

October 4, 2016

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(Sent via email to: Kelvin.Jeremiah@pha.phila.gov)

Frederick Purnell, Sr.
Deputy Director for Housing and Community Development
Division of Housing and Community Development
1234 Market Street, 17th Floor
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(Sent via email to: Frederick.Purnell@phila.gov)

Re: Introspection in Assessment of Fair Housing Plan

Dear Mr. Jeremiah and Mr. Purnell:

I write with concern regarding the City of Philadelphia's and the Philadelphia Housing Authority's (collectively "the City") joint Assessment of Fair Housing plan ("the Plan") that the City is producing under its obligation to Affirmatively Further Fair Housing ("AFFH").

As you know, the Plan requires the City to take "significant actions that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity." 80 Fed. Reg. 42272, 42354. After attending two focus groups as part of the Plan, one in April and one in September, I am concerned that the Plan will focus only on *external* forces impacting fair housing in Philadelphia, and as a result of a failure to also look inward, will not accomplish what the AFFH Rule intends. That is, while the City should certainly address barriers to fair housing in the private market, the Plan must contain sufficient self-introspection which would allow the City—particularly PHA—to provide for meaningful action to overcome its own troubling history of underrepresentation of certain demographic groups within City housing programs.

The demographic makeup of PHA and PHA-affiliated housing, the largest single source of housing for low-income Philadelphians—and the underrepresentation of Latinos in that housing—provides a glaring example of the barriers the Plan should address. According to the U.S. Census' 2014 American Community Survey, 23% of all households in poverty in Philadelphia are headed by a Latino householder. But a review of PHA data from the same year shows that Latinos represent only 6.7% and 7.1% of PHA residents. That underrepresentation seems to be across PHA housing types, but is most pronounced in traditional public housing, where Latinos represent only 5% of residents. Indicating one root of this problem, a recent Right to Know Law request revealed that PHA did not have any information on the language status of traditional public housing residents. But it did collect this information about housing choice voucher recipients, and reported that just 18 of almost 19,000 recipients spoke Spanish at home. That stunning disparity alone should serve as a wakeup call about who PHA is failing to serve.

To add to these troubling numbers, PHA's current waitlist has similar levels of underrepresentation, with just 8% of all waitlist applicants identifying as Latino. In other words, without meaningful action, and some sort of radical course correction, this sort of underrepresentation has no foreseeable end.

All of this is one example of what a true plan to further fair housing would encompass: identifying inequities within Philadelphia government itself, examining both place-based and person-based disparities in those resource distributions, and then identifying the policies that will address those disparities, along with clear benchmarks to cure any inequities.¹ In such a plan, the City would examine where PHA has located its traditional public housing, to ensure it is not entrenching segregation. And it would then examine who it is serving and who it is not. This is no easy task. In an environment where need far exceeds funding, these become tough, knotty questions. But these are conversations that must happen if the Plan is to be more than a box checking operation, and will “decreas[e] disparities in access to opportunity.” 80 Fed. Reg. at 42354.²

¹ It is a positive step, of course, that PHA has instituted a language access plan. But even if that plan is fully implemented across the organization, it seems doubtful that it alone will set the organization on a path towards meaningfully decreased disparities. The City of Philadelphia, meanwhile, should be examining whether its own language access requirements are being properly implemented.

² Given that need outstrips funding, such a conversation may also necessarily examine PHA's mixture of building units versus its use of housing choice vouchers, and examine the cost structure of each. If PHA makes decisions under its Moving to Work flexibility that take vouchers off of the market in order to fund more expensive traditional housing units or pay for other programs and administrative costs, those policy choices should be viewed through the same AFFH lens.

Letter to Kelvin Jeremiah and Frederick Purnell

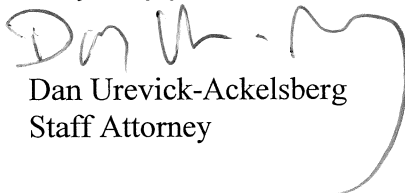
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To be sure, identifying outside forces which create barriers to housing, and the City's efforts to break them down, are also important. DHCD's foreclosure prevention efforts, including supporting housing counselors, legal aid lawyers and the First Judicial District's foreclosure mediation program, are a prime example of creative problem solving, with Philadelphia marshalling resources to target a subprime lending crisis that especially hit Philadelphia's communities of color. That groundbreaking, collective effort—largely funded by the City—has saved home after home after home from foreclosure, and the City rightfully trumpets it as a success. But that important program notwithstanding, the Plan's seeming focus on outside forces means it will fail to address the most fundamental barrier the City controls: a fair, equitable, and non-discriminatory distribution of the City's own housing resources.

I hope that the City takes these concerns seriously, takes this as an opportunity for introspection, and puts forward a Plan that truly furthers fair housing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dan Urevick-Ackelsberg". The signature is stylized and includes a large, sweeping flourish at the end.

Dan Urevick-Ackelsberg
Staff Attorney

CC: Melody Taylor-Blancher, HUD, Office of Fair Housing and Equal Opportunity
Hon. Maria Quiñones Sánchez, Philadelphia City Council