

Essex County, NJ

2020-2024 Consolidated Plan 2020 One Year Action Plan

CDBG – HOME – ESG



Containing information of all programs and projects administered by:

Putting Essex County First
The Department of Economic Development, Training & Employment
The Division of Housing & Community Development

Joseph N. Di Vincenzo, Jr., County Executive
Robert D. Jackson, County Administrator
Anibal Ramos, Jr., Department Director
George F. Serio, Jr., Division Director

Sí necesitan ayuda entendiendo documento llamen (973) 655-0200
y pregunten por Elvin Pereira



County of Essex

New Jersey

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Essex County Executive

Robert D. Jackson
Essex County Administrator

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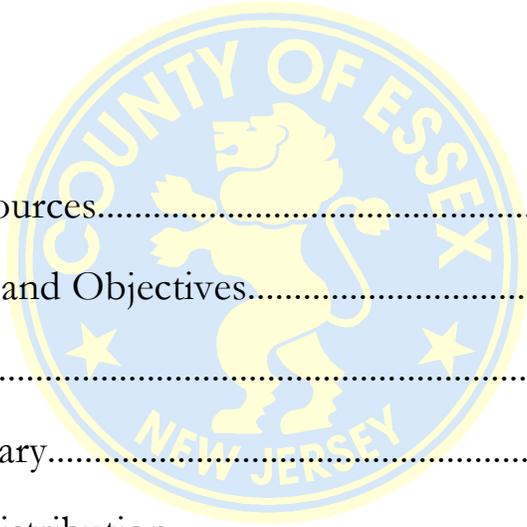
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Putting Essex County First

Executive Summary

ES-05 Executive Summary – 24 CFR 91.200(c), 91.220(b)

1. Introduction

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

Essex County expects to receive approximately \$5.4 million annually from HUD through the CDBG program, \$1,200,000 through the HOME program and \$460,000 through the ESG program over the next five years. These funds, along with any program income earned and prior year resources, will be used to leverage other public and private resources in the housing, public facilities, public services, and eliminating homelessness. At the time this plan was being finalized the COVID-19 pandemic was hitting the New York / New Jersey metropolitan area which will greatly impact the region. The significant public health crisis created by the virus will have unpredictable impacts on Essex County that will likely be felt for a long duration. The county will rely on further guidance from HUD with regard to utilizing CPD funding to mitigate the negative effects of the COVID-19 pandemic.

3. Evaluation of past performance

The Division of Housing & Community Development reviewed the goals and outcomes for the past several years. The results of the evaluation of several programs, guided the priorities and minor changes to existing programs funded with HUD programmatic funds. Quality affordable housing continues to be in short supply in Essex County. The County's increase in the subsidy available for low-income first time homebuyers in 2015 did not achieve the desired results in expanded homeownership. In the 2015 implemented plan, the County provided up to \$50,000 dollars for down payment and closing costs through the HOME program. The County's projections for new homebuyer units through the program were not fully realized. The funds allocated for first time homebuyer activities were fully expended but over a longer time frame than expected.

An analysis of the current ACS data indicates there is still a severe housing cost burden in the County's HOME Consortium. The Division therefore is recommending to maintain the subsidy amount of up to \$50,000 to those low-income homebuyers that qualify.

4. Summary of citizen participation process and consultation process

In accordance with the Housing and Community Development Act of 1987 and the National Affordable Housing Act of 1992, the Division of Housing and Community Development considers the Citizen Participation component to be integral to the Consolidated Plan process. Although the County places particular emphasis on participation from residents of low and moderate-income areas, the programs and projects that are initiated as a result of the Consolidated Plan benefit all County residents. Therefore, all citizens are encouraged to participate in the development of the 5-year Consolidated Plan. Additionally, the County includes the Township of Bloomfield in this process because of their involvement in the HOME consortium.

To meet these requirements, the Division of Housing and Community Development has prepared the following Citizen Participation Plan outlining the Division's objectives and how they will be accomplished.

I. Objective: To involve citizens and program beneficiaries in the 2020-2024 Consolidated Plan development process.

·Create a communication structure to understand constituent needs, develop a market analysis, and identify strategies. This can include public hearings, information published in newspapers and meetings in the community to offer citizens the opportunity to attend. Information is compiled and transferred to the appropriate Sub-Committee, to the Division of Housing and Community Development and to the Consolidated Plan Review Committee.

·Five (5) Sub-Committees assume responsibility for facilitating a needs assessment, market analysis, and strategies for specific program areas. Each committee includes participation from the Division of Housing & Community Development staff. Committee members are encouraged to utilize all reliable data available in their subject area

Housing

Homelessness

Infrastructure Needs

Non-Homeless Special Needs

Non-Housing Community Development Needs

·The Consolidated Plan Review Committee provides oversight and guidance to the other Sub-Committees. The Consolidated Plan Review Committee should focus on the content of the Plan with respect to the participatory requirements of the regulations.

II. Objective: To provide citizens with information concerning the range of eligible activities, applications, and program requirements.

·Notification for the submission of applications is provided to:

- a. Community Development Representatives
- b. Public service agencies that have participated in the program previously
- c. Local papers (advertisements will be published regarding applications)

·Deadline for submission of applications for Program Year 2015 was December 12, 2014.

III. Objective: To encourage citizen participation, with particular emphasis on participation by persons of low and moderate-income who are residents of slum and blighted areas.

·The Essex County Division of Housing & Community Development holds monthly Committee Development meetings to discuss programs, services and information pertaining to HUD programs.

·The Division of Housing and Community Development holds two (2) public hearings throughout the year to provide information on the Consolidated Plan and Proposed Uses of Funds.

The information gathered by the sub-committees and the public meetings were compiled and established the goals of the Essex County Consolidated Plan.

5. Summary of public comments

As of the date of this publication, public comments have not been received. As public comments are received they will be incorporated into the plan.

6. Summary of comments or views not accepted and the reasons for not accepting them

Not Applicable.

7. Summary

The County will utilize HUD resources to address the needs of the Urban County and HOME Consortium.

The Process

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	ESSEX COUNTY	Division of Housing & Community Development
HOME Administrator	ESSEX COUNTY	Division of Housing & Community Development
ESG Administrator	ESSEX COUNTY	Division of Housing & Community Development

Table 1 – Responsible Agencies

Narrative

The Essex County Division of Housing and Community Development has the primary responsibility for the development of the Consolidated Plan including technical assistance and the coordination of a Review Committee. Therefore, the Division of Housing and Community Development will act as the lead agency for the submission of the 2020-2024 Consolidated as well as for the implementation and incorporation of its elements. With the help of each participating CDBG and HOME municipality, private companies and not-for-profit organizations, the goals of the plan will be accomplished.

Each year, the Division of Housing and Community Development prepares for the Consolidated Plan process by contacting each participating municipality and service agency about their need for programs and services that are funded through CDBG, HOME and ESG. Discussion of programs and service needs are generally completed at the first Community Development Meeting, as well as, at individual meetings with each potential recipient. In addition, the County reviews the program information from the previous years to evaluate performance. For the 2020-2024 Consolidated Plan, the Division of Housing and Community Development also incorporated a review of the most current U. S. Census information to identify demographic shifts or trends that may indicate a need for special programming or changing priorities.

The Division established sub-committees comprised of representatives of various social service agencies, engineers, planners, and government officials, which covered the following areas:

Housing

Homelessness

Non-Housing Community Development Needs

Non-Homeless Special Needs

Infrastructure

These Sub-Committees were responsible for the compilation and receipt of data needed to assess and analyze the needs of their respective program areas. The collection of data was completed through various methods including, but not limited to, personal client interviews, service provider surveys, past program performance reports, U.S. Census, as well as municipal reports.

There is one (1) public housing authority (Orange) and three (3) housing agencies (Bloomfield, Montclair and West Orange) that participate in this process to ensure that the needs of their constituents are met. The Division also works closely with the CEAS, or the Comprehensive Emergency Assistance System, to identify the needs of the homeless. The goal of the Consolidated Plan process is to obtain input from as many different groups as possible so that programs and services can be administered effectively. A further description of this process can be found in the Citizen Participation Plan.

Consolidated Plan Public Contact Information

George F. Serio, Jr., Director

Essex County Division of Housing & Community Development

PR-10 Consultation - 91.100, 91.110, 91.200(b), 91.300(b), 91.215(l) and 91.315(l)

1. Introduction

The County began the consultation process with its Fall Public Hearing, which solicited input from citizens, municipal partners, non-profit partners, housing developers and stakeholders. The County through its Division of Housing & Community Development established sub-committees chaired by its staff and consisting of professionals in the fields of homelessness, affordable housing, community development, non-homeless special needs and civil engineering. The sub-committees responsibilities included gathering data, reviewing that data, establishing priorities, goals and allocating available resources to meet those goals.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The County hosts workshops designed to inform homeowners about the Home Improvement Program and the application process. The county also meets with area developers of affordable homes and/or rental units, and organizations dedicated to providing housing for physically and developmentally disabled adults. Via these workshops, meetings, and ongoing communications with these organizations, the County learns about the issues and activities that impact these agencies in their respective field of interest. The County also monitors local and state developments regarding legislation and policies, which impact the potential applicants for the HOME program.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The Division of Housing and Community Development is a member of the Comprehensive Emergency Assistance System, which is a committee that oversees the Essex County Continuum of Care. The task of the CEAS and CoC is to identify homeless populations that meet HUDs definition of homelessness and also those who are imminently and potentially