Boston issues an annual report titled **Income Restricted Housing in Boston**. The report covers the full range of income restricted rental and homeownership housing, including projects developed with other HUD subsidies such as the Community Development Block Grant and the HOME Investment Partnerships Program, projects developed with the U.S. Treasury Department’s Low Income Housing Tax Credits, state programs such as the Affordable Housing Trust, and local resources such as the Inclusionary Development Policy, the Community Preservation Act, the Neighborhood Housing Trust, and city land and buildings.

### ***All Income-Restricted Housing in Boston***

The Income Restricted Housing in Boston 2019 report identified a total of 55,122 income restricted housing units in Boston, nearly 20 percent of the city’s housing stock. Twenty-seven

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<sup>94</sup> Equal Rights Center (2014) “Opening Doors: An Investigation of Barriers to Senior Housing for Same-Sex Couples.” Page 14. Accessed July 11, 2019 at [https://equalrightscenter.org/wp-content/uploads/senior\\_housing\\_report.pdf](https://equalrightscenter.org/wp-content/uploads/senior_housing_report.pdf).

<sup>95</sup> National Resource Center on LGBT Aging (2014). “The Need for LGBT-Inclusive Housing.” Accessed May 29, 2020 at <https://www.lgbtagingcenter.org/resources/resource.cfm?r=399>.

<sup>96</sup> Special Legislative Commission on Lesbian, Gay, Bisexual, and Transgender Aging (2015). *Report to the Commonwealth of Massachusetts*. Housing recommendations can be found on pages 34 through 42. Accessed May 29, 2020 at <https://fenwayhealth.org/wp-content/uploads/2016/01/MA-LGBT-Aging-Commission-Report-2015-FINAL-1.pdf>

percent of the City's rental units and 3 percent of the city's ownership units are income-restricted. Table 9 and Map 21 shows the distribution of income-restricted units across the city. The South End/Lower Roxbury has the highest percentage of income-restricted units (46%), followed by Roxbury (44%). West Roxbury has the lowest percentage (4%), followed by Back Bay/Beacon Hill (7%).

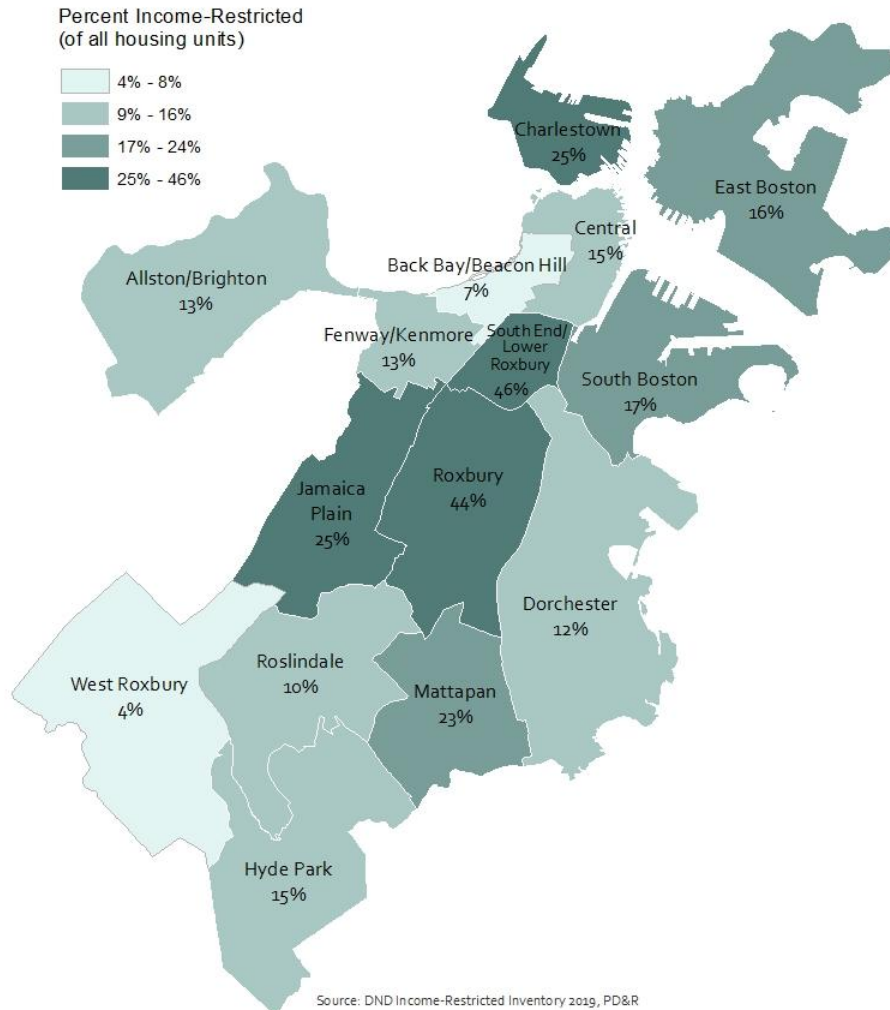
Table 9. Income-Restricted Housing by Neighborhood

Neighborhood	Income-Restricted Units	Total Housing Units <sup>97</sup>	Percent Income Restricted
Allston/Brighton	4,185	33,269	13%
Back Bay/Beacon Hill	1,017	15,057	7%
Central	3,360	23,041	15%
Charlestown	2,326	9,310	25%
Dorchester	4,401	35,596	12%
East Boston	2,731	16,919	16%
Fenway/Kenmore	2,089	16,676	13%
Hyde Park	1,910	12,393	15%
Jamaica Plain	4,995	19,639	25%
Mattapan	3,049	13,497	23%
Roslindale	1,379	13,505	10%
Roxbury	11,731	26,372	44%
South Boston	3,718	22,384	17%
South End/Lower Roxbury	7,749	16,830	46%
West Roxbury	482	13,689	4%
<b>CITYWIDE</b>	<b>55,122</b>	<b>288,177</b>	<b>19.1%</b>

SOURCE: MOH Income-Restricted Housing Database; 2010 Decennial Census + Permitting Data

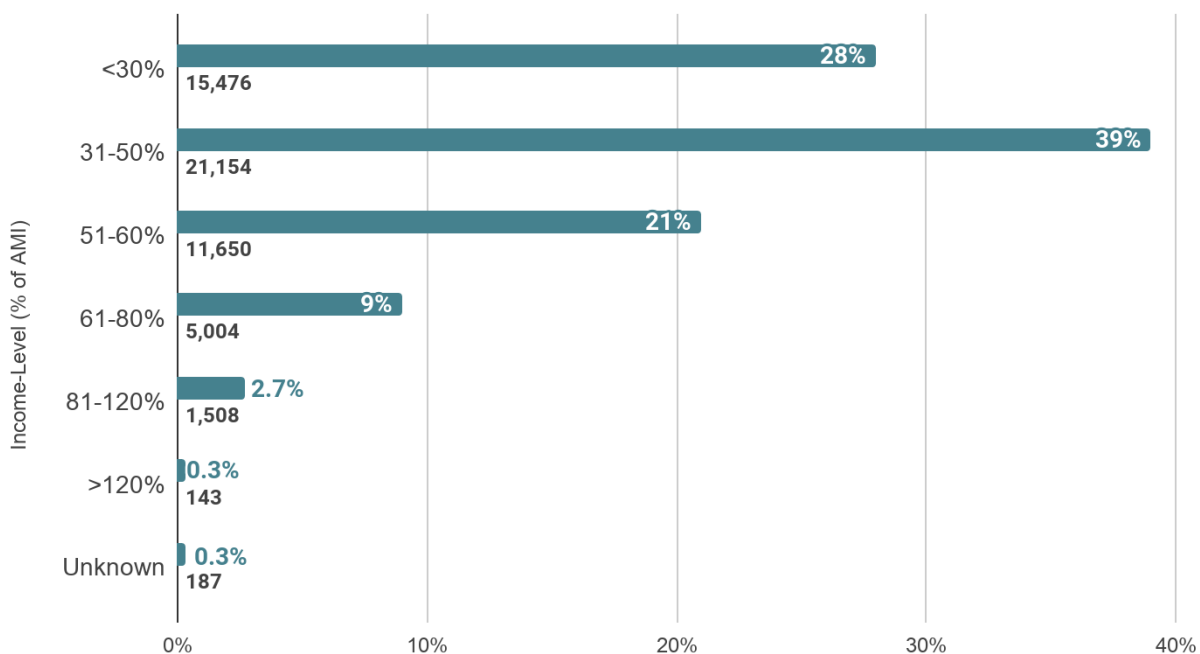
<sup>97</sup>Total Housing Units from 2010 Decennial Census + housing units completed 2011-2019 from Permitting data. Rental and ownership totals do not add up to total housing units because tenure is unable to be determined for some units.

Map 21. Concentration of Income-Restricted Housing by Neighborhood



The vast majority (67 percent) of Boston’s income-restricted units are affordable to low-income households making less than 50 percent of Area Median Income (AMI), and 88 percent are affordable to households making less than 60 percent of AMI (Figure 45). The use of both mobile vouchers (Section 8, MRVP, etc), and project based vouchers make some of these units affordable to very-low income households.

Figure 45. Units by Income Restriction



SOURCE: MOH Income-Restricted Housing Database

\*Percentages add up to slightly over 100% due to rounding

Altogether, 15,995 (29 percent) of the income restricted units are set-aside for special populations, including those who have experienced homelessness, the elderly, and persons with disabilities (Table 10).

Table 10. Special Set-Asides

Unit Type	Units	Percent Total
<b>Formerly Homeless</b>	1,543	3%
<b>Senior</b>	12,842	23%
<b>Persons with Disabilities</b>	684	1.2%
<b>Single Room Occupancy (SROs)</b>	926	1.7%

\*Numbers are approximate given the best data available at the time of this report.

Boston has one of the highest percentages of income-restricted units in the country. There is no centralized database of all income-restricted units in the country, but there are some resources that track federally funded subsidized housing. HUD publishes a “Picture of Subsidized Households,” which tracks units in HUD programs by city. According to this data, the city of Boston has the highest percentage of subsidized housing with 17 percent, followed by New York City and Washington DC, each with 11 percent.



Table 11. Percent of Housing That's Subsidized: HUD Picture of Subsidized Households

City	Total Housing Units	Subsidized Units	% Subsidized
Boston	289,763	49,678	17%
New York	3,472,354	394,162	11%
Washington DC	311,545	33,986	11%
Atlanta	297,101	30,509	10%
Chicago	1,208,839	103,478	9%
Los Angeles	1,030,936	82,357	8%
Detroit	364,089	26,119	7%
Philadelphia	682,893	47,029	7%
San Francisco	393,975	24,961	6%
Miami	411,899	17,289	4%
Seattle	489,312	20,395	4%
Dallas	563,993	21,940	4%
Riverside, CA	140,126	2,794	2%
Houston	1,316,348	24,851	2%
Phoenix	1,336,554	13,332	1%

Source: HUD Picture of Subsidized Households; ACS 2018 5-year estimates

Within Massachusetts, Boston also has one the largest percentages of income-restricted housing (19 percent), and by far the largest number of income-restricted units (over 51,000 units), according to the Department of Housing and Community Development's (DHCD) Subsidized Housing Inventory (SHI).<sup>98</sup> Table 12 shows the SHI for the 21 Greater Boston Inner Core Communities (MAPC designation) in the Boston metro area. The SHI is not a perfect measure of income-restricted units because of its very specific counting requirements, which exclude certain funding sources, and include all units (including market-rate) of certain buildings that meet a threshold of eligible SHI units. Boston's SHI count differs from the count shown in Table 9 (the City of Boston's Income-Restricted Housing Inventory) due to the different data sources and the SHI counting rules. Still, the SHI is the only comparative statewide datsource, as most municipalities do not have a comprehensive database of their income-restricted housing.

<sup>98</sup> The SHI (<https://www.mass.gov/service-details/subsidized-housing-inventory-shi>) measures the stock of income-restricted units for the purposes of Chapter 40B (Comprehensive Permit Law) for all municipalities in Massachusetts. Chapter 40B incentivizes the creation of income-restricted housing in municipalities where less than 10% of the stock is currently income-restricted (<https://www.mass.gov/chapter-40-b-planning-and-information>)

Table 12. DHCD Subsidized Housing Inventory (SHI) 2016  
21 Greater Boston Inner Core Communities (MAPC)

	SHI Units	Total Housing Units	% SHI
Chelsea	2,434	12,592	19%
Boston	51,283	269,482	19%
Cambridge	6,911	46,690	15%
Lynn	4,435	35,701	12%
Needham	1,397	11,047	13%
Malden	2,542	25,122	10%
Somerville	3,250	33,632	10%
Quincy	4,096	42,547	10%
Brookline	2,454	26,201	9%
Revere	1,780	21,956	8%
Melrose	932	11,714	8%
Winthrop	638	8,253	8%
Newton	2,425	32,346	8%
Medford	1,694	23,968	7%
Waltham	1,834	24,805	7%
Saugus	732	10,754	7%
Watertown	1,072	15,521	7%
Everett	1,061	16,691	6%
Arlington	1,121	19,881	6%
Milton	481	9,641	5%
Belmont	365	10,117	4%

Source: SHI submitted in 2017 for 2016 housing stock; 2010 Decennial Census

### ***Boston Housing Authority: Public Housing and Vouchers***

This section highlights the Boston Housing Authority's (BHA) stock of housing, and the residents who they serve. The BHA manages both federal and state public housing developments, and administers both federal and state housing vouchers. The BHA has 63 public housing developments: 36 are designated as elderly/disabled developments and 27 are designated as family developments. These developments total approximately 12,500 units and house about 25,000 people in Boston. Public housing accounts for about 4.3 percent of Boston's 288,177 housing units<sup>99</sup> and about 23 percent of Boston's affordable housing units.

Nearly all of BHA public housing family developments were initially built before 1955 and are at or near obsolescence. The BHA estimates it has a capital backlog of between \$500 million and

<sup>99</sup> 2010 Decennial Census housing units + completed units 2011-2019 (ISD Permitting data)

\$750 million dollars and an equal or greater expenditure of funds would be necessary to restore all its public housing units to long-term viability.

In addition to public housing units, the BHA administers approximately 14,000 federal rental assistance vouchers that allow families to rent in the private market and apply a subsidy to their rent. With this assistance, residents are able to pay approximately 30 to 40 percent of their income toward rent and the BHA pays the remainder. The BHA serves households with incomes at or below 80 percent of area median while Section 8 Housing Choice Voucher Program serves households with up to 50 percent of area median for initial eligibility. However, at least 75 percent of Section 8 vouchers go to households that have incomes less than 30 percent of area median income.

The BHA also owns and manages as part of its housing portfolio 2,267 units of *state* aided public housing. This segment of the housing portfolio consists of nine family public housing developments with 2,005 units, three elderly disabled developments with 133 units and 129 condominium units. The BHA also administers a state funded voucher program comprising 793 Massachusetts Rental Voucher Program (MRVP) and Alternative Housing Voucher Program (AHVP) vouchers.

The BHA's public housing waiting list is 40,895 families, plus 18,080<sup>100</sup> families on the Section 8 Housing Vouchers waiting list, and 37 families on the MRVP waiting list.<sup>101</sup> For both the public housing and Section 8 waiting lists, 95 percent of the households are extremely low-income (household income under 30 percent of AMI).<sup>102</sup> On the public housing waiting list, 45 percent are Black (any ethnicity), 42 percent are White (any ethnicity), and 11 percent are Asian (any ethnicity). Thirty-two percent of households on the public housing waiting list are Latinx, of any race. On the Section 8 waiting list, 50 percent are Black (any ethnicity), 44 percent are White (any ethnicity), and 4 percent are Asian (any ethnicity). Thirty-three percent of households on the Section 8 waiting list are Latinx of any race. Approximately 24 percent of the public housing list and 21 percent of the Section 8 waiting list identify as a household with a member who has a disability.

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<sup>100</sup> The BHAs Section 8 waiting list is closed.

<sup>101</sup> Data from the Boston Housing Authority, August 2019

<sup>102</sup> All households making under \$29,999 were counted as Extremely Low Income here, which equates to roughly 30% of AMI for a household of 3. 30% of AMI for a household of 1 is roughly \$25,000 (2019).

## HUD-Subsidized Units

This section includes data and analysis about households in some of Boston's publicly-supported housing programs, with a focus on household data that HUD is able to provide. Covered programs include HUD-funded Public Housing, Housing Choice Vouchers, Project-Based Section 8, and Other Multi-Family Housing.<sup>103</sup> These tables do not include data on state-financed public housing or Massachusetts Rental Vouchers. However, it is the only source of comparable data on the characteristics of the occupants of public housing and rental assistance programs across jurisdictions. In Boston, 7.3 percent of all housing are Project-based Section 8 supported units. Another 3.8 percent are federally supported public housing units (Table 13).

Table 13. Publicly Supported HUD Housing

<b>Total Housing Units</b>	<b>272,481</b>	<b>-</b>
Project-based Section 8	19,801	7.3%
HCV Program	16,336	6.0%
HUD Public Housing units	10,285	3.8%
Other HUD Multi Family	1,540	0.6%

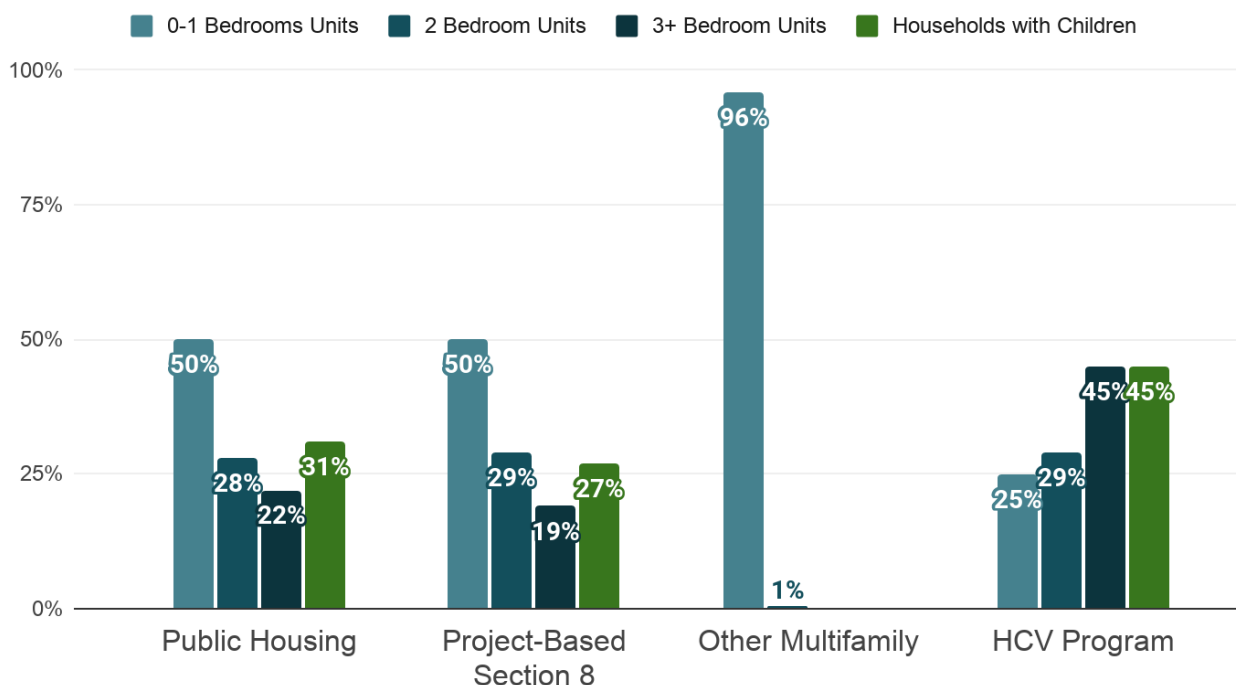
Source: HUD AFFHT0004 version

Figure 46 shows that publicly supported housing that is project-based (the subsidy is attached to the physical unit) are skewed towards studio and 1 bedroom units, as 50 percent of public housing units, 50 percent of Project-Based Section 8 units, and 96 percent of Other Multifamily housing are studio and 1 bedroom units. This is higher than the overall housing stock, in which 32 percent of the units are studios or 1 bedroom. It should be noted that the Public Housing category does include elderly public housing units, and the Other Multifamily category consists mostly of Section 202 elderly housing units, most of which have 1 bedroom. Tenants supported by Housing Choice Vouchers (HCVs, or "Section 8," where the voucher moves with the tenant) are the only group to have a high percentage of units with three or more bedrooms (45 percent). This may be due in part to the fact that vouchers allow tenants to access market rate units in Boston neighborhoods, where there are a large number of three-family structures with larger apartments.

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<sup>103</sup> Other HUD Multifamily includes Section 202 Elderly Housing, Section 811 Housing for Persons with Disabilities, Section 236, Rent Supplement, Rental Assistance Payment and Below Market Interest Rate programs.

Figure 46. Publicly-Supported HUD Housing by Households, Number of Bedrooms

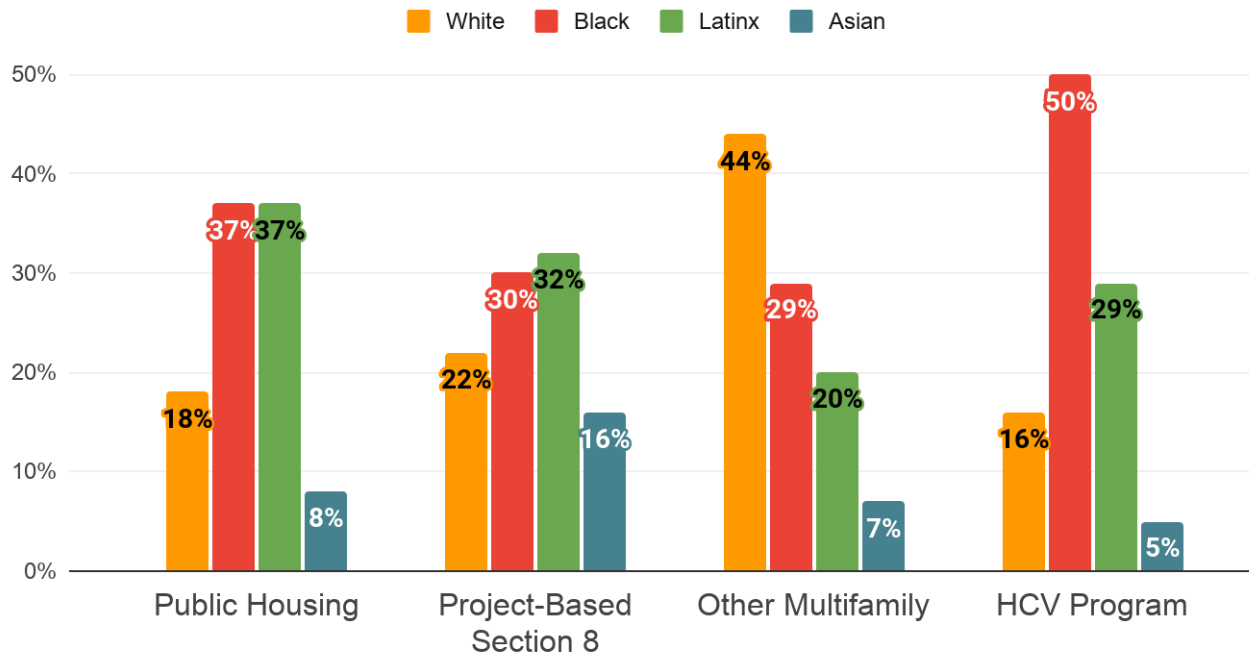


Source: Source: HUD AFFHT0004 version, Table 11: Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children”

Figure 47 shows the total number of publicly supported housing units by the race and ethnicity of households. 37 percent of all HUD-subsidized public housing households are comprised of Black households, 37 percent are Latinx, 18 percent are White, and 8 percent are Asian. Among all Project-based Section 8 housing units, Latinx households represent the biggest share at 32 percent, followed by Black households at 22 percent, White households at 22 percent, and Asian households at 16 percent.

In the Other Multifamily Housing category, White households represent a large plurality of all households at 44 percent, followed by Black (29 percent), Latinx (20 percent), and Asian/Pacific Islander households (7 percent). Among holders of Housing Choice Vouchers, Black households make up 50 percent of all voucher holders, followed by Latinx (29 percent), White (16 percent) and Asian households (5 percent).

Figure 47. Publicly Supported HUD Housing by Type and Race



Source: HUD AFFHT0004 version, Table 6: Publicly Supported Households by Race and Ethnicity

Next, we look at where these HUD publicly supported housing units are located with respect to Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs). The question is more complicated than it would appear because some of the publicly supported housing developments are large enough by themselves that they account for all or most of the housing units in a census tract. As the public housing or HUD assisted developments have over time become home to increasingly lower-income residents, a tract may become a high poverty tract, and therefore a R/ECAP.

Table 14 shows that out of a total of 65,229 persons within R/ECAP areas, Black non-Latinx comprise the largest population (36 percent) followed by Latinx (29 percent), White (19 percent), and Asian population (12 percent). There were 13,651 families living within the R/ECAP boundaries, and more than half (55 percent) of this number were families with children.

Table 14: RECAPs by Race and Families with Children

RECAP Race/Ethnicity	Number	Percent
Total Population in R/ECAPs	65,929	100%
White, Non-Hispanic	12,522	19%
Black, Non-Hispanic	23,791	36%
Hispanic/Latino	19,386	29%
Asian or Pacific Islander, Non-Hispanic	7,908	12%
Native American, Non-Hispanic	203	0.3%
Other, Non-Hispanic	650	0.9%
Total Families in RECAPs	13,651	21%
Families with children	7,435	54%

Source: HUD AFFHT0004 version, Table 4: RECAP Demography

Table 15 shows greater detail between R/ECAP and non-R/ECAP tracts by the type of publicly-supported housing, race and ethnicity, families with children, elderly residents, and residents with a disability.

In the R/ECAPs where public housing is located, only 9 percent of the tenants are White, compared to 45 percent who are Latinx, 39 percent who are Black, and 7 percent who are Asian. In Other Multi-family Housing, the gap between the share of White households and households of color is smaller, but still exists: 22 percent of households are White, while 32% are Black, and 36% are Latinx. In non-R/ECAP tracts, White households have a higher share of households than Black or Latinx households in Project-Based Section 8 and Other Multifamily developments, and make up 26% of households in Public Housing, compared to 39% Black and 45% Latinx Households.

Table 15: Publicly Supported HUD Housing by RECAPs, Race, Families with Children, and Disabilities

	Total Occupied Units	Percent White	Percent Black	Percent Latinx	Percent Asian	Percent Families with Children	Percent Elderly	Percent with a Disability
<b>Public Housing</b>								
RECAP tracts	4,630	9%	39%	45%	7%	38%	31%	30%
Non RECAP tracts	5,183	26%	34%	31%	10%	26%	44%	45%
<b>Project-based Section 8</b>								
RECAP tracts	6,085	7%	42%	36%	15%	3%	34%	13%
Non RECAP tracts	11,985	30%	24%	29%	17%	22%	54%	16%
<b>Other Multifamily</b>								
RECAP tracts	289	22%	32%	36%	10%	0.3	96%	4%
Non RECAP tracts	1,123	50%	28%	15%	6%	0.2%	86%	15%

HCV (Section 8 voucher) Program								
RECAP tracts	2,795	10%	51%	31%	8%	42%	30%	27%
Non RECAP tracts	12,465	17%	50%	28%	4%	46%	22%	28%

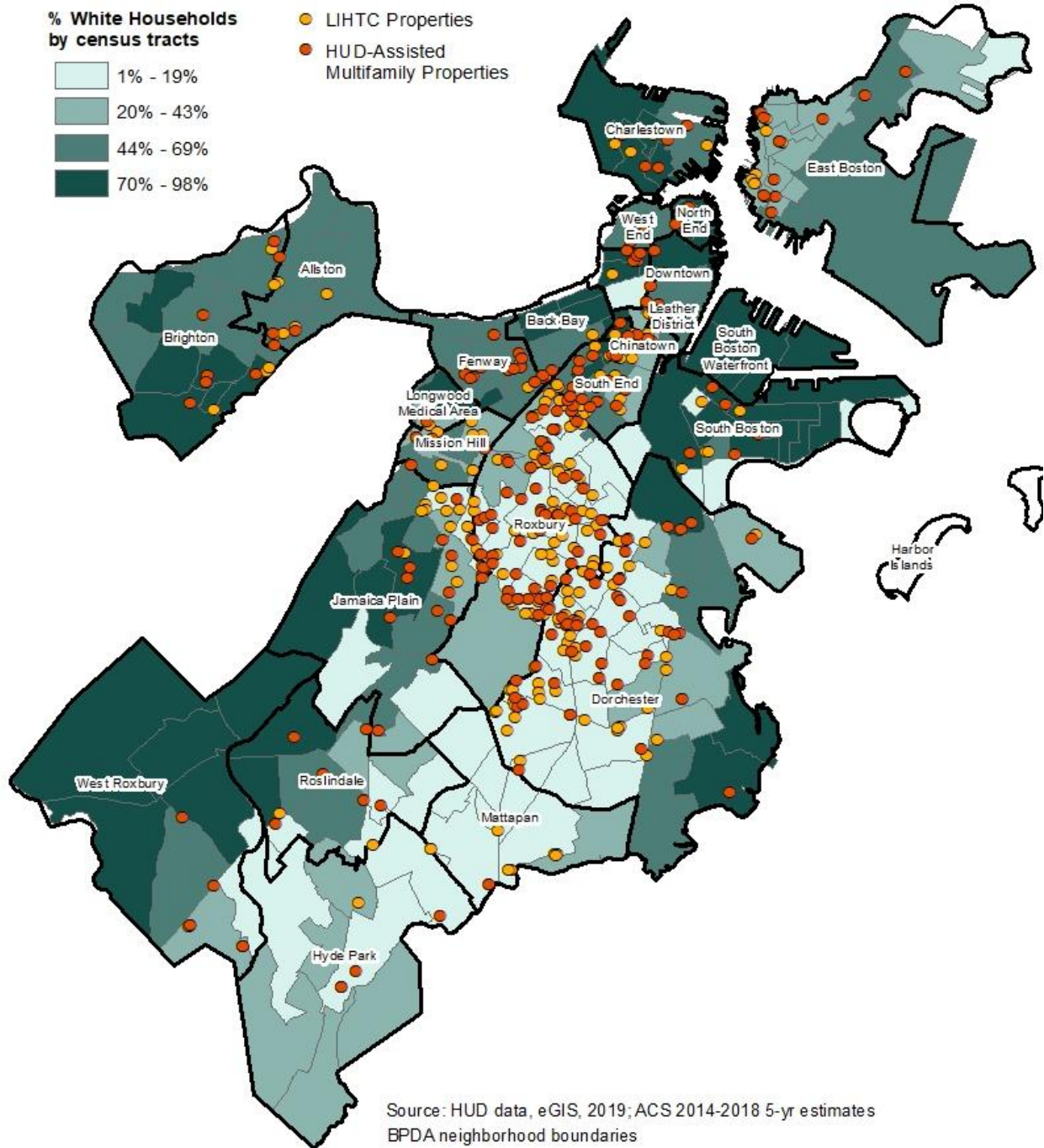
Source: HUD, *Table 7 - R/ECAP and Non-R/ECAP Demographics by Publicly Supported Housing Program Category*, version AFFHT0004.

Map 22 shows the locations of HUD-assisted housing and Low Income Housing Tax Credit (LIHTC) properties in relation to the percent of households in each census tract who are White. These housing units are most prevalent in areas of the city with low concentrations of White households, particularly Roxbury, Dorchester, and parts of South End/Lower Roxbury. HUD-assisted and LIHTC units are virtually absent from many census tracts where over 70 percent of the households are White, including West Roxbury, Back Bay/Beacon Hill, Central, Brighton, and parts of Charlestown, South Boston, Roslindale, and Dorchester.



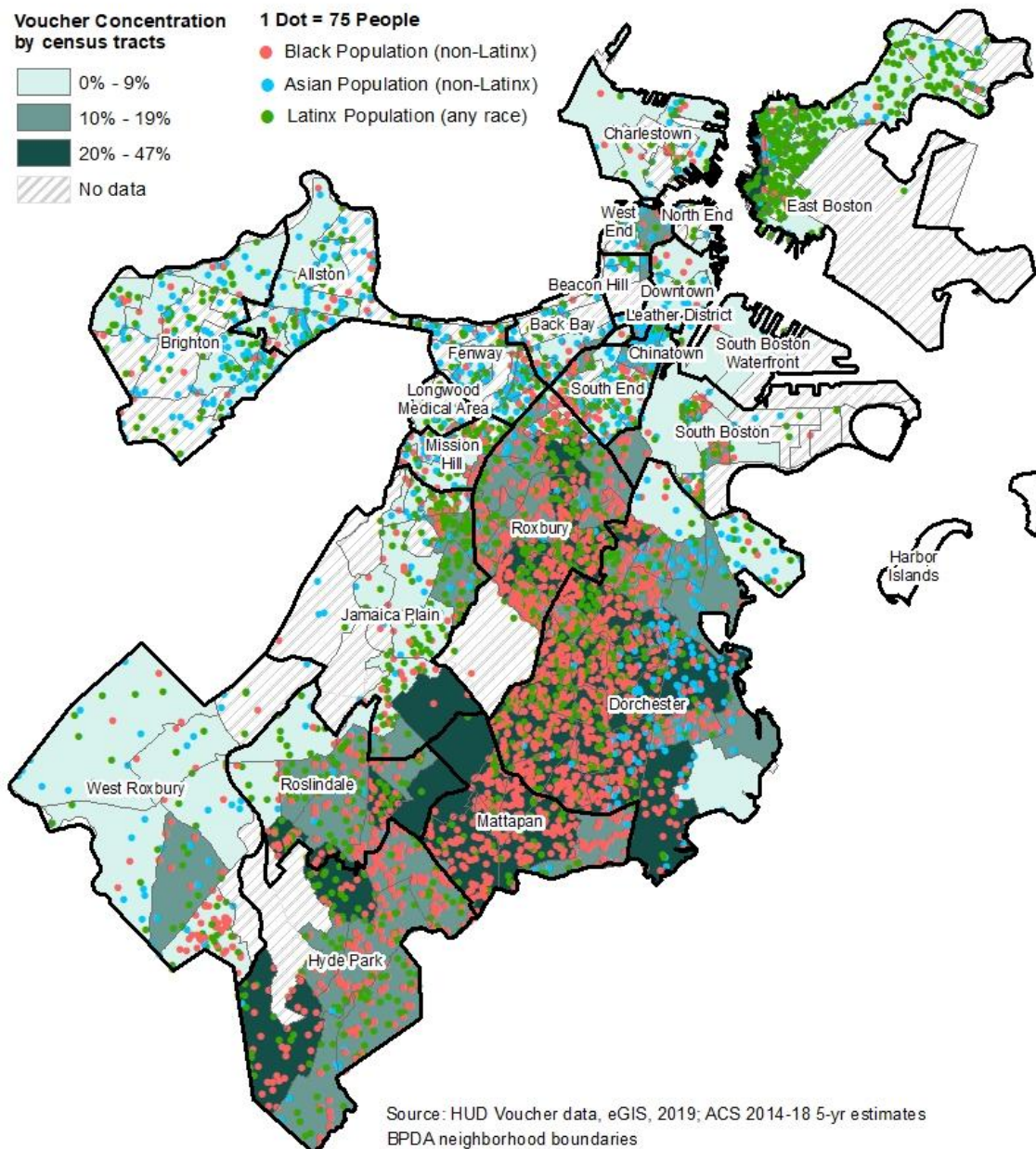
# Map 22. HUD-Assisted and LIHTC Properties and Race/Ethnicity

Includes Project-Based Section 8, 202, 811, and Other Multifam



Map 23 shows the concentration of Housing Choice/Section 8 Vouchers (HCV) by census tract, overlaid with Black, Latinx, and Asian household density. Census tracts with the highest percentage of vouchers (20 to 47 percent) are located in Roxbury, Dorchester, Mattapan, and parts of Hyde Park and Roslindale. These are also some of the census tracts with the highest numbers of Black and Latinx households. Households with vouchers are largely locating in the outer neighborhoods and in communities of color. Few vouchers are being used in parts of West Roxbury, Jamaica Plain, South Boston, Allston/Brighton, Charlestown, Fenway/Kenmore, and the Downtown neighborhoods. Lack of housing affordability in these neighborhoods largely contributes to the lack of vouchers there.

Map 23. Concentration of Vouchers and Race/Ethnicity



## ***Expiring Use***

Expiring use properties are privately-owned multi-unit properties that were developed with subsidies through one of several state and/or federal programs, in exchange for guarantees that units would be offered at affordable rents for periods typically lasting 20 to 40 years. At the end of that period, these “expiring use” units can be converted to market rents if steps are not taken to preserve them, which usually requires substantial tenant organizing and access to new sources of subsidy.

This is a challenge across Massachusetts but particularly acute in Boston given its proportion of all subsidized housing in the state: As observed in the Special Senate Committee on Housing Report: “As we work to address the housing crisis in our Commonwealth, we will need to also focus our efforts on preserving existing units. Foreclosures, expiring use restrictions and affordability controls, and natural physical deterioration have all caused significant loss to our affordable housing stock.”<sup>104</sup>

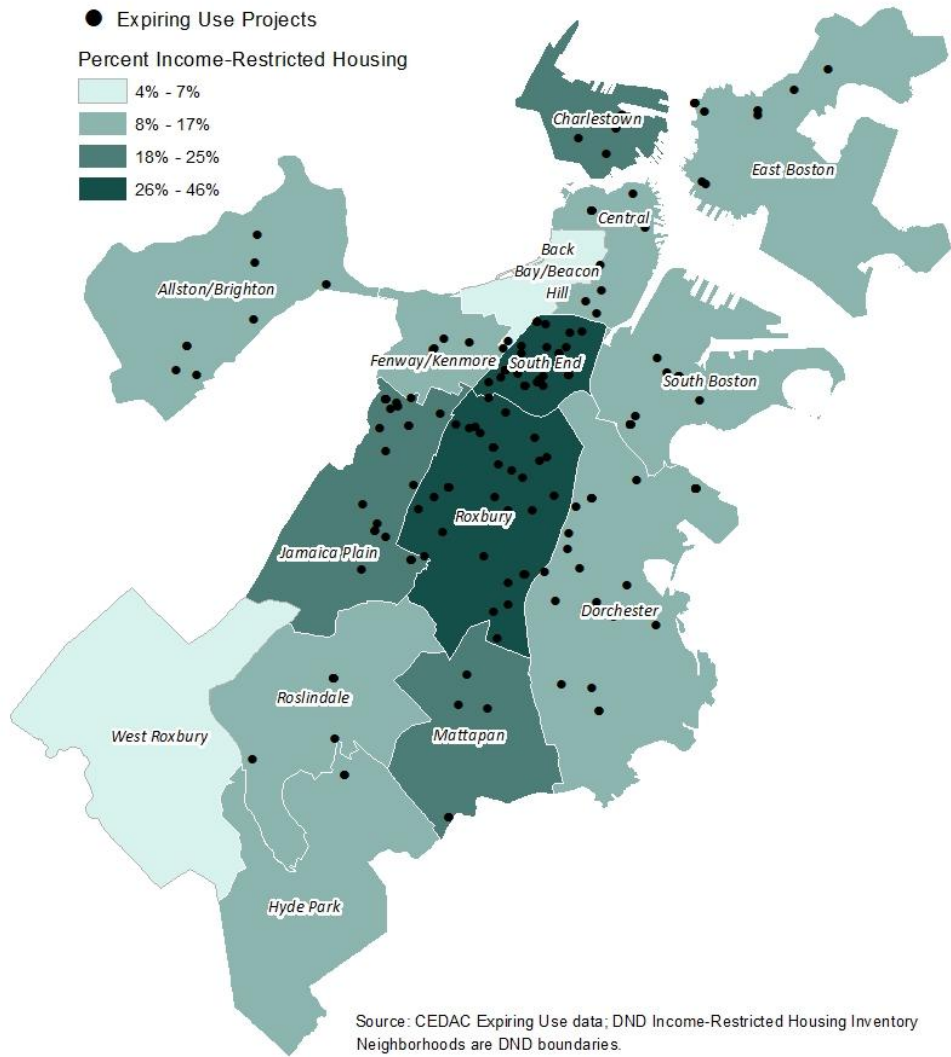
Boston has over 39,000 units of privately-owned income-restricted housing. According to the Community Economic Development Assistance Corporation (CEDAC), 10,069 privately owned income-restricted units in 135 projects are at risk by 2030 due to expiring use restrictions and termination of rent subsidies. Many of the units are owned by non-profit organizations and are at lower-risk than others. Many of these units, however, are located in high-priced areas and could not be replaced in their current market areas. Furthermore, the high cost of development has made it cost-prohibitive to build affordable housing. Therefore, preventing the loss of existing affordable units is even more critical to assist with our already limited housing supply.

Map 24 shows the locations of expiring use properties over the percent of income-restricted housing in each neighborhood. Neighborhoods with the most income-restricted housing like the South End and Roxbury also have the most expiring use properties. Jamaica Plain and Dorchester also have many expiring use properties. These neighborhoods are home to many of Boston’s Black and Latinx households as well as low-income households, and preserving these units is integral in preserving affordable housing for these communities.

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<sup>104</sup> Massachusetts Special Senate Committee on Housing (2016). *Facing Massachusetts’ Housing Crisis*. Pg 17. Downloaded on May 29, 2020 at <https://malegislature.gov/Reports?startDate=&endDate=&SearchTerms=housing&Page=1>

# Map 24: Properties with Expiring Use by 2030



## PART C. Barriers to Fair Housing and Opportunity

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Part A and B outlined Boston's housing landscape, and makes it clear that Boston's neighborhoods remain segregated by race and income, and that households of color find it more difficult to access housing that is affordable. In addition to Boston's high housing costs, barriers to fair housing and opportunity can take many forms. For example, landlord policies can have the effect of limiting housing choices, while inadequate public transportation can limit access to decent jobs. Both of these factors, and the other areas discussed here, have the effect of limiting access to living in areas with more opportunities, or assuring that opportunities exist in neighborhoods where people of color or other protected classes are currently concentrated.

### Housing Discrimination

Housing discrimination is the most direct barrier to fair housing. Under the Massachusetts Antidiscrimination Law, [M.G.L. c. 151B](#), it is illegal to discriminate against someone in the sale or rental of housing because of a person's membership in one of the following protected classes: Race; Color; Religious creed; National origin; Ancestry; Sex; Marital status; Veteran status; Age; Handicap/disability; Gender identity; Sexual orientation; Children/Lead paint; Public Assistance Recipient (e.g., social security disability income, but also HCV/Section 8 or MRVP vouchers). State law prohibits discrimination in advertising, public housing, and actions taken by realtors, landlords, mortgage lenders and brokers. [M.G.L. c. 111, s. 199A](#) prohibits landlords from discriminating against families with children under the age of six because a unit does or may contain lead paint. Landlords have an obligation to abate lead hazards if a child under the age of six lives in a unit. Landlords may not reject a family to avoid their obligations under the lead paint laws.<sup>105</sup>

Discrimination and prejudice in housing is an issue in the entire Boston Metropolitan Region and the state. The results of matched paired testing efforts outlined in the context portion of Section I provides dramatic evidence of discrimination in the housing market, with the most recent results highlighting the discrimination faced by Black households and those with housing vouchers.<sup>106</sup> A review of discrimination complaints in Massachusetts filed by MCAD shows that there were 641 housing discrimination complaints filed in 2017 (Table 16). Thirty-six percent of complaints filed were based on discrimination because of a disability, followed by 16 percent for race or color, and 12 percent for public assistance. On national origin, not presenting information or materials in the dominant languages of many immigrant groups is also a form of discrimination, whether intentional or not. There are likely more cases of discrimination against protected classes in housing occurring that are not reported to MCAD.

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<sup>105</sup> For a concise review of how fair housing is applied in various categories, see the Metro Housing Boston Fact Sheets, under its Fair Housing and Civil Rights section on its website: [www.metrohousingboston.com](http://www.metrohousingboston.com)

<sup>106</sup> Langowski, Jamie, et al (2020). *Qualified Renters Need Not Apply: Race and Voucher Discrimination in the Metro Boston Rental Housing Market*. Suffolk University Law School and The Boston Foundation. Accessed July 1, 2020 at <https://www.tbf.org/news-and-insights/press-releases/2020/july/housing-voucher-discrimination-report-20200701>.

Table 16. Housing Complaints Filed with MCAD by Type, Massachusetts

Basis for Complaint	Housing Complaints	% of Total
Disability	225	36%
Race or color	97	16%
Public assistance	74	12%
Retaliation	62	10%
National origin	48	8%
Sex	25	4%
Children	18	3%
Sexual orientation	14	2%
Creed	13	2%
Age	12	2%
Family status	11	2%
Lead paint	9	1%
Marital status	9	1%
Gender Identity	4	1%
Veteran	2	0.3%
<b>Total Complaints Filed</b>	<b>623</b>	<b>100%</b>

Source: 2017 MCAD Annual Report, p.16  
<https://www.mass.gov/doc/2017-mcad-annual-report/download>

The Boston Fair Housing Commission is the investigative agency for fair housing discrimination complaints in Boston. For fiscal years 2017 through 2019, 43 percent of all cases were based on disability, with both race and rental assistance at 25 percent of cases, followed by national origin (19 percent).

Table 17: Discrimination Basis for BFHC Fair Housing Cases Closed, FY2017-FY2019

Discrimination Basis	Percent Of Cases
Disability	43%
Race	25%
Rental Assistance	25%
National Origin	19%
Familial Status	8%
Familial Status/Lead Paint	8%
Sex	6%
Retaliation (for having filed a complaint)	4%
Sexual Orientation	3%

Marital Status	3%
Religion	2%
Color	1%
Gender Identity	1%
Military Status	1%
Note: The percentages will add to greater than 100% percent because a complaint can be made on more than one basis.	

### **Credit and Criminal Records**

A person’s credit history, or lack thereof, can be a major impediment to accessing housing. Relying solely on a credit score for decision making has an adverse impact on recent immigrants and persons of color.<sup>107</sup> Recent immigrant, Black, and Latinx persons are more likely to have no, or a very minimal, credit history, and lack credit scores. A 2015 Consumer Financial Protection Bureau study estimated that while almost 30 percent of African American and Latinx consumers were “credit invisible,” only about 16 percent of White and 17 percent of Asian consumers were credit invisible.<sup>108</sup> In addition, where a credit score is available, a smaller percentage of Black (33 percent) and Latinx (41 percent) consumers have credit scores above 720, compared to Whites (64%).<sup>109</sup>

Financial disadvantages regarding credit issues apply to entire communities in addition to individuals. A report issued by the Federal Reserve Bank of Boston found that “Credit report data reveal large disparities in credit scores, debt collection rates, and other measures of financial distress across cities in Massachusetts and between Boston neighborhoods...about one in three residents of Roxbury and Mattapan have debt collections on their credit reports, compared to just five percent in several higher-income Boston neighborhoods.”<sup>110</sup> This situation contributes to racial inequalities between neighborhoods according to the report.

Individuals with Criminal Offender Record Information (“CORI”) face multi-layered economic and housing barriers to fair housing which can negatively impact their whole household; in many cases these are low-income households. According to Metropolitan Area Planning Council’s *State of Equity for Metro Boston Policy Agenda Update*, “Criminal Offender Record Information (CORI) forms continue to be a barrier for individuals who enter or return to the workforce after a criminal case. It is not only an employment barrier but can also limit an individual’s eligibility for certain state assistance programs and their economic independence and socio-economic

<sup>107</sup>U.S. Department of Housing and Urban Development, “Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions”, April 4, 2016. Accessed on June 28, 2017 at [https://portal.hud.gov/hudportal/documents/huddoc?id=HUD\\_OGCGuidAppFHASandCR.pdf](https://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASandCR.pdf).

<sup>108</sup> Consumer Financial Protection Bureau, 2015. “Data Point: Credit Invisibles.” Accessed on July 6, 2017 at [http://files.consumerfinance.gov/f/201505\\_cfpb\\_data-point-credit-invisibles.pdf](http://files.consumerfinance.gov/f/201505_cfpb_data-point-credit-invisibles.pdf).

<sup>109</sup>Urban Institute, 2015. “Tight Credit Has Hurt Minority Borrowers the Most.” Accessed on July 6, 2017 at <http://www.urban.org/urban-wire/tight-credit-has-hurt-minority-borrowers-most>.

<sup>110</sup> Anmol Chaddha, *The Concentration of Financial Disadvantage: Debt Collections and Credit Report Data in Massachusetts Cities and Boston Neighborhoods*, Federal Reserve Bank of Boston (June 27, 2018), p.3

mobility.”<sup>111</sup> In many cases individuals have CORI for minor offenses, and/or infractions committed long ago. These individuals are denied jobs by employers who refuse to hire anyone with any kind of criminal justice-related record. It has been found that CORI is a major impediment to economic mobility for individuals, and in neighborhoods where this is prevalent, can be an economic problem for the entire community.<sup>112</sup> The number of jobs and degree of adequate housing accessible to these individuals are unnecessarily dampened in these communities.

This problem was recognized by HUD when it issued a ruling, “Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions” in 2016.<sup>113</sup> HUD outlined the fact that almost one third of Americans have a record in a criminal record database (both arrests and convictions), and that Blacks/African Americans and Hispanic/Latinx are disproportionately affected. Given that many rental housing providers complete checks of an applicant’s CORI (“Criminal Offense Records Investigation”) record it is important that such providers do not use the mere existence of a CORI record to exclude individuals from housing. Instead, a housing provider should consider each applicant on a case-by-case basis, taking into account the nature of the offense, whether the person was convicted, the lapse of time since a conviction, and other circumstances.

The Office of Fair Housing and Equity has been spearheading an effort to create new tenant selection policies that fulfill the 2016 HUD guidelines. The “Boston Fair Chance Selection Policy,” which is being implemented on Affirmative Fair Housing Marketing plans for projects funded or monitored by the City of Boston Mayor’s Office of Housing or the Boston Planning & Development Agency, creates tenant selection guidelines that should decrease the barriers to housing for those with a CORI record, or with poor or no credit.

### ***Housing Costs, Displacement, and Gentrification***

One of the most pressing barriers to fair housing is the cost of housing. Given the fact that households of color, on average, have lower incomes than White non-Latinx households, Boston’s high housing costs serve as a barrier to making all of Boston’s neighborhoods diverse. In addition, rising housing costs are making it increasingly difficult for households of color to stay in the neighborhoods they already live in, resulting in residential displacement. While it is too soon to know how the COVID-19 crises will affect Boston’s housing market, prices and rents are likely to remain too high for many to find affordable housing.

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<sup>111</sup> Metropolitan Area Planning Council (2018). *State of Equity for Metro Boston Policy Agenda Update*. Pg 27. Accessed May 29, 2020 at <https://equityagenda.mapc.org/uploads/9.10%20SOEREPOR%20FINAL.pdf>

<sup>112</sup> Robert Clifford and Riley Sullivan, *The Criminal Population of New England: Records, Convictions, and Barriers to Employment*, Federal Reserve Bank of Boston (March 2017).

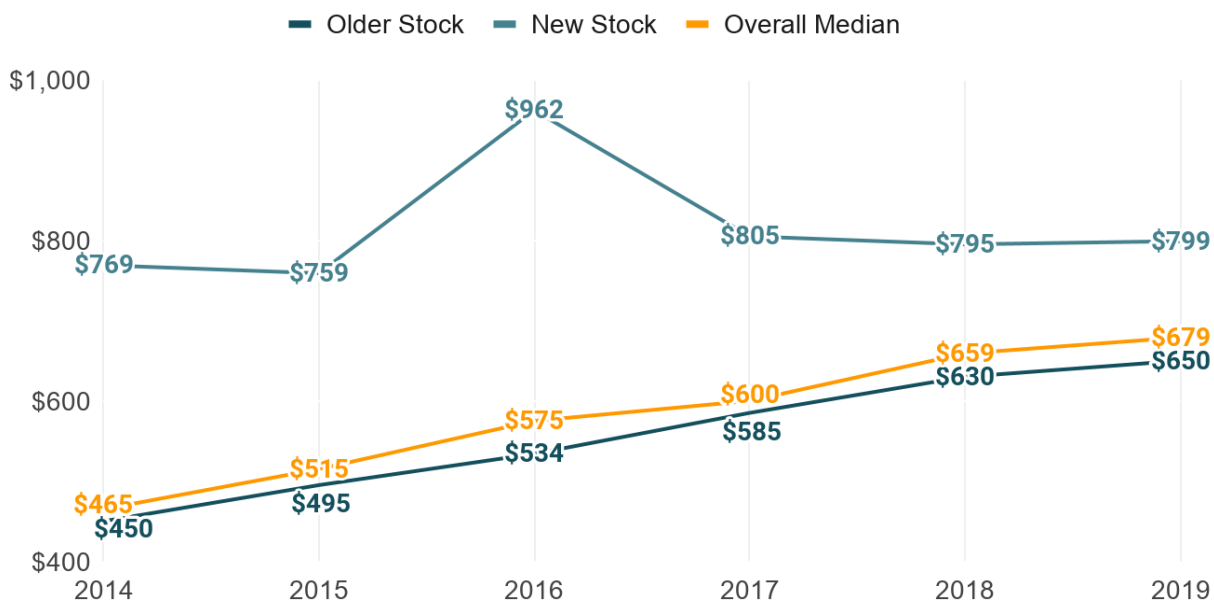
<sup>113</sup> US Dept of Housing and Urban Development (2016). “Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions.” Accessed May 29, 2020 at [https://www.hud.gov/sites/documents/HUD\\_OGCGUIDAPPFHASTANDCR.PDF](https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF).



Boston's sales prices, on the whole, have risen dramatically over the last 30 years, though rapid price increases have been followed by sharp declines. Prices rose dramatically in the late 1980s, but was followed by a 20 percent decline in median prices in the early 1990s. Prices rose rapidly again prior to the Great Recession, with Boston's median residential sales prices increasing 111 percent from 1999 to 2005, then declining 16 percent from 2005 to 2009. Median residential sales prices recovered by the end of 2010, and with a 2019 median sales price in Boston of \$679,000, inflation adjusted home prices are now 74 percent higher than the previous peak in 2005.<sup>114</sup> Figure 48 shows residential sales prices over the past 6 years for the overall market, and then broken down by stock type: older stock was built before 2011 and new stock was built after 2011. Median prices for new stock have been flattening out over the past couple of years, while older stock continues to increase at a steady rate. Still, the median price in 2019 for new stock was \$799,000 compared to older stock which was \$650,000.

Figure 48. Median Sales Price by Stock Type

*In Thousands*



Rents in Boston remain very high for all Boston renters, but especially for members of protected classes. The average monthly rent for a unit listed or advertised in 2019 was \$2,481,<sup>115</sup> up one percent from \$2,448 in 2018. Using 30% of income as the standard of affordability, only households with incomes of \$99,240 or above can afford Boston's average advertised rents. Only 25% of Boston renter households have incomes this high.<sup>116</sup> White Boston households are more than three times as likely as Latinx households to have such high incomes, more than two and a half times as likely as Black households, and more than one and a half times as likely as

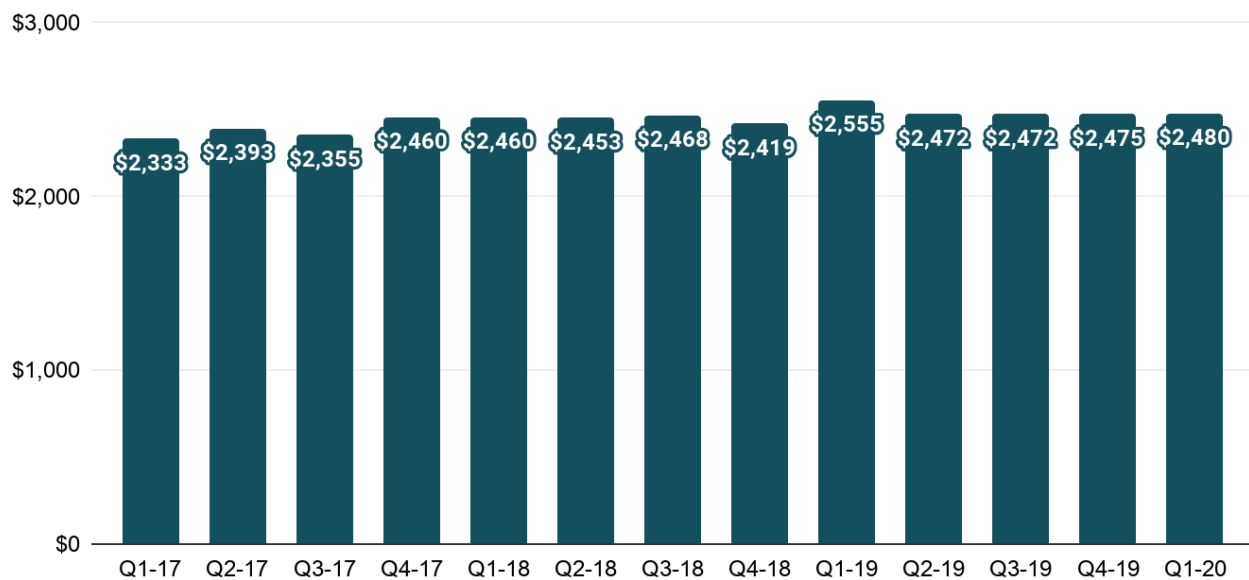
<sup>114</sup> Data from The Warren Group; MOH Analysis.

<sup>115</sup> Data from Rental Beast and MLS; MOH Analysis

<sup>116</sup> See Figure 16 (Income Level By Tenure).

Asian households.<sup>117</sup> With disproportionately low incomes, Black and Latinx households in Boston are twice as likely to suffer a severe burden in paying Boston rents (paying more than 50% of income) as White households.<sup>118</sup> Because Boston’s high rents are disproportionately prohibitively expensive for households of color and other members of protected classes, they result not just in displacement of Boston tenants across the board, but disproportionate displacement of Boston residents by membership in protected classes. Since a significant percentage of lower-cost, non-luxury rental units in Boston have always been located in older, two- and three-family buildings, the fact that the prices of older housing stock continue to increase at a steady rate signals that the rents of members of protected classes are likely to continue to increase as well, further fueling displacement.

Figure 49. Average Rents Prices in Boston, by Quarter



Source: Rental Beast and MLS rental listings

As Boston has been able to shed its industrial past and become a center for education, health, and technology, the city has become a more desirable place to live and work, increasing demand for housing. Population grew steadily from 1980 to 2000, from 562,994 to 589,141. Growth accelerated from 2000 to 2010, increasing 4.8 percent, to 617,594. During this period, much of this demand was not generated by an increase in jobs but rather an increasing interest in living in Boston; the number of jobs in Boston peaked at 583,184 in the first quarter of 2001, and after a slow recovery from the 2001 recession (also known as the “Dot Com Bust”), Boston didn’t exceed this previous record until the fourth quarter of 2013. The 2010s, however, tell a different story, as the number of jobs increased dramatically, adding over 100,000 jobs in the decade, with 669,053 people working in Boston in the 2nd quarter of 2019.<sup>119</sup> As a result,

<sup>117</sup> See Figure 19 (Income by Race/Ethnicity, as percent of each Race/Ethnicity). Forty-nine percent of whites, 31% of Asians, 19% of Black, and 16% of Latinx households had incomes over \$99,999 in 2014-2018.

<sup>118</sup> See Figure 31 (Severe Rent Burden by Race/Ethnicity).

<sup>119</sup> Massachusetts Department of Labor, Employment and Wage (ES-202) data. Available at <https://lmi.dua.eol.mass.gov/LMI/EmploymentAndWages#>.

population growth also increased 74,808 (12.1 percent) from 2010 to 2019.<sup>120</sup> While bringing in many opportunities, this growth also presents many challenges, including housing affordability, pressure on the transit system, and changes to communities. There is concern that unless addressed, Boston will continue to have segregated neighborhoods, although with the current growth it may not look exactly like the segregation of the past. New neighborhoods, such as the South Boston Waterfront (also known as the Seaport District) are overwhelmingly White (81 percent),<sup>121</sup> and there are fears that other neighborhoods such as Roxbury, which has been at the heart of Boston’s Black community, could either continue to be an area with few opportunities, or be gentrified, pushing out long-time residents of color.

There is major concern among Boston residents about gentrification and displacement, as well as housing affordability across the city, and particularly in low-income communities, where rising housing costs have had a disparate impact on communities of color. For decades, Black and Latinx areas of Boston were overlooked in terms of private investment. For the five neighborhoods where at least 60 percent of the population are people of color (Dorchester, East Boston, Hyde Park, Mattapan, and Roxbury),<sup>122</sup> from 1994 to 2000, there was only a two percent increase in the number of housing units. Of these, 76 percent were income restricted, built with public assistance. For the remainder of the city, there was a three percent increase in housing units, and 26 percent were income restricted. Through the 2000s, publicly subsidized housing was still the driver of new housing development in these five neighborhoods, but private investments were beginning to be made. In the 2010s the housing boom reached into almost every neighborhood, some more than others. From 2011 through 2019, there has been a 12 percent increase in the number of housing units citywide, and the largest percentage increases were in South Boston and the Seaport District (40 percent), the Central Boston neighborhoods including Chinatown (30 percent), the South End (19 percent), and East Boston (15 percent). Of areas with a high percentage of persons of color, the most extreme development pressures are in Chinatown and East Boston, though residents in all neighborhoods have faced rapidly escalating rents, and therefore, displacement. New development is happening in almost every neighborhood, although income restricted housing remains an important percent of new housing development in Mattapan (63 percent of new units) and Roxbury (46 percent of new units). Hyde Park has had a less than a two percent increase in housing units, though proposals for new, market rate housing developments in the neighborhood have been approved or are under review by the Boston Planning & Development Agency.

Table 18. Percent Increase in Housing Units 2011-2019, by Neighborhood

Neighborhood/Planning District	Percent Increase
Allston/Brighton	9.8%
Back Bay/Beacon Hill	4.6%
Central (includes Chinatown)	29.8%

<sup>120</sup> US Census Bureau, 2019 City Population Estimates. Accessed May 29, 2020 at <https://www.census.gov/data/tables/time-series/demo/popest/2010s-total-cities-and-towns.html>

<sup>121</sup> U.S. Census Bureau, 2014-2018 American Community Survey, BPDA Research Division Analysis

<sup>122</sup> Neighborhoods discussed here are based on MOH “Planning Districts”, of which there are 15 in Boston. Race/ethnicity data based on 2010 US Census data.

Charlestown	11.4%
Dorchester	6.1%
East Boston	14.8%
Fenway/Kenmore	11.1%
Hyde Park	1.7%
Jamaica Plain	10.0%
Mattapan	5.2%
Roslindale	5.1%
Roxbury	6.5%
South Boston/ Seaport District	39.8%
South End	18.8%
West Roxbury	5.3%
<b>Citywide</b>	<b>12.0%</b>

Source: MOH permitting data, all units permitted, 2011-2019

Gentrification not only threatens equal access to fair housing for protected classes--it also poses a threat to small neighborhood-based businesses that have helped to guarantee a degree of economic vitality to many neighborhood areas in Boston. It also threatens the cultural contributions to Boston society that have emerged from neighborhoods across Boston, including communities of color and economically distressed areas. A 2013 report from the Asian American Legal Defense Fund highlighted the changes in three American Chinatowns: Boston, New York, and Philadelphia. In 1990 Asians were 70 percent of the total population in Boston's Chinatown. From 1990 to 2010 the Asian population of Chinatown grew by about 950 or 20 percent, but the White population grew by nearly 6,000 or 86 percent. Even though the number of Asians in the neighborhood has not declined, the introduction of a large number of luxury housing units increased housing and commercial rents, undermining the cultural and linguistic fabric of the community.<sup>123</sup> Chinatown is not the only cultural community at risk from gentrification and displacement. The same case can be made for other cultural communities across Boston, such as Central Americans in East Boston, the Black community in Roxbury, or the Caribbean-American community in Mattapan.

### **Zoning**

Zoning has been used as a tool to both create and maintain racial segregation. Richard Rothstein's book *The Color of Law* provides an important overview of this problem, highlighting efforts that began in the 1910s to create explicitly racist zoning regulations (Baltimore was the first to do so), as well as ongoing efforts to use zoning to effectively create the same results after such regulations were struck down by the courts. Rothstein summarizes the misuses of zoning that followed:

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<sup>123</sup> Li, Bethany, et al (2013) *Chinatown Then and Now: Gentrification in Boston, New York, and Philadelphia*. Asian American Legal Defense Fund. Pg. 20. Accessed May 13, 2020 at <https://www.aaldef.org/uploads/pdf/Chinatown%20Then%20and%20Now%20AALDEF.pdf>

Zoning thus had two faces. One face, developed in part to evade a prohibition on racially explicit zoning, attempted to keep African Americans out of white neighborhoods by making it difficult for lower-income families, large numbers of whom were African Americans, to live in expensive white neighborhoods. The other attempted to protect white neighborhoods from deterioration by ensuring that few industrial or environmentally unsafe businesses could locate in them. Prohibited in this fashion, polluting industry had no option but to locate near African American residences. The first contributed to the creation of exclusive white suburbs, the second to creation of urban African American slums.<sup>124</sup>

A 2006 study by the Rappaport Institute found just how prevalent restrictive exclusionary zoning is. A detailed review of 187 Greater Boston towns and cities found that zoning regulations, in particular minimum lot sizes, were a chief contributor to the low level of housing construction, especially multi-family construction.<sup>125</sup> Such restrictions not only limit the creation of more affordable multi-family housing in the suburbs, it has the overall effect of decreasing supply and increasing housing prices throughout Greater Boston. Since this study, there has been little improvement. A Special Senate Committee on Housing found, “With significant multifamily housing in great demand, 207 of our 351 cities and towns have permitted no multifamily housing with more than five units in over a decade and over a third of our communities have permitted only single family housing. The lack of multifamily zoning is the most significant barrier to building affordable and market rate housing, and is so basic a requirement that no other long-term production goals can be achieved successfully without it.”<sup>126</sup>

As a result, the impact on households of color is two-fold: they are unable to find affordable housing in high opportunity suburban neighborhoods, and rising prices in the neighborhoods where they currently reside create economic hardship or lead to displacement. Families with mobile rental vouchers have traditionally been unable to overcome these barriers, as they were seldom able to obtain housing in low poverty/high opportunity areas because there are few units available at rents under HUD’s Fair Market Rent (FMR) levels. While the Boston Housing Authority’s recent implementation of “Small Area Fair Market Rents” will expand choice for many HCV/Section 8 voucher holders, the state has not adopted this policy for vouchers they control, and a similar policy is not in place for MRVP vouchers, either.

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<sup>124</sup> Rothstein, Richard, (2017) *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation. Pg 56.

<sup>125</sup> Glaeser, Edward, Jenny Schuetz and Bryce Ward (2006). *Regulation and the Rise of Housing Prices in Greater Boston: A Study Based on New Data from 187 Communities in Eastern Massachusetts*. Rappaport Institute for Greater Boston at the Harvard Kennedy School of Government. Accessed May 13, 2020 at [https://www.hks.harvard.edu/sites/default/files/centers/rappaport/files/regulation\\_housingprices.pdf](https://www.hks.harvard.edu/sites/default/files/centers/rappaport/files/regulation_housingprices.pdf)

<sup>126</sup> Massachusetts Special Senate Committee on Housing (2016). *Facing Massachusetts’ Housing Crisis: Special Senate Committee on Housing Report*. Pg 22. Downloaded May 29, 2020 at <https://malegislature.gov/Reports?startDate=&endDate=&SearchTerms=housing&Page=1>

## **Transportation**

The MBTA is the nation's fifth largest public transit system and serves 175-member communities. Quality public transportation is critical not only for sustaining economically stronger neighborhoods, but also to further fair housing for protected groups. However, the system is not always equitable in its service, leading to disparities among different populations. The City's *Go Boston 2030* report states that non-White populations in Boston generally experience longer commute times, higher transportation costs, and are more likely (and disproportionately) to not own any vehicles, yielding a greater reliance on public transportation.<sup>127</sup>

For residents traveling from a neighborhood to one of Boston's downtown transit hubs at peak commuting hours, the MBTA can be fairly effective. However, it is less effective for residents and workers commuting at off-peak hours or from neighborhood to neighborhood. Typically, these are low-income workers, mostly Black, Latinx, Asian, and foreign-born, who work in certain low-paying industry areas and occupations. Traveling between neighborhoods, even adjacent ones, often requires either a trip into a downtown hub to switch to another line's outbound train or a bus trip between stations.

The City's Resilient Boston report shows that it is mostly, but not exclusively, neighborhoods with large populations of Blacks and Latinx that have commutes longer than 60 minutes. Over 25 percent of residents in Mattapan have commutes over 60 minutes. Other neighborhoods with large percentages of their residents with commute times longer than 60 minutes include Hyde Park, Dorchester, East Boston, Roxbury, Roslindale and West Roxbury. Transportation inequity is also reported in MAPC's Fair Housing and Equity Assessment for Metropolitan Boston: "Residents of racially concentrated sections of Roxbury, Dorchester, Mattapan and Hyde Park face among the longest commuting times, despite their relative proximity to employment centers."<sup>128</sup>

In part, commute times can be longer in minority neighborhoods despite their proximity to downtown because they lack rapid transit service and rely on bus service. Dorchester, Mattapan and Roxbury have large concentrations of Black and Latinx and, for the most part, are only served by buses. Predominantly White neighborhoods such as Back Bay, Beacon Hill, Fenway and the West End have better access to rapid transit services. The Dukakis Center for Urban and Regional Policy at Northeastern University<sup>129</sup> found that travel by bus consumes the most time, and that White commuters spend less time in bus travel than Black and Latinx commuters. The report highlighted that in addition to areas such as Mattapan and Charlestown travel times are also extended for the Roxbury and Dorchester communities.

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<sup>127</sup>Boston Transportation Department (2019), *Go Boston 2030: Vision and Action Plan*: Pg. 46. Accessed May 29, 2020 at [https://www.boston.gov/sites/default/files/file/document\\_files/2019/06/go\\_boston\\_2030\\_-\\_full\\_report.pdf](https://www.boston.gov/sites/default/files/file/document_files/2019/06/go_boston_2030_-_full_report.pdf)

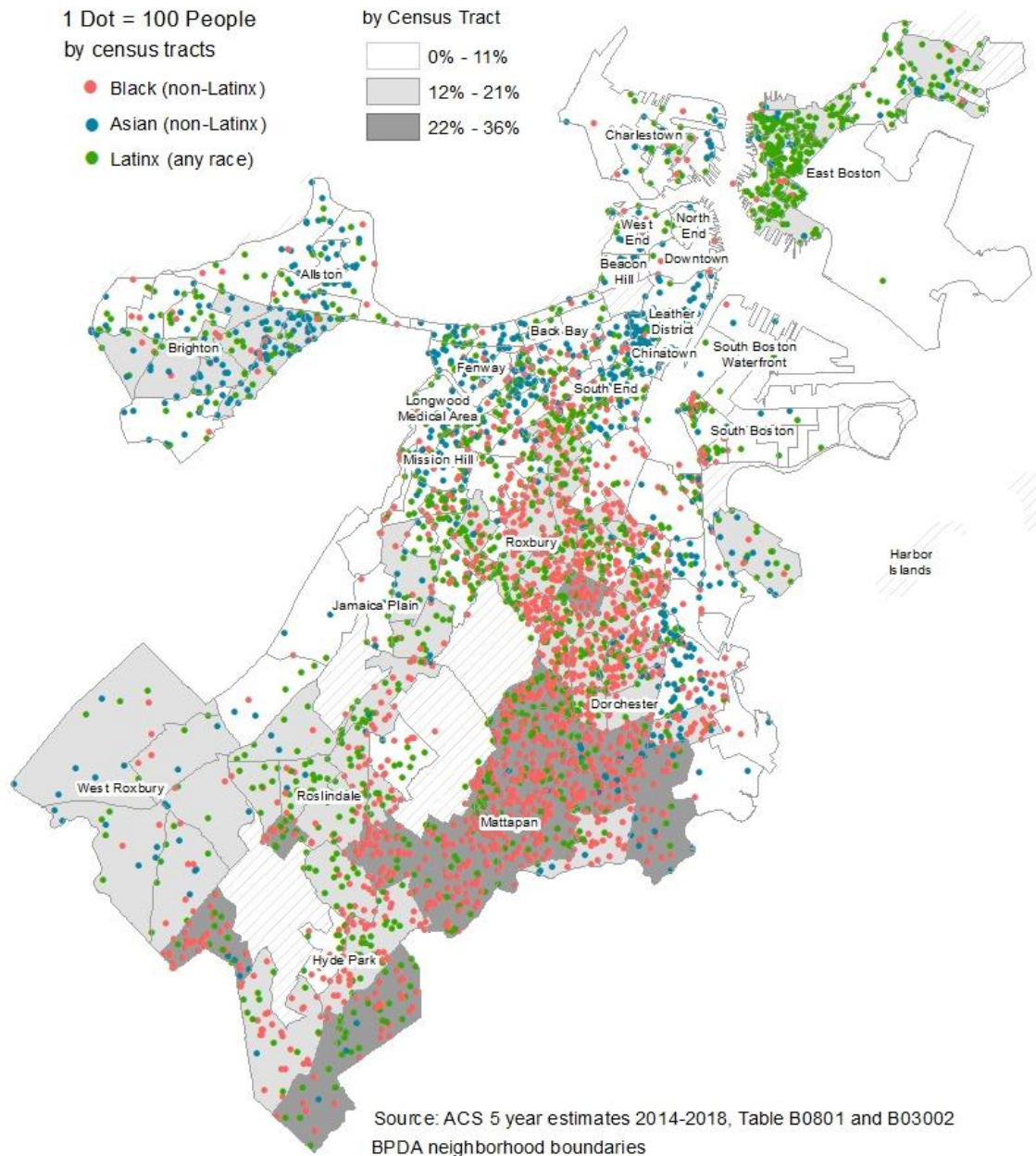
<sup>128</sup> Metropolitan Area Planning Council (2017). *Fair Housing and Equity Assessment for Metropolitan Boston*, p. 54. Accessed May 29, 2020 at

[http://www.mapc.org/wp-content/uploads/2017/09/Fair\\_Housing\\_and\\_Equity\\_Assessment.pdf](http://www.mapc.org/wp-content/uploads/2017/09/Fair_Housing_and_Equity_Assessment.pdf)

<sup>129</sup>Northeastern University Dukakis Center for Urban and Regional Policy, (October 19, 2018) . "Closing the Gaps in a Just City". Convening notes available at <https://www.northeastern.edu/cssresearch/dukakiscenter/2018/11/20/closing-the-gaps-in-a-just-city-dukakis-center-convenes-for-um-on-public-transportation-inequality-in-boston/>

Map 25 shows the percent of households in each census tract who travel more than 60 minutes to work, overlaid with race/ethnicity. All of Mattapan and parts of Dorchester and Hyde Park have the highest commute times in the city. These neighborhoods are predominantly Black and Latinx, demonstrating the lack of access to public transportation for a large portion of Boston's communities of color.

Map 25. Percent of Households Who Travel More Than 60 Minutes to Work



At the AFFH community and engagement meetings, a number of residents testified about transit challenges including:

- Subways and commuter rail lines primarily serve upper-income and White neighborhoods, while Black and Latinx neighborhoods have to rely on slower and less convenient bus service.
- Transit trips into downtown Boston that originate in the suburbs or wealthier, predominantly White neighborhoods have no room or standing room only by the time the bus or train arrives in Boston's poorer, predominantly minority neighborhoods. In some cases, filled buses will bypass these minority communities completely. Public housing residents in Charlestown, who are primarily Latinx, expressed frustrations towards unequal service as buses are often filled to capacity upon arriving to the public housing development.

Persons with disabilities raised concerns about:

- Elevators and escalators that do not work;
- The MBTA's RIDE service for persons who cannot use subways or trains due to a physical, mental, sensory or cognitive disability; and
- Ridesharing services.

Ridesharing services are becoming a significant part of Boston's transportation system, but do not adequately meet the needs of persons with mobility impairments. Uber and Lyft are required to provide an accessible vehicle upon request, but few such vehicles are available. In addition, Uber/Lyft drivers are not trained on reasonable accommodation and on how to assist persons with disabilities in and out of their vehicles. The City of Boston's Disability Housing task force also issued a report with recommendations to respond to some of these problems and impediments to fair housing.<sup>130</sup>

### ***Public Safety and Public Health***

There are major public safety and public health challenges that disproportionately impact low-income groups and communities of color. The outpouring of hurt and anger triggered after the murder of George Floyd by police in Minneapolis highlights just one aspect of the issue. There are multiple intersections between public safety, health, and the ability for protected groups, including children and youth, to access adequate and affordable housing.

### **Crime**

Crime is both a public safety and public health issue. Maps 26 shows 2019 Boston Police Department Crime reports for Part 2 crimes.<sup>131</sup> 42% of the census tracts in Boston have crime rates above the citywide average of 97.7 crimes per 1,000 residents. Crime rates are highest in downtown neighborhoods, specifically census tracts in the South End, Central, Seaport, and

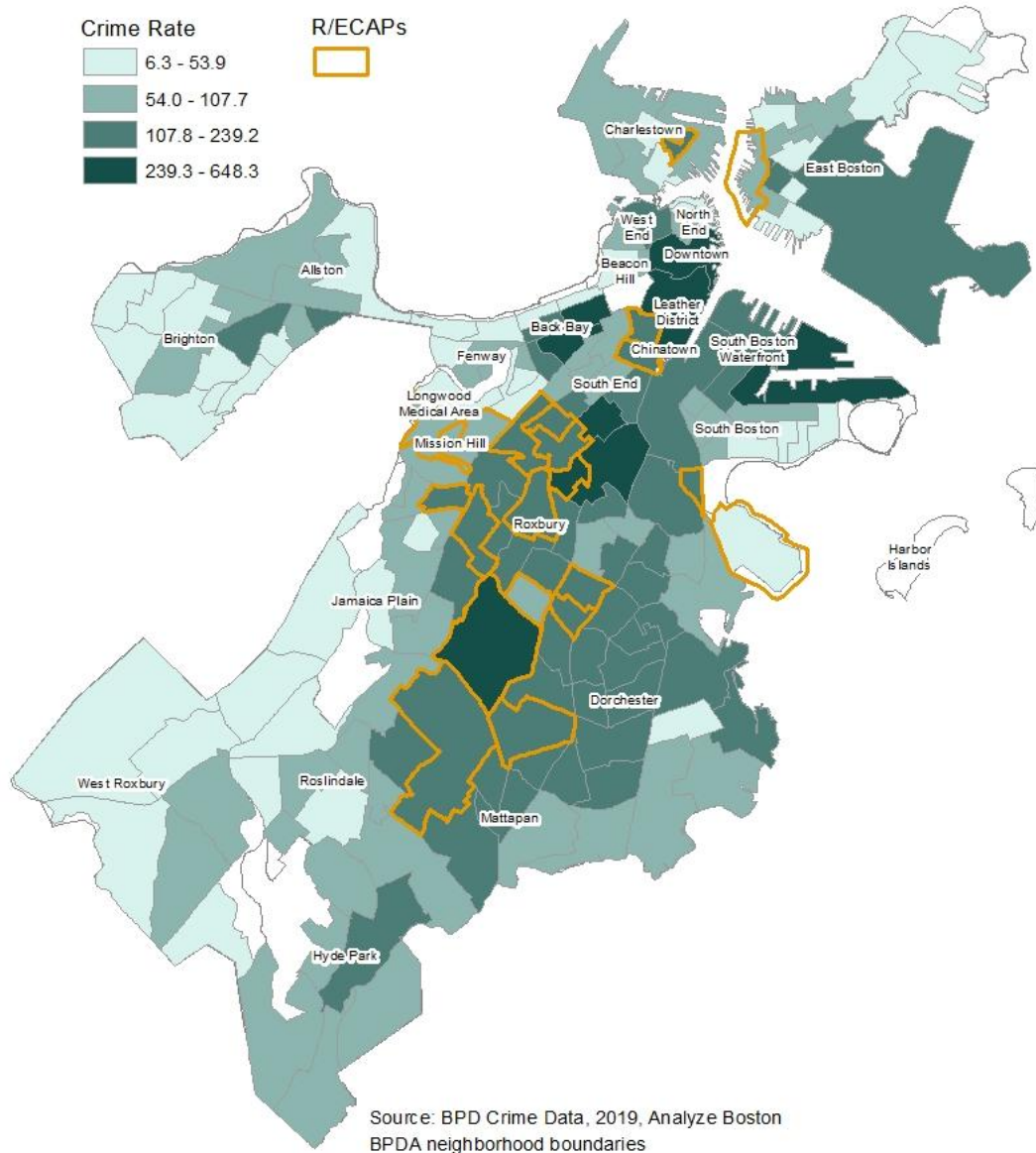
<sup>130</sup> City of Boston, Disability Housing Task Force 2016 Goals and Actions (July 2017).

<sup>131</sup> Part 2 crimes include homicide, robbery and attempted, aggravated assault, commercial burglary, residential burglary, other burglary, larceny from motor vehicle, other larceny, auto theft, and rape/attempted rape. Rape/attempted rape is not included in the map due to data limitations.



Back Bay (Map 26). On the map, the large census tract in southern Roxbury that shows a very high crime rate mostly consists of Franklin Park; it had 131 crime incidents in 2019, but the population of residents residing in that census tract is very low (381) compared to all other census tracts (average population is 3,836), so the crime rate there is inflated. Only one of the tracts in the highest crime rate category (excluding the Franklin Park tract) is a R/ECAP. Areas of the city with second highest crime rates (between 107-239 crimes per 1,000 residents) are located mostly in Roxbury, Dorchester, Mattapan, South End, and pockets of South Boston, Hyde Park, and Allston. 25% of the tracts in this rate category are R/ECAPs.

Map 26: Part 2 Crime Rate, 2019  
Crimes per 1,000 residents, by census tract



Public testimony indicated that violent crime and/or gun violence was cited numerous times as an impediment to safe neighborhoods throughout the city. The Boston Public Health Commission works proactively with violence intervention and prevention coalitions and neighborhood trauma teams in five Boston neighborhoods. This is an enormous challenge that requires coordination and collaboration across many agencies. Another challenge that requires focus is youth violence, and connecting youth to jobs in complement with school and after-school hours.<sup>132</sup>

<sup>132</sup> Appreciation to Dr. Lisette DeSouza, Postdoctoral Scholar, Wellesley Center for Women, Wellesley College for sharing some important insights about empowerment work with youth.

In public meetings for the development of this report, the opioid epidemic was also cited as a major public health and safety concern. Although Boston has instituted programs and actions to reduce the incidents of death due to opioids, residents were concerned that the problem is still a serious one in terms of the number of people and families affected.<sup>133</sup> Some Boston neighborhoods are seeing the effects of this crisis more than others. In response to this, the City is working with thirteen different neighborhood coalitions spread across the city on substance use prevention efforts.<sup>134</sup> While the City is doing significant work in response to this crisis, it remains a crisis in terms of the numbers of persons involved and resources needed to assist them.

## **Lead**

Another public health concern is Elevated Blood Lead Levels (EBLL), which varies widely by neighborhood. The highest rates are in certain census tracts in East Boston, Allston, Roxbury, Dorchester, Mattapan and Hyde Park. These neighborhoods have large populations of Black and Latinx residents and smaller but significant populations of Asian residents. The available data on EBLL does not provide breakouts of the data by racial/ethnicity, national origin, or family status. However, by sorting the data by census tracts with the lowest to the highest percentage of White non-Latinx population, you can see that most of the tracts with higher rates/thousand of EBLLs are in tracts with a high percentage of persons of color, including Latinx. Of the 74 tracts with a 50 percent or more persons of color 52 tracts (70 percent) have an EBLL rate that is statistically higher than the statewide average rate compared to 26 out of 65 tracts (40 percent) in tracts with a majority White, non-Hispanic/Latinx population.

## **Asthma**

Asthma, particularly among youth, is another public health concern with disparities across race and ethnicity. Asthma hospitalization and Emergency Room (ER) visit data by race and ethnicity and by neighborhood was provided by the Boston Public Health Commission. Blacks have asthma ER visit rates that are five times the rate for Whites, and hospitalization rates that are four times the rate for Whites. Latinx also have higher asthma ER visit and hospitalization rates (three times the rate for Whites, on both measures). Asians, however, have lower ER visit rates than Whites, and similar hospitalization rates. According to MAPC, “Racial health disparities continue into childhood. In fact, in the case of childhood asthma, disparities have become more severe over time. Data from 2008-2012 show a 10 percent increase in overall youth asthma hospitalizations, compared to data from 2003-2007. This increase was driven by statistically significant increases in Black and Latinx youth rates. Black youth in the more recent data experienced a rate of asthma hospitalization 2.7 times higher than the regional average, and climbing. While the rates for Latinx youth were closer to the regional average, they increased 22 percent over the five year interval.”<sup>135</sup>

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<sup>133</sup> See, Data Brief: Opioid -Related Overdose Deaths Among Massachusetts Residents. Boston, MA. Retrieved from: <http://www.mass.gov/eohhs/docs/dph/stop-addiction/current-statistics/data-brief-overdose-deaths-aug-2017.pdf>

<sup>134</sup> Also see, Massachusetts Department of Public Health. (August 2017). Data Brief: Opioid -Related Overdose Deaths Among Massachusetts Residents. Boston, MA. Retrieved from: <http://www.mass.gov/eohhs/docs/dph/stop-addiction/current-statistics/data-brief-overdose-deaths-aug-2017.pdf>

<sup>135</sup> Metropolitan Area Planning Council, *State of Equity for Metro Boston Policy Agenda Update* (February 2018), p.13

The neighborhoods with higher rates of asthma ER visits and hospitalizations are Mattapan, Dorchester, Roxbury, and the South End--all neighborhoods that have large Black and Latinx populations. Information in the City's Resilient Boston report noted that, "Black and Latinx/Hispanic residents experience higher rates of hospitalization due to asthma, heart disease, diabetes, and nonfatal gunshot/stabbing incidents than white residents. These disparities are even more pronounced at the neighborhood level where premature mortality rates in Dorchester are nearly twice as high as in West Roxbury (246 and 1236 per 100,000 residents under 654, respectively)."<sup>136</sup>

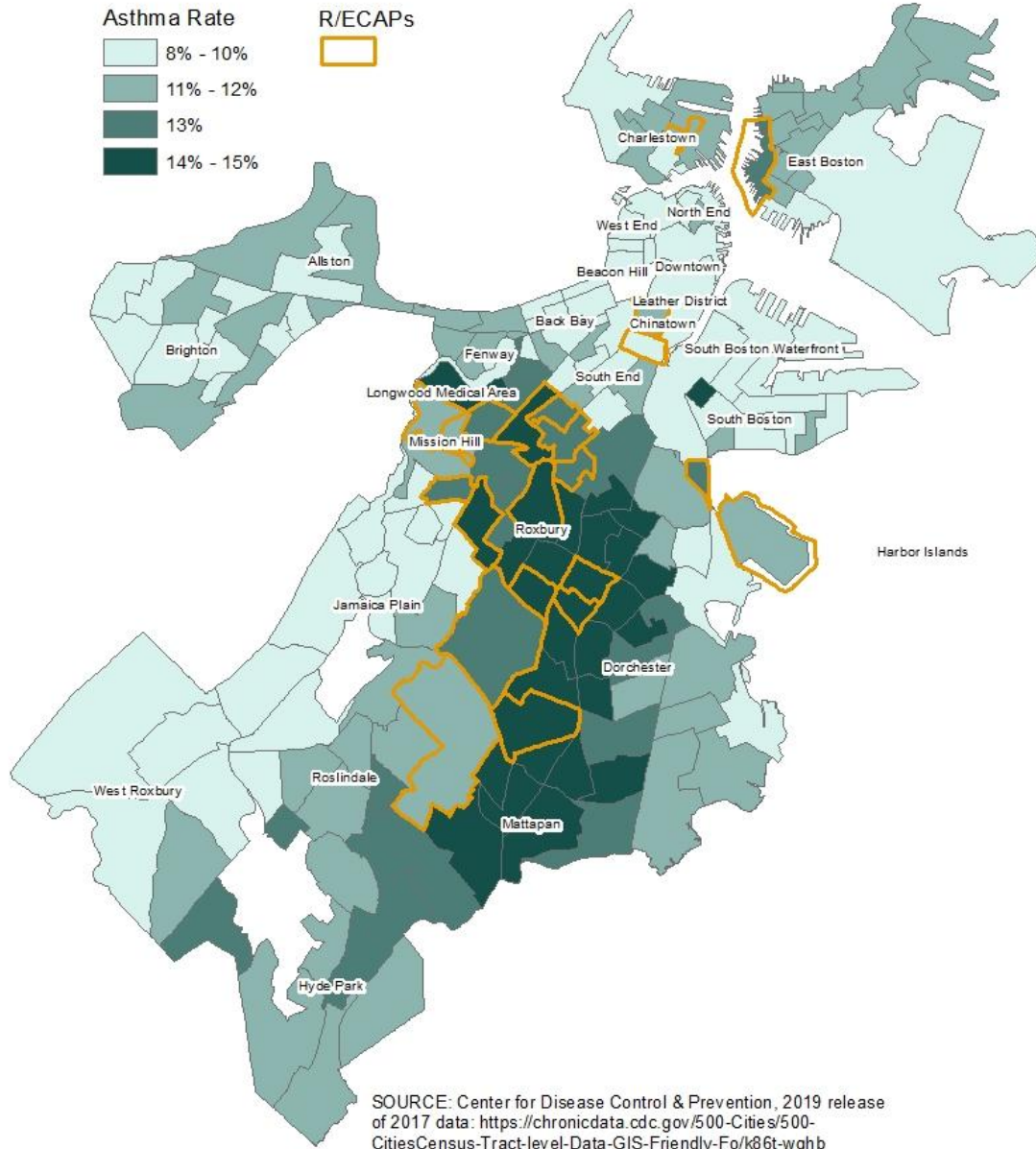
Boston's overall asthma rate is 11.9%, which is above the national average of 9%.<sup>137</sup> Map 27 shows adult asthma rates by census tract in Boston. Census tracts with the highest asthma rates (14-15%) are clearly concentrated in Roxbury, Dorchester, and Mattapan. High asthma rates occur in areas with high concentrations of Black and Latinx households and high poverty: one third of all R/ECAPs have asthma rates between 14-15%, and another third have a rate of 13%.

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<sup>136</sup> City of Boston, Mayor's Office of Resilience and Racial Equity (2017). *Resilient Boston: An Equitable and Connected City*. Pg 24. Accessed May 29, 2020 at [https://www.boston.gov/sites/default/files/file/document\\_files/2017/07/resilient\\_boston.pdf](https://www.boston.gov/sites/default/files/file/document_files/2017/07/resilient_boston.pdf)

<sup>137</sup> Center for Disease Control and Prevention: [https://nccd.cdc.gov/500\\_Cities/rdPage.aspx?rdReport=DPH\\_500\\_Cities.ComparisonReport&Locations=2507000](https://nccd.cdc.gov/500_Cities/rdPage.aspx?rdReport=DPH_500_Cities.ComparisonReport&Locations=2507000)

Map 27. Percent of Adults Age 18 years+ with Asthma

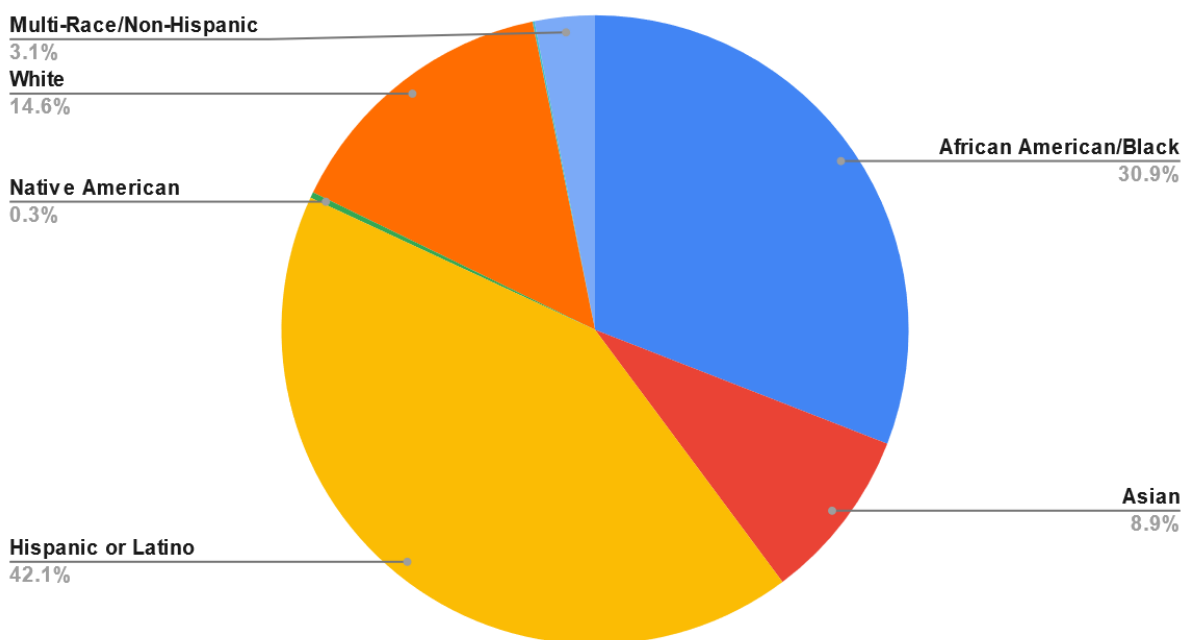


**Public Education**

While this report is not a comprehensive review of Boston Public Schools (BPS) academic successes and challenges, it is widely accepted that educational failure due to underperforming schools can limit an individual’s future educational options and ability to access quality employment options, creating a barrier to being able to afford to live in low poverty/higher opportunity areas.

While 55 percent of Boston residents are persons of color, 78 percent of children aged 5 to 17 are children of color.<sup>138</sup> Of the 51,433 students enrolled in Boston Public Schools in 2019, 85 percent are children of color. In addition, while 33 percent of public school students statewide are considered “economically disadvantaged,”<sup>139</sup> the same is true for 58 percent of BPS students. Language capabilities are also a barrier to success: 11 percent of the state’s students are English Language Learners (ELL), the same is true for 32 percent of BPS students.<sup>140</sup>

Figure 50. Boston Public School Enrollment by Race/Ethnicity, 2019



Boston’s school system now serves a population that is primarily lower-income families of color, having the effect of essentially re-segregating Boston’s school system. According to a Diversitydata.org brief, when comparing the 100 largest metro areas in the U.S, Boston came in fourth for most segregated amongst Latinx primary school students.<sup>141</sup> Boston’s public schools face certain significant challenges that schools in more affluent communities do not face. The battles over court-ordered busing to desegregate Boston’s schools resulted in many White and middle-class families leaving the public school system at the same time that education resources and supports for remaining students did not remain at adequate levels. Even though the Boston Public Schools are working to turn a corner from this disinvestment, increasing the racial and economic diversity of the schools remains a challenge. While many White, non-Latinx

<sup>138</sup> US Census Bureau, American Community Survey, 1-year estimates, 2018

<sup>139</sup> Students considered to be economically disadvantaged or those who participate in one or more of the following state-administered programs: the Supplemental Nutrition Assistance Program (SNAP); the Transitional Assistance for Families with Dependent Children (TAFDC); the Department of Children and Families’ (DCF) foster care program; and MassHealth (Medicaid).

<sup>140</sup> Massachusetts Department of Elementary and Secondary Education, 2019 District Profiles (MA-ESE, 2019).

<http://reportcards.doe.mass.edu/2019/DistrictReportcard/00350000>

<sup>141</sup> McArdle N., Osypuk T., & Acevedo-Garcia D., (2010, Sept). *Prospects for Equity in Boston’s School Assignment Plan* (Issue Brief). Retrieved from

[http://diversitydata.org/Publications/Prospects\\_for\\_Equity\\_in%20Boston\\_Schools.pdf](http://diversitydata.org/Publications/Prospects_for_Equity_in%20Boston_Schools.pdf)

are drawn to Boston by its excellent universities and growing economic sectors, it is common for those same individuals to leave the city for the suburbs once their children become school-aged. They, and parents of all races/ethnicities who have the means to do so, are looking to access higher quality schools in the suburbs.

Data on BPS outcomes, which can be accessed from the [Massachusetts Department of Elementary and Secondary Education](#), highlights both the continuing challenges Boston's children of color face, as well as improvements that have been made. While 4.2 percent of BPS students dropped out of school in 2018/2019, 1.8 percent of Massachusetts students dropped out. This is an improvement however, as 7.3 percent of BPS students dropped out in 2008/2009.

Children in Boston experience significant and persistent achievement gaps along racial lines. In 2019, the average score on the National Assessment of Educational Progress reading test for White fourth graders was 240, which was 24 points higher than for Black students, and 25 points higher than for Latinx students. Unlike some of our other measures that have seen improvement, while White students' scores have seen some improvement over the 14 years that data is available, Black and Latinx scores have not improved, increasing the racial gap in outcomes.<sup>142</sup>

Black and Latinx students are also disciplined at a higher rate than their White and Asian peers. In the 2018-2019 school year, Black and Latinx students received out-of-school suspensions at rates of 5.3 percent and 3.4 percent, respectively, while only 1.2 percent of White students and 0.6 percent of Asian students received out-of-school suspensions. As with other measures, this has seen improvement over time--in 2012-2013, 9.7 percent of Black students, and 5.4 percent of Latinx students received out-of-school suspensions--but disparities remain.<sup>143</sup>

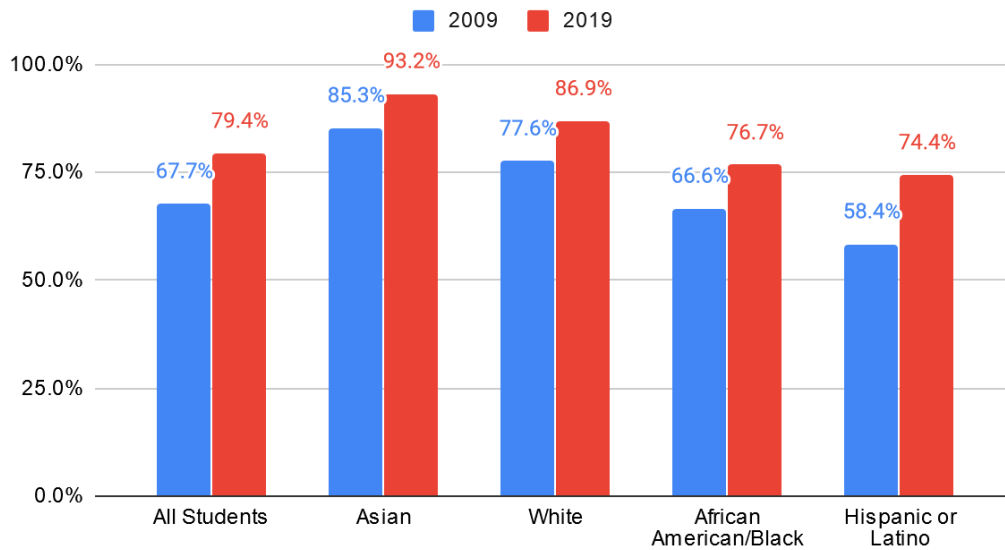
Four-year graduation rates show similar disparities between Boston and the state. In 2019, 79.4 percent of BPS students graduated in four years, compared to 88 percent statewide. While graduate rates have improved for all racial/ethnic categories from 2009 to 2019, Black and Latinx students still have lower graduation rates than Asian and White students.

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<sup>142</sup> National Assessment of Educational Progress (NAEP): Grade 4 reading test data. <https://www.nationsreportcard.gov/reading/districts/groups/?grade=4>

<sup>143</sup> Massachusetts Department of Elementary and Secondary Education. 2012-2013 and 2018-2019 Student Discipline Data.

Figure 51. 4-Year Adjusted Graduation Rate, by Race/Ethnicity



Early childhood education can be the key to closing these gaps. While Boston has enough Pre-K seats citywide to meet overall demand, only 75 percent of Boston’s four-year-olds have access to a high-quality seat, and those seats are not evenly distributed across neighborhoods.<sup>144</sup>

### **Conclusion**

The analysis of fair housing variables and description of the opportunity barriers in this section confirm that while Boston is becoming one of America’s most diverse cities racially, culturally, and economically, there are still racial/ethnic and economic separations that inhibit the affirmative furthering of fair housing. Neighborhoods with larger populations of Black, Latinx, and/or Asian populations tend to have a lower quality of life and face greater fair housing impediments regarding housing, income, employment, poverty, public health and public safety, and public transportation. These represent major impediments to guaranteeing fair housing for all protected groups and all residents. The next section outlines the goals proposed by MOH, BHA, BPHC and many housing advocacy and community organizations, and reflect public testimony, to address the impediments and barriers to fair housing in Boston.

<sup>144</sup> Imagine Boston 2030, op cit., p.275.



## Appendix to Section III

Figure 1: Total Population of Boston by Race and Latinx Ethnicity, 2010-2018

Race or Ethnicity	Population 2010	Percentage of Population 2010	Population 2018	Percentage of Population 2018	Percent Change 2010-2018
<b>Total Population</b>	<b>617,594</b>	<b>100%</b>	<b>679,413</b>	<b>100%</b>	<b>10%</b>
<b>Not Hispanic or Latinx</b>	<b>509,677</b>	<b>82.5%</b>	<b>545,520</b>	<b>80.3%</b>	<b>7%</b>
White alone	290,312	47.0%	302,427	44.5%	4%
Black or African American alone	138,073	22.4%	154,363	22.7%	12%
Asian alone	54,846	8.9%	64,939	9.6%	18%
American Indian and Alaska Native alone	1,227	0.2%	1,405	0.2%	15%
Native Hawaiian; Other Pacific Islander alone	182	0.0%	225	0%	24%
Some other race alone	10,078	1.6%	5,973	0.9%	-41%
Two or more races	14,959	2.4%	16,188	2.4%	8%
<b>Hispanic or Latinx (of any race)</b>	<b>107,917</b>	<b>17.5%</b>	<b>133,893</b>	<b>19.7%</b>	<b>24%</b>

Source: 2010 Decennial Census and American Community Survey 5-Year Estimates, 2014-2018, Table B03002

Figure 2: Latinx Population by Race

	2010	2018
<b>Latinx Population</b>	<b>107,917</b>	<b>133,893</b>
White alone	39.6%	40.9%
Black or African American alone	11.7%	12.9%
American Indian and Alaska Native alone	1.09%	0.6%
Asian alone	0.4%	0.4%
Native Hawaiian and Other Pacific Islander alone	0.08%	0.0%
Some other race alone	38.8%	31.4%
Two or more races:	8.7%	13.8%

Source: U.S. Census Bureau, 2010 Decennial Census (Table P5) and 2014-2018 American Community Survey 5-Year Estimates, Table B03002

Figure 3. Hispanic/Latinx Population by Ancestry, Boston, 2018

	Population	Percent of All Hispanic/Latinx
Puerto Rican	36,607	27%
Dominican (Dominican Republic)	36,430	27%
Salvadoran	14,018	10%

Colombian	9,640	7%
Mexican	7,587	6%
Guatemalan	5,655	4%
Honduran	4,158	3%
Cuban	2,649	2%
Peruvian	2,239	2%
All Other Hispanic or Latinx*	14,910	11%

Source: American Community Survey 5-year estimates, 2014-2018, Table B03001

\*Includes all ancestries reporting 1% or fewer proportion of all Latinx persons.

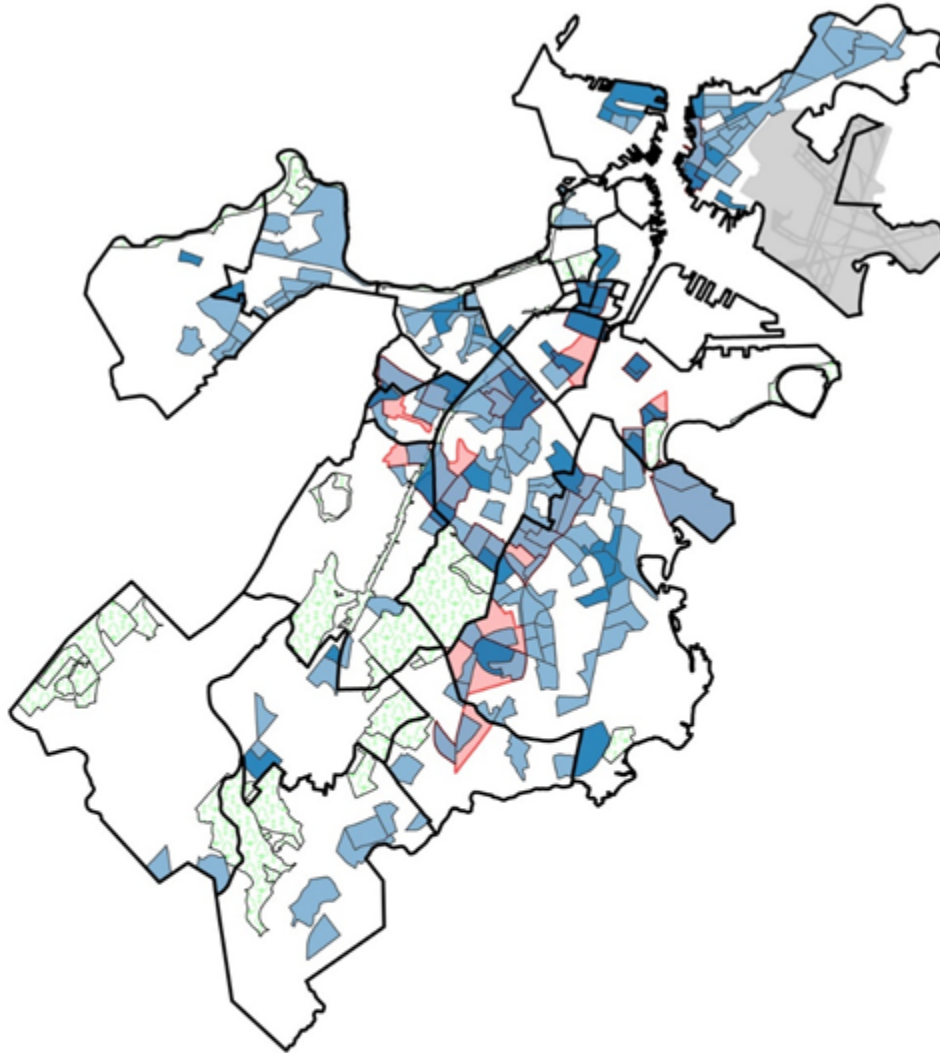
Figure 4: Households in R/ECAPs by Race and Ethnicity

Race/Ethnicity	Households in R/ECAPs		All Households	
	Households	Percent of Households in a R/ECAP	Households	Percent of Total
Total Households	29,515	12%	248,412	100%
White Households	4,933	4%	133,884	54%
Non-White Households	24,582	21%	114,528	46%
Black	11,616	23%	51,597	21%
Asian	3,523	17%	20,992	8%
Native American	131	30%	436	0.2%
Latinx	8,179	24%	34,619	14%
Other Race	1,107	17%	6,440	3%

Source: This data is provided in Comprehensive Housing Affordability Strategy based on the American Community Survey 2009 – 2013; as noted earlier, the author utilized GIS software to isolate the values of these variables within RECAPs and areas outside the RECAPs by a method known as “block pro-rating.”

## Map A. Environmental Justice Census Tracts

This map shows the location of tracts in Boston where either 2 of the 3, or all 3 criteria are associated with the local population. The City's environmental justice populations are primarily in Black, Latinx, and Asian neighborhoods. The patterns also show that the location of environmental justice populations can be inside or outside designated RECAPs.



Places Where Population Meet 2 or 3 of the 3 EJ Criteria  
by Tracts

- 138 Tracts with 2 of 3 EJ Criteria
- 49 Tracts with 3 of 3 EJ Criteria

Data for Map 4: Region of Birth by Foreign-Born Persons Living in Boston, 2018

Region of Birth	Number	Percent of Foreign Born Population
Latin America	93,686	48.3%
Asia	51,401	26.5%
Europe	23,664	12.2%
Africa	21,724	11.2%
Northern America	2,910	1.5%
Oceania	581	0.3%
<b>Total Foreign Born Persons</b>	<b>193,966</b>	<b>100%</b>

Source: American Community Survey 5-Year Estimates, 2014-2018, Table S0502

Figure 5. Top Ten Places of Birth for Boston's Foreign Born Population, 2018

Place of Birth	Number	Percent of Foreign Born Population
Dominican Republic	21,309	11.0%
China (excluding Hong Kong & Taiwan)	19,840	10.2%
Haiti	17,319	8.9%
El Salvador	10,099	5.2%
Vietnam	9,719	5.0%
Cabo Verde	9,370	4.8%
Jamaica	8,050	4.2%
Columbia	7,470	3.9%
India	5,169	2.7%
Brazil	3,959	2.0%
<b>Total Foreign Born Population</b>	<b>177,563</b>	<b>100%</b>

Source: American Community Survey 5-Year Estimates, 2014-2018, Table B05006

Figures 6A, 6B. Persons with Limited English Proficiency (LEP) by Language Spoken

Language Spoken at Home	# Persons Speaking Language	# Persons with LEP	% of persons with LEP
Spanish	108,761	49,812	46%
Chinese (incl. Mandarin, Cantonese)	27,839	15,719	56%
Haitian	26,768	16,619	62%
Portuguese	13,520	5,841	43%
Vietnamese	9,293	7,345	79%
French (incl. Cajun)	6,081	698	11%
Arabic	4,917	1,227	25%
Russian	4,824	2,694	56%
Italian	3,520	1,327	38%
Amharic; Somali; other Afro-Asiatic language	3,453	1,944	56%

Source: American Community Survey 1-year estimates, 2018, Table B16001

Note: Only the top ten languages spoken in Boston (by number of people over age 5 who speak that language) are listed here.

Figures 7, 8. Percent of Population with a Disability, by Type and Age

Disability type	Under age 5	%	Age 5-17	%	Age 18-64	%	Age 65+	%	Total	%
Total Pop	34,779	100%	74,836	100%	490,186	100%	73,723	100%	673,524	100%
Total with a disability*	357	1.0%	5,060	6.8%	46,073	9.4%	30,571	41.5%	82,061	12.2%
Hearing	301	0.9%	429	0.6%	6,982	1.4%	10,117	13.7%	17,829	2.6%
Vision	210	0.6%	704	0.9%	9,170	1.9%	7,601	10.3%	17,685	2.6%
Cognitive	-	-	3,727	5.0%	22,778	4.6%	10,069	13.7%	36,574	5.4%
Ambulatory	-	-	717	1.0%	21,295	4.3%	21,270	28.9%	43,282	6.4%
Self care	-	-	742	1.0%	7,663	1.6%	8,454	11.5%	16,859	2.5%
Independent living	-	-	-	-	15,742	3.2%	14,511	19.7%	30,253	4.5%

Source: American Community Survey 5-Year Estimates, 2014-2018, Table S1810

\*Unduplicated count

Figure 9. Percent of Population Disabled, by Race and Age

	Black	Asian	White Non-Latinx	Latinx
Total Population:	169,767	65,420	353,928	132,845
Under 18 years:				
With a disability	5.9%	3.2%	3.0%	5.5%
No disability	94.1%	96.8%	97.0%	94.5%
18 to 64 years:				
With a disability	15.3%	5.0%	6.6%	12.7%
No disability	84.7%	95.0%	93.4%	87.3%
65 years and over:				
With a disability	44.3%	45.1%	37.0%	51.0%
No disability	55.7%	54.9%	63.0%	49.0%

Source: American Community Survey 5-Year Estimates, 2014-2018, Table B18101

Figure 10: Family and Non-Family Households by Type

Household Type	Households	Percent of Household Type	Percent of Total Households
Total:	266,724	-	100%
<b>Family households:</b>	<b>128,604</b>	-	<b>48%</b>
Married-couple family	74,738	58%	28%
Other family:	53,866	-	20%
Male householder, no wife present	11,792	9%	4%
Female householder, no husband present	42,074	33%	16%
<b>Nonfamily households:</b>	<b>138,120</b>	-	<b>52%</b>
Householder living alone	96,779	70%	36%
Householder not living alone	41,341	30%	15%

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates, Table B11001

Figure 11. Non-Family Households by Age

	Owner	%	Renter	%	ALL	%
Nonfamily households:	38,385		101,803		140,188	
Householder living alone:	31,455	82%	67,938	67%	99,393	71%
Householder 15 to 34 years	3,577	9%	23,991	24%	27,568	20%
Householder 35 to 64 years	16,164	42%	25,893	25%	42,057	30%
Householder 65 years and over	11,714	31%	18,054	18%	29,768	21%
Householder not living alone:	6,930	18%	33,865	33%	40,795	29%
Householder 15 to 34 years	2,732	7%	28,195	28%	30,927	22%
Householder 35 to 64 years	3,308	9%	4,909	5%	8,217	6%
Householder 65 years and over	890	2%	761	1%	1651	1%

Figure 12. Family Households with Children under Age 18

Household Type	Households with Children under 18	Percent of Household Type with Children under 18	Percent of All Boston Households
<b>Family households:</b>	<b>59,301</b>	<b>100%</b>	<b>22%</b>
Married-couple family	29,577	50%	11%
Male householder, no wife present	4,778	8%	2%

Female householder, no husband present	24,946	42%	9%
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Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates, Table B11005

Figure 13: Proportion of Population by Race and Age: Boston

	White		Black		Latinx		Asian		Two or More Races		Other	
	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group
All Ages	302,352	45%	155,175	23%	133,499	20%	64,907	10%	15,051	2%	7,778	1%
Under 5 Years	11,556	33%	9,000	26%	9,803	28%	2,109	6%	1,837	5%	428	1%
5-17 Years	15,253	20%	25,211	34%	24,939	33%	5,796	8%	2,613	3%	1,114	1%
18-24 Years	47,851	47%	18,118	18%	19,846	19%	12,830	12%	3,149	3%	902	1%
25-64 Years	188,766	48%	83,878	21%	69,717	18%	36,726	9%	6,574	2%	4,493	1%
65+ Years	38,926	51%	18,968	25%	9,194	12%	7,446	10%	878	1%	841	1%

Source: American Community Survey 5-year estimates, 2014-2018, Tables S0101 and B01001

Figure 14: Proportion of Population by Race and Age: Massachusetts

	White		Black		Latinx		Asian		Two or More Races		Other	
	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group
All Ages	4,930,849	72%	466,835	7%	789,016	12%	440,321	6%	139,892	2%	63,298	1%
Under 5 Yrs	210,087	58%	30,984	9%	72,442	20%	24,418	7%	19,471	5%	4,600	1%
5-17 Yrs	643,920	63%	82,804	8%	173,610	17%	63,872	6%	42,350	4%	10,803	1%
18-24 Yrs	458,155	65%	55,844	8%	105,376	15%	54,623	8%	19,369	3%	6,808	1%
25-64 Yrs	2,681,323	73%	251,442	7%	391,955	11%	259,235	7%	52,410	1%	35,856	1%
65+ Yrs	937,364	87%	45,761	4%	45,633	4%	38,173	4%	6,292	1%	5,231	0.5%

Source: American Community Survey 5-year estimates, 2014-2018, Tables S0101 and B01001

Figure 15: Proportion of Population by Race and Age: US

	White		Black		Latinx		Asian		Two or More Races		Other	
	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group	Total	% of age group
All Ages	197,182,829	61%	39,706,625	12%	57,516,099	18%	17,804,760	6%	7,822,543	2%	2,870,175	1%
Under 5 Yrs	9,815,342	50%	2,627,345	13%	5,136,671	26%	920,122	5%	1,086,041	5%	218,609	1%
5-17 Yrs	27,622,163	51%	7,271,328	14%	13,211,098	25%	2,602,910	5%	2,428,622	5%	586,930	1%

18-24 Yrs	16,710,348	54%	4,464,032	14%	6,717,965	22%	1,729,756	6%	978,461	3%	315,142	1%
25-64 Yrs	104,960,056	62%	20,967,619	12%	28,498,342	17%	10,424,003	6%	2,907,242	2%	1,469,527	1%
65+ Yrs	38,074,920	77%	4,376,301	9%	3,952,023	8%	2,127,969	4%	422,177	1%	279,967	1%

Source: American Community Survey 5-year estimates, 2014-2018, Tables S0101 and B01001

Figure 16. Income Level by Tenure

	Total Households	Owner-Occupied	% income category	% all owners	Renter-Occupied	% income category	% all renters
Less than \$20,000	57,937	5,950	10%	6%	51,987	90%	30%
\$20,000-\$49,999	51,622	12,217	24%	13%	39,405	76%	23%
\$50,000-\$74,999	35,760	12,271	34%	13%	23,489	66%	14%
\$75,000-\$99,999	26,720	11,127	42%	12%	15,593	58%	9%
\$100,000 or more	94,685	52,235	55%	56%	42,450	45%	25%
<b>All Households</b>	<b>266,724</b>	<b>93,800</b>	<b>35%</b>	<b>100%</b>	<b>172,924</b>	<b>65%</b>	<b>100%</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table B25118

Figure 17. Median Income by Family Type and Household Size

Household size	Non-Family Households		Family Households	
	Households	Median income	Households	Median Income
1 person	97,505	\$37,143	N/A	N/A
2 persons	29,475	\$108,763	56,782	\$78,616
3 persons	8,170	\$107,692	32,203	\$75,616
4 persons	2,880	\$97,295	22,618	\$73,756
5 or more persons	1,122	\$126,191	15,971	\$68,374
Total	139,152	\$53,062	127,574	\$75,982

Source: 2013-2018 5-year ACS Estimates

Figure 18. Median Income by Number of Earners in Family Households

# of earners	# of Families	Median Income
0 earners	14,198	\$17,483
1 earner	41,701	\$41,870
2 earners	56,837	\$113,548
3 or more earners	15,868	\$119,899
Total	128,604	\$75,476

Source: American Community Survey 5-year estimates, 2014-2018, Tables B19121 and B19122



Figure 19: Income by Race and Ethnicity, as Percentage of Each Race/Ethnicity

Income Level	All Households		White		Black		Latinx		Asian	
	#	% of All HHs	#	% of White HHs	#	% of Black HHs	#	% of Latinx HHs	#	% of Asian HHs
All Incomes	266,724	100%	136,645	100%	59,344	100%	44,527	100%	23,971	100%
\$0 - \$24,999	68,699	26%	21,138	15%	20,438	34%	18,283	41%	9,296	39%
\$25,000 - \$49,999	40,860	15%	15,605	11%	12,600	21%	8,960	20%	3,351	14%
\$50,000 - \$74,999	35,760	13%	17,442	13%	9,180	15%	5,945	13%	2,793	12%
\$75,000 - \$99,999	26,720	10%	15,021	11%	5,528	9%	3,900	9%	1,847	8%
\$100,000 - \$124,999	23,933	9%	15,194	11%	4,033	7%	2,440	5%	1,810	8%
\$125,000 - \$149,999	17,540	7%	11,511	8%	2,638	4%	1,809	4%	1,280	5%
\$150,000 or more	53,212	20%	40,734	30%	4,927	8%	3,190	7%	3,594	15%

Source: American Community Survey 5-year estimates, 2014-2018, Table B19001

Figure 20. Income by Race and Ethnicity, as Percentage of All Households

Income Level	All Households	White	Black	Latinx	Asian
All Incomes:	266,724	51%	22%	17%	9%
\$0 - \$24,999	68,699	31%	30%	27%	14%
\$25,000 - \$49,999	40,860	38%	31%	22%	8%
\$50,000 - \$74,999	35,760	49%	26%	17%	8%
\$75,000 - \$99,999	26,720	56%	21%	15%	7%
\$100,000 - \$124,999	23,933	63%	17%	10%	8%
\$125,000 - \$149,999	17,540	66%	15%	10%	7%
\$150,000 - \$199,999	53,212	77%	9%	6%	7%

Source: American Community Survey 5-year estimates, 2014-2018, Table B19001

Figure 21. Per capita income in the past 12 months (in 2018 inflation-adjusted dollars)

Total Population	\$42,010
White	\$63,053
Asian	\$33,223
Black	\$24,225
Latinx	\$20,934

Source: ACS 5-Yr estimates, 2014-2018, Table B19301

Figure 22. Percent of Families Below Poverty Level, by Race

	Percent Below Poverty Level
Latinx	30%
Black	20%
Asian	18%
White, non-Hispanic	5%
<b>All Families</b>	<b>15%</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table

Figure 23. Percent of Households Receiving SNAP Benefits

	SNAP	%
Black	18,774	38%
Latinx	16,601	34%
White, non-Hispanic	9,588	20%
Asian	5,195	11%
<b>All Households</b>	<b>49,267</b>	<b>19%</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table S2201

Figure 24. Unemployment Rates for Persons in the Labor Force, by Race

	Unemployment Rate
<b>All Persons</b>	<b>7.2%</b>
Black	10.9%
Latinx	9.5%
Asian	7.3%
White	4.8%

Source: American Community Survey 5-year estimates, 2014-2018, Table S2301 (for persons 16-64 years)

Figure 25. Unemployment Rate by Race/Ethnicity and Gender

	Female	Male
Black	9%	13%
Latinx	10%	9%
Asian	8%	7%
White	4%	6%

Source: ACS 5-Yr Estimates, 2014-2018, Table C23002

Figure 26. Unemployment Rates for Persons with a Disability

	Labor Force Participation	Unemployment Rate
All Persons	69%	7%
Persons with a Disability	45%	19%

Source: American Community Survey 5-year estimates, 2014-2018, Table S2301 (for persons 16-64 years)

Figure 27. Veteran Characteristics

Labor Force Participation	78%
Unemployment Rate	6.8%
Percent Disabled	30.6%

Source: American Community Survey 5-year estimates, 2014-2018, Table S2101

Figure 29. Housing Cost Burden, by Tenure, 2018

	All Households	Cost Burdened >30% of income on housing		Severely Cost Burdened >50% of income on housing	
		Households	%	Households	%
Renter	172,924	84,230	49%	43,016	25%
Owner	93,800	26,845	29%	12,240	13%
All Households	266,724	111,075	42%	55,256	21%

Source: American Community Survey 5-year estimates, 2014-2018, Tables B25074 and B25095

Figure 30. Percent of Income Spent on Housing Costs, by Race/Ethnicity

Race of householder	Total Households	Paying 30% or more		Paying 50% or more	
		Households	%	Households	%
White	266,726	120,791	45%	63,960	24%
Black/African American	137,028	49,360	36%	23,936	17%
Latinx	54,393	29,344	54%	16,654	31%
Asian/Pacific Islander	44,664	26,001	58%	14,266	32%

Other	23,549	12,581	53%	7,043	30%
<b>Total Households</b>	<b>7,092</b>	<b>3,505</b>	<b>49%</b>	<b>2,061</b>	<b>29%</b>

Source: American Community Survey 5-year estimates, 2014-2018 PUMS, BPDA Research Division Analysis

Figure 31. Severe Rent Burden by Race/Ethnicity (non-student renter households)

	Total Renter Households	Severely Cost Burdened	
White	174,086	37,755	22%
Black/African American	77,123	11,239	15%
Latinx	37,526	11,262	30%
Asian	37,346	10,897	29%
<b>Total</b>	<b>16,968</b>	<b>3,074</b>	<b>18%</b>

Source: American Community Survey 5-year estimates, 2014-2018 PUMS, BPDA Research Division Analysis

Figure 32. Rent Burden by Income, Renter Households

Household Income	Paying 30-50% of Income on Rent	%	Paying Over 50% of Income on Rent	%
<\$50,000	23,422	26%	40,720	45%
\$50,000-\$75,000	10,993	47%	1,947	8%
\$75,000-\$100,000	4,099	26%	318	2%
>\$100,000	2,700	6%	31	0.1%
<b>All Households</b>	<b>41,214</b>	<b>24%</b>	<b>43,016</b>	<b>25%</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table B25074

Figure 33. Cost Burden by Income, Owner Households

Household Income	Paying 30-50% of Income on Housing	%	Paying Over 50% of Income on Housing	%	Total Owners
<\$50,000	3,453	19%	9,989	55%	18,167
\$50,000-\$75,000	4,141	34%	2,444	20%	12,271
\$75,000-\$100,000	3,232	29%	698	6%	11,127
> \$100,000	3,822	7%	625	1%	52,235
<b>All Households</b>	<b>14,648</b>	<b>16%</b>	<b>13,756</b>	<b>15%</b>	<b>93,800</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table B25095

Figure 34. Severe Cost Burden by Household Type

Household Type	Households	Households with Severe Cost Burden	Percent with Severe Cost Burden
Married couple family	77,638	4,654	6%
Single female householder family	40,044	7,968	20%
Single male householder family	10,622	1,729	16%
One person household	98,116	14,061	14%
Non-family roommates	48,241	3,251	7%

Source: American Community Survey 5-year estimates, 2014-2018 PUMS, BPDA Research Division Analysis

Figure 35. Severe Cost Burden by Household Size

By Size	Households	Households with Severe Cost Burden	Percent with Severe Cost Burden
1-person household	98,116	14,061	14%
2-person household	91,583	8,592	9%
3-person household	40,118	3,681	9%
4-person household	26,367	3,498	13%
5+ person household	18,477	1,831	10%

Source: American Community Survey 5-year estimates, 2014-2018 PUMS, BPDA Research Division Analysis

Figure 36: Number of Units in Structure, Boston vs Region

	Boston		Boston-Cambridge-Newton, MA-NH CBSA		Boston as % of Metro Region
	Units	%	Units	%	
1-unit (attached and detached)	51,365	19%	994,613	55%	5%
2 units	35,909	13%	183,311	10%	20%
3-4 units	63,609	24%	188,595	10%	34%
5-19 units	51,189	19%	193,967	11%	26%
20-49 units	23,843	9%	98,512	5%	24%
50+ units	40,348	15%	139,374	8%	29%
<b>Multi-Unit (2+ units)</b>	<b>266,263</b>	<b>81%</b>	<b>803,759</b>	<b>44%</b>	<b>33%</b>
Mobile Home	461	0%	20,741	1%	2%
<b>Total Units</b>	<b>266,724</b>	<b>100%</b>	<b>1,819,113</b>	<b>100%</b>	<b>15%</b>

Source: American Community Survey 5-year estimates, 2014-2018, Table B25032

Figure 37 & 38: Total Households by Race and Tenure

	All Households	White	Black	Latinx	Asian
All Households	266,724	136,645	59,344	44,527	23,971
Owner occupied	93,800	60,803	17,640	7,197	6,854
Renter occupied	172,924	75,842	41,704	37,330	17,117

Source: American Community Survey 5-year estimates, 2014-2018, Table B25003

Figure 39. Percent Change in Households by Race between 2005-2018

	White	Black	Latinx	Asian
Change in Total Households	4%	16%	73%	26%
Change in Ownership Households	4%	17%	74%	87%

Source: American Community Survey 5-year estimates, 2011-2005 and 2014-2018, Table B25003

Figure 41: Percent of Households That are Overcrowded, by Race

	Black		Asian		White		Latinx	
	Households	%	Households	%	Households	%	Households	%
Total Households	59,344		23,971		136,645		44,527	
Not Crowded (1 or fewer occupants per room)	56,784	96%	22,766	95%	134,490	98%	41,638	94%
Crowded (More than 1 occupant per room)	2,560	4%	1,205	5%	2,155	2%	2,889	6%

Source: American Community Survey 5-year estimates, 2014-2018, Table B25014

Figure 42. Occupants per Room by Nativity, 2018

	Native-born		Foreign-born	
	Households	%	Households	%
Total Households	180,220	68%	86,504	32%
Not Crowded (1 or fewer occupants per room)	177,286	98%	80,622	93%
Crowded (More than 1 occupant per room)	2,934	2%	5,882	7%

Source: American Community Survey 5-year estimates, 2014-2018, Table S0502 and B25014

Figure 43. Percent of Households with 3+ Bedrooms

Figure 44. Percent of Households by Number of Bedrooms

Number of Bedrooms	Total Households	% of Total Households	Owner-Occupied	% of Bedroom Type	Renter-Occupied	% of Bedroom Type
All Households	266,724	100%	93,800	-	172,924	-
0 BR	18,515	7%	2,003	2%	16,512	10%
1 BR	64,866	24%	11,274	12%	53,592	31%
2 BR	91,714	34%	31,950	34%	59,764	35%
3 BR	62,443	23%	30,173	32%	32,270	19%
4 BR	21,358	8%	12,582	13%	8,776	5%
5+ BR	7,828	3%	5,818	6%	2,010	1%
Large Unit Subtotal (3+BRs)	91,629	34%	48,573	52%	43,056	25%

Source: American Community Survey 5-year estimates, 2014-2018, Table B25042

Figure 45. Units by Income Restriction

Income-Level (% of AMI)	Units	% Total
<30%	15,476	28%
31-50%	21,154	39%
51-60%	11,650	21%
61-80%	5,004	9%
81-120%	1,508	2.7%
>120%	143	0.3%
Unknown	187	0.3%
<b>TOTAL*</b>	<b>55,122</b>	<b>100%</b>

SOURCE: MOH Income-Restricted Housing Database

\*Percentages add up to slightly over 100% due to rounding

Figure 46. Publicly-Supported HUD Housing by Households, Number of Bedrooms

Housing Type	Households in 0-1 Bedroom Units		Households in 2 Bedroom Units		Households in 3+ Bedroom Units		Households with Children	
	#	%	#	%	#	%	#	%
Public Housing	4,968	50%	2,750	28%	2,176	22%	3,115	31%
Project-Based Section 8	9,588	50%	5,507	29%	3,518	19%	5,206	27%
Other Multifamily	1,427	96%	8	0.5%	0	0%	3	0.2%
HCV Program	3,919	25%	4,476	29%	6,938	45%	7,015	45%

Source: Source: HUD AFFHT0004 version , Table 11: Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children"

Figure 47. Publicly Supported HUD Housing by Type and Race

Housing Type	White		Black		Latinx		Asian	
	#	%	#	%	#	%	#	%
Public Housing	1,744	18%	3,620	37%	3,633	37%	801	8%
Project-Based Section 8	4,098	22%	5,515	30%	5,822	32%	3,013	16%
Other Multifamily	619	44%	406	29%	273	20%	91	7%
HCV Program	2,432	16%	7,649	50%	4,360	29%	759	5%

Source: HUD AFFHT0004 version, Table 6: Publicly Supported Households by Race and Ethnicity



## **Section IV: Goals and Actions for Affirmatively Furthering Fair Housing in Boston, Massachusetts**

This section outlines goals and actions that the City of Boston will take in an effort to respond to public testimony, community input, and the analysis of fair housing issues and barriers, and that were developed over a multi-year period in consultation with housing and fair housing advocates. Previous city-issued reports were reviewed for information that could inform the development of goals in this section; in fact, some of the goals are reiterated in documents such as the *Analysis of Impediments 2010*; *Imagine Boston 2030*; *Housing Boston 2030*, the *Housing Boston 2030 Update*; *GO Boston 2030*; BHA Annual Reports; and *The Blueprint: A Preview of the Principles and Framework for Boston's Resiliency Strategy* (2016). As this document also serves as the HUD required Analysis of Impediments, there is overlap with the goals adopted by Boston and reported in the City's HUD *Consolidated Plan: July 1, 2018 to June 30, 2023*.<sup>145</sup> Boston's *Consolidated Plan* describes with detail, challenges and responses, and timelines, goals that are relevant to enhancing fair housing in Boston. As described in this report, Boston, like other American cities, has a history of discrimination, policies, and economic outcomes that has resulted in a City where neighborhoods are segregated by race and ethnicity, income, and opportunity. There are many barriers to overcome to create an equitable city. As a result, efforts must be made to affirmatively further fair housing. The goals and actions outlined here are meant to address barriers experienced by protected classes such as community opposition to multi-family and affordable housing or greater racial/ethnic diversity; displacement of residents due to rising housing costs and real estate speculation; lack of access to higher opportunity areas; the need for additional investment in lower opportunity neighborhoods to increase opportunity and improve economic and health outcomes; lack of, or inadequate regional cooperation to overcome both housing discrimination and landuse policies that effectively keep out development; land use and zoning laws; continued discrimination, whether intended or not, both in the private housing market (based on factors such as race, source of income/housing assistance, and familial status) and by lending institutions; the siting and location and type of income restricted housing; and the need for vigorous enforcement for fair housing violations resulting in significant financial penalties.

The actions outlined in this report are aimed at eliminating or reducing the impacts and barriers which impede the furthering of fair housing in Boston. The actions are organized under larger goals:

1. Increase Housing Availability and Accessibility for Older Adults and People with Disabilities
2. Reduce and Prevent Homelessness
3. Build and Strengthen Regional Strategies to Create Housing and Further Fair Housing
4. Expand Housing Choice for Voucher Holders
5. Redevelop and Preserve Existing Public and Income Restricted Housing
6. Enhance Fair Housing by Creating Economic Opportunity
7. Use Zoning as a Fair Housing Tool

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<sup>145</sup> See Appendix E for a list of the 23 goals adopted and reported in the City's Consolidated Plan.

8. Reduce the Disparity in Homeownership Rates by Race and Ethnicity
9. Develop Practices across Agencies that Instill the Use of an Equity Lens
10. Promote Equitable Access to Housing and Reduce and Eliminate Discrimination, Both Intentional and Non-intentional
11. Ensure the Equitable Distribution of City Resources Based on Need by Providing Supports for Rent-Burdened Residents and Residents Facing Potential or Actual Displacement
12. Increase Resources for Housing and Homelessness
13. Create Healthy Homes and Promote Collaboration between Efforts to Address Housing, Health, and Safety
14. Address Discrimination Against LGBTQIA People and Create LGBTQIA Inclusive Housing Opportunities

Each action describes the agency or organizations which can take the lead in the planning and implementation of the action; other agencies not listed here may be identified by a lead agency to assist. As suggested earlier some of the actions listed here already are being pursued by city agencies, and agencies also may have programs that support fair housing goals, but are not listed in this report. Nevertheless, the actions presented here were identified during the AFFH process as key in the City's affirmatively furthering fair housing efforts.

Actions are proposed for each goal. While some actions reflect efforts that are already underway, some actions goals and actions will be adopted and implemented in conjunction or soon after release of this report. Others may take longer, but not more than 3 to 5 years. After this Report is adopted, the City will monitor which actions have been implemented, and annual reviews will outline obstacles to implementation.

## **Goal 1. Increase Housing Availability and Accessibility for Older Adults and People with Disabilities**

This goal addresses the needs of two portions of Boston’s population: those with disabilities, and the city’s older adults. While many of Boston’s older adults are active and do not have a disability, they do make up 36 percent of Bostonians with a disability. In addition, both populations, on average, have lower incomes than Bostonians as a whole, and face similar needs for physically accessible housing. The 2014 *Housing a Changing City: Boston 2030* (“HB2030”) plan highlighted the need to better serve both of these populations. As a result, the HB2030 plan, as updated in 2018, called for the creation of 2,000 new, income restricted housing units for low-income, older adults. In addition, the 2014 HB2030 plan called for cooperation with the Commission for Persons with Disabilities to better understand the needs and barriers to housing for persons with disabilities. As a result, the Disability Housing Task Force was created, which released a report in 2017.<sup>146</sup> The actions outlined here are based on the commitments from both the HB2030 plan, the Disability Housing Task Force report, and from the community engagement process.

### **Actions**

#### **1.1 Monitor and adjust the set asides for income restricted units adapted for mobility and sensory disabilities.**

As a result of the Disability Housing Task Force efforts, the Mayor’s Office of Housing has updated its accessible units set aside policy for City funded income restricted housing projects. The number of income restricted units designed and marketed to disabled households was increased from five to ten percent in newly-constructed elevator buildings. Eight percent of those units will be affordable/accessible households for persons with physical disabilities, while two percent of the units will be designated for persons with sensory disabilities. In addition, the BPDA had created a policy whereby in market rate buildings that are required to create accessible units under the state building code (rental buildings with twenty or more units), fifteen percent of the Inclusionary Development Policy units in those buildings should be accessible.

The City has increased the set aside requirements, and these agencies, along with the Commission for Persons with Disabilities, should continue to track and report annually on the number of units created for and occupied by persons with mobility impairments, hearing impairments, and visual impairments through these programs and policies, and continue to assess the need and update the set asides as necessary.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA

#### **1.2 Work with the Office of Housing Stability to prioritize non-elderly people with disabilities who are at high risk of losing their housing and becoming homeless.**

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<sup>146</sup> City of Boston, Disability Housing Task Force (2017). “Disability Housing Task Force Report.” Report can be accessed at [https://www.boston.gov/sites/default/files/embed/d/dhtf\\_2017\\_final\\_170719\\_904.pdf](https://www.boston.gov/sites/default/files/embed/d/dhtf_2017_final_170719_904.pdf).

The City's Office of Housing Stability was established to assist residents who are not stable in their housing with services including housing search and case management. Case management can assist with eviction prevention, landlord-tenant disputes, rent escalations, unplanned loss of housing, or any other rental housing emergency, including those that involve identifying needed reasonable accommodations. OHS will also begin to inventory those agencies in Boston who work with the disabled community, in order to improve its capacity to refer persons with disabilities to the most appropriate resources. In addition, OHS will more intentionally link people with disabilities to the City of Boston Mayor's Office of Workforce Development for information on financial empowerment, economic stability, and tax preparation.

LEAD AGENCY OR ORGANIZATION: MOH, through the Office of Housing Stability.

**1.3 Provide support and resources for people with disabilities who have been chronically homeless and are seeking permanent housing.**

"Boston's Way Home", the City's plan to end chronic and veteran homelessness, outlines goals and strategies to end chronic homelessness. People who are defined as having experienced chronic homelessness have been unhoused for more than one year, and have a disability that makes it challenging for them to become stabilized in housing. Through this initiative, the City has been able to identify all persons in Boston who meet this criteria, including veterans and those who have a history of incarceration.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPHC, and external partners

**1.4 Ensure that the City and other providers reasonably accommodate the disabilities of disabled Bostonians even in shelter or other temporary settings, e.g., ensure placements that allow for ongoing medical treatment and support.**

The City will continue to engage with the state, who manages the Emergency Assistance/family shelter resources, and with homelessness service providers to assure that those with disabilities experiencing homelessness have their accommodation needs met.

LEAD AGENCY OR ORGANIZATIONS: MOH and BPHC

**1.5 Provide ongoing training to those who interact with disabled Bostonians in connection with their housing, such as landlords, housing agency personnel, real estate brokers, property managers or other property management agents, on Fair Housing law as it relates to disabilities.**

Fair Housing law is critical to protecting the abilities of persons with disabilities to access stable, affordable housing. In turn, those who interact with disabled Bostonians in connection with their housing deserve a clear understanding of this law, including definitions of disabilities, what reasonable accommodations or modifications are required, and how to manage associated costs.

LEAD AGENCY OR ORGANIZATIONS: OFHE

**1.6 Explore access to behavioral health treatment for older adults and others with disabilities to maximize the possibility of retaining affordable housing.**

Access to affordable, accessible, and safe housing for low income people is often the most important social determinant of health. For low income older adults as well as disabled adults, this is even more true. In eviction defense work on behalf of older adults, there are often undiagnosed, unacknowledged, and/or untreated mental health issues that are at the root of the legal problem. While older adults are the fastest growing segment of our population, they are the least likely to receive behavioral health treatment. Older adults face barriers to treatment such as lack of transportation, cost of co-pays, co-occurring cognitive issues, high rates of stigma, and ageism among providers. In addition, untreated behavioral health conditions in older adults are associated with higher use and hospitalization; development of preventable health problems (e.g., poor self-care leading to unmonitored diabetes or blood pressure); suicide; social isolation, and increased vulnerability to being victimized, whether due to an increased dependence on others who take advantage (and often have mental health issues as well) or self-neglecting behaviors which often jeopardize an older adult's health status, housing, and income stability. The key to addressing the problem is the provision of geriatric mental health services that meet people where they live. These services need to be provided in the most comfortable and accessible settings, including in older adults' homes. Disabled adults who may not yet be older may also need such services. Wraparound services, such as intensive case management and support to maintain tenancy, should be provided to those who need it. Services must be culturally competent and linguistically appropriate as well. There are a few successful models in other communities including Mystic Valley Elder Services in Malden, Massachusetts that already deliver accessible mental health services which generate both cost savings for communities and health care providers as well as provide a higher quality of life for older adults who access the services.

The MOH Office of Housing Stability will work with ETHOS, representatives of the Community Support Program, legal services, and other organizations that provide assistance to older adults and those with disabilities to develop a mechanism by which older adults and others with disabilities whose tenancies are threatened as a result of their disabilities can be referred as quickly as possible to wrap-around supports to maximize their ability to stay in their homes, drawing on resources like Community Support Program workers.

LEAD AGENCY OR ORGANIZATIONS: MOH Office of Housing Stability, with ETHOS and others

**1.7 Continue to prioritize City funding for projects that serve those with disabilities.**

The City of Boston holds competitive funding rounds several times a year, making both Federal and local funding available. Through the Request for Proposal process, the City formally outlines criteria for consideration; applicants developing housing that serves the disabled community beyond the minimum required will be encouraged to apply and will receive priority.

LEAD AGENCY OR ORGANIZATIONS: MOH

### **1.8 Encourage nonprofit developer partners to apply for Section 811 Supportive Housing for Persons with Disabilities from the Commonwealth of Massachusetts.**

The Section 811 Supportive Housing for Persons with Disabilities program offers rental subsidies to nonprofit developers of affordable rental housing that include supportive services for adults with disabilities. These rental subsidies, disbursed to the State from HUD, can be used in new or existing multifamily housing complexes funded through different sources, such as Federal Low-Income Housing Tax Credits, Federal HOME funds, and other State, Federal, and local programs. Historically, Boston has not utilized this targeted resource. In order to increase its utilization, the City of Boston is working with the State to educate the development community on how the program works, encourage partnership and collaboration for key projects, and prioritize City funding for projects utilizing the 811 program.

LEAD AGENCY OR ORGANIZATIONS: MOH

### **1.9 Continue to require the completion of an Accessibility Checklist for use in the Article 80 development review process**

The BPDA requires the completion of an Accessibility Checklist for use in the Boston Zoning Article 80 development approval process to ensure that new developments in Boston, whether rental or homeownership, are planning for accessibility and inclusion. The Boston Zoning Article 80 Large Project Review process will require that development teams complete an Accessibility Checklist. This document will also be required as part of Institutional Master Plan Review. The Accessibility Checklist requires that developers and institutions provide specific detail about their plans for accessibility and inclusion, including descriptions, diagrams, and data. This checklist was recently updated in November 2019. This checklist will be used as a tool to encourage developers to begin thinking about access and inclusion at the beginning of development projects, and to strive to exceed minimum compliance requirements.

LEAD AGENCY OR ORGANIZATIONS: Disabilities Commission, BPDA

### **1.10 Explore the use of universal design in housing developments funded by the City of Boston, and otherwise encourage age- and disability-friendly development and alternative housing options which serve to connect seniors and those with disabilities with their communities.**

Universal design principles include, but are not limited to, building flexibility into a space to accommodate a wide range of abilities; ensuring that low physical effort is required to use the space; and minimizing potential hazards and possibility of accidents in the space. Universal design often meets the needs of persons with disabilities, and creates living and common spaces within buildings that are accessible to persons of any age or ability. This accessibility encourages diversity and multi-generational living. Given that people are living longer with a wide array of disabilities and chronic health conditions than ever before, the adoption of universal design principles in City-funded and other projects can not only allow for greater flexibility of use over time, but also can be more cost-efficient than retrofitting units for specific

disabilities. The City will explore these design principles and make recommendations on how to incorporate them into City-funded and other developments where appropriate, as well as otherwise encouraging housing options that serve to connect seniors and those with disabilities with their communities.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA, Disabilities Commission

### **1.11 Establish a centralized database of income restricted units with accessibility features.**

The creation of a centralized database of units accessible for those with mobility, vision, and hearing disabilities will make it possible for persons with such disabilities to find such units. CHAPA, a non-profit organization, has, for a number of years, maintained the [MassAccess website](#), which helps connect owners wishing to make sure that their accessible units are occupied by persons who need these units. Having a database, however, will greatly improve efforts to make sure that units with accessibility features are more likely to be occupied by someone who needs it. Difficulties to implementation include the lack of data on older income restricted units, and clarity about whether a specific unit is built to current accessibility standards. Such a database could be integrated into MetroList and/or be a part of the MassAccess database.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA, ISD, CHAPA (Citizens' Housing & Planning Association). The MOH will oversee the overall effort, though data would be generated by MOH, the BPDA, and ISD. MOH and BPDA would help to gather information on income restricted accessible units, while ISD will begin to collect data on the number of accessible units contained in all multi-family properties through its Rental Registry.

### **1.12 Review and modify income and asset requirements for income restricted units for prospective renters and buyers who have a disability.**

Persons with disabilities may have unique sources of financial support, such as a disability trust, that would disqualify them from renting or purchasing an income restricted unit. The MOH and the BPDA, in cooperation with the Disabilities Commission, has been reviewing their income and asset requirements to assure that persons with disabilities are not unfairly penalized as part of the eligibility certification process.

LEAD AGENCY OR ORGANIZATIONS: MOH and BPDA, in cooperation with the Disabilities Commission

### **1.13 Promote access to homeownership opportunities for persons with disabilities**

Many persons with disabilities have extremely low incomes, supported only by SSI and other forms of disability payments. Consequently, they (and many older adults) do not have sufficient income to qualify for a mortgage even with down payment and closing cost assistance. Many middle-income households with a disability (or disabilities) face barriers in the homeownership market due to the limited number of accessible units without stairs at the entry or between

floors, lack of accessible doorways and bathrooms in older housing units, etc. Further, as described in an earlier section there are reported instances of blatant discrimination against persons with disabilities by realtors and rental agents.

The Boston Home Center empowers low- and moderate-income homebuyers to navigate the home buying process, and to access sound, affordable, and sustainable mortgage products. The Home Center will promote Fannie Mae mortgage products and the Homeownership Voucher Program to better align its down payment assistance program with the needs of Boston's disabled families. In addition, the MOH should explore ways that persons with disabilities can benefit from cooperative housing or land trusts.

LEAD AGENCY OR ORGANIZATIONS: MOH

#### **1.14 Create resources that are translated in different languages and that meet the needs of people with disabilities.**

Persons with disabilities may have unique needs as it relates to the communication about affordable and accessible housing opportunities, and may be further complicated by the need for interpretation into other languages. Just as it is part of the mission of the Disability Housing Task Force is to assure that information about housing for people for disabilities is more broadly available and sensitive to the needs of those with a range of disabilities, it should also be available in languages other than English.

LEAD AGENCY OR ORGANIZATIONS: MOH and the Disabilities Commission.

#### **1.15 Periodically review state efforts and guidelines (e.g., the "Olmstead Plan") that encourage and promote community based housing for persons with disabilities.**

The City of Boston should periodically review Boston initiatives to ensure compliance with the *2018 Massachusetts Olmstead Plan*, which outlines the state's, "commitment to promote opportunities for persons with disabilities to live, work, and be served in community-based settings."<sup>147</sup> The 2018 plan called for, "An expansive view of the various interrelated obstacles that may limit the ability of individuals with disabilities to remain within the community, such as needs for services, housing, employment, and transportation."<sup>148</sup> There were four major goals: "Expanding Access to Affordable, Accessible Housing with Supports; Enhancing Community-Based Long-Term Services and Supports; Promoting Community-Integrated Employment of People with Disabilities; and Investing in Accessible Transportation for Individuals with Disabilities."<sup>149</sup>

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA, and the Disabilities Commission.

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<sup>147</sup> Commonwealth of Massachusetts (2018). *2018 Massachusetts Olmstead Plan*. Pg 2. Accessed June 1, 2020 at <https://www.mass.gov/files/documents/2018/09/20/olmstead-final-plan-2018.pdf>

<sup>148</sup> Ibid, pg. 3.

<sup>149</sup> Ibid, pages 4 to 5.



### **1.16 Encourage age-friendly development and alternative housing options which serve to connect seniors and those with disabilities with their communities.**

In addition to efforts to implement universal design principles, the City of Boston's *Age-Friendly Boston Action Plan 2017* identified a number of goals that would help older adults stay more connected with others. These goals would also assist those with disabilities. Actions included encouraging the development of common areas and shared spaces in senior housing projects to reduce social isolation; assuring that new buildings are fully "visitable" by those with disabilities or mobility impairments, and that programs are promoted to encourage stability and connection for Boston's older adults.<sup>150</sup> One such program is an effort by the Housing Innovation Lab to create an intergenerational homeshare program with Nesterly. Through this program, graduate students in need of affordable housing are paired with older adults. Graduate students and older adults both gain economic security and companionship.<sup>151</sup>

LEAD AGENCY OR ORGANIZATIONS: The MOH should require developers who are seeking funding from the City for senior housing to either have services embedded in the housing or to have a plan for connecting people to services. The MOH, the HOUSING ILAB, and the AGE STRONG COMMISSION should work together on other programs, including the expansion of Nesterly and measures to promote age-friendly development in Boston more generally.

### **1.17 Encourage the use of Additional Dwelling Unit zoning as a tool to allow older homeowners and those with disabilities to remain in place, and in their communities.**

The City of Boston, led by the Housing Innovation Lab, has launched the Additional Dwelling Unit program, to encourage owner occupant homeowners to carve out an additional unit from a portion of their home. While this program is available to homeowners of any age, this program can provide both older adults and those with disabilities a means by which they can both increase their economic security, but also potentially provide housing for a caretaker or a family member. Funds to create the unit of up to \$30,000 in a zero percent deferred loan is available for eligible households.<sup>152</sup>

LEAD AGENCY OR ORGANIZATIONS: MOH, through both the Housing ILAB and the Boston Home Center, in cooperation with the Inspectional Services Department.

### **1.18 Assess the feasibility of an accessibility loan program for owners of 1- to 4-family residential properties through the Boston Home Center's home repair loan programs.**

An accessibility loan program would help owner-occupants of 1- to 4-family properties that fall outside the financial limits of qualifying for the state's HOME Modification Loan Program, and would fill a gap in funding assistance to small property owners by allowing them to retrofit and

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<sup>150</sup> City of Boston Age Strong Commission (2017). *Age-Friendly Boston Action Plan 2017*, pg 27. Accessed June 2, 2020 at [https://www.boston.gov/sites/default/files/embed/f/full\\_report\\_0.pdf](https://www.boston.gov/sites/default/files/embed/f/full_report_0.pdf).

<sup>151</sup> See program details at <https://www.boston.gov/departments/new-urban-mechanics/housing-innovation-lab/intergenerational-homeshare-pilot>

<sup>152</sup> For program information, see <https://www.boston.gov/departments/neighborhood-development/addition-dwelling-units>

modify units for the use of persons with disabilities. This program would work with owner-occupant landlords to fund modifications to their primary or rental units, or both, to encourage and enable landlords to rent to people with disabilities, and to expand the inventory of accessible rental units to persons needing physical modifications in order to occupy those units.

LEAD AGENCY OR ORGANIZATION: MOH, through its Boston Home Center.

**1.19 Assist older adults with tax arrears and refrain from tax foreclosures so that older adults can remain in their homes.**

Monitor and enforce, and publicize, the December 2018 City Council measure to assist older persons not meeting property taxes by extending payment terms from one year to five years; forgive up to 50% interest charges. Develop a strategy to consider extending this arrangement for other homeowners, as well, as committed to by the City. The Collector-Treasurer is refraining from tax foreclosures on owner-occupants and forwarding these homeowners to the Boston Home Center (BHC). The BHC works with these homeowners to find a long term solution to the tax arrears.

LEAD AGENCY OR ORGANIZATIONS: Collector-Treasurer, Boston Home Center, Age Strong Commission

## Goal 2. Reduce And Prevent Homelessness

Homelessness exposes our society's inequities. While nine percent of the Massachusetts population is Black or African American, 35 percent of those counted in the 2019 annual point in time homelessness count were Black or African American.<sup>153</sup> Hispanics and Latinos are 12 percent of the state's population, but 40 percent of those experiencing homelessness. Those with disabilities are also highly impacted by homelessness, as 18 percent of those experiencing homelessness have a severe mental illness.<sup>154</sup> Homelessness in Boston remained relatively stable, with a 0.9 percent increase from the 2018 to the 2019 point in time count, from 6,146 to 6,203 persons.<sup>155</sup>

[Boston's Way Home](#) is the City of Boston's plan to end veteran and chronic homelessness, and the goals here draw on and complement the goals in that effort.

### Actions

#### 2.1 Continue and further expand collaborative initiatives to end homelessness

Homelessness represents a major challenge in Boston, affecting children, families, veterans, older adults and people with disabilities. There are a host of programs, agencies, and initiatives responding to this daunting challenge, from Metro Housing|Boston, which serves more than 20,000 households annually, to the City's Continuum of Care, to the Healthy Start in Housing collaboration between the Boston Public Health Commission and the Boston Housing Authority that provides case management to families at risk of homelessness. The collaborative nature of these programs and initiatives should be strengthened and expanded by coupling them with services, legal representation, and mediation. Individual public schools should also be invited to join these kinds of collaborative strategies to end homelessness.

As noted earlier, there are thousands of BPS students who experience homelessness at some point. BPS should aggressively work with nonprofits like Grove Hall's Higher Ground, HomeStart, Project Hope, and other organizations to provide services to these students, but also to work to prevent homelessness among BPS students. Project HOPE's Kristin Hass highlights, "[The Family-Led Stability Pilot (FLSP) is a citywide initiative that aims to help homeless BPS students and their families obtain stable affordable housing]"; the BHA is assisting with this pilot program. The Boston Foundation's Health Starts at Home Initiative is funding housing and health-care organizations to work collaboratively across these two sectors. There should be a periodic review of strategies utilized to end homelessness and how organizations are working together on this issue. The BPS should expand services and case management references to unaccompanied youth, review action plans yearly, and create opportunities for

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<sup>153</sup> U.S. Census Bureau, 2019 American Community Survey, 1 year estimates. Accessed June 2, 2020 at <https://www.census.gov/quickfacts/MA>

<sup>154</sup> U.S. Department of Housing and Urban Development (2019) HUD Continuum of Care (CoC) Homeless Assistance Programs Homeless Populations and Subpopulations Report: Massachusetts. [https://files.hudexchange.info/reports/published/CoC\\_PopSub\\_State\\_MA\\_2019.pdf](https://files.hudexchange.info/reports/published/CoC_PopSub_State_MA_2019.pdf)

<sup>155</sup> City of Boston Mayor's Office of Housing (2019). *39th Annual Homeless Census*, pg 2. Accessed June 2, 2020 at [https://www.boston.gov/sites/default/files/document-file-05-2019/2019\\_homeless\\_census\\_5-15-19\\_190515.pdf](https://www.boston.gov/sites/default/files/document-file-05-2019/2019_homeless_census_5-15-19_190515.pdf).

youth and families experiencing homelessness to provide input regarding effective or best practices in reducing homelessness.

LEAD AGENCY OR ORGANIZATIONS: Health and Human Services; Boston Continuum of Care; BPS; BPHC; BCYF; nonprofits such as HomeStart, Project Hope, and others.

## **2.2 Compile and publish expanded data on homelessness that shows the intersections between homelessness and race, ethnicity, age, familial status, sexuality, gender identity, disabilities, and other protected class statuses.**

The federally mandated Homeless Management Information System (HMIS) provides a great deal of demographic data about individuals and families who access homelessness services. This data is limited, however, by eligibility guidelines and what constitutes “homeless.” A 2018 HUD report, *Using HUD and Other Data Resources to Help End Homelessness*, states:

Many communities are using their local school data which broadens the population to include children in school who are doubled up (“Doubling up” can mean many things and sometimes refers to multigenerational households or to people who share housing on a long-term basis in order to save on housing costs). More partnerships are forming to show the intersection of health care and homelessness. Communities across the country continue to see that permanent supportive housing more effectively meets the needs of persons living on the street – especially those who are chronically homeless – and costs less. Similarly, communities are sharing homelessness and criminal justice data to better target people exiting the corrections system before they become homeless.<sup>156</sup>

This kind of comprehensive approach has already been endorsed by Boston; the next step is to push the envelope further and ensure that agencies involved with collecting data directly or indirectly relevant to homelessness are sharing and evaluating data. The United States Interagency Council on Homelessness (USICH) has issued a series of briefs about best practices related to youth homelessness (and other groups). Reports such as *Criteria and Benchmarks for Achieving the Goal of Ending Youth Homelessness* (Version 2, February 2018)<sup>157</sup> and successive reports should be reviewed periodically to make sure Boston is pursuing best practices and new innovations in preventing homelessness.

Information about demographics, particularly by protected groups, should be collected systematically and reported frequently, and should include circumstances and residential patterns before homelessness occurs. For example, is there an association between evictions

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<sup>156</sup> U.S. Department of Housing and Urban Development (2018) “*Using HUD and Other Data Resources to Help End Homelessness*,” HUD EXCHANGE (October 4). Accessed June 2, 2020 at <https://www.hudexchange.info/news/using-hud-and>

<sup>157</sup> U.S. Interagency Commission on Homelessness (2018). *Criteria and Benchmarks for Achieving the Goal of Ending Youth Homelessness*. Version 2, February. Accessed June 2, 2020 at [https://www.usich.gov/resources/uploads/asset\\_library/Youth\\_Homelessness\\_Coordinated\\_Response.pdf](https://www.usich.gov/resources/uploads/asset_library/Youth_Homelessness_Coordinated_Response.pdf) [-other-data-resources-to-help-end-homelessness/](https://www.usich.gov/resources/uploads/asset_library/Youth_Homelessness_Coordinated_Response.pdf).

and homelessness? Or, how might homelessness be triggered with rising housing costs, and in what areas of the City?

LEAD AGENCY OR ORGANIZATIONS: MOH, Boston Public Health Commission, Boston Police Department, Boston Public Schools, and the Boston Medical Center.

### **2.3 Review the Coordinated Access Platform.**

The Coordinated Access Platform helps to assure that those who have experienced homeless are linked with available permanent supportive housing options. Part of the City's *Action Plan to End Chronic Homelessness Among Individuals in Boston*, it should be reviewed periodically to ensure the matching of housing needs to individuals and families in, or in danger of homelessness, remains effective.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPHC

### **2.4 Continue homelessness priority for BHA public and leased housing.**

A homelessness priority for BHA public and leased housing has assured that those most in need are able to access housing in a more timely manner. This policy should be maintained.

LEAD AGENCY OR ORGANIZATIONS: BHA

### **2.5 Expand local and state housing, employment, and education opportunities for veterans.**

Veterans should be housed with wrap-around services that provide health supports and environments in which opportunities for economic mobility are made available. Boston offers an array of services for Veterans (this should include veterans with other than honorable or lower discharges -- they are disproportionately veterans of color and low-income and don't get access to the same services other veterans do). Recently, state initiatives have been passed such as the BRAVE Act, as well as initiatives such as Operation Money Wise, and the Statewide Advocacy for Veterans' Empowerment (SAVE). It is important to connect these resources as wrap-around services for veterans who face the possibility of being homeless. Access to affordable housing for low-income and vulnerable populations is not complete without the availability of supportive services as observed in Massachusetts' *Special Senate Committee on Housing Report*: "It is imperative that housing for those with low incomes be accompanied by services so they can maintain their housing stability and create pathways to economic mobility. Despite the Commonwealth's efforts to help households afford housing, the culmination of low wages, high housing costs, and a shortage of supports have caused housing instability for thousands of households, preventing them from increasing their economic mobility... Thus, investing and providing services that support people in increasing their housing stability and economic mobility is critical in addressing the need for housing that people can afford."<sup>158</sup>

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<sup>158</sup> *Special Senate Committee on Housing (2016). Facing Massachusetts' Housing Crisis: Special Senate Committee on Housing Report*, p.29. Accessed June 3, 2020 at <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiDi9WWhubpAhXSLc0KHdq0A>

The Office of Veteran Services should continue and expand efforts to make Boston veterans aware of how to take advantage of these new opportunities for housing, jobs, health services, and educational opportunities so as to prevent and reduce homelessness.

LEAD AGENCY OR ORGANIZATIONS: Office of Veteran Services

## **2.6 Continue to assess housing needs for those who have experienced or are experiencing homelessness**

The City of Boston is seeking to reduce the reliance on shelters to house people who have experienced homelessness, and move people into more stable housing as quickly as possible. The challenges shelters and other forms of congregate care had in providing the necessary social distance during the COVID-19 pandemic only highlighted the need for reducing the use of shelters. The City should continue to assess and monitor the housing needs of those who have experienced or are experiencing homelessness, including the specific needs for youth, the disabled, couples and families, to identify and encourage positive program changes.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPHC

## **2.7 Work with Housing Court and District Courts to develop strategies to avoid unnecessary homelessness.**

Eviction interventions reduce homelessness. Where a tenant's disability is the cause of their eviction, they have the right to have reasonable accommodation for this disability, which could obviate the reason for the eviction. In other cases, private charitable funds or state funds can be used to pay unpaid rent when a tenant falls behind in rent, and a landlord's refusal to take the payment as satisfaction of the rent owed may violate Massachusetts discrimination law.<sup>159</sup> Proactive judges who see their role as preventing unnecessary evictions may be able to make sure that these types of solutions are suggested to the parties, encouraged, and required where the law so provides. Attorneys present in the court as a result of right to counsel requirements would often be able to prevent involuntary evictions.

LEAD AGENCY OR ORGANIZATIONS: MOH's Office of Housing Stability

## **2.8 Support legislation that would create a right to legal counsel in eviction cases.**

A 2009/2010 pilot study in Quincy found that two-thirds of those facing eviction who had full legal representation were able to keep their homes, while the same was true for only one-third of those who did not have legal counsel.<sup>160</sup> The City will support state legislation that will create

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<sup>159</sup> See Massachusetts General Laws, chapter 151B, section 4(10), available at <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter151B/Section4>

<sup>160</sup> Boston Bar Association Task Force on the Civil Right to Counsel (2012). *The Importance of Representation in Eviction Cases and Homelessness Prevention*. Pg 8. Accessed May 15, 2020 at <https://bostonbar.org/docs/default-document-library/bba-crtc-final-3-1-12.pdf>.

the right to counsel, which should dramatically improve the outcomes for many low-income households or color and those with disabilities.

LEAD AGENCY OR ORGANIZATIONS: MOH, Intergovernmental Relations

### **Goal 3. Build and Strengthen Regional Strategies to Create Housing and Further Fair Housing**

To truly provide housing choice for people of color, the systems that created and maintain segregation at the regional level must be addressed. While the City of Boston has few tools to affect change outside its boundaries, it can collaborate with other municipalities and with the state to encourage change.

Among the regional challenges are continued discrimination in housing markets and zoning that restricts the construction of multi-family housing. The Metropolitan Area Planning Council (MAPC) recently highlighted the continued challenge of zoning restrictions:

Massachusetts continues to struggle with high levels of racial, ethnic and income segregation, a legacy of many years of public and private actions. We must recognize that restrictive local zoning and permitting decisions are a contributing factor to this persistent segregation, often limiting the development of both deed-restricted and market rate affordable units, especially for families with children. Real estate and finance practices often have the additional impact of making it difficult for low-income households and people of color to purchase homes, even when they could otherwise qualify to do so. Massachusetts must clarify that such practices are a violation of state law and must take stronger steps to advance fair housing throughout the state.<sup>161</sup>

To achieve effective housing mobility, there must be aggressive challenges to zoning prohibitions against multi-family housing. This effort is critical to enhancing housing choice and mobility. As a result of the lack of affordable and multi-family housing, persons of color living outside of Boston are largely concentrated in older, formerly industrial cities such as Brockton, Lawrence, Lowell, and Lynn, where there are fewer opportunities for higher paying jobs, and the problems of racial segregation and poverty are reinscribed on the landscape.

#### **Actions**

##### **3.1 Continue to support the strengthening of regional partnerships and establishing timelines for creating new, diverse housing stock.**

The City will support and strengthen regional cooperation efforts to overcome/reduce community opposition to building affordable housing in suburban communities. In 2017, a coalition of towns and cities formed under the Metro Mayors Coalition (staffed by the Metropolitan Area Planning Council (MPAC)), and includes Arlington, Boston, Braintree, Brookline, Cambridge, Chelsea, Everett, Malden, Medford, Melrose, Newton, Quincy, Revere, Somerville, and Winthrop. The Coalition outlined a pledge to: increase the pace of housing construction in every community throughout Metro Boston; share the burden of production in order to increase housing affordability for all household types and incomes; create more housing, both renter- and

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<sup>161</sup> Metropolitan Area Planning Council, *State of Equity for Metro Boston Policy Agenda Update*, (February 2018), p.22.



owner-occupied, in a variety of sizes to meet the diversity of needs, including families; locate housing near transit and in walkable areas; utilize design standards that increase physical accessibility for all ages and abilities; reduce evictions, eliminate unfair rental practices, mitigate displacement, create permanent housing for the homeless, and ensure safe, stable housing; and address discrimination against both tenants and buyers, and advance fair, equitable access to housing opportunity.<sup>162</sup> The City will encourage the Coalition to publish an annual report showing progress towards meeting their goals.

LEAD AGENCY OR ORGANIZATIONS: Intergovernmental Relations, in cooperation with MAPC and the Metro Mayors Coalition Housing Task Force

### **3.2 Support the legislation that would reform state zoning law.**

Boston will support legislation that would reform municipal zoning laws that would facilitate building more of the income restricted and mixed-income multi-family housing needed to house Greater Boston's diverse population, and to stabilize rents at a regional level.

LEAD AGENCY OR ORGANIZATIONS: Intergovernmental Relations

### **3.3 Support legislation aimed at enhancing fair housing across the region.**

In recent years, the City and advocacy groups have filed a number of bills aimed at preventing displacement that would address systemic disparities and provide new affordable housing tools not just for Boston, but for the region as a whole. These bills included rights to legal counsel for renters facing evictions, opportunities for tenants to cooperatively purchase foreclosed properties, development of data tools to track evictions, and tax relief incentives to encourage landlords to keep properties. The City has also supported legislation that would have sealed eviction records, and will work with advocates and partners at the state house to support legislation that addresses a range of fair housing issues, including fair housing training for pre-licensing and continuing education of real estate agents; eviction protections for domestic violence survivors of all gender identities, and discrimination in the leasing process. Discrimination in the leasing process includes, but is not limited to, discriminatory statements/advertisements, difference in treatment by real estate agents and leasing managers, differences in rental agreements, and refusals to rent or sell.

LEAD AGENCY OR ORGANIZATIONS: Mayor's Office, Intergovernmental Relations

### **3.4 Continue to expand efforts to expand capacity and develop regional networks devoted to identifying and responding to housing discrimination.**

Segregation both in Boston and its suburbs is maintained in part through discrimination in the rental, home purchase, mortgage lending processes, and through local zoning regulations. Identifying and addressing this discrimination as it pertains to all protected classes requires audit and enforcement activity, outreach, education efforts, and funding efforts to change zoning on a

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<sup>162</sup> For more details, see <https://housingtaskforce.mapc.org/>.

regional basis. There is a significant need for additional non-profit capacity and coordination. The City would work with its regional and state partners, in particular MAPC, to identify funding sources and develop more capacity.<sup>163</sup>

LEAD AGENCY OR ORGANIZATIONS: MAPC, Intergovernmental Relations

### **3.5 Review how Boston can support the implementation of recommendations developed by the MAPC and its *Fair Housing and Equity Assessment for Metropolitan Boston* to advance fair housing in the region.**

The Metropolitan Area Planning Council (MAPC) has issued comprehensive recommendations for local governments in the Boston metropolitan area to fight discrimination. MAPC recommended four board areas of action, which are included here, as outlined in the report:<sup>164</sup>

1. To achieve fair housing equity in the region, the deployment of private and public resources must be informed by an understanding of the civil rights consequences of planning and funding decisions. Agencies must utilize data collection methods and adapt training resources to support integration of fair housing into planning and funding decisions.
2. There must be vigorous, region-wide enforcement of fair housing and civil rights obligations, including not only the rooting out of discrimination, but also the duty to further the purposes of Title VIII. Agencies must allocate resources for coordinated regional enforcement of fair housing and civil rights laws and to further fair housing.
3. Investments in people and places should be made from a regional perspective, and in a balanced manner that promotes opportunity and reverses conditions of disparity in both distressed locations and in communities that are exclusionary. Agencies must deploy resources regionally in a manner that balances investments in distressed and high opportunity locations to promote opportunity and reverse conditions of disparity.
4. It is crucial to create sustainable connections that link people and places in ways that achieve equity. Agencies must create structural connections between people and places that advance equity.

The City of Boston will review how Boston can support the implementation of these recommendations.

LEAD AGENCY OR ORGANIZATIONS: MAPC, with the Mayor's Office and OFHE

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<sup>163</sup> This action is the same as action 2.1 in: Metropolitan Area Planning Council (2017). *Fair Housing and Equity Assessment for Metropolitan Boston*, p.130. Accessed June 34 2020 at [http://www.mapc.org/wp-content/uploads/2017/09/Fair\\_Housing\\_and\\_Equity\\_Assessment.pdf](http://www.mapc.org/wp-content/uploads/2017/09/Fair_Housing_and_Equity_Assessment.pdf).

<sup>164</sup> Metropolitan Area Planning Council (2017). *Fair Housing and Equity Assessment for Metropolitan Boston*, p.128. Accessed June 3, 2020 at [http://www.mapc.org/wp-content/uploads/2017/09/Fair\\_Housing\\_and\\_Equity\\_Assessment.pdf](http://www.mapc.org/wp-content/uploads/2017/09/Fair_Housing_and_Equity_Assessment.pdf).

#### Goal 4. Expand Housing Choice for Voucher Holders

The Housing Choice Voucher program (more commonly known as “Section 8”) provides very low income renters with a rental subsidy that moves with the renter. The household rents an apartment in the private market. The household pays 30 percent of their income towards housing, and HUD pays the difference between what the household can pay and the rent, up to a published rent maximum, known as the “payment standard.”<sup>165</sup> While most voucher holders rent private, market-rate apartments, many are also used in income restricted units to make them more affordable to a very low income family.<sup>166</sup>

Because of historically inadequate payment standards, discrimination towards Section 8 voucher holders, lack of affordable housing stock in suburban communities and opportunity neighborhoods, and lack of information about housing opportunities in cities and towns outside of Boston, voucher holders (of whom 84 percent are households of color) find themselves concentrated mostly in just four neighborhoods of Boston: Dorchester, Hyde Park, Mattapan, and Roxbury.

Section 8 vouchers are distributed by HUD to public housing authorities (including the Boston Housing Authority (BHA)) and to the states. In Massachusetts, the state contracts with regional housing agencies to administer their vouchers. In Greater Boston, Metro Housing|Boston is this agency, and they and the BHA administer most of the vouchers used in Boston, though other housing authorities (in particular the Cambridge Housing Authority) also may have vouchers being used in Boston.

In July 2019, the BHA implemented new Small Area Fair Market Rents for their Section 8 vouchers.<sup>167</sup> Under these new payment standards, maximum rents are adjusted by zip code, greatly expanding the number of units and neighborhoods where a voucher holder can find a unit, both within Boston and in the suburbs. This new policy will improve housing choice, whether that choice is to move to a neighborhood with better opportunities to access quality education, housing, jobs, and transit, or whether that choice is to stay in their existing neighborhood, but where rents are escalating.

The adoption of Small Area Fair Market Rents (SMFMR) is an important step towards creating housing choice, but there are additional efforts that build on or compliment this policy that will work to overcome barriers to housing choice.

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<sup>165</sup> If the tenant rents an apartment where the rent is higher than the “payment standard,” the tenant would pay the difference, as long as they don’t pay more than 40 percent of their income to housing.

<sup>166</sup> For example, in Massachusetts, 18.9 percent of Low Income Housing Tax Credit Units (LIHTC) are occupied by households with a Section 8 voucher. See U.S. Department of Housing and Urban Development (2018). *Understanding Whom the LIHTC Serves: Data on Tenants in LIHTC Units as of December 31, 2015*. Pg 23. Accessed June 5, 2020 at <https://www.huduser.gov/portal/publications/LIHTC-TenantReport-2015.html>.

<sup>167</sup> Boston Housing Authority (2019) “Boston Housing Authority Implements Small Area Fair Market Rents For Greater Boston Area,” July 1. Accessed June 5, 2020 at <https://www.bostonhousing.org/en/News/Boston-Housing-Authority-Implements-Small-Area-Fai.aspx>

## **Actions**

### **4.1 Expand the ECHO mobility program to educate and assist families and BHA housing choice voucher holders in identifying and relocating to housing in areas with increased opportunity, including opportunity areas within Boston.**

The BHA's Expanding Choice in Housing Opportunities (ECHO) pilot program provides the necessary pre-search, housing search, and post-search services to enable participating voucher holders to identify the communities that best fit their needs.<sup>168</sup> Voucher holders are provided information about the quality of public schools, the location of medical facilities, and other kinds of resources so they can make an informed decision as to where they want to live while maintaining familial or former community ties that may be advantageous. Voucher holders will also be provided with family self-sufficiency supports, such as financial literacy and information about career mobility.

LEAD AGENCY OR ORGANIZATIONS: BHA

### **4.2 Work closely with the new Housing Choice Initiative communities to identify housing for Section 8/Housing Choice Voucher holders.**

BHA, through its new ECHO program has already made plans to reach out to housing providers throughout Metropolitan Boston and in particular those cities and towns that have expressed interest in and support for the Housing Choice Initiative. By doing so the BHA hopes to cultivate additional housing units in the private market that will be accessible to its Section 8 voucher holders.

LEAD AGENCY OR ORGANIZATIONS: BHA

### **4.3 Establish a BHA working group to explore revisions to existing admissions and continued occupancy policies, and examine effectiveness of marketing and outreach to ensure equal access to housing resources.**

The demographics of BHA publicly supported housing are substantially determined by the income of its applicants and composition of its wait lists. The mix of protected classes is influenced by the various priorities and preferences based on the urgency of need for housing, but is tempered by individual choice. The final determination of housing selection is driven by an applicant's indicated choice of location. While this may contribute to the varied demographics in BHA developments and buildings it is essential that the BHA also ensure equal access to available housing resources. This working group should collect and examine data on the impact of its policies on the demographics of tenants who successfully obtain public or project-based housing units or mobile subsidies, and those who tend to have extended time on waiting lists.

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<sup>168</sup> For more information on the ECHO pilot program, see [https://www.bostonhousing.org/en/For-Section-8-Leased-Housing/Voucher-Programs/Expanding-Choice-in-Housing-Opportunities-\(ECHO\).aspx](https://www.bostonhousing.org/en/For-Section-8-Leased-Housing/Voucher-Programs/Expanding-Choice-in-Housing-Opportunities-(ECHO).aspx).

The BHA will establish a working group of BHA staff and residents to monitor all of its commitments under this Assessment of Fair Housing, including but not limited to, its admissions and continued occupancy policy, affirmative marketing plans, additions to the Annual Plan, research on communities not highly represented in the BHA resident population, the impact of setting aside many resources for simultaneous relocation/redevelopment of many sites, and other policies.

LEAD AGENCY OR ORGANIZATIONS: BHA

#### **4.4 Advocate with the State to adopt Small Area Fair Market Rents for Housing Choice Vouchers.**

The BHA has adopted Small Area Fair Market Rents to increase mobility for Section 8 voucher holders. The City and the BHA should continue to reach out to the state and other housing authority Section 8 providers to ensure geographic consistency in FMRs/payment standard levels.

LEAD AGENCY OR ORGANIZATIONS: BHA, Intergovernmental Relations

#### **4.5 Increase availability and outreach of programs that reduce the financial barriers to the supply of housing available to voucher holders.**

A series of programs can reduce the barriers to housing availability for voucher holders, mostly by increasing the landlord incentives, but also by assisting renters, through the following activities:

**Physical Improvements:** The BHA will conduct workshops for landlords to encourage them to participate in the Section 8 Voucher Program and make them aware of resources for lead paint removal, energy-efficiency and accessibility, utilizing local and state funds. The City should continue to provide gap financing to qualified landlords, including owner-occupant owners of 1-4 family properties, to obtain funding needed to make modifications to their own unit and/or to one or more rental units in their property to expand the inventory of accessible rental units for persons with disabilities, and to de-lead the unit.

**Upfront Tenant Costs:** The BHA should establish a fund that will help voucher holders with upfront security deposit costs, application fees, and similar charges that may be a barrier to voucher holders obtaining housing. Such fees have been used by landlords or their marketing agents to discourage applications by subsidy recipients.

LEAD AGENCY OR ORGANIZATIONS: BHA, MOH

#### **4.6 Conduct a survey of BHA residents every two years to assess the concerns and needs of tenants in publicly-supported housing.**

The BHA will conduct a survey of public housing residents every two years that gathers demographic/household data and assesses resident concerns about housing, employment,

schools, and their neighborhoods. The survey conducted in 2017 can be a basis for a more refined and targeted future survey, which should include questions about discrimination in the application and housing search process, their experiences as tenants, and issues and concerns about their buildings. The BHA will share the survey results with residents and use the results to help drive their efforts to improve the tenant experience.

LEAD AGENCY OR ORGANIZATIONS: BHA

#### **4.7 Educate voucher holders on how to recognize and report housing discrimination.**

As part of their pre-search educational workshops and in conjunctions with the leasing process, the BHA and Metro Housing|Boston will provide information to voucher holders and tenants about their rights under federal, state and local housing discrimination laws. Voucher holders will be encouraged to report discrimination on the basis of receipt of rental assistance or on their membership in any other protected class. Voucher holders would be informed of policies that provide for an extension of search time where the voucher holder files a complaint with the Massachusetts Commission Against Discrimination (MCAD) or the Office of Fair Housing and Equity (OFHE).

LEAD AGENCY OR ORGANIZATIONS: BHA, Metro Housing|Boston

#### **4.8 Develop a protocol for joint reporting, investigation, and taking enforcement actions against participants in the Housing Choice Voucher Program.**

Discrimination in Boston and the region against participants in the Housing Choice Voucher Program continues, as can be seen from both housing complaint data and from the BHA survey results. Individual households must initiate discrimination complaints on their own, but systems can be put into place that make this process easier, and procedures for reporting, responding to, and investigating incidents of discrimination can be developed.

The BHA, Metro Housing|Boston, the Office of Fair Housing and Equity, and the Massachusetts Commission Against Discrimination would collaborate on a series of activities including:

- Creation and distribution of marketing materials that inform both tenants and landlords of fair housing law, as it relates to receipt of public assistance/vouchers.
- Assure that the OFHE has capacity for data collection and reporting on discrimination complaints.
- Creating a set of policies, procedures, and forms that simplify reporting and investigation of discrimination claims.

The Fair Housing Commission will take the lead on bringing enforcement actions for violations of the fair housing laws.

LEAD AGENCY OR ORGANIZATIONS: OFHE, MCAD, BHA, and Metro Housing|Boston

#### **4.9 Bring enforcement actions against landlords who refuse to take voucher holders.**

Whether identified through voucher holder complaints or through discrimination testing efforts, the Office of Fair Housing and Equity, in cooperation with MCAD, should create a protocol to investigate and prosecute incidents of discrimination against voucher holders and take enforcement actions against landlords discriminating against voucher holders. The OFHE has contracted with Suffolk University to complete testing of voucher holder discrimination that builds on the findings of the 2020 Suffolk University study of such discrimination.

LEAD AGENCY OR ORGANIZATIONS: OFHE, MCAD

## **Goal 5. Redevelop and Preserve Existing Public and Income Restricted Housing**

As of 2019, there were 55,122 income restricted housing units in Boston, nearly 20 percent of the city's housing stock. Twenty-seven percent of the City's rental units and three percent of the city's ownership units are income-restricted. Of these units, approximately 12,500 units are part of BHA public housing developments, and the remainder are owned by private owners, both nonprofit and for-profit, where income restrictions are in place. From property to property, the term of the income restrictions vary by when they were developed or renovated, and what program or programs were used to create the housing.

Preserving this housing is essential to the continued stability of low-income families, both now and in the future, and the costs of developing new replacement units in different locations is cost prohibitive. As a result, this goal highlights the actions that can be taken to preserve and rebuild these important resources for the next generation of households. The City is committed to preserving 97 percent of HUD and State supported "expiring use" units, especially units that were created under the State 13A program. Tenants in 13A projects are especially at risk, both because these developments are often located in neighborhoods with high rents and these tenants do not have the same protections as HUD provides for landlords leaving Section 8 Project-based programs.

### **Actions**

#### **5.1 Continue the redevelopment and preservation of existing public housing by attracting public and private investment in public housing communities, with careful attention to avoiding displacement or other negative impacts on existing residents in the development and surrounding community.**

Federal resources for maintenance and capital improvements to public housing have been chronically insufficient. The BHA has been successful in securing funding through the HUD HOPE VI program, and its successor, the Choice Neighborhoods program, to address its most distressed public housing projects through public/private partnerships. The BHA has also been aggressive at utilizing the Rental Assistance Demonstration (RAD) and Project-based Section 8 programs to upgrade its Elderly/disabled sites. The Authority has built a track record of working with tenants to assure that their needs and rights are protected, there is one-for-one replacement of income restricted units, and that strong policies and practices are in place to guarantee tenants that have to temporarily relocate a right to return to the new housing.

The BHA has adopted a long-range plan to replace 4,000 deeply subsidized rental units and to add 4,500 moderate and market units at a total cost of over \$3 billion over the next 10-15 years. BHA should continue to utilize its current strategy to leverage the wealth represented by public housing-owned land to link developers with requirements to also assist with replacement and renovation of existing units, assure affordability for residents, and turn vacant land into opportunities to create additional low-income housing. For example, the South Boston NDC is building a 47 unit building for seniors on a vacant parcel at the Mary Ellen McCormack development in South Boston.



In pursuing this public/private strategy, residents should not be displaced or believe that they will be displaced, and the redevelopment should be implemented in a balanced approach regarding mobility and community revitalization.

Mixed-income buildings should be truly integrated, with identical features for affordable and market units. If some or all-affordable buildings are desirable in order to keep residents from relocating off-site, or to create a dedicated elderly-disabled building, the site should still be integrated and not clustered as mixed-income or affordable buildings. Inclusionary Development Policy (IDP) requirements and jobs/housing linkage exaction payment requirements must be carefully enforced. Community benefits or other regulatory agreements should be required to prevent or mitigate any gentrification and displacement that might result from the redevelopment of public housing into mixed-income housing. This issue was of specific concern of advocates where the BHA redevelopment site is also an Opportunity Zone, which could usher in investments in the surrounding area that could have unintended and adverse gentrification consequences (e.g. commercial uses).

LEAD AGENCY OR ORGANIZATIONS: BHA, BPDA

**5.2 Prioritize the use of City funds for the preservation of income restricted housing, especially "13A" developments, assuring that by 2030, 97 percent of all income restricted housing has been preserved.**

The City of Boston is committed to preserving existing income restricted housing, and a range of resources are being used to preserve both public housing and privately owned income restricted housing, such as the 13A developments. Since 2014, the City has funded this priority from a range of sources including operating funds, Neighborhood Housing Trust (Linkage) funds, Inclusionary Development Policy resources (both funds and off-site units), as well as traditional federal sources. Of the 1,008 former "13A" units, 557 have now been preserved in perpetuity. MOH is working with the owners of two developments to preserve another 195 units. Where 13A owners have not been willing to preserve affordability, the City has been working with the BHA and state agencies to protect existing tenants, and to provide new affordable housing opportunities.

LEAD AGENCY OR ORGANIZATIONS: MOH, BHA

**5.3 Continue to support organizing among residents in expiring use properties and provide information, training, and technical assistance about tenant opportunities for preserving and cooperatively owning housing.**

The City, in conjunction with CEDAC (a quasi-state housing agency), supports efforts to assure that tenants in expiring use properties understand their rights under the state 40T law, and to help tenants mobilize as part of a strategy under the 40T provisions whereby the property can be sold to a non-profit owner or purchased by the tenants to create a cooperative.<sup>169</sup>

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<sup>169</sup> For a review of how 40T has worked as a preservation tool, see Emily Achtenberg (2015) *Chapter 40T at 5: A Retrospective Assessment of Massachusetts' Expiring Use Preservation Law*. Accessed June 8, 2020 at

LEAD AGENCY OR ORGANIZATIONS: MOH with MHCD; with nonprofits such as CEDAC, BTC

**5.4 Work with DHCD to establish a preference for residents displaced from 13A developments for housing units in new income-restricted developments.**

In situations where the owner of an expiring use building chooses to convert the units to market-rate, the long-term affordability of the unit is lost, and the City works to make sure the current tenants remain stably housed. For tenants in HUD funded expiring use properties, HUD provides vouchers for these residents that allow them to stay in their current homes. Under the state 13A program, tenants do not have the same resources or guarantees, and some may be forced to find new housing. As such, the City is working with DHCD to establish a preference for these residents in applying for new income restricted housing.

LEAD AGENCY OR ORGANIZATIONS: MOH

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[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKewjyss-57\\_LpAhXRI3IEHSPFDZ8QFjAAegQIARAB&url=https%3A%2F%2Fcedac.org%2Fwp-content%2Fuploads%2F2016%2F06%2FChapter-40T-at-5-6.2.15-1.pdf&usq=AOvVaw3mZ13s4dtkP04jj7sjnaKe](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKewjyss-57_LpAhXRI3IEHSPFDZ8QFjAAegQIARAB&url=https%3A%2F%2Fcedac.org%2Fwp-content%2Fuploads%2F2016%2F06%2FChapter-40T-at-5-6.2.15-1.pdf&usq=AOvVaw3mZ13s4dtkP04jj7sjnaKe)

## **Goal 6. Enhance Fair Housing by Creating Economic Opportunity**

Providing economic opportunities and increasing incomes for persons of color reduces barriers to these individuals purchasing a home, remaining in their neighborhoods, or accessing neighborhoods with quality schools, jobs, and/or transit.

### **Actions**

#### **6.1 Use housing development and preservation as an economic tool to increase employment for residents and provide contracts and subcontracts to local and minority-owned businesses.**

Patterns related to the issuance of contracts should be reviewed yearly and the City will review strategies and obstacles, such as bonding capacity or lack of technical assistance, to significantly increase both those who are certified as a Minority Business Enterprise (MBE) or as a Women Business Enterprise (WBE), and the number of contracts to MBEs and WBEs. The City will revisit and strengthen the Equity and Inclusion agenda of the Office of Economic Development, and revisit strategies and lessons learned from the 1994 to 2004 Demonstration Disposition Program which rehabilitated almost 2,000 housing units, kept them affordable and used construction and labor costs to increase opportunities for local and minority-owned businesses. The BHA currently engages in such activity, and its Office of Civil Rights has mechanisms in place to monitor, track, and report on all BHA contracts.

LEAD AGENCY OR ORGANIZATIONS: Office of Economic Development with BHA, MOH, and BPDA

#### **6.2 Expand the BHA HUD Section 3 program.**

HUD's "Section 3" has proven to be an effective tool in revitalization efforts as well as generating employment for public housing residents and workers in low-income communities. Boston should aggressively pursue the possibility of using Section 3 to expand economic opportunities, including hiring youth so as to reduce high unemployment levels among Black and Latinx people.<sup>170</sup>

A working group will be established to review strategies for expansion of, and outreach and education about, the Section 3 Program, with a focus on community organizations, local businesses, and community development entities. The Working Group should establish clear and measurable Section 3 tracking protocols, and goals to assess the impact of this federal regulation.

LEAD AGENCY OR ORGANIZATIONS: BHA with MOH and OWD

#### **6.3 Enhance the Boston Resident Jobs Ordinance to expand monitoring and reporting efforts, so as to identify opportunities for program improvement.**

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<sup>170</sup> HUD calls for expanding use of Section 3 for these purposes. See [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/section3/section3](https://www.hud.gov/program_offices/fair_housing_equal_opp/section3/section3).

The total value of construction currently underway on projects with greater than 50,000 square feet is over \$12 billion. This construction, along with billions more in future work, is an important opportunity for Boston to respond to continual income inequality and increase homeownership for those in protected classes, including low-income households.

In 2017, the Boston Resident Jobs Ordinance was amended to expand the covered project threshold and raise the employment standards. Now, private development projects over 50,000 square feet and any public development project must meet the following employment standards: at least 51 percent of the total work hours of journey people and apprentices must go to Boston residents; at least 40 percent of the total work hours of journey people and apprentices must go to people of color and; at least 12 percent of the total work hours of journey people and apprentices in each trade must go to women.

This ordinance can be enhanced by greater monitoring and record-keeping so as to evaluate current track records and consider what might be obstacles in hiring more Black, Latino, and Asian workers, as well as youth, on construction jobs. The Boston Employment Commission should be provided with resources to conduct site visits to ensure that companies are not just simply reporting inaccurate data, and levy fines if needed.

Such efforts would make sure that construction companies understand and respect how committed the City is in its racial equity vision and strategies. The NAACP has called for more “creative thinking” regarding BRJP diversity goals that are not being met, including a “working group to research and analyze this issue.”<sup>171</sup>

LEAD AGENCY OR ORGANIZATIONS: Office of Economic Development and the Boston Employment Commission, with BPDA, MOH, and OWD

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<sup>171</sup> McGloin, Catherine (October 31, 2018). “Council Probes Boston Jobs Policy - Contractors Fail to Meet Diversity Goals.” *Bay State Banner*. Accessed June 10, 2020 at <https://www.baystatebanner.com/2018/10/31/council-probes-boston-jobs-policy/>.

## **7. Use Zoning as a Fair Housing Tool**

Zoning can be an impediment to affirmatively furthering fair housing in Boston and the region, and has been used as a tool to exclude people of color, especially those who are Black, from housing options both in cities and suburbs. At the regional level, it is an important goal to reduce the barriers caused by exclusionary zoning codes including large lot sizes and prohibitions on multi-family housing. Zoning can also be an important and positive tool for affirmatively furthering fair housing. The actions outlined here are aimed at assuring that zoning and zoning processes are used in a positive way, so as to create more inclusive and welcoming neighborhoods.

While removing barriers to the development of multifamily housing is a precondition to affordable housing development, allowing unrestricted luxury, market-rate development--the most lucrative for private developers--without other reforms, may do nothing to address the needs of moderate and low-income Massachusetts residents who need access to affordable housing throughout the Commonwealth, including members of protected classes. In fact, by using up scarce land and making it unavailable for more affordable development, and by triggering displacement and gentrification in many areas where affordable rental housing may already exist, allowing unrestricted development of multifamily housing can easily defeat the goal of affordable development and inclusion.

Boston faces the same challenges as other localities of encouraging inclusive multifamily development that will serve the housing needs of its populace, including those most in need, without triggering the devastating forces of displacement and gentrification. Unless there is sufficient provision for affordable housing in new developments and new neighborhoods to provide equitable access to members of protected classes, Boston risks creating exclusive white enclaves, like the Seaport, or, as a result of displacement and gentrification, transforming existing integrated neighborhoods into such enclaves. A first step has been the ground-breaking, 2020 adoption of a new, affirmatively furthering fair housing amendment to Boston's Zoning Code.

### **Actions**

#### **7.1 Implement the new affirmatively further fair housing provisions of the Boston Zoning Code.**

On January 13, 2021, the Boston Zoning Commission approved an amendment to the Boston Zoning Code to include affirmatively furthering fair housing requirements in Article 80 of the Zoning Code. As defined in the Amendment, affirmatively furthering fair housing means

Taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, Affirmatively Furthering Fair Housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing

segregated living patterns with truly integrated and balanced living patterns, and transforming racially and ethnically concentrated areas of poverty into areas of opportunity.<sup>172</sup>

The Amendment creates a Boston Interagency Fair Housing Development Committee (“BIFDC”), composed of representatives from the Boston Housing Authority, the Office of Fair Housing & Equity, the Mayor's Office of Housing, the Mayor’s Commission for Persons with Disabilities, and the BPDA. The BIFDC must determine whether proposed projects meet the City’s goals to Affirmatively Further Fair Housing, including the creation of integrated communities, addressing direct and indirect displacement, promoting inclusiveness, and affordability in areas that have historically excluded protected classes.

The intent of this amendment is to require thoughtful consideration as to whether a proposed development affirmatively furthers fair housing, as defined in the Amendment and articulated in this Assessment of Fair Housing/Analysis of Impediments. The amendment should encourage the development of housing in a manner which does not reinforce existing patterns of segregation but affirmatively increases integration, does not spur displacement, and permits the development of publicly supported or otherwise income-restricted (as identified through a robust community process) housing in a wider variety of areas throughout Boston.

To help implement this amendment, the BPDA has hired a Director of Diversity, Equity and Inclusion who will be responsible for strategy development and oversight of the agency’s racial equity and diversity priorities. The individual will work as part of the agency’s senior leadership team to establish collaborative partnerships with all internal and external stakeholders, and foster a more inclusive, equitable, welcoming, supportive, and diverse agency.

BPDA should also hire an independent staff person or consultant who is an expert in fair housing to do a comprehensive review of its policies and procedures to identify areas in which change is needed to not only meet the City’s obligations under federal, state and local law, but to truly provide equal opportunity regardless of protected class status. The City will establish a working group to work with and oversee this review of policies and procedures including staff from BPDA, OFHE, Office of Resiliency, BHA and representatives from community, fair housing, affordable housing and other groups.

LEAD AGENCY OR ORGANIZATIONS: BPDA and the Boston Zoning Commission

## **7.2 Preserve the Inclusionary Development Policy by incorporating it into the City of Boston Zoning Code.**

The Inclusionary Development Policy (IDP) was initially created by an executive order of Mayor Thomas M. Menino in 2000, and has been strengthened over time through executive orders, including the most recent, 2015 order of Mayor Martin J. Walsh. Through 2020, developers have created 3,216 on-site and off-site income restricted units as a result of the IDP, and made

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<sup>172</sup> Section 1 of the AFFH Amendment, amending Articles 2, 2A and 80.

contributions to the IDP fund that have led to the completion or preservation of 2,226 additional income restricted units. The IDP, however, has not been part of the zoning code. The Mayor and the Boston City Council passed a Home Rule Petition in September 2019<sup>173</sup> to authorize the City to include inclusionary development provisions in its Zoning Code. The Home Rule Petition was approved by the Massachusetts Legislature and signed into law by Governor Baker on January 14, 2021, giving Boston legislative authority to implement inclusionary zoning.

The Home Rule Petition specifically lists fair housing concerns as part of the justification for inclusionary development, and as part of the implementation of the inclusionary zoning, the City must take into consideration affirmatively furthering fair housing for members of protected classes and work with representatives from community, fair housing, affordable housing and other groups.

LEAD AGENCY OR ORGANIZATIONS: BPDA and the Boston Zoning Commission

### **7.3 Utilize zoning for creative approaches to maintain affordable housing for low-income groups, seniors and persons with disabilities, or to more generally expand the availability of income restricted and naturally occurring affordable housing.**

Zoning is a tool that can be used to help Boston resolve some of the challenges emerging from intense real estate activities. By using inclusionary zoning to create “demonstration areas” or interim planning overlay districts in certain neighborhood areas experiencing significant gentrification, creative tools can be used to prevent displacement. The 2018 *Housing Boston 2030 Update* outlined two such efforts: “Explore development models and zoning options in Main Street areas that provide incentives for the construction of senior housing,”<sup>174</sup> and, “Continue residential planning and zoning reform processes with a focus on re-zoning for residential density and affordability around transit nodes.”<sup>175</sup> These ideas should be pursued with a racial equity lens and have as their goal avoiding the displacement of communities of color and other protected classes.

LEAD AGENCY OR ORGANIZATIONS: BPDA, Boston Zoning Commission

### **7.4 The BPDA will review zoning and development regulations that may contribute to the exclusion of protected classes from areas of the city.**

There are neighborhoods in Boston, both new and historic, where relatively few people of color, especially Black people live. There are many factors contributing to historic exclusion; some informal, some structural. Whether intentionally or coincidentally, zoning and land use controls are part of that legacy. Boston shall strive to craft zoning and development policies and regulations which remove barriers to integration and create new opportunities to achieve the goal of integrated neighborhoods. To do so, a deeper understanding of exclusionary factors is

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<sup>173</sup> A “Home Rule Petition” is a request from a city or town for a new type of power from the state legislature, such as a new tax, or an exemption from an aspect of state law.

<sup>174</sup> City of Boston Mayor’s Office of Housing (2018). *Housing Boston 2030 Update*. Pg 19. Accessed June 15, 2020 at [https://docs.google.com/document/d/1WRWTKvId7\\_hAKiKz-F8-J\\_HCq5mCrWKxBUeFOVgwaM/edit](https://docs.google.com/document/d/1WRWTKvId7_hAKiKz-F8-J_HCq5mCrWKxBUeFOVgwaM/edit).

<sup>175</sup> Ibid, pg 35.

required. Such a review should explore the reasons and mechanisms, historical or otherwise, that have contributed to exclusion and segregation.

LEAD AGENCY OR ORGANIZATIONS: BPDA, Boston Zoning Commission

**7.5 BPDA will further enhance community planning and rezoning processes to assure that these processes are inclusive and that there are opportunities for meaningful community input from residents and groups that the zoning changes will affect.**

The BPDA has committed to hiring a Director of Diversity, Equity and Inclusion. As part of their duties, they will work with BPDA staff to identify more inclusive processes and ways in which planning efforts can affirmatively further fair housing. In addition, the BPDA is creating an Equity and Inclusion Fund. This will fund activities directly related to addressing racial equity and inclusion in the BPDA's work. The new position and fund will expand on work already underway. The BPDA uses [Imagine Boston 2030](#) as a framework to support equity by creating affordable housing, jobs, and open space in every neighborhood, leveraging funding from large real estate development to support workforce development and training, supporting equitable procurement policies, and requiring diversity criteria for developing publicly-owned land.

As part of this action, the BPDA will also be adopting a plan for the provision of language and communication access in the planning and development review processes.

LEAD AGENCY OR ORGANIZATIONS: BPDA

**7.6 Explore ways that zoning can be used to mitigate the impact of transit improvements that could contribute to displacement of residents.**

The MBTA has made new investments in transit, in particular to the Fairmount commuter line. In addition, the MBTA, in cooperation with the City, hopes to make improvements in bus service, including the introduction of additional Bus Rapid Transit services. While residents welcome some of these improvements, there are also concerns that these improvements may contribute to displacement. The City and MBTA should work together to understand what the potential impacts are, both positive and negative, on equity for protected classes and their cultural communities, exploring the use of zoning to help mitigate impacts. For example, Action for Equity has proposed a transit overlay district as a, "Response to the displacement in our neighborhoods. Our demand recognizes that improving transit in our neighborhoods has had the unintended consequence of speeding gentrification and exacerbating inequality."<sup>176</sup> Recent strategic planning initiatives in several neighborhoods have recognized the potential for transit-oriented development to support greater densities. The BPDA will explore ways that zoning can be used when new development may contribute to displacement of protected classes and where there has been a history of exclusion. However, to be successful in

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<sup>176</sup> Martin, Marvin (2015). "A Pilot Project – Special Protections for Transit Corridors: A Multi-issue Response to Today's Gentrification and Inequality and Unintended Consequences of Transit Improvements In Boston And Region," Action for Equity.



implementation, such zoning will require dialogue between state and city agencies and community organizations and residents, including youth.

LEAD AGENCY OR ORGANIZATIONS: BPDA, with Boston Transit Department, MBTA, and MOH.

## **Goal 8. Reduce the Disparity in Homeownership Rates by Race and Ethnicity**

While 44 percent of all White households are homeowners, the same is true for only 30 percent of Black households, 16 percent of Latinx households, and 29 percent of Asian households. This disparity is both driven by, and contributes to, disparities in wealth. As the 2015 Federal Reserve Bank of Boston report *The Color of Wealth in Boston* found, the median household wealth (net worth) for White households in Greater Boston was \$247,500, compared to just \$8 for U.S. Black households, and \$0 for Dominican households.<sup>177</sup> As the data section explains in more detail, income and wealth are not the only barriers to homeownership. Lending practices and discrimination also play an important factor in creating and maintaining these disparities.

The actions outlined here are all aimed at reducing the disparity in homeownership rates by race and ethnicity through both increasing the number of homeowners of color, and by preserving homes for existing homeowners. In 2018, the City of Boston convened a homeownership task force that examined ways to increase the accessibility of homeownership to households of color. Some of the actions outlined here grew out of that effort, and the City committed to helping 1,000 households become homebuyers between mid-2018 and mid-2023.

### **Actions**

#### **8.1 Increase the supply of income restricted homeownership properties.**

Recognizing that market prices, even in less expensive neighborhoods, are too high for moderate- and even middle-income buyers to afford, the creation of income restricted homeownership properties is an important tool for giving first-time home buyers the opportunity to purchase. The City, through programs such as the Neighborhood Homes Initiative and the Inclusionary Development Policy, are committed to increasing the availability of income restricted homeownership units. In such properties, the buyer must be income and asset eligible to purchase. When they go to resell the property, they are able to see moderate appreciation on the value of the property, but they must also resell the property to another income and asset eligible buyer, helping the next family to get on the path to homeownership.

LEAD AGENCY OR ORGANIZATIONS: MOH and BPDA

#### **8.2 Increase the number of households with more modest incomes who are able to afford to buy a home.**

To provide households with more modest incomes more access to the marketplace, the City has launched the One+ Homebuyer Program, in cooperation with MHP and MAHA. This product provides a heavily discounted interest rate, combined with enhanced down payment and closing cost assistance to first-time Boston residents who are below 100% AMI and buying in Boston.

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<sup>177</sup> Muñoz, Ana Patricia. *The Color of Wealth in Boston*. Federal Reserve Bank of Boston, 2015, <https://www.bostonfed.org/publications/one-time-pubs/color-of-wealth.aspx>4.9

LEAD AGENCY OR ORGANIZATIONS: MOH, with the Massachusetts Housing Partnership (MHP) and the Massachusetts Affordable Housing Alliance (MAHA)

### **8.3 Continue to target homebuyer outreach and education efforts in Black and Latino neighborhoods.**

The City targets a significant amount of its homebuyer outreach and education to Black and Latinx neighborhoods. The City will continue to do so, and look for new ways to reach households of color, such as advertising in ethnic papers, attending community events, and co-sponsoring events and clubs. Such an effort is important to assure that Black and Latinx families can take advantage of down payment assistance, specialty mortgage programs, and income restricted homeownership opportunities.

The Boston Home Center's program documents are being translated into 11 languages and MOH is continuing to participate in ethnic media roundtables as part of our outreach.

LEAD AGENCY OR ORGANIZATIONS: MOH's Boston Home Center

### **8.4 Expand the Family Self-Sufficiency program with a specific emphasis on homeownership.**

Family self-sufficiency and homeownership are critical to reducing poverty and stopping families from being displaced due to gentrification in Boston. The HUD Family Self-Sufficiency (FSS) program was created to help families with Housing Choice (Section 8) vouchers overcome barriers to increasing their income and independence. The program provides for an escrow/savings account and case management services. Each household, in conjunction with a case manager, creates a five-year program to achieve their goals. The escrow account grows along with increases in income, and the family can use it to further their education, start a business, or buy a home after five years.<sup>178</sup>

Both the BHA and Metro Housing|Boston administers Housing Choice Vouchers and both work with Compass Working Capital, a non-profit leader in financial empowerment programs. Expanding the program, setting numerical goals, and addressing obstacles to participation will help more families move out of poverty and become homeowners, where they can further build their wealth.

LEAD AGENCY OR ORGANIZATIONS: BHA and Metro Housing|Boston, with Compass Working Capital and local foundations.

### **8.5 Get additional commitments from banks and mortgage lenders to meet the needs of low-income families and communities of color through mortgage lending and foreclosure prevention programs.**

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<sup>178</sup> For more information, see <https://www.bostonhousing.org/en/For-Section-8-Leased-Housing/Resident-Information/Family-Self-Sufficiency.aspx>.

Traditionally, communities have used the federal Community Reinvestment Act (CRA) as a tool to encourage banks with local branches to invest in their neighborhoods through mortgage lending programs, small business loans, and other efforts. Today, the federal government is introducing new CRA regulations that will likely undermine the importance and usefulness of this tool.<sup>179</sup> In addition to the federal CRA, Massachusetts also has a CRA law that covers mortgage lenders, as well as state-chartered banks.<sup>180</sup> With or without these tools, the City will encourage banks and mortgage lenders to increase their lending in communities of color and participate in foreclosure prevention efforts. The City of Boston manages homebuyer and foreclosure prevention programs through the Boston Home Center,<sup>181</sup> and has 27 participating lenders in its first-time homebuyer financial assistance program, and 17 lenders and lending agencies are participating in a program to provide relief to homeowners as part of the City's response to the economic consequences of the COVID-19 pandemic. While there is a lot of work underway in this area, lenders can do more, and the City will work to secure those commitments, including commitments to not foreclose before efforts are made to resolve issues with an affordable loan modification.

LEAD AGENCY OR ORGANIZATIONS: MOH's Boston Home Center with MassHousing, the Massachusetts Housing Partnership (MHP), the Massachusetts Affordable Housing Alliance (MAHA), and mortgage lenders.

#### **8.6 Continue to enforce the City of Boston Responsible Banking Ordinance.**

The City of Boston has a Responsible Banking Ordinance to assure the City is investing money only in banks that engage in non-discriminatory lending and banking practices. This Ordinance requires yearly reports; the Linked Deposit Banking Report to the Mayor, which summarizes these disclosures and includes additional supplemental information, is intended to assist City officials as they compare the activities and performance of banks in order to help ensure that City monies are invested in institutions that contribute positively to the Boston community.<sup>182</sup>

LEAD AGENCY OR ORGANIZATIONS: Office of the Collector-Treasurer

#### **8.7 Support the establishment and growth of cooperatives and community land trusts, in part through the use of city-owned parcels.**

Cooperatives serve as an alternative to homeownership, especially for lower-income households. The cost to join a housing cooperative can be very low, and provides some opportunity to build a small asset, while providing residents the opportunity to control their own

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<sup>179</sup> For information on changes in the CRA regulations, see the final rule of the Office of Comptroller of the Currency at <https://www.federalregister.gov/documents/2020/06/05/2020-11220/community-reinvestment-act-regulations> and a review of the changes by the National Community Reinvestment Coalition at <https://ncrc.org/treasureCRA/>.

<sup>180</sup> For more information, see <https://www.mass.gov/community-reinvestment-act-cra>.

<sup>181</sup> The Boston Home Center can be found at <https://www.boston.gov/departments/neighborhood-development/boston-home-center>.

<sup>182</sup> The most recent report, published in April 2020, can be found at <https://www.boston.gov/sites/default/files/file/2020/05/2018%20Linked%20Deposit%20Report%20to%20the%20Mayor.pdf>. All reports are available at the Treasury Department's website, at <https://www.boston.gov/departments/treasury>.

housing. Community land trusts (CLTs) also provide an opportunity for resident and community control of housing resources. CLTs own the underlying land, and can assure long-term affordability and stability. Boston has a history of both forms of ownership, and, given the cost of land and housing and a desire to address gentrification, cooperatives and CLTs can be used to expand affordable, resident controlled housing and remove housing from speculative exploitation. The City of Boston is willing to support the efforts of such organizations, which can take the form of making city owned properties available, and helping these organizations purchase properties (both land and existing housing) with City resources. Among the properties that can be targeted for such efforts are distressed properties, REO/bank owned properties, and “expiring use” developments. The City can also support the effort by providing seed grants and technical assistance.

LEAD AGENCY OR ORGANIZATIONS: MOH; BPDA with organizations like COHIF and the Greater Boston Community Land Trust Network

**8.8 Explore the creation of an estate planning program that will help older homeowners preserve their equity and pass it along to future generations to maintain affordability for families of color.**

Mattapan, for example, has a very large senior homeowners’ population. Mattapan United had begun a conversation with the community and partnered with estate planning organizations to educate residents about both the value and need of estate planning as a means of aging in place and preserving the equity they had built by passing on their homes to family. In situations where there is no family or no desire to pass the home to a family member, the homeowner could leave the home to a community land trust. Whether passed down to a family member or to a land trust, either would act as a barrier to gentrification. The City should explore such a program and provide supports that would make this option viable.

LEAD AGENCY OR ORGANIZATIONS: MOH’s Boston Home Center.

**8.9 Design a multi-lingual reference directory of city and state programs and initiatives devoted to providing information and resources aimed at assisting homeowners to make improvements on their homes, be responsible landlords, address tax arrearages, and avoid foreclosure.**

The Boston Home Center’s website provides a wealth of information on homeowner resources. This website should be reviewed to assure that it remains comprehensive, and that the website includes programs available at both the state and city level, and covers a wide range of topics such as property tax abatements, tax deferrals for seniors, and low-interest loans. If utilized fully and widely, more homeowners can keep their homes, and keep them in good condition. Such a website should also provide information about tenants’ rights and landlords’ responsibilities, both in general and in specific situations such as during a foreclosure or if the owner intends to convert it to a condominium. In addition, this website should be made available in several languages, so as to meet the needs of Boston’s linguistically diverse population. The BHC’s website pages are currently being translated into 11 languages.

LEAD AGENCY OR ORGANIZATIONS: MOH's Boston Home Center

In addition to the actions outlined here, the following actions, intended to assist elderly homeowners stay in their homes, are applicable to this goal, as well.

**1.17 Encourage the use of Additional Dwelling Unit zoning as a tool to allow older homeowners and those with disabilities to remain in place, and in their communities.**

**1.19 Develop a summary of services available to assist older adults with tax arrears and refrain from tax foreclosures so that older adults can remain in their homes.**

## **Goal 9. Develop Practices across Agencies that Instill the Use of an Equity Lens**

There is an important difference between ending discrimination in housing and affirmatively furthering fair housing, as discrimination is an outcome of policies, processes, and actions, while to affirmatively further fair housing means to take active steps to assure that policies both support and enhance equity. The actions in this section relate largely to processes and ways of looking at public programs, through an equity lens, that will assist public officials and their community partners to meet that goal. The primary effort of these actions is to promote racial equity, but these same processes can be used to support equitable outcomes for other protected classes.

### **Actions**

#### **9.1 Implement the Executive Order Relative to Racial Equity and Leadership.**

In January 2019, Mayor Martin J. Walsh signed an Executive Order Relative to Racial Equity and Leadership. Implementation includes, but is not limited to organizing training sessions for public officials to better understand how to utilize a racial equity and social justice lens in a) adopting policies and strategies; b) communication and outreach; and c) evaluation of policies, strategies or actions, and by developing individual plans and goals for resilience, racial equity, and social justice.

Policies can be evaluated through a racial equity lens by:

- Understanding the impetus for a policy or program;
- Exploring unintended consequences;
- Implementing actions that would help to avoid unintended consequences and repair unintended consequences of past and present programs;
- Examining otherwise “neutral” public policies for their impacts on protected classes; and
- Understanding how communities impacted by unintended consequences participate in any kind of responses, including policy ones.

These frames of analysis are helpful to implementing the vision set out in *The Blueprint: A Preview of the Principles & Framework for Boston’s Resilience Strategy*: “Racial equity means closing the gaps so that a person’s race does not predict her or his success, while also improving outcomes for all. It is not just the absence of racial discrimination and inequities, but the presence of deliberate systems and supports to achieve and sustain racial equity through reflective, proactive, and preventive measures.”<sup>183</sup>

LEAD AGENCY OR ORGANIZATIONS: Office of Equity, Office of Resilience and Racial Equity with MOH and other agencies

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<sup>183</sup> City of Boston Office of Resilience and Racial Equity (2016). *The Blueprint: A Preview of the Principles & Framework for Boston’s Resilience Strategy*, pg 4. Accessed June 17, 2020 at [https://www.boston.gov/sites/default/files/file/document\\_files/2016/11/kskd\\_100rc\\_boston\\_theblueprint\\_v4.pdf](https://www.boston.gov/sites/default/files/file/document_files/2016/11/kskd_100rc_boston_theblueprint_v4.pdf).

## **9.2 Ensure that City departments are collecting data necessary to evaluate their work through a racial equity/social justice lens.**

Departments should ensure they collect data necessary to understand how programs support or undermine equity, and to make decisions on changing policies to ensure equity. There should be opportunities for public input on data to be collected and proposed uses of the data. Data analyses should be publicly shared and available in a timely fashion, through the use of citywide racial equity/social justice matrix. In particular, MOH and BPDA, in cooperation with the Affirmative Marketing Program, should gather and assess demographic data on applicants and successful renters and buyers of income restricted units.

LEAD AGENCY OR ORGANIZATIONS: Office of Resilience, MOH, BPDA,<sup>184</sup> OFHE, BHA, and other agencies.

## **9.3 Enhance collaborative decision-making in City government by bringing together residents and government to share knowledge and skills to develop more effective and equitable policies, practices, and processes.**

Engage and fund community-based organizations and academic institutes working in this space to organize sessions to solicit both concerns and suggestions about challenges facing Boston within a racial/ethnic equity and fair housing lens. These sessions would be opportunities for public officials to listen and provide information; to discuss neighborhood history, culture, and struggles; and provide a platform for civic debate and/or hard discussions about current and potential programs/strategies.

LEAD AGENCY OR ORGANIZATIONS: Office of Equity with BPDA, OFHE, MOH and with community and academic partners.

## **9.4 Develop strategies to ensure that the leadership of various city agencies are continually aware of fair housing issues.**

Many City agencies directly touch issues related to housing, including the Boston Housing Authority, the Mayor's Office of Housing, the Boston Planning & Development Agency, the Inspectional Services Department, and the Boston Public Health Commission. Other agencies indirectly touch housing issues because of the residents they serve, such as the Office of Workforce Development, Boston Center for Youth and Families, and the Boston Public Schools. The City should develop strategies to ensure that fair housing concerns are both understood and addressed by all agencies that touch housing issues, and to overcome addressing such issues in a piecemeal way. Efforts can include annual or semi-annual meetings where agencies share notes and observations about specific policies, practices, and challenges in their own area that are connected to other areas.

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<sup>184</sup> For the BPDA, demographic data on residents of Inclusionary Development Policy was of particular interest to the Community Advisory Committee.



LEADING AGENCY OR ORGANIZATIONS: Office of Resiliency and Racial Equity and OFHE with the agencies such as those listed above.

**9.5 Encourage BHA and property managers of income restricted housing to pursue greater communication and collaboration with the Boston Public Schools and local community health centers (and nonprofits) to assist in understanding the health and housing-education needs of children.**

The BHA has long-established relationships with the Boston Public Schools and neighborhood health centers, and their Community Services Department intends to continue and expand such relationships whenever possible. The 2012 report *Boston Housing Authority and Boston Public Schools: Exploring Academic Collaboration*<sup>185</sup> provides brief descriptions of past collaboration as well as recommendations for expanding communication and potential actions to strengthen and expand collaboration, with one goal being the development of pedagogical innovations regarding after-school time.

LEAD AGENCY OR ORGANIZATIONS: BHA and BPS

**9.6 Ensure transit improvements in neighborhoods increase equity over the long term for the current residents**

Transit improvements, such as those being made to the MBTA Fairmount commuter rail line, provide additional access to opportunities for those living in areas of high poverty. Such improvements, however, can also contribute to gentrification and displacement over time, if not coupled with land use or housing policies that also focus on equity. Impacts could be considered in terms of housing, but also the cultural history of a neighborhood area, for which a precedent was established recently by community organizers in Chinatown.

LEAD AGENCY OR ORGANIZATIONS: BPDA and Boston Transportation Department, with the MBTA.

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<sup>185</sup> Jennings, James, Nanina Gaeta Coletta, and Ann Jankie (2012). *Boston Housing Authority and Boston Public Schools: Exploring Academic Collaboration*. Accessed June 17, 2020 at <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjqp73sglnqAhV-VTABHWDmDZAQFjAAegQIARAB&url=https%3A%2F%2Fsites.tufts.edu%2Fjamesjennings%2Ffiles%2F2018%2F06%2FreportsBostonHousingAuthority2012.pdf&usq=AOvVaw0Lmzfa31kX6d-1Bupk3F-H>

## **Goal 10. Promote Equitable Access to Housing and Reduce and Eliminate Discrimination, Both Intentional and Non-Intentional**

The systemic problem of racism with consequent segregation and discrimination is a problem that continues to this day. Many have expressed concern that public discourse and politics is even more racially and ethnically divisive today, than in earlier periods. Recently, a *Boston Globe* series about race in Boston indicates that in many sectors and institutions, and whether intentional or not, segregation is evident.<sup>186</sup> This is a context which serves to deny members of protected classes fair housing along many dimensions.

Discrimination can come in the form of intentional actions, or unintentionally, as a result of policy decisions. The City of Boston can encourage a better understanding of fair housing goals, take steps to reduce discrimination, and monitor its own programs for potentially unintentional outcomes.

### **Actions**

#### **10.1 The Office of Fair Housing and Equity (OFHE) will aggressively conduct fair housing education, investigation, and enforcement activities, in coordination with fair housing and civil rights organizations.**

The core mission of the OFHE is to investigate fair housing complaints and enforce fair housing law. To enhance their efforts, the OFHE should complete an internal review to identify ways to collaborate better with external partners (such as the Government Alliance on Race and Equity and local civil rights groups), strengthen educational efforts so that protected classes understand their rights, and provide on-line resources for residents to both learn about and report discrimination. The OFHE should identify high profile cases where higher damages are attainable and where the resulting publicity would have a higher impact on discrimination more broadly.

LEAD AGENCY OR ORGANIZATIONS: OFHE

#### **10.2 Increase staff and resources for the Office of Fair Housing and Equity.**

In order to expand the activities outlined in action 10.1 above, the OFHE will need an increase in staff and resources. As part of this effort, the OFHE should also assure it has sufficient resources to improve its data collection activities, following MAPC's recommendation: "...Agencies must utilize data collection methods and adapt training resources to support integration of fair housing into planning and funding decisions."<sup>187</sup>

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<sup>186</sup> Boston Globe Spotlight Team (2018) "Boston. Racism. Image. Reality." Accessed June 18, 2020 at <https://apps.bostonglobe.com/spotlight/boston-racism-image-reality/>.

<sup>187</sup> Metropolitan Area Planning Council (2017). *Fair Housing and Equity Assessment for Metropolitan Boston*, pg 10. Accessed June 18, 2020 at [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwix0quirlvqAhWlXIEHYBCAiIQFjAAegQIARAB&url=http%3A%2F%2Fwww.mapc.org%2Fwp-content%2Fuploads%2F2017%2F09%2FFair\\_Housing\\_and\\_Equity\\_Assessment.pdf&usq=AOvVaw2x4wrMDc-l89MMns9Tvyd](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwix0quirlvqAhWlXIEHYBCAiIQFjAAegQIARAB&url=http%3A%2F%2Fwww.mapc.org%2Fwp-content%2Fuploads%2F2017%2F09%2FFair_Housing_and_Equity_Assessment.pdf&usq=AOvVaw2x4wrMDc-l89MMns9Tvyd)

Some of the resources needed can accrue from penalties collected from discrimination cases, and can be used not just for OFHE, but to fund independent, non-profit partners who can assist with community engagement, testing, investigation, and enforcement activities. The now dormant Boston Fair Housing Center played this role in the past and could be revived.

LEAD ORGANIZATION: OFHE, with non-profit partners

**10.3 Produce a public information campaign focused on housing providers and lenders about their obligations under the fair housing laws.**

Housing providers include real estate agents and brokers, property managers, and others who serve as the front door to accessing housing. As was made clear in the 2020 Suffolk Law/Boston Foundation report, discrimination based on race and housing vouchers is rife. In addition, discrimination on the basis of familial status and failure to reasonably accommodate disabilities are of great concern, and as discussed in the data section, lending discrimination continues to exist. For this reason, targeted educational and training efforts are needed.

LEAD AGENCY OR ORGANIZATIONS: OFHE, with non-profit partners

**10.4 The City will advocate for passage of laws requiring additional fair housing training for real estate agents and brokers.**

Real estate agents and brokers are the gatekeepers to housing, and their responsibility to upholding fair housing law must be at the forefront of every interaction they have with a potential renter or buyer. As such, the City will support passage of laws that expand the amount of fair housing training that is required for initial licensure and for continuing education.

LEAD AGENCY OR ORGANIZATIONS: Intergovernmental Relations

**10.5 Create additional tools to recognize and encourage landlords, management companies, and lenders to consistently engage in best practices to promote fair housing.**

The Office of Fair Housing and Equity has used Fair Housing Month (April) to present a Fair Housing Landlord Award. The OFHE should explore additional, more systematic tools to encourage best practices.

LEAD AGENCY OR ORGANIZATIONS: OFHE

**10.6 Work to limit the impacts of Criminal Offender Record Information (CORI), poor or non-existent credit histories, and eviction records on Boston residents' ability to secure housing.**

CORI, credit histories, and eviction records are commonly used by landlords to screen tenants, and often do so without consideration of the details of those records. Such policies have a disparate impact on households of color. For income restricted units created with funding from the City of Boston or through the Inclusionary Development Policy, the City has implemented the

Boston Fair Chance Tenant Selection Policy, through the Affirmative Fair Marketing plans. These plans are signed by the developer, the Office of Fair Housing & Equity, and BPDA or the MOH. This policy covers CORI and credit records, but not eviction records.

This effort could be strengthened by adding eviction records to the policy, and reviewing application, tenant selection, and eligibility screening processes to identify other ways these issues are acting as barriers to access. In addition, a public education campaign could alert the general public about how these records have an impact on both housing and jobs. Where possible, such a campaign could also alert the public about when use of records (and specifically CORI) could be a violation of federal anti-discrimination laws based on guidelines published by the Equal Employment Opportunity Commission in 2012.

LEAD AGENCY OR ORGANIZATIONS: OFHE, MOH, BPDA, with non-profit partners

#### **10.7 The City will support legislative efforts to protect tenants from the inappropriate, harmful use of tenant summary process records.**

With the advent of online court records, tenant eviction records are the “new CORI.” Court records often do not make it possible to determine whether the eviction was the fault of the tenant, or a no-fault, retaliatory, or discriminatory eviction. Tenants with any kind of eviction record, even when the eviction case was dismissed, find that it impedes their ability to seek housing. The City will support legislative efforts to protect tenants from this harm.

LEAD AGENCY OR ORGANIZATIONS: Intergovernmental Relations

#### **10.8 Create a housing portal that will make income restricted housing more accessible to consumers**

It is important that any information regarding the availability of income restricted housing is immediately available and easily accessible. Wide distribution of information and a highly publicized primary source of such information will help to reduce disparities and inequities in access to opportunity but also serve to challenge continuing segregation in Boston.

The MOH’s Office of Housing Stability has taken on the responsibility of the Metrolist, which had been housed at the Office of Fair Housing and Equity. The Metrolist has evolved from paper property listings mailed out to organizations and community groups, to an email notification list, and now to a more modern notification and search engine.<sup>188</sup> In 2020, improvements were made to the system that enhance the search functions and help the consumer to better understand which properties they would be income eligible for. The City is also working with partners on a statewide system. The ultimate goal is to create systems whereby all available units, both new and on turn over, are available at one location, and households can search for and apply more easily for properties as they become available. While it is not clear when a statewide system will be available, the City is moving forward during fiscal year 2022 in making it possible for potential applicants to have an account and apply for housing with a few clicks, much like New York City’s

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<sup>188</sup> The Metrolist can be accessed at <https://www.boston.gov/metrolist>.

Housing Connect website. The City will continue to evaluate the portal, and identify ways in which the portal can specifically be used to increase housing choice and access for protected classes. Data from the Metrolist can also be used to assess housing needs.

LEAD AGENCY OR ORGANIZATIONS: MOH

**10.9 The City will improve compliance with the Boston Language and Communications Access Ordinance by providing additional translated materials and in-person interpretation.**

As noted in the data section of this report there are a significant number of persons in Boston who speak a language other than English and have low proficiency in English (“LEP”). Not providing translated materials and interpretation can result in the denial of fair housing for such persons, and could violate Title VI of the Civil Rights Act of 1964 prohibition of discrimination based on national origin discrimination.<sup>189</sup> Both MOH and the BPDA are implementing new language access plans to assure that translations of important public notices or announcements and key housing applications and program material are available to address the language needs of persons with Limited English Proficiency. In addition, both agencies will assure that translation services are available for LEP persons to participate in public meetings or to get program information and assistance. The BHA has an operational language access plan that they will continue to adhere to and revise, as appropriate.

LEAD AGENCY OR ORGANIZATIONS: BPDA, MOH, BHA

**10.10 Create tools to identify landlords, management companies, realtors, and lenders who consistently engage in discrimination and other practices that have a disparate impact on protected classes.**

The City will establish a registry/database that will include information on fair housing and discrimination complaints and findings, evictions, wage theft complaints, refusals to accept or renew rental subsidies, building and health code violations, violations of the consumer protection law, etc. This data can inform the Affirmatively Furthering Fair Housing assessment in the Article 80 development review process and BHA Section 8 contracts with landlords, and City legal staff will explore how this data can be used to deny bad actors from doing business with the City, such as the receipt of City funds or City owned land.

LEAD AGENCY OR ORGANIZATIONS: OFHE, Inspectional Services, MOH, and BPDA.

**10.11 Include non-discrimination and affirmatively furthering fair housing clauses in legal agreements with property developers.**

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<sup>189</sup>See, “Frequently Asked Questions on the Final LEP Guidance” *Federal Register* (January 22, 2007). Accessed June 17, 2020 at <https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against>

Developers and real estate interests are on the frontlines of housing, and certainly, fair housing issues; it is important that they pursue business interests in ways that do not undermine or weaken fair housing for protected classes. But, some developers may not be aware of the city's fair housing policies and practices. Efforts should be made to encourage a strong understanding of what fair housing entails. As such, the BPDA and the MOH can include non-discrimination and affirmatively furthering fair housing clauses in legal agreements, such as affordable housing agreements and affirmative fair marketing plans.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA

**10.12 The City will review housing eligibility guidelines to identify practices that result in discriminatory outcomes.**

Unintentional barriers to housing for protected classes can be created by housing eligibility policies and procedures. For example, documentation requirements may reduce households of a particular protected class's ability to participate in a program. Both the MOH and BPDA will review these policies and procedures, and incorporate program data as part of this review, to identify areas for improvement. In some cases, these guidelines are set by state and federal agencies. In these cases, the City will advocate with the state and federal government for changes.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA

## **Goal 11. Ensure the Equitable Distribution of City Resources Based on Need by Providing Supports for Rent-Burdened Residents and Residents Facing Potential or Actual Displacement**

Through the public process, it became clear that there are deep concerns that gentrification and high housing costs will both displace residents of color and destroy local communities. In addition, it was felt that new development does not meet the needs of Boston residents and contributes further to rising rents and displacement. The data section of this report supports the concerns about displacement by providing clear evidence of the racial disparities in income, and the resulting disparities in housing cost burden and homeownership rates. For this reason, households of color are at a higher risk for displacement from their current homes and/or neighborhoods. This is compounded by the fact that the cost of housing elsewhere and continued patterns of segregation and discrimination give many households of color little hope that they will be able to find a home elsewhere. The actions here focus on efforts that can start to address those who are most at risk for displacement, both in gentrifying neighborhoods, and more broadly.

A similar concern about gentrification, and actions that can be taken to address it, was included in the citywide *Imagine Boston 2030* plan: “Anti-displacement policies and forward-looking investments in affordable housing will ensure that existing residents can remain in their homes. Proactive policies to promote affordable, stable neighborhoods will combat challenges associated with increased real estate prices that sometimes accompany investments.”<sup>190</sup> Further, “Households in every neighborhood are feeling the strain of rising prices, and many historically affordable neighborhoods, including areas with large low-income populations and communities of color, are becoming less affordable. Boston’s high cost of living is a testament to people’s desire to live in the city, but these high costs are challenging for the families and communities who have long called Boston home. Boston must focus on the needs of these residents as we work to prevent displacement and make Boston affordable for all.”<sup>191</sup>

In response, the City and its partners have adopted a multi-pronged approach to mitigating the impact of gentrification. Current strategies include working with tenants and nonprofits to acquire existing unsubsidized rental properties in order to convert them to permanently affordable housing, along with other strategies to increase the number of affordable units, expanding homebuyer assistance programs to enable renters in impacted areas to buy homes in the neighborhood, and opening the Office of Housing Stability to provide case management services for individual tenants. The City is also seeking legislation to provide tenants with a right to counsel in eviction cases.

There are community revitalization, anti-displacement strategies across the city. A neighborhood lens should be utilized to ensure that all neighborhoods, especially the most economically distressed, partake of the benefits of community revitalization without displacement. Participants in Boston’s city-wide survey discussed earlier in this Report were asked: “What do you think the

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<sup>190</sup>City of Boston (2017). *Imagine Boston 2030: A Plan for the Future of Boston*. Page 30. Accessed June 18, 2020 at [https://www.boston.gov/sites/default/files/embed/file/2018-06/Imagine20Boston202030\\_pages2.pdf](https://www.boston.gov/sites/default/files/embed/file/2018-06/Imagine20Boston202030_pages2.pdf).

<sup>191</sup> *Ibid*, pg. 90.

City of Boston can do to address racial and ethnic segregation in housing?” Responses included adopting restrictions on rent increases, providing deeper subsidies in projects to house lower-income households, providing more assistance for homeowners and small landlords (including de-leading), promoting Community Land Trusts as an anti-gentrification tool, using city-owned parcels to create more affordable housing, building more family sized housing in all neighborhoods, increasing testing and prosecution of landlords and realtors who engage in discrimination, and requiring that private investments are guided by a public framework of pursuing fair housing and equity across racial and ethnic lines.

Some of these actions are outlined elsewhere in these goals and actions. The actions below focus specifically on the equitable distribution of resources and protecting the most vulnerable from displacement.

## **Actions**

### **11.1 Develop and obtain approvals to implement a preference policy in affordable housing units for low-income rent burdened households, especially those determined to be at risk of displacement.**

The City is seeking state and HUD approval to create a preference for rent burdened households when accessing newly constructed, income restricted units. Such a preference would directly address gentrification and those who have among the highest needs for income restricted housing, and are at risk for displacement. Reducing displacement assures that families with few other options can stay in the city, preserves economic and racial/ethnic diversity, and maintains unique cultural and linguistic communities.

LEAD AGENCY OR ORGANIZATIONS: MOH with BPDA

### **11.2 Review, and if possible, expand the use of the Neighborhood Diversity Preservation Preference.**

Traditionally, state and federal agencies have been unwilling to approve neighborhood preferences when allocating income restricted units. This unwillingness is understandable in light of the continued segregation of American cities. This policy, however, makes it difficult to help protected classes from being displaced from their gentrifying neighborhoods. In a desire to support those threatened with displacement, the MOH, BPDA, and the OFHE worked together to pilot the Neighborhood Diversity Preservation Preference (“NDPP”). This preference can only be used in areas of the city that are already diverse, and only for individuals and families who are most likely to be displaced, including those who are elderly, housing cost burdened, or have a child in the public schools. This preference can only be used where there is no state or federal funding (such as Inclusionary Development Policy units), and applies to only half of the income restricted units.

There is substantial support for the policy among advocates from a diverse set of neighborhoods, including Chinatown, Dorchester, East Boston, and Roxbury, but the state is unwilling to allow the policy for projects they fund, or for projects that are approved for 99 year



income restrictions. The City is going to review the projects that have been marketed with this preference thus far, to see if the pilot has been effective, and will then make decisions whether to discontinue or update the preference.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA, OFHE

**11.3 Conduct assessments to assure that City resources are distributed in an equitable manner based on need in order to address significant disparities in housing needs and in access to opportunity, foster truly integrated and balanced patterns, transform racially and ethnically concentrated areas of poverty into areas of opportunity, and avoid disparate impacts on protected classes.**

As the data section revealed, a majority of Black, Latinx, and Asian households are low- and very-low-income (incomes of less than \$50,000), and a majority of White households have incomes over \$100,000. As a result, well over a majority of Black, Latinx, and Asian households are housing cost burdened, compared to 36 percent of White households, and there are also significant disparities in homeownership rates. In order to address these economic and housing disparities, the city must assess how housing resources are distributed, by income.

Such a review should take a comprehensive approach, with an understanding of the broad range of housing supports, the fair housing and equity considerations, addressing those who are most at need, as well as desires to assure that Boston is an economically diverse city. While the income limits of programs will be the primary focus of such a review, other factors, such as how programs are marketed, are also important. In doing so, the review would include BHA, the MOH, and BPDA programs, including the Inclusionary Development Policy. Such a review will take place in concert with a review of the IDP, taking place in 2022.<sup>192</sup>

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA, BHA

**11.4 Implement policies that encourage developers to create income restricted units for both lower-incomes, and for a broader range of incomes, where doing so affirmatively furthers fair housing.**

In addition to reviewing the maximum income limits on City funded and sponsored housing programs, the City can also implement policies that promote a broader diversity of units, by income limits. For example, in the 2019 funding round for new affordable housing development, proposals were prioritized that provided additional homeless set-aside units (30% of Area Median Income (“AMI”)) and/or units at 50% of AMI. In exchange for providing these units, developers are allowed to access additional City funds. Both priorities increase the income diversity in buildings that are generally available to households with incomes closer to 60% of AMI. Also, the BPDA is examining the possibility of requiring Inclusionary Development Policy

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<sup>192</sup> For information on Area Median Incomes and rent limits, see <https://www.boston.gov/departments/neighborhood-development/housing-and-urban-development-income-limits> For Inclusionary Development Policy rents and sales prices, see <http://www.bostonplans.org/housing/income,-asset,-and-price-limits>.

units at a range of incomes, rather than a single income (currently 70% of AMI), as needed to address significant disparities in housing needs and in access to opportunity among members of protected classes.

LEAD AGENCY OR ORGANIZATIONS: MOH with BPDA

**11.5 Broaden public understanding of the practices and outcomes generated from the “Development without Displacement” requirements in recent requests for proposals (RFPs).**

As part of the PLAN: Nubian Square process, the MOH and BPDA introduced language in the requests for proposals (RFPs) for City owned parcels that required developers to assess how their proposed projects would contribute to the concept of “Development without Displacement.” This requirement can be an important tool in ensuring that developers become more broadly conscientious about the needs of long-term residents. The MOH and BPDA should share widely with both developers and the public the proposed practices, and monitor yearly the outcomes of adopted practices so as to develop best practices.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA

**11.6 In tandem with the anti-displacement goals of Request for Proposals, the City should assure that funding is available to address the needs of low-income and housing cost burdened residents.**

In conjunction with the new “Development without Displacement” goals of Requests for Proposals for City owned land, the City can explore ways to assure that funds are available to address displacement pressures in areas where this land is being made available. Funds should be made available for a number of purposes including, but not limited to, the Acquisition Opportunity Program, funding of attorneys to intervene on behalf of tenants in housing court, and other housing stability programs. The City should explore the establishment of funds supported by local financial, medical, and other institutions.

LEAD AGENCY OR ORGANIZATIONS: MOH

**11.7 Continue to refine a displacement risk tool to better understand neighborhood change associated with gentrification and displacement, so as to enhance policies and planning that address displacement.**

Tools based on census and administrative data for measuring gentrification have been proposed across the country as well as in Boston.<sup>193</sup> While measuring both gentrification and

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<sup>193</sup> For some examples, see, Jennings, James (2014). *Development without Displacement: The Spatial Face of Potential Gentrification in Boston, Massachusetts* DSNi Research Brief. Accessed June 19, 2020 at <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiMgl6G643gAhW1hHIEHUI-A4YQFjAAegQIARAB&url=https%3A%2F%2Fwww.dsn.org%2Fs%2FSpatial-Face-of-Potential-Gentrification.pdf&usg=AOvVaw19-EIQHILPnxJl1DO0Rm12>; Preis B, Steil J, Janakiraman A, Bob A, (2020). *Mapping Gentrification and Displacement Pressure: An Exploration of Four Distinct Methodologies*, MIT. Accessed June 19, 2020 at

displacement can be somewhat elusive, the City will continue to refine its Displacement Risk Map so as to guide the City in decision making both in terms of programs, planning, and development review. This tool looks not just at where gentrification and displacement has occurred, but also predict where displacement is likely to happen. Among the measures that contribute to such an analysis are changes in rents and sales prices, racial and ethnic composition, educational attainment, household type, overcrowding, and housing cost burden.

LEAD AGENCY OR ORGANIZATIONS: MOH and BPDA, with MAPC

**11.8 Monitor the Inclusionary Development Policy (“IDP”) “zone” structure for unintended consequences related to impact on members of protected classes and the goal of affirmatively furthering fair housing.**

The Inclusionary Development Policy requires that developers, in exchange for zoning relief, support the creation of income restricted housing on-site at the development, off-site in a nearby location, or by paying into the IDP Fund, which is used to develop income restricted housing citywide. As part of the 2015 update of the IDP, the city was divided into three zones for purposes of implementing the policy. While on-site requirements are the same citywide, the zones were used because, from a financial feasibility perspective, developments in more expensive neighborhoods are able to support more housing when they take the off-site or pay-out options. Advocates have raised concerns that using zones can have unintended consequences for protected classes.<sup>194</sup> Keeping in mind the goals to use a racial equity lens on City policies, this feature of the IDP should be monitored for unintentional outcomes. See Appendix E for a map of these zones.

LEAD AGENCY OR ORGANIZATIONS: BPDA with MOH

**11.9 Monitor real estate patterns and trends such as evictions, foreclosures, rents and sales prices, and condo conversions so as to 1) Understand how protected classes are disparately impacted by forces in the housing market, and 2) Identify tools to intervene in these processes.**

The MOH monitors evictions, foreclosure, rents, sales prices, distressed properties, and condo conversions on an ongoing basis. While the MOH has been collecting some of this data for a number of years, the eviction data is the newest data available, and working with a non-profit partner, this data was being collected directly from the local courts. The COVID-19 Pandemic has made collection of this data impossible for now, but MOH should work to secure this data. MOH should make summaries of eviction data available on-line for both the city as whole and by neighborhood in a timely manner; it will be used to inform the Displacement Risk and Historic

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<https://dusp.mit.edu/publication/mapping-gentrification-and-displacement-pressure-exploration-four-distinct-methodologies>; a Jennings, James (2012). “Measuring Neighborhood Distress: A Tool for Place-Based Urban Revitalization Strategies,” *Community Development Journal*. Accessed June 19, 2020 at <https://www.tandfonline.com/doi/abs/10.1080/15575330.2011.645047>.

<sup>194</sup>The Boston Tenant Coalition has submitted comments including, “Fair Housing Concerns regarding Implementation of New Inclusionary Development Program,” and “Comments on City of Boston’s and Boston Housing Authority’s Second Draft Assessment of Fair Housing “(September 25, 2017).

Exclusion tools; and are used to inform City programs and policies. The information would be invaluable to community activists and non-profits seeking to help ensure “development without displacement” as a tool for affirmatively furthering fair housing. As part of this, the City should explore ways to gather data that provide a richer understanding of developer and landlord practices, and how they contribute to displacement.

LEAD AGENCY OR ORGANIZATIONS: MOH; BPDA

### **11.10 The Community Preservation Act Committee should review the early applications and funded projects to assess how they met their initial affordable housing goals.**

The Community Preservation Act (CPA) was approved by Boston voters in 2016, and provides funding for income restricted housing, open space, and historic preservation from a one percent property tax surcharge and matching state funds. These funds are managed by a CPA Committee, and in 2018 published a *Community Preservation Plan*, which outlined the following goals for its first year of applications:<sup>195</sup>

1. Construction of more deeply affordable rental housing - 50% AMI or below.
2. Affordable homeownership opportunities for moderate income buyers who are under 100% AMI.
3. Displacement prevention through acquisition by purchasing at-risk properties in order to maintain tenancies and add to Boston’s affordable housing stock.

The CPA Committee should provide a report on how early applicants and grant/loan recipients meet these goals, so as to allow more discussion about how CPA funds can be used to further these goals as well as the City’s goals to affirmatively further fair housing.

LEADING AGENCY OR ORGANIZATIONS: Community Preservation Act Committee

### **11.11 The Community Preservation Act Committee will raise public awareness about the availability and potential uses of community preservation funding.**

CPA funds represent a relatively flexible source of funding for historic preservation, income restricted housing, and open space. The CPA Committee, with assistance from MOH as needed, will raise awareness among community-based organizations about what the funds can be used for, and how to apply for these funds. In particular, the CPA Committee will highlight the ways in which funds can be used by community organizations and residents to acquire ownership of distressed or vacant properties.

LEADING AGENCY OR ORGANIZATIONS: Community Preservation Act Committee

### **11.12 Adopt Innovative Strategies to Prevent Displacement and Preserve Communities**

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<sup>195</sup> City of Boston Community Preservation Act Committee (2018). *Community Preservation Plan*, page 5. Accessed June 19, 2020 at <https://docs.google.com/document/d/1q7j3mK5rslB0DYydibYC1PeFumzwnAX9GIRJjCnaVxw/edit#>

The City will work with its partners to continue to expand a multi-pronged approach to mitigating the impact of gentrification by exploring and adopting innovative strategies to prevent displacement, especially involving members of protected classes, and to preserve Boston's communities.

LEADING AGENCY OR ORGANIZATIONS: MOH, BPDA

## **Goal 12. Increase Resources for Housing and Homelessness**

The data section of this report highlights the income and wealth disparities that exist in Boston, particularly as it relates to race and ethnicity, as well as the fact that over 50 percent of households of color are housing cost burdened. These facts drive the need for additional affordable/income restricted housing, especially for low- and very-low income households. The City has been a leader in developing affordable housing resources, but these needs call upon us to strengthen existing funding programs and seek out new resources. The City of Boston continues to seek additional resources from the state, seek permission from the state to raise more funds locally, and use City operating funds.

The actions described here outline some of the efforts that would further increase resources. The COVID-19 Pandemic presents challenges to some of these efforts in the short term, at the same time that the Pandemic will deepen the need for housing resources.

### **Actions**

#### **12.1 The City should commit additional operating funds to housing and homelessness programs.**

In recent years, the City has committed additional operating and capital funds to affordable housing. The City should increase funding for housing, use a portion of increased property tax receipts for housing, and include funding for anti-displacement and income restricted housing preservation efforts.

LEAD AGENCY OR ORGANIZATIONS: City of Boston Budget Office, MOH

#### **12.2 Continue to advocate for a property transfer tax.**

In December 2019, the City passed a Home Rule Petition, which would establish a fee of up to two percent of the purchase price on the transfer of property that is valued over \$2 million in Boston. Funding generated from the fee would be dedicated to supporting affordable housing in the city. The proposal is now under consideration by the Massachusetts Legislature for approval. There are similar bills from other cities, as well as a statewide bill under consideration. The City will continue to support the creation of a transfer fee.

LEAD AGENCY OR ORGANIZATIONS: Intergovernmental Relations, MOH

#### **12.3 Advocate for increasing the state Community Preservation Act matching funds.**

Under the Community Preservation Act, cities and towns levy a property tax surcharge, and the state matches a portion of those funds from registry fees and other state funds. These funds can be used for affordable housing, open space, and historic preservation. When the program was first created in 2000, the state was able to provide a one-to-one match of the local funds. As more towns and cities adopted CPA, that match declined, and the legislature has provided additional funding. Even with additional funding, the 2019 match was only 23.9%. In 2019, state

legislation was passed to increase registry fees, so as to increase the match. The Massachusetts Department of Revenue is now predicting, given the economic downturn caused by the COVID-19 Pandemic, that registry activity will decline and other state funding will not be available, so the 2020 match is likely to be only 11.2%.<sup>196</sup> The City will continue to advocate at the State House to secure additional funding for the CPA.

LEAD AGENCY OR ORGANIZATIONS: Intergovernmental Relations

**12.4 Ensure that education, cultural, and health institutions pay the agreed upon Payment In Lieu of Taxes (PILOT) in a timely manner, and commit some of that funding for deeply affordable housing.**

Boston's Assessing Department reported that about \$22.5 million was uncollected in agreed upon PILOTs in FY2019;<sup>197</sup> some of this money, if collected closer to 100%, would serve as an injection of much needed cash/funding that could be targeted to neighborhoods and households who are not fully benefiting from Boston's development renaissance, and offset the pressures that these institutions, especially the universities, place on the housing market.

LEAD AGENCY OR ORGANIZATIONS: Assessing Department, with BPDA

**12.5 Advocate for additional flexibility to increase resources from commercial linkage payments.**

Boston's Linkage program provides funding for affordable housing and workforce training through payments by large-scale commercial real estate development, designed to mitigate the impact of commercial development on affordable housing and employment in Boston. Until recently, the Boston Planning & Development Agency was only allowed to adjust Linkage every three years based on the Consumer Price Index (CPI). Currently, commercial developments over 100,000 square feet pay \$13.00 per square foot for housing and jobs Linkage. The money collected is made available through competitive funding rounds administered by the Neighborhood Housing Trust and the City of Boston's Office of Workforce Development.

In September 2019, the City passed a Home Rule Petition that would allow Boston to make adjustments to the required payment and program guidelines, including annual adjustments, allowing for Linkage to be more closely aligned with the market and offering additional opportunities for the creation of affordable housing and workforce development. The Home Rule Petition was approved by the Massachusetts Legislature and signed into law by Governor Baker on January 14, 2021, giving Boston legislative authority to make a range of adjustments in its Linkage program.

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<sup>196</sup> Community Preservation Coalition (2020). "DOR Issues Preliminary Estimate for Fall 2020 CPA Trust Fund Distribution." (May 4th). Accessed June 19, 2020 at <https://www.communitypreservation.org/home/news/dor-issues-preliminary-estimate-fall-2020-cpa-trust-fund-distribution>.

<sup>197</sup> Data is as of August 2019, and can be found at the City of Boston Assessing Department webpage on the PILOT program, accessed June 20, 2020 at <https://www.boston.gov/finance/payment-lieu-tax-pilot-program>.

The Home Rule Petition specifically lists fair housing concerns as part of the justification for authorizing Boston to make adjustments to its Linkage program, and as such, the City used this new legislative authority in February 2021 to make some initial adjustments to the Linkage rate, but the City will work with representatives from community, fair housing, affordable housing, workforce training, and other groups to make more substantial changes in 2022.

LEAD AGENCY OR ORGANIZATIONS: BPDA, MOH, Neighborhood Housing Trust, Mayor's Office of Workforce Development, and the Neighborhood Jobs Trust.



### **Goal 13. Create Healthy Homes and Promote Collaboration between Efforts to Address Housing, Health, and Safety**

Both health and safety intersect with housing. The most obvious intersection is in the home itself, because lead paint and/or an infestation of mold, rodents, and/or insects, contributes to disparate health and educational outcomes. Housing instability also contributes to disparate health outcomes. Even if a home is lead free, and the family has ongoing stability, housing discrimination, segregation, and the siting of pollution-causing uses (e.g. industrial sites and highways) has led to the racial and ethnic concentration areas of poverty (RECAPs), which often correspond to high levels of health problems including asthma and cardiovascular disease, as well as high levels of crime and policing.

The activism spurred by the murder of George Floyd not only has provoked a dialogue on policing and police funding, it has also created a space for the discussion of a range of issues, including fair housing, that affect Black and Brown people. In recognition of the conditions this activism has exposed, Mayor Martin J. Walsh declared that racism is a public health crisis on June 12, 2020, and discussions are underway on reforms to the Boston Police Department and the uses of funds that had been dedicated to the department.

A range of actions to address health, safety, and housing will come from this dialogue. Outlining such actions now is beyond the scope and timing of this document, but there are actions here that outline ways in which this dialogue can contribute to addressing segregation and affirmatively furthering fair housing.

#### **Actions**

##### **13.1 Increase the supply of delead homes.**

There is a concentration of Elevated Blood Lead (EBL) cases in predominantly Black and Latinx neighborhoods. This is a challenge that has implications for how children perform in school, as well as their success as adults in the workforce. Moreover, families with children aged six and under face rampant discrimination in the housing marketplace because landlords do not want to delead. As a result, low-income families, with or without a housing voucher, find it difficult to find a home, contributing to the growth in the number of families with small children experiencing homelessness. In order to decrease the incentive to discriminate against families with young children in housing rentals, there must be an increase in the stock of lead-safe housing. In undertaking this action, the City should:

- Seek additional Lead Hazard Control grant funding from HUD;
- Continue to monitor the progress of the five-year goals of the Boston Lead Paint Initiative and address any obstacles to success;
- Ensure that the City's homeowner rehab programs is widely advertised;
- Require recipients of City financial assistance to delead any units with more than one bedroom;
- Provide deleading assistance to purchasers and homeowners; and

- Maintain a registry of deleaded units so as to help families locate/access these units.
- The OFHE will take fair housing enforcement actions against property owners who discriminate against renting to families because of lead in the property.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPHC, OFHE

**13.2 Assure that the Boston Public Health Commission’s Asthma Home Visit and the Breathe Easy at Home (BEAH) referral program are well publicized among health providers and within communities of color.**

The BPHC offers free home visits (virtual visits during the COVID-19 Pandemic) by trained Certified Community Health Workers (CCHWs) from BPHC and partner programs who assess conditions in a family’s home that can trigger asthma symptoms. An Asthma Action Plan is created, which may include referrals to other resources. Through the Breathe Easy at Home (BEAH) program, doctors, nurses, or other health professionals can refer patients with asthma for housing inspections if they suspect substandard housing conditions may be triggering a child’s asthma in their home. BEAH supports renters by addressing issues in the home that may require the landlord to resolve (e.g., mold, moisture, leaks, pests (rodents and roaches), holes where pests may enter, broken bathrooms/kitchen vents, etc.). BPHC should assure that these programs are well publicized.

LEAD AGENCY OR ORGANIZATIONS: BPHC

**13.3 Explore how community health impact analyses can be built into planning and development review processes so as to identify how changes in the built environment contribute to, or help to address, community health.**

As outlined in Goal 7.1, the BPDA is committed to incorporating an Affirmatively Furthering Fair Housing Assessment as part of the development review process. As this tool is being developed, the BPDA should also explore how community health impact analyses can be integrated into planning and development review processes. There are also opportunities to get developers to include amenities which benefit public health such as active recreation areas, access to bikes, better walkability, calisthenics parks and workout stations, etc. Such efforts benefit from community engagement.<sup>198</sup>

LEAD AGENCY OR ORGANIZATIONS: BPDA, MOH, BPHC

**13.4 Strengthen the linkages between housing and healthcare organizations.**

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<sup>198</sup> Local academics/practitioners are already working in this space, including Elmer R. Freeman, MSW, at the Center for Community Health Education, Research and Service (CCHERS) at Northeastern University, and Dr. Linda Sprague Martinez, Asst. Professor of Social Work, at Boston University. See Sprague Martinez, et al. (2011). “Nuestro Futuro Saludable: A partnership approach for connecting public health and community development to build a healthy environment”, *The Journal of the Community Development Society*. Special Issue on Community Development Approaches to Improving Public Health, 42(2), 235-247. Accessed June 21, 2020 at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4172336/>

Research by Children’s HealthWatch has found clear connections between the health of children and affordable, stable housing.<sup>199</sup> New collaborations, such as Healthy Start in Housing (HSiH),<sup>200</sup> bring together funders, health providers, and public health and housing agencies, and treat affordable, stable housing as one tool in improved health and educational outcomes for children. The HSiH should be evaluated for efficacy and lessons learned that can contribute to new efforts and additional collaboration between health and housing agencies.

LEAD AGENCY OR ORGANIZATIONS: BPHC, BHA, MOH

**13.5 Provide violence intervention resources to neighborhoods with highest levels of violence and justice involved residents, which includes those who have had interaction with the court system, whether they are on probation, parole, recently returned from incarceration, or incarcerated.**

Violence is both a public safety and public health issue. Public testimony indicated that violent crime and/or gun violence was cited as an impediment to safe neighborhoods, and a part of the 2017 city-wide survey on fair housing, respondents were asked, “Are you concerned about high levels of any of the following in your neighborhood?” Thirty-three percent of respondents marked “Violent crime and/or gun violence” as of high concern.

The City is committing additional funding to and expanding the Violence Intervention and Prevention (VIP) program run by the Boston Public Health Commission, and will identify and fund other successful violence prevention programs that can be used or already exist in affected neighborhoods, and work with researchers and service providers both within and without government to develop trauma-informed practices to address violence and its aftermath in neighborhoods.<sup>201</sup>

LEAD AGENCY OR ORGANIZATIONS: BPHC

**13.6 Incorporate understandings of the linkages between policing and the courts and income, housing, and health disparities into designing future fair housing efforts.**

Segregation has contributed to the disparate provision of policing resources and enforcement of the law. While addressing crime “hot spots” is intended to make communities safer, the increased police presence has also been associated with widespread use of “stop-and-frisk” policies, which results in a significantly higher number of citations and arrests of Black people. As a result of both racism and poverty, these citations and arrests also lead to higher levels of fines, pre-trial detentions, and incarcerations. The costs of court fees and fines, the stress, and

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<sup>199</sup> See Sandel, Megan, et. al (2016). “Housing as a Health Care Investment: Affordable Housing Supports Children’s Health.” Children’s HealthWatch. Accessed June 21, 2020 at <https://childrenshealthwatch.org/housing-as-a-health-care-investment-affordable-housing-supports-childrens-health/>

<sup>200</sup> For an interim evaluation of Health Starts at Home, see, Children’s Health Watch (2020). “Health Starts at Home Interim Findings.” Accessed June 21, 2020 at <https://childrenshealthwatch.org/health-starts-at-home-interim-findings/>

<sup>201</sup> See, for example Bowen Elizabeth and Nadine Shaanta Murshid, (2016). “Trauma-Informed Social Policy: A Conceptual Framework for Policy Analysis and Advocacy,” American Journal of Public Health; 106:223–229. Accessed June 21, 2020 at [http://www.aceresponse.org/img/uploads/file/Trauma\\_Informed\\_Policy.pdf](http://www.aceresponse.org/img/uploads/file/Trauma_Informed_Policy.pdf) .

the loss of employability that can result further contribute to Black families' inability to move out of poverty or build wealth. Jeffrey Fagan and Elliott Ash, in their study of Ferguson, Missouri, and New York City summarize the problem succinctly, "When police routinely and promiscuously intervene in the everyday lives of citizens, they impose interaction costs that inevitably deter residents from moving freely. And when these police actions produce legal and economic consequences for those already in disadvantaged social positions, those consequences effectively lock them in already disadvantaged places by constraining choices of neighborhood selection." and , "Because police deployments and actions are racialized and focused in poor and segregated places, police in effect reproduce inequality, racial stratification, and segregation through criminal legal enforcement actions that can constrain mobility."<sup>202</sup>

Traditionally a HUD required Analysis of Impediments to Fair Housing would look at the high levels of crime as an impediment to feeling safe in one's neighborhood and therefore an impediment to fair housing. This measurement is important, but by focusing only on crime rates, it leaves the door open to responding by increasing the level of policing, while not taking into account that policing, itself, can reduce people of color's, and specifically Black people's feeling of safety, increase stress, and reduce economic mobility. For this reason, future assessments and plans to Affirmatively Further Fair Housing should also take into account how policing both feeds on, and maintains segregation.

LEAD AGENCY OR ORGANIZATIONS: Office of Equity, MOH, BHA

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<sup>202</sup> Fagan, Jeffrey and Elliott Ash (2017) "New Policing, New Segregation: From Ferguson to New York," *Georgetown Law Journal Online*, Vol. 106:1, page 120. Accessed June 20, 2020 at [https://www.law.georgetown.edu/georgetown-law-journal/wp-content/uploads/sites/26/2019/10/fagan-new-policing-new-segregation\\_ACCESSIBLE.pdf](https://www.law.georgetown.edu/georgetown-law-journal/wp-content/uploads/sites/26/2019/10/fagan-new-policing-new-segregation_ACCESSIBLE.pdf)

## **Goal 14. Address Discrimination Against LGBTQIA People and Create LGBTQIA Inclusive Housing Opportunities**

As outlined in section three of this plan, there are challenges that lesbian, gay, bisexual, transgender, queer, intersexed, and asexual (LGBTQIA) people face in addressing their housing needs. The actions outlined here are intended to reduce the level of discrimination against LGBTQIA people, promote programs that are more inclusive of LGBTQIA people and their needs, and actively create safe spaces for LGBTQIA people to live.

### **Actions**

#### **14.1 The Office of Fair Housing and Equity will continue to assure that educational campaigns and materials outline that discrimination based on sexual orientation or gender identity is illegal.**

OFHE will continue to highlight the illegality of discrimination based on sexual orientation and gender identity as part of its ongoing educational efforts. In particular, it is important to highlight the intersections between protected classes. Among LGBTQIA people, Black transgender women are most at risk for unemployment, homelessness, and violence, or have been forced into sex work.<sup>203</sup>

LEAD AGENCY OR ORGANIZATIONS: OFHE

#### **14.2 Improve data collection on sexual orientation and gender identity so as to identify disparities.**

Most programs traditionally have not collected data on sexual orientation and gender identity. As a result, disparities linked to these aspects of one's life are not always apparent, and therefore are not addressed adequately in formulating policy.

LEAD AGENCY OR ORGANIZATIONS: MOH, BPDA, BHA, OFHE

#### **14.3 Assure that best practices in shelter and homelessness services that address LGBTQIA inclusion are instituted.**

Efforts to reduce LGBTQIA youth homelessness begin in our homes and schools, but there are things that the City of Boston and its partners can do to assure that LGBTQIA youth have adequate access to homelessness services and programs. In 2018, HUD published *Equal Access for Transgender People: Supporting Inclusive Housing and Shelters*.<sup>204</sup> This document outlined a number of best practices intended to create fair and equal access for transgender and gender non-conforming people experiencing homelessness. These suggestions, when

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<sup>203</sup> Human Rights Campaign (2020). "Violence Against the Trans and Gender-non-conforming Community in 2020." Accessed June 22, 2020 at <https://www.hrc.org/resources/violence-against-the-trans-and-gender-non-conforming-community-in-2020>.

<sup>204</sup> U.S. Department of Housing and Urban Development (2016). *Equal Access for Transgender People: Supporting Inclusive Housing and Shelters*. Accessed June 22, 2020 at <https://endhomelessness.org/wp-content/uploads/2018/07/Equal-Access-for-Transgender-People-Supporting-Inclusive-Housing-and-She....pdf>.

implemented, can increase access to LGBTQIA people more generally. These best practices included:

- Training of staff and provision of materials that promote appropriate, inclusive, and affirming language.
- Training of staff on not only how to communicate with transgender and gender non-conforming people, but also how to manage conflicts between service consumers.
- Assuring that where services are segregated by gender, that people are able to access the services suited to their gender identity, not the sex or gender they were assigned at birth.
- Providing toilet and shower facilities with sufficient privacy for those who request it.
- Assuring confidentiality as it relates to the sex or gender that a person was assigned at birth.

LEAD AGENCY OR ORGANIZATIONS: BPHC, Health and Human Services, MOH, homelessness service providers

#### **14.4 Provide additional housing for LGBTQIA youth at risk for homelessness.**

The Home for Little Wanderers' Waltham House has been a successful program for LGBTQIA youth, but is home to only 12 youth, and located in a suburban area.<sup>205</sup> Creation of both shelter and more permanent housing for LGBTQIA youth within Boston would be an important step in addressing the specific needs of this population.

LEAD AGENCY OR ORGANIZATIONS: MOH

#### **14.5 Support the development of senior, income restricted LGBTQIA friendly housing.**

Many older LGBTQIA adults have struggled with a lack of acceptance from their families and discrimination more generally. In addition, few have children to whom they can rely on in a time of need. As a result, older LGBTQIA adults may have fewer supports and are more likely to require income restricted housing, but do not want to "go back into the closet." While fair housing law prevents funding housing that is exclusively LGBTQIA, housing that is LGBTQIA friendly can be funded.

In November 2019, the City of Boston designated Penrose Development and LGBTQ Senior Housing Inc, a non-profit, to redevelop the former William Barton Rogers middle school in Hyde Park into 74 income restricted units. The City is supporting the project both through providing the property at a nominal cost, and by providing funding from a number of City sources. The City looks forward to the completion of this project and would consider funding similar proposals in future.

LEAD AGENCY OR ORGANIZATIONS: MOH

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<sup>205</sup> For more about the Waltham House, see [http://www.thehome.org/site/PageServer?pagename=programs\\_waltham\\_house](http://www.thehome.org/site/PageServer?pagename=programs_waltham_house)

**14.6 Educate senior housing providers of the specific needs of LGBTQIA people, and how to be more inclusive of LGBTQIA people.**

Given that the first LGBTQIA friendly senior housing project has not been completed, and the needs of all older LGBTQIA adults will not be met by this or similar housing, it is important to assure that other senior housing developments are more inclusive of older LGBTQIA adults.

LEAD AGENCY OR ORGANIZATIONS: MOH, Boston Age Strong Commission

## **Section V: Implementation of the Assessment of Fair Housing**

### **Overview**

There are several City of Boston agencies that traditionally have had an official role and specific authority to address equity, resulting in both a disparate understanding and lack of a unified definition of equity among these agencies and across City government more broadly. To begin to address this problem, and in order to embed equity and racial justice into all City planning, operations, and work moving forward, the Office of Fair Housing and Equity will be moved from where it currently resides to the Equity and Inclusion Cabinet.

The Chief of Equity and Inclusion, with the close coordination of the OFHE, will lead the implementation of the Assessment of Fair Housing, and will have the authority to ensure compliance and hold all City departments accountable, with the close coordination of the Office of Fair Housing and Equity.

### **Operations and Accountability**

Each Relevant City Department, Office, Cabinet or Agency shall:

1. Identify a point of contact to partner with the Chief of Equity and Inclusion and the OFHE on the development and implementation of this Executive Order and the Assessment of Fair Housing. Such Department Equity Representatives should hold a level of agency, access, and credibility conducive to devising strategies and implementing actions in collaboration with department employees.
2. Participate in or host information sessions on this Executive Order and the Assessment of Fair Housing with their employees.
3. Participate in fair housing capacity building, including but not limited to, training, education and certification to develop the knowledge and skills needed to advance the goals of the Assessment of Fair Housing.
4. Pursue such training and learning with the goal of ensuring departments are prepared to uphold the principles of fair housing as part of each employee's day-to-day work and ongoing evaluation.
5. Apply a fair housing analysis to policies, practices, attitudes, and culture, and implement the changes necessary to be consistent with our fair housing laws, regulations, and case law.
6. Use a fair housing analysis to review current and proposed policies, programs, initiatives, practices and budget allocations to prevent decision making that adversely impacts protected class members.
7. Use this fair housing approach to help surface unintended consequences of proposed actions, identify opportunities for improvement, and identify how actions may advance fair housing principles and improve outcomes for all protected class members.
8. Collect data disaggregated by protected class (where applicable) or other proxies, such as neighborhood, to track the impact of City activities on protected classes.
9. Support progress toward attaining fair housing goals as a fundamental part of the evaluation of departmental performance and mission.
10. Report annually to the Chief of Equity and Inclusion, the OFHE, and the Mayor on the attainment of fair housing goals and other directives set forth in this Executive



## Order and the Assessment of Fair Housing.

### **Civil Rights Coordination**

The Chief of Equity and Inclusion, with the close coordination of the OFHE, shall, as necessary, collaborate with other civil rights entities within the City of Boston in order to implement this Executive Order and the Assessment of Fair Housing, such as the Age Strong Commission, the Disabilities Commission, the Office for Immigrant Advancement, the Office for Women's Advancement, the Office of Language Access and Communications, the Office of Diversity, and the Office of Resilience and Racial Equity.

### **Monitoring and Community Engagement**

The OFHE shall establish an AFFH Monitoring Committee that will assist in reviewing the progress being made with the implementation of this Executive Order and the Assessment of Fair Housing. The initial composition of this AFFH Monitoring Committee shall include, but not be limited to, the current members of the AFFH Community Advisory Committee. Such Committee will meet with the OFHE Executive Director on a quarterly basis to review the progress that has been made in the implementation of this Executive order and the Assessment of Fair Housing.

The OFHE will undertake a series of activities to insure the engagement of, education for, and outreach to, protected class members and the organizations that represent them so they are empowered and assist in the implementation of this Executive Order and the Assessment of Fair Housing.

## **Appendix A: Acknowledgements and Community Advisory Committee Members**

This Assessment of Fair Housing (AFH) is dedicated to the memory of Wilbur E. Commodore, J.D., longtime employee and General Counsel to the Boston Housing Authority. Wilbur was a kind and tireless worker on behalf of BHA residents and employees, a staunch advocate for fair housing, and an important contributor to the AFH.

### **Community Advisory Committee (CAC)**

This report would not have been possible without the efforts of the CAC in developing and implementing the outreach and engagement plan, developing the goals and actions, and providing substantial input to all aspects of the report. Members of the CAC include:

Zakiya Alake, *Roxbury Neighborhood Council*  
Kathy Brown, *Boston Tenant Coalition*  
Barbara Chandler, *Metro Housing|Boston*  
Nadine Cohen, *Greater Boston Legal Services*  
David Harris, *Charles Hamilton Houston Institute of Race and Justice, Harvard University*  
Lincoln Larmond, *Boston Tenant Coalition*  
Hajar Logan, *Alternatives for Community and Environment*  
Sophia E. Owen, *Alternatives for Community and Environment*  
Kadineyse Paz, *Boston Tenant Coalition*  
Robert Terrell, *Boston Housing Authority and formerly the Fair Housing Center of Greater Boston*  
Margaret Turner, *Greater Boston Legal Services*  
Design Tyndal, *Alternatives for Community and Environment*

### **City of Boston Staff and Consultants**

#### *Research and Report*

Dr. James Jennings, *Professor Emeritus of Urban and Environmental Policy and Planning, Tufts University*  
Robert (Bob) Gehret, *former Deputy Director for Policy Development & Research, Department of Neighborhood Development*  
Amelia Najjar, *Senior Research and Development Analyst, Mayor's Office of Housing*  
Tim Davis, *Deputy Director for Policy Development & Research, Mayor's Office of Housing*

#### *Advisory, Engagement, and Outreach*

Helen Ayanian, *Program Coordinator, Boston Public Health Commission*  
Janine Anzalota, *former Executive Director, Office of Fair Housing and Equity*  
Dr. Karilyn Crockett, *former Chief of Equity and Director, Office of Equity*  
Wilbur E. Commodore, *former General Counsel, Boston Housing Authority*  
Sheila Dillon, *Chief of Housing and Director, Mayor's Office of Housing*  
Dan Dooley, *Director of Surveillance and Technology Boston Public Health Commission*  
Christy Doyle, *Special Assistant to the Administrator & Director of CCECR, Boston Housing Authority*

Sonal Gandhi, *former Deputy Chief of Staff, Boston Planning & Development Agency*  
Bryan Glascock, *Deputy Director for Regulatory Planning and Zoning, Boston Planning & Development Agency*  
Diane Marchioni, *Manager of Research, Mayor's Office of Housing*  
Marty Martinez, *Chief of Health and Human Services*  
Kristen McCosh, *Commissioner, Commission for Persons with Disabilities*  
Johnna Murphy, *Epidemiologist, Boston Public Health Commission*  
Lori Nelson, *Chief Resilience Officer, Office of Resilience and Racial Equity*  
Christopher O'Donnell, *Student Intern, Boston Housing Authority*  
Will Onuoha, *Executive Director, Office of Fair Housing and Equity*  
Triniese Polk, *Director of Community Engagement and Partner Relations Boston Public Health Commission*  
Margaret Reid, *Director of Health Equity and Quality Improvement Boston Public Health Commission*  
Dr. Snehal N. Shah, *Director, Research and Evaluation Boston Public Health Commission*  
Phyllis Sims, *Senior Epidemiologist, Boston Public Health Commission*  
Tanjirene Smith, *Assistant to General Counsel Boston Housing Authority*  
Monica Valdes Lupi, *former Executive Director, Boston Public Health Commission*

## **Appendix B: Dates and Summaries of Public Meetings, 2017**

From February through September 2017, public meetings were held across a range of neighborhoods and with a diversity of stakeholders to discuss fair housing and the Assessment of Fair Housing, in accordance with the implementation guidelines and timelines of the 2015 federal update of the AFH process. The feedback and survey data received from these meetings was used to inform the Assessment of Fair Housing.

**2/8/2017:** The BHA attended a citywide meeting of the BHA- CCECR - Resident Empowerment Coalition and gave a presentation on the BHA and the City of Boston preparation of Assessment of Fair Housing. HUD-provided data to be utilized by the BHA and the City of Boston in completing the AFH was made available to the members in attendance.

**3/17/2017:** The BHA made a presentation to the Resident Advisory Board (RAB). The RAB was given an introduction to the Assessment of Fair Housing (AFH), the legal and regulatory background which led to HUD developing and requiring the City of Boston and Boston Housing Authority to present and submit the AFH along with a brief explanation of the assessment tool. The RAB was informed of their expected role in the community participation process and the expectation that they would review and comment on the AFH. The members of the RAB were provided with the HUD data tables, a sample of the maps and a written overview of the assessment process.

**4/12/2017:** DND and the Office of Fair Housing and Equity/Boston Fair Housing Commission (BFHC) staff held a roundtable consultation meeting with 7 members of Homes For Families, a non-profit organization advocating for homeless families.

**4/25/2017:** DND, the BHA, BFHC, the Boston Public Health Commission (BPHC), and a coalition of tenant, civil rights, and fair housing organizations jointly organized a large community meeting on Health and Fair Housing in Roxbury at Hibernian Hall. About 100 people attended and participated in one of the 5 breakout groups to explore housing and housing-related health issues. In addition to the breakout sessions, meeting participants also completed a survey. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish and Chinese. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers, and the Boston Public Library network. An email was sent to about 300 subscribers to DND's Policy News and the meeting was posted on the webpage of the City of Boston's calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook) and a listserv of approximately 250 organizations and individuals.

**5/10/2017:** DND and BFHC staff participated in a Disabilities Community Forum organized by the City of Boston's Disabilities Commission at Suffolk University Law School. Staff presented an overview of the AFH process, distributed copies of the AFH brochure and invited forum participants to participate in the AFH community participation process. Much of the testimony presented at this forum, especially testimony on transportation obstacles and housing issues was directly relevant to the AFH. There were about eighty people in attendance. American Sign Language (ASL) interpretation was provided as well as Communication Access Real Time Translation (CART).

**5/25/2017:** DND held a public hearing on its draft Program Year 2017 HUD Action Plan. As part of the agenda for that hearing an overview of the Assessment of Fair Housing and the community participation process was presented.

**6/13/2017:** DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in Mattapan at the Mildred Avenue Community Center. About 30 people attended and participated in one of the 3 breakout groups to explore housing and housing-related health issues. In addition to the breakout sessions, meeting participants also completed a survey. Surveys were provided in English, Spanish and Haitian Creole. Leaflets in English, Spanish, and Haitian Creole were distributed to advertise the meeting and interpretation was provided in the following languages: Spanish and Haitian Creole. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. An email was sent to about 300 subscribers to DND's Policy News and the meeting was posted on the webpage of the City of Boston's calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook), and a listserv of approximately 250 organizations and individuals.

**6/15/2017:** The BHA made a second presentation to the RAB at which time the RAB was provided with the Draft #1 of the AFH. The RAB was given information on the process in preparing AFH, informed that Draft #1 would be available for public comment until July 27, 2017. Each member present at the meeting was provided with a copy of AFH Draft #1 which included all data tables and maps.

**6/21/2017:** DND, the BHA and the BFHC held a citywide public hearing at the Anna M. Cole Community Center (adjacent to the BHA's Mildred Hailey Apartments) to take comments on the AFH draft #1. About 20 people attended with 7 providing testimony. In addition, meeting participants were asked to complete a survey. The hearing was posted on the AFH website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) as well as the City of Boston's online calendar. The hearing details were shared with about 300 subscribers to DND's Policy News, with community partners in the AFH process and advertised in the *Metro Boston*. Interpretation was provided in Spanish and American Sign Language.

**6/28/2017:** DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in Charlestown at the Harvard-Kent School. About 20 people attended and participated in an open group discussion to explore housing and housing-related health issues. In addition to the group discussion, meeting participants also completed a survey. Surveys were provided in English and Spanish. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. The hearing was posted on the AFH website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) as well as the City of Boston's online calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook), and a listserv of approximately 250 organizations and individuals.

**7/11/2017:** DND, BHA and BFHC presented an overview of the AFH process to a group of nonprofits as well as a coalition of tenant, civil rights and fair housing organizations at Urban Edge offices in Roxbury. About 30 people attended and participated in one of the 3 breakout groups to explore fair housing issues. In addition to the breakout sessions, meeting participants also completed a survey. Surveys were available in English and Spanish. Leaflets in English and Spanish were distributed by organizers to advertise the meeting and interpretation was provided in Spanish.

**7/17/2017:** DND, BHA and BFHC participated in a community discussion on the AFH sponsored by the Roxbury Neighborhood Council and the Boston Chapter of the NAACP at the Dudley Public Library in Roxbury. About 20 people attended and participated in one of the 2 breakout groups to explore fair housing issues. In addition to the breakout sessions, meeting participants also completed a survey. Leaflets were distributed by organizers to advertise the meeting.

**8/2/2017:** DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights, and fair housing organizations jointly organized a community meeting on Health and Fair Housing in the Codman Square neighborhood of Dorchester. About 50 people attended and participated in one of 4 breakout groups to explore housing and housing-related health issues. In addition to the group discussions, meeting participants also completed a survey. Surveys were available in English and Spanish. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. The meeting was posted on the AFH website [www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment) as well as the City of Boston's online calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook), and a listserv of approximately 250 organizations and individuals.

**8/22/2017:** DND, BHA and BFHC held a second citywide public hearing at the Boston Public Library in Copley Square to take comments on the AFH draft #2. About 30 people attended with 12 providing testimony. In addition, meeting participants were asked to complete a survey. The hearing was posted on the AFH website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) as well as the City of Boston's online calendar. The hearing details were shared with about 300 subscribers to DND's Policy News, with community partners in the AFH process and advertised in the Metro Boston. Interpretation was provided in Spanish and American Sign Language. The feedback and surveys received were used to inform the Assessment of Fair Housing.

**8/29/2017:** DND and BFHC partnered with the LGBT Aging project and Suffolk Law School Housing Discrimination and Testing Program to present addressing fair housing for LGBT older adults. About 80 people attended and participated in one of 4 breakout groups to explore housing and housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey. This meeting presented discrimination testing findings from Suffolk Law School Housing Discrimination Testing Program Study, *Transcending Prejudice: Gender Identity and Expression Discrimination in the Metro Boston Rental Housing Market*. DND and BFHC presented the AFFH and themes presented from community meetings thus far. Fliers for the event were sent out via the listserv for the BFHC and the LGBT Aging Project. The LGBT Aging project also sent text reminders to all who registered. The meeting was posted on the AFH website [www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment) as well as the City of Boston's online calendar.

**9/12/2017:** DND, BFHC, and BPHC and a coalition of local East Boston nonprofit agencies sponsored a meeting in East Boston. The presentation focused on health/fair housing, and community meeting themes thus far. The meeting presentation was conducted in English and Spanish with additional Spanish interpretation provided. The group discussions were held in both English and Spanish. English and Spanish fliers were used to advertise the meeting. DND, BFHC, BPHC, and community partners advertised the meeting via listserv, social media, and the AFH website [www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment) as well as the City of Boston's online calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook), and a listserv of approximately 250 organizations and individuals. About 30 people attended and participated in one of 4 breakout groups to explore housing and

housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey available in English and Spanish.

**9/14/2017:** the BHA gave a presentation to the RAB regarding the Draft #2 of the AFH. This was a general summary of the analysis from the second draft with the first introduction of the BHA's goals. At this meeting the BHA specifically requested that the RAB schedule a special meeting to discuss the BHA's goals and to gain input from the RAB with respect to issues presented in the AFH and the formulation of the BHA goals.

**9/18/2017:** DND, BFHC, and BHA and a coalition of local Fields Corner nonprofit agencies sponsored a meeting in the Fields Corner area of Dorchester. The meeting was hosted by Viet-Aid. The meeting focused on the AFFH and themes presented from community meetings thus far. The meeting presentation was conducted in English with Vietnamese, Cape Verdean, and Spanish interpretation provided. The group discussions were held in both English with interpretation provided. English, Vietnamese, Cape Verdean, and Spanish fliers were used to advertise the meeting. DND, BFHC, and community partners advertised the meeting via listserv, social media, and the AFH website [www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment) as well as the City of Boston's online calendar. About 40 people attended and participated in one of 4 breakout groups to explore housing and housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey available in English, Vietnamese, Cape Verdean, and Spanish.

**9/19/2017:** DND and the BFHC presented to the Chinese Progressive Association, CPA members, and community residents in Chinatown. CPA organized this meeting and recruited participation in partnership with the Boston Tenant Coalition. CPA used community flyers in Mandarin Chinese and phone calls to advertise the meeting. DND and BFHC presented on the AFFH and themes presented from community meetings thus far. The meeting was live interpreted into Mandarin Chinese and community conversations on the community survey were facilitated and held in Mandarin Chinese. About 30 people attended and participated in one of 4 breakout groups to explore housing and housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey.

**9/28/2017:** The RAB scheduled a special meeting, providing an opportunity for the BHA to gain additional input from the members regarding factors that would inform their choice of housing, problems they have encountered in seeking affordable housing, and steps that they think the City and the BHA can take to make housing available to low income families and to address the issue of affordability of rental housing.

## Appendix C: Citywide Survey

### Question 1: Tell us about the quality of your house or apartment.

- **Does it meet your needs and/or your family's needs?** 74 percent said that their housing meets their needs, 26 percent said it does not.
- **Are there any specific problems, such as health concerns?** 33 percent said they had no health concerns, 67 percent do have health concerns.
- **Are there any specific problems, such as safety concerns?** 36 percent said they had no health concerns, 64 percent do have safety concerns.

**Question 2: What are the major barriers to finding a safe and affordable home in your neighborhood of choice?** Respondents were asked to check all that apply. The top responses were affordable rents (65 percent), credit issues (26 percent), lack of good jobs (25 percent), lack of transit (23 percent), lack of lead safe housing (15 percent), and lack of housing for persons with disabilities (14 percent).

**Question 3: In your experience, which of the following are generally available either in your neighborhood or close to your neighborhood?** This question was written so to ask respondents about access to quality services and conveniences in their neighborhood and the importance of that service or convenience to them on a scale of one to five: one being the most and five the least important. Of the necessities surveyed, public transportation was the most available (63 percent), while good jobs were the least available (21 percent). In terms of importance, access to transportation was cited as very important (49 percent), with parks seen as less important (30 percent ranked as very important).

Necessity	Percent Stating the Necessity is Available	Importance				
		1 = very important	2	3	4	5 = less important
Access to Public Transportation Options that Work for Your Family	63%	49%	10%	9%	9%	23%
Good Jobs and Economic Opportunities	21%	47%	16%	12%	9%	17%
Access to Healthy Food	39%	43%	18%	13%	11%	14%
Accessible and Quality Health Care	43%	41%	18%	12%	14%	16%
Good Schools	35%	39%	12%	14%	12%	24%
Parks, Swimming Pools, or other Recreation Facilities	46%	30%	15%	24%	15%	15%



**Question 4: Are you concerned about high levels of any of the following in your neighborhood?** Respondents could respond to range of choices, and are ranked here, by top six responses, as a percent of those responding:

- Rising rents or home prices (81 percent);
- Lack of affordable housing (81 percent);
- Poverty (45 percent);
- Racial Segregation/Discrimination (44 percent);
- Violent Crime and/or Gun Violence (33 percent); and
- Lack of Accessible Housing (30 percent).

**Question 5. When the City or State makes investments in Boston (for example, on streets, schools, parks, drainage, business development or other projects), do you think your neighborhood is treated fairly?** Only 28 percent responded that they felt their “neighborhood is treated the same as other neighborhoods,” while 44 percent responded “Sometimes investments are fair, but sometimes my neighborhood gets left out,” and 28 percent said that their neighborhood is “treated worse than other neighborhoods.”

**Question 6a. Have you, or anyone you know, ever been discriminated against when looking to rent or buy housing in Boston? (ex: Were you told and/or saw an ad that said “We don’t accept section 8, not dealed, no kids, professionals only)** Twenty-one percent replied “yes,” nine percent replied “more than once,” and 23 percent replied “frequently.” As a result, a total of 52 percent of respondents said yes to this question.

**Question 6b. If yes, why? Because of...** Respondents could reply to multiple answers, with the top five responses being: Income level (52 percent), race or color (45 percent), low credit score (39 percent), having children (29 percent), and using a rental voucher, such as Section 8 or MRVP (26 percent). No other circumstances exceeded twenty percent of respondents.

**Question 6 c. What were you trying to apply for?** Seventy percent were trying to rent an apartment, 29 percent were buying a home, 9 percent were applying for a home loan, and 2 percent were applying for home or renter’s insurance.

**Question 7. In addition to affordable and healthy housing options, what else do you need in your community to have good health?** Respondents were given nine choices and an “other” choice, and could check more than one choice. The most frequent response was “public safety” (173 respondents),<sup>206</sup> followed by “access to healthy food options” (160), “access to employment opportunities/living wages” (152), and “affordable and reliable transportation options” (149).

**Question 8 Have you been displaced from a neighborhood?** Sixty-eight respondents (18 percent of the total respondents) said that they had been displaced. For those who answered “yes,” they were asked to answer the following four questions. Given that there are a higher number of responses than the 68 who responded “yes” to the main question, it is clear that some paper respondents answered this question who should not have. As a result, the following data is for the 31 on-line respondents who said they had been displaced:

- Where did you live before? Nine (29 percent) were from Jamaica Plain, followed by Roxbury and Dorchester (five each, 16 percent each), with the balance from a range of neighborhoods.

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<sup>206</sup> Where percentages are not provided, it is not clear the total number of respondents to that particular question.

- Where do you live today? The largest number (11, 35 percent) live in Dorchester, with no more than three persons in any other neighborhood.
- Please compare your living situation before you moved to today: Twenty five percent said their new neighborhood was better, 40 percent said it was comparable, and 35 percent said it was worse.
- What was the cause of moving (rent increases, building renovations/clear out, eviction, etc.)? Seventeen (57 percent) reported they moved because of rent increase, 17 percent (five) reported the sale of the building or “clear out,” and 13 percent (four) reported safety.

**Question 9. What do you think the City of Boston can do to address racial and ethnic segregation in housing?**

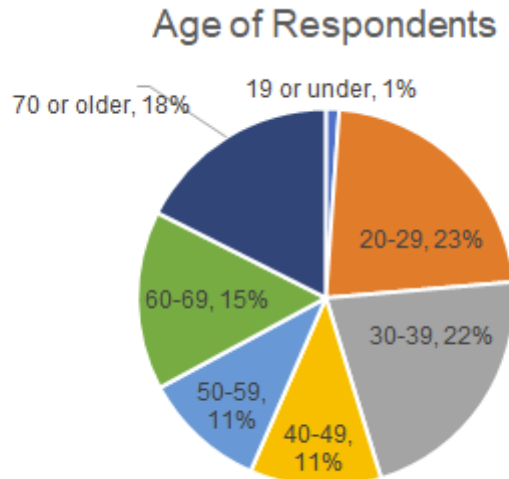
Respondents could check multiple answers to any of nine options. The results were as follows:

<b>Method of Addressing Racial and Ethnic Segregation in Housing</b>	<b>Percent of Respondents</b>
Create more affordable housing throughout the City in all neighborhoods	77%
Restrictions on rent increases	64%
Create healthier and more diverse neighborhoods	59%
Build more family friendly housing across the city in all neighborhoods	57%
Create more accessible housing throughout the City in all neighborhoods	56%
More testing and prosecution of landlords and realtors that discriminate	53%
More training of landlords and realtors about housing discrimination laws	50%
More community education about discrimination laws	30%
<i>Questions Added June 9, 2019 (percentage based on on-line surveys only)</i>	
Preserve all affordable housing or create new affordable housing from existing market	70%
Expand community land trusts and other tools to make permanent affordable housing	52%
Allocate public land (City, State, MBTA, etc.) for affordable rental or affordable homeownership	47%

## Demographics

**Gender and Gender Identity:** Seventy-five percent responded female, 23 percent responded male, one percent responded transgender/female, and less than one percent responded transgender/male.

**Age:** Respondents ranged in age considerably, though on-line respondents skewed younger (72 percent were under 40 years old), while paper respondents skewed older (46 percent were aged 60 or older).



**Race and Ethnicity:** Race and ethnicity was ascertained through three questions. The first specifically asked if the respondent was or was not Hispanic or Latino/a, of which 28 percent of the respondents stated that they were Hispanic or Latino/a.

Respondents could identify as one or more of the race categories commonly used by the federal government, and 45 percent were Black or African American, 34 percent were White, nine percent were Asian, and eight percent replied “other.”

Respondents could also identify with any of a range of ethnic communities found in the Boston area. The most common was Afro-Caribbean (23 percent), Puerto Rican (11 percent), and Dominican (ten percent). Given the diversity of Boston, and the diversity of how people identify, 35 percent responded “other.”

## Appendix D: Goals Adopted and Reported in Boston's *Consolidated Plan: July 1, 2018 to June 30, 2023*.<sup>207</sup>

The following goals were adopted by the City of Boston as part of its requirements to access HUD funding for the Community Development Block Grant (CDBG), Housing Opportunities for Persons with AIDS (HOPWA), Continuum of Care (CoC), and Emergency Solutions Grants (ESG) programs. These goals and actions overlap and/or are complementary to the goals set forth in this AFH, and will be revised in 2023.

- 1. Improve the quality of owner housing:** This program includes a combination of grants, deferred payment loans, and technical assistance to Boston's homeowners in making needed improvements to their properties. The program has multiple components: 1) Deferred loans for repairs of owner-occupied 1-4 family properties of up to \$10,000 for a condominium unit, up to \$20,000 for a one to four-family; 2) Deferred loans of up to \$30,000 for repairs for owner occupants of triple decker properties; one-third of the funds must be used for exterior repairs; 3) Deferred loans up to \$35,000 for low income senior citizens to undertake moderate rehabilitation projects; 4) Emergency grants of up to a maximum of \$5,000 per building to assist seniors with immediate health and safety repairs; 5) Seniors Save program provides senior homeowners with assistance to replace heating systems 12 years or older with a grant of \$3,500 per homeowner and a deferred loan for the remaining balance. Households over 120 percent of Area Median Income receiving loans of any type must provide a 100 percent match to a loan provided by the City. The loans are interest-free, and are repayable if the unit is sold, refinanced or at the end of the buyer's primary residency.
- 2. Increase the supply of lead safe housing:** This program assists qualified homeowners or investor owners to de-lead their properties, reducing the risk of lead paint poisoning of children. The program offers no payment zero percent deferred loans up to \$8,500 per unit (forgivable after five years) to assist with lead abatement while requiring the property owners to maintain affordable rents. The loans are interest-free, and are repayable if the property owner does not follow terms and conditions of the loan, or property is sold or refinanced within five years. The program is available to income eligible owner occupied property and property owners that rent to income eligible tenants. First priority for the funding requested is to those properties citywide where a child under age six has already been reported to have an elevated blood lead level (EBLL) by Boston Public Health Commission and priority to new property owners assisted by MOH and landlords that participate in the tenant-based Section 8 voucher program.
- 3. Improve the quality of existing affordable rental housing:** This program provides loans to private and non-profit developers through Competitive Funding Rounds to help support the acquisition and/or rehabilitation of occupied buildings in order to capture or preserve affordable housing. The loans are primarily provided to existing multifamily rental and cooperative projects that are occupied by low and moderate income tenants. Decisions are made in conjunction with the State's Consolidated funding rounds for HOME, HSF, HIF, CIPF, LIHTC, et cetera. The focus of the program is to prevent displacement and the loss of housing opportunities and securing long term affordability. Projects with ten or more rental units are required to set aside at least ten percent of the units for homeless households with incomes or no more than 30 percent of Area Median

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<sup>207</sup> The full Consolidated Plan can be found at <https://www.boston.gov/departments/neighborhood-development/plans-reports-and-notice>.

Income. This set-aside of units is achieved through normal turnover of rental units over time. In addition, technical assistance is provided to previously funded developments seeking capital resources to stabilize developments and provide capital improvements that will improve the operations, stabilize tenancies, and preserve and extend affordability.

- 4. Increase the supply of affordable housing:** This program provides loans to not-for-profit and for-profit developers to create new housing units for low, moderate, and middle-income households through new construction, rehabilitation, or adaptive re-use of vacant buildings. The developments may provide affordable rental or ownership opportunities to income qualified households. The program consists of several components: (1) Funding Requests for Proposals - which seek to solicit worthy multifamily rental, mixed use and cooperative developments or turnkey homeownership developments that would be selected for funding under the criteria outlined in the RFP and align with identified housing needs. Funding decisions are made in conjunction with the State's consolidated funding round for HOME, HSF, HIF, LIHTC, and other resources that assist with the development of affordable housing for families, individuals, homeless or other targeted populations. Rental developments with ten units or more, must set-aside at least 10 percent of units for homeless households, and ownership developments must adhere to MOH's policies on household size, owner occupancy, and long term affordability; (2) Housing for Homeless Households - multi-family permanent rental housing providing stabilization services to the tenants, including SRO's and family sized units for homeless households and individuals. Developments may access funding through the competitive funding round process or may be considered for funding independent of the funding round; and (3) Land and Funding opportunities - which utilizes City-owned land as a resource to help to create new housing opportunities, including affordable ownership for moderate and middle income households, and affordable rental opportunities for a wide range of incomes, from homeless households to unrestricted market units. Appropriate sites are offered for development as housing, Criteria for the housing program is developed in conjunction with the communities and stakeholders located in the immediate area of the site and associated funding may be offered in the RFP that would allow the development to make the housing affordable to low, moderate, and middle income households.
- 5. Provide housing related services to those who have experienced homelessness:** This program provides housing-related services to the homeless. It is funded primarily through HUD's Continuum of Care (CoC) Programs. The CoC program funds permanent supportive housing, rapid rehousing and support services. CoC funds prioritize programs that serve the chronically homeless and families in rapid rehousing programs. 95 percent of CoC funds support permanent supportive housing and rapid rehousing programs. In addition, CDBG funding supports the City of Boston Rental Assistance Fund (BRAAF), which provides startup cost assistance and short-term rental assistance and stabilization services to formerly homeless persons.
- 6. Increase housing options for persons with HIV/AIDS:** This program provides housing related services to persons with HIV/AIDS using HOPWA funds primarily to provide tenant-based rental assistance and supportive services. The funds are awarded to the City of Boston to provide housing assistance in the Greater Boston Area, including Suffolk, Norfolk, and Plymouth Counties.

- 7. Support the development of community gardens:** This program supports the development of community gardens. The program provides grant funds, city-owned land, and technical assistance to neighborhood groups and nonprofits that want to organize, develop, own, manage, and maintain community gardens and open space in low- and moderate-income neighborhoods. Typically, projects are funded in two phases. Requests for Proposals are issued offering land and funding that will assist with the creation of community garden space that will provide low- and moderate-income residents in the area with the opportunity to establish gardens and grow healthy food for families and the community. Sites are selected through consultation with the local residents and stakeholders and RFPs require that the land be restricted to open space uses with the resulting garden under stable ownership with long term maintenance plans. No CDBG funds are used for on-going maintenance at these properties.
- 8. Abate brownfields sites for redevelopment:** This program investigates, tests, analyzes, and removes environmental hazards (i.e. oil and gasoline) on foreclosed and surplus buildings and land in order to protect public health and safety. Further, this program identifies potential risks of exposure to contaminants, prioritizes risks, and undertakes steps to mitigate exposure to allow redevelopment of abandoned and underutilized properties. A licensed site professional (LSP) oversees assessment and cleanup actions on sites with identified contaminant releases and ensures that such actions are performed in compliance with the Massachusetts Contingency Plan (MCP).
- 9. Increase self-sufficiency of low-income residents:** This project targets programs and services aimed at employing people in career sectors that provide them with long-term economic stability. Programs and services are offered locally in neighborhood facilities such as community schools or non-profit offices. All programs target residents with a household income at or below 80 percent of Area Median Income. Certain programs seek to reach the homeless population.
- 10. Improve the quality of neighborhood facilities:** This program provides matching grants to community-based not-for-profit organizations to undertake capital improvements to their facilities. Not-for-profit organizations are eligible to receive matching grants of up to \$20,000 and emergency grants of up to \$15,000. This program also provides matching grants of up to \$2,500 to community groups to implement community service projects. This program also funds capital improvements of city-owned neighborhood clocks, benches, banners, and plantings. Funds are made available through a competitive request for proposals.
- 11. Improve neighborhood storefronts:** This city-wide Storefront Improvement Program, which includes Boston's Main Streets Districts, provides matching grants up to a maximum of \$75,000 per project and \$10,000 per storefront for moderate to substantial exterior and/or facade improvements for businesses located in neighborhood commercial areas. This program also funds exterior amenities (e.g., seating, new landscaping). The primary focus of this program is targeting businesses in recognized business districts. A separate signage component provides grants up to \$5,000 on a non-matching basis to provide quality improvements to signage proposals. Grants are also available on a non-matching basis to facilitate the removal of roll-down grates or specific security enhancements. Design assistance is available to participating projects. All sign and facade improvement proposals are subject to Office of Business Development design review and approval. There is also a limited number of high impact projects with funding up to \$15,000 per storefront and design assistance.

- 12. Increase employment opportunities:** This program has five components related to the creation of new permanent jobs and the improvement of targeted neighborhoods: a) non-conventional real estate loans for economic development projects for rehabilitation, construction, and acquisition to cover the gap between the amount of financing needed and the amount that conventional lenders can underwrite; b) business loans to support economic development projects by financing the purchase of equipment, fixtures, inventory, leasehold improvements and working capital; c) loans to non-profit educational and community institutions (including faith-based organizations for non-religious purposes) for limited capital improvements; and d) working capital loans to assist new and growing businesses. The following priority loans will be provided: loans to facilitate the construction of stalled projects that include commercial space; assistance to new and existing businesses in commercial districts, including working capital and leasehold improvements.
- 13. Improve access to affordable owner housing:** This program provides down payment assistance loans to first time homebuyers with an income of up to 120 percent of Area Median Income. Working with a City of Boston participating lender, eligible applicants can receive up to five percent of the sales price for a condominium, one-, two-, or three-family property depending on the loan product. The loans are interest-free, and are repayable if the unit is sold, refinanced, or at the end of the buyer's primary residency.
- 14. Support CHDOs:** This program provides HOME funds for the operating expenses of certified Community Housing Development Organizations (CHDO) engaged in the housing development and preservation of affordable housing that will receive HOME funding. At the time of each commitment, the organization must certify that they meet the requirements of the CHDO definition, including the Board composition, development experience of staff and that they have a HOME eligible development that is likely to begin construction within 24 months of the CHDO Operating award of funds. Individual contracts are executed with each certified CHDO. Funds are awarded under competitive funding rounds each year with the following year dependent upon performance in the previous year, along with yearly recertification. The personnel services charged in this program is Home administration cost.
- 15. Provide housing stabilization services:** This program provides housing stability services to Boston residents. Funding is used to support the Emergency Fire Fund, which provides a temporary hotel stay and relocation assistance to households displaced by fire, a Homelessness Prevention Program that reduces the number of subsidized evictions, and the Emergency Housing Assistance Program that provides emergency housing placement services for fire victims and other vulnerable residents facing immediate displacement, and Housing counseling, search, and referral services provided through contracts with community-based nonprofit organizations.
- 16. Prevent the loss of subsidized housing stock:** This program supports low and moderate-income residents of HUD-financed multifamily rental properties to preserve the affordability of the buildings, maintain their affordable rents, and build resident communities. It is focused on three main categories: HUD Expiring Use, existing rental properties supported by long-term Section 8 Project Based contracts, and properties that fall under the State's 40T regulations. Residents in these properties are "at risk" to varying degrees of dislocation, severe rent increases, substandard physical conditions, and/or dangerous social conditions. The program works through the Community

Economic Development Corporation (CEDAC) that provides organizational and project development consulting services to resident organizations and nonprofit entities. This assistance enables tenants to participate meaningfully in redevelopment and financial stabilization decisions that directly impact them. In addition to the technical assistance to the tenant groups and non-profits around acquisition helps to ensure long term affordability is maintained. CEDAC provides pre-development funding through a revolving loan fund to organizations to establish and ensure the feasibility of the projects to support the redevelopment of these developments. This program also supports the Boston Tenants Organizing Project (BTOP). Through BTOP, CEDAC provides support to tenants with the technical assistance and organizing tools to deal fairly with current and potential owners.

- 17. Revitalize business districts:** This program provides five different types of assistance to support the efforts of designated Main Streets districts. The five types of assistance include: design assistance to shape the physical image of districts; organizational assistance to build strong Main Streets organizations; promotional assistance to help promote local businesses; economic restructuring support to retain and recruit businesses; and assistance in the use of technology. Additionally the Main Street's programs work closely with the Business Technical Assistance Program providing direct business assistance, workshops, seminars and trainings and ReStore program to access design and financial assistance to improve the appearance of storefronts within the districts.
- 18. Provide business technical assistance:** This citywide program provides business technical assistance, microenterprise technical assistance, financial assistance, guidance and services, and development and enhancement of tools to assist small businesses that demonstrate a need. These services include On-site Business Assistance, in-depth business operations consulting, financial management coaching, technology consulting, and comprehensive business coaching (operations, legal, marketing), coordination of business assistance providers, and workshops and seminars for small business owners and aspiring entrepreneurs. The Women Entrepreneurs Boston (WEBOS) seeks to better connect Boston's women-owned business to one another and to the City through educational programming, round table discussions, and networking events. The program also includes funds necessary for marketing, printing, training, and office equipment, as well as programs to reduce business costs and increase business efficiencies (e.g., Boston Buying Power).
- 19. Reduce the City's inventory of buildings and land:** This program has a building and a land component. The building component sells city-owned tax-foreclosed and surplus properties to owners that will rehabilitate the properties and put them back on the tax rolls. Properties are sold through Request for Proposals (RFPs). Repairs are frequently made to the properties prior to the sales. The land component has five sub-components: 1) commercial land disposition: this component sells developable parcels through RFPs to neighborhood businesses for the purpose of providing support to strengthen or expanding their businesses; 2) Neighborhood Homes Initiative (NHI): sells by RFP, developable land to neighborhood builders and contractors to construct new housing that is affordable to middle income families; 3) Yard Sale: sells small, unbuildable parcels to direct residential abutters for open space uses to enhance their quality of life; 4) Public Open Space: transfers parcels to other public or private agencies for permanent open space management; 5) Urban Agriculture and Community Garden/Park Open Space:



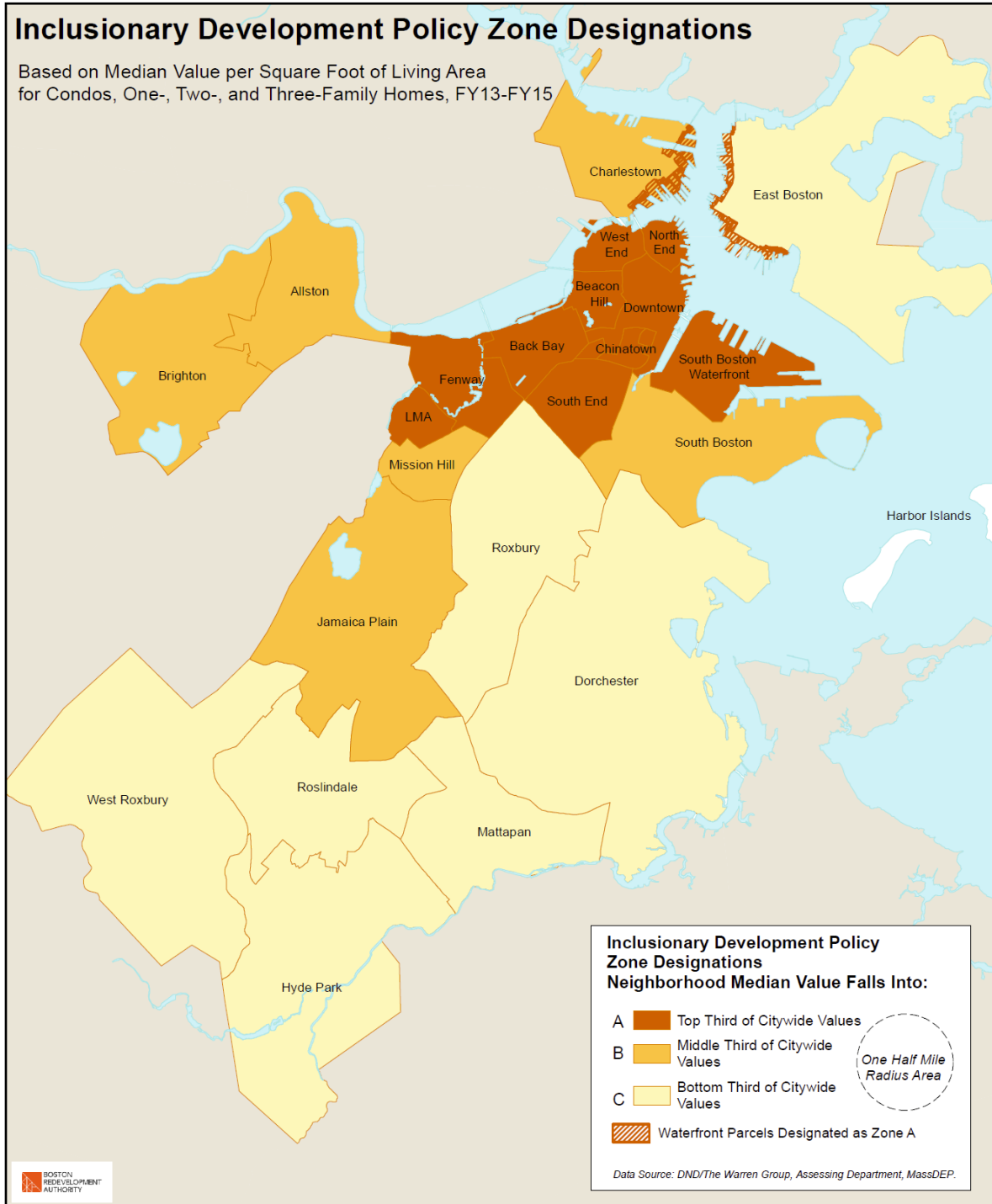
sells open space for either agricultural farming or to community groups that will maintain the land as open space to benefit the health and well-being of the community.

- 20. Maintain City-owned buildings and lots:** This program makes needed emergency repairs, such as boarding, to prevent illegal entry of city-owned properties acquired through the City tax foreclosure process and readies city-owned properties for disposition. Repairs are done to maintain the integrity of the structures and to maintain the habitability of occupied units. Upon completion of the repairs, the properties comply with all health and safety codes. Relocation of residents is undertaken pursuant to the City's Optional Relocation Policy or the federal Uniform Relocation Act, as applicable. No CDBG funds are used for ongoing maintenance at these properties. Snow removal and lot clearance activities are also part of the property management program. This program also includes capital improvements on MOH-managed municipal facilities. The capital projects are managed by the City's Property and Construction Management Department.
- 21. Demolish blighted buildings:** This program demolishes key blighted properties that pose a threat to the public safety or those identified by residents as significant eyesores in their neighborhoods. The buildings to be demolished will be vacant and will be deemed infeasible for rehabilitation.
- 22. Expand fair housing choice:** Through the Office of Fair Housing and Equity, this program increases housing choice through maintaining a database of housing availability, education and outreach, housing search assistance, policy development, enforcing fair housing laws, and ensuring the affirmative marketing of city assisted housing developments.
- 23. Provide research and reports:** This program provides timely and strategic research, analysis, maps, and reports to the MOH's Director and staff, the Mayor's Office, other City agencies, and to support special initiatives such Housing Boston 2030. The Policy Development & Research program is also responsible for preparing official documents for submission to HUD and other Federal and state agencies, including the Department of Housing and Urban Development (HUD) Consolidated Plan, Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER). PD&R's Compliance Unit is responsible for monitoring affordability restrictions, conducting environmental reviews, and ensuring project eligibility under HUD regulations.
- 24. Support program administration:** This program provides oversight and management of the department and coordination of all departmental administrative, financial, auditing and grant functions and responsibilities. The following units are included within this program: Accounting & Finance, Administrative Services & Building Management, Budget, Contracts, Human Resources, Legal, Loan Portfolio Management, Innovation & Technology, Marketing, Public/Media Relations, and Records Management.
- 25. Provide technical assistance to owners and renters:** This program has four components to assist homebuyers and homeowners. They are: 1) Information and outreach provided by the Boston Home Center; 2) Education which includes seminars, workshops, and courses such as Homebuying 101, offered around the City; and 3) Foreclosure Prevention and Intervention, which assists homeowners at risk of losing their homes and 4) Certifying incomes for homebuyers entering lotteries for Neighborhood Housing Initiative program properties and certifying incomes for homebuyers wanting to purchase a MOH deed-restricted property marketed by the developer or as part of a resale process.

- 26. Provide essential services to unsheltered persons:** This program provides essential services to unsheltered persons, essential services and operating costs for street outreach, homelessness prevention services that prevent individuals and families from losing their housing, and rapid re-housing services to those who become homeless. ESG funds are also used to fund the City of Boston Continuum of Care Homeless Management Information System, a web-based data collection system that collects client level data and tracks outcomes for Boston's homeless.
- 27. Implement the Whittier Choice grant:** The MOH is a co-grantee with BHA for the Whittier Choice grant. The MOH committed \$1.6 million in CDBG funds over the grant period.

## Appendix E: Inclusionary Development Policy Map (Zones A, B and C)

The Inclusionary Development Policy (IDP) requires different contributions to affordability, either in units or a contribution to the IDP fund, based on the location of the proposed development. Further explanation can be found at the [Boston Planning & Development Agency website](http://www.boston.gov/development).





## EXECUTIVE ORDER OF MAYOR MICHELLE WU

An Executive Order Relative to Affirmatively Furthering Fair Housing and the Implementation of the City of Boston's Assessment of Fair Housing

### SUMMARY

On behalf of the City of Boston, this Executive Order asserts Mayor Michelle Wu's commitment to affirmatively further fair housing throughout the City of Boston. It affirms the role of the Mayor's Office of Fair Housing and Equity to provide guidelines, monitor, and evaluate city departments' compliance with fair housing and equity goals and directs the Office of Fair Housing and Equity to instill the practice of fair housing and racial equity throughout city government.

*WHEREAS:* A majority of Boston residents are members of groups which have been historically subject to unlawful discrimination; *and*

*WHEREAS:* Many Boston residents belonging to such groups are economically disadvantaged and highly concentrated in communities of color and lower income neighborhoods; *and*

*WHEREAS:* Racial, economic and social inequities persist across many issue areas including, but not limited to, housing, education, employment, health, the criminal legal system, the environment, arts and culture, access to City services, and immigrant rights; *and*

*WHEREAS:* The only way to affirmatively further fair housing is to embed the principles of freedom of choice, equal access, diversity, and inclusion in the areas of urban planning, housing development, and zoning so that location does not determine anyone's quality of life or ability to prosper; *and*

*WHEREAS:* The City of Boston acknowledges the role institutional and structural racism has played in the segregation of Boston neighborhoods; *and*

*WHEREAS:* The City of Boston takes responsibility for identifying discriminatory barriers in Boston's housing market and reinventing existing policies, programs and practices to overcome such barriers and provide the necessary resources to implement all the goals stated in the Assessment of Fair Housing; *and*

*WHEREAS:* In 2015, the Department of Housing and Urban Development created a process and standards through which state and local governments would conduct an assessment of fair housing, a report that would identify fair housing challenges and priorities, as well as goals and actions to affirmatively further fair housing; *and*



*WHEREAS:* Despite HUD eliminating the requirement in 2020 that cities and states conduct an assessment of fair housing, the City of Boston, with the assistance of a community advisory committee, chose to continue that important work and released the City of Boston Assessment of Fair Housing on January 20, 2022 (“the Assessment of Fair Housing”); *and*

*WHEREAS:* The Biden administration is reinstating Fair Housing requirements for which this Assessment will meet; *and*

*WHEREAS:* The City of Boston is committed to supporting its cabinets, departments, agencies, and offices in building the capacity to affirmatively further fair housing by augmenting their budgets and departmental staff; *and*

*WHEREAS:* Equity and justice are cornerstones of a thriving democracy and key pillars of government administration; *and*

*WHEREAS:* It is necessary for local government to work in partnership with community members, leaders, organizations, and institutions to affirmatively further fair housing and end housing discrimination and segregation in the City of Boston; *now*

*THEREFORE:* Pursuant to St. 1948, c. 452, s. 11, as amended, and every other power hereto enabling, *I hereby order and direct as follows:*

I, Michelle Wu, Mayor of Boston, hereby affirm the City’s commitment to improving life for all Boston residents by affirmatively furthering fair housing and upholding the principles of social justice and equity in the finest tradition of our civil rights laws.

To this end, I hereby order every City cabinet, department, agency, and office to take all necessary steps to carry out the directives of this Executive Order, by implementing the City of Boston’s Assessment of Fair Housing and achieving the goals set forth therein.

#### **ARTICLE I. Definitions**

- A. *Affirmatively Furthering Fair Housing* “means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.”
- B. *Racial Equity* is the active state in which race does not determine one’s livelihood or success. It is achieved through proactive work to address root causes of inequities to improve outcomes



for all individuals; that is, through the elimination or shifting of policies, practices, attitudes and cultural messages that reinforce differential outcomes by race or fail to eliminate them.

- C. *Social Justice* exists when all people recognize that they share a common humanity and therefore have a right to opportunities, resources, equitable treatment, and support regardless of one's race, ethnic origin, sex, gender identity, sexual orientation, religion, political affiliations, age, disability, location, social class, socioeconomic circumstances, or other characteristics of group membership.
- D. *Protected Classes* are individuals or groups who are entitled to protection from discrimination or other adverse action, or to affirmative accommodations, opportunities, or protections, pursuant to federal, state, and local civil rights and fair housing laws, including but not limited to protected classes under Chapter 151B of the Massachusetts General Laws.

## **ARTICLE II. Administration**

There are several City of Boston agencies that traditionally have had an official role and specific authority to address equity, resulting in both a disparate understanding and lack of a unified definition of equity among these agencies and across City government more broadly. To begin to address this problem, and in order to embed equity and racial justice into all City planning, operations, and work moving forward, the Office of Fair Housing and Equity will be moved from where it currently resides to the Equity and Inclusion Cabinet.

The Chief of Equity and Inclusion, with the close coordination of the OFHE, will lead the implementation of the Assessment of Fair Housing, and will have the authority to ensure compliance and hold all City departments accountable, with the close coordination of the Office of Fair Housing and Equity.

## **ARTICLE III. Operation and Accountability**

Each Relevant City Department, Office, Cabinet or Agency shall:

1. Identify a point of contact to partner with the Chief of Equity and Inclusion and the OFHE on the development and implementation of this Executive Order and the Assessment of Fair Housing. Such Department Equity Representatives should hold a level of agency, access, and credibility conducive to devising strategies and implementing actions in collaboration with department employees.
2. Participate in or host information sessions on this Executive Order and the Assessment of Fair Housing with their employees.
3. Participate in fair housing capacity building, including but not limited to, training, education and certification to develop the knowledge and skills needed to advance the goals of the



#### Assessment of Fair Housing.

4. Pursue such training and learning with the goal of ensuring departments are prepared to uphold the principles of fair housing as part of each employee's day-to-day work and ongoing evaluation.
5. Apply a fair housing analysis to policies, practices, attitudes, and culture, and implement the changes necessary to be consistent with our fair housing laws, regulations, and case law.
6. Use a fair housing analysis to review current and proposed policies, programs, initiatives, practices and budget allocations to prevent decision making that adversely impacts protected class members.
7. Use this fair housing approach to help surface unintended consequences of proposed actions, identify opportunities for improvement, and identify how actions may advance fair housing principles and improve outcomes for all protected class members.
8. Collect data disaggregated by protected class (where applicable) or other proxies, such as neighborhood, to track the impact of City activities on protected classes.
9. Support progress toward attaining fair housing goals as a fundamental part of the evaluation of departmental performance and mission.
10. Report annually to the Chief of Equity and Inclusion, the OFHE, and the Mayor on the attainment of fair housing goals and other directives set forth in this Executive Order and the Assessment of Fair Housing.

#### **ARTICLE IV. Civil Rights Coordination**

The Chief of Equity and Inclusion, with the close coordination of the OFHE, shall, as necessary, collaborate with other civil rights entities within the City of Boston in order to implement this Executive Order and the Assessment of Fair Housing, such as the Age Strong Commission, the Disabilities Commission, the Office for Immigrant Advancement, the Office for Women's Advancement, the Office of Language Access and Communications, the Office of Diversity, and the Office of Resilience and Racial Equity.

#### **ARTICLE V. Monitoring and Community Engagement**

The OFHE shall establish an AFFH Monitoring Committee that will assist in reviewing the progress being made with the implementation of this Executive Order and the Assessment of Fair Housing. The initial composition of this AFFH Monitoring Committee shall include, but not be limited to, the current members of the AFFH Community Advisory Committee. Such Committee will meet with the OFHE Executive Director on a quarterly basis to review the progress that has been made in the implementation



of this Executive order and the Assessment of Fair Housing.

The OFHE will undertake a series of activities to insure the engagement of, education for, and outreach to, protected class members and the organizations that represent them so they are empowered and assist in the implementation of this Executive Order and the Assessment of Fair Housing.

**ARTICLE VI. Severability**

The provisions of this Order are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions that shall remain in full force and effect.

**ARTICLE VII. Effective Date**

This Executive Order shall take effect immediately. This Executive Order and the provisions herein shall remain in effect, unless previously superseded or otherwise changed by Executive Order, Ordinance, or Statute.

SIGNED THIS 20th DAY OF January, 2022

A handwritten signature in cursive script that reads "Michelle Wu".

Michelle Wu  
Mayor of Boston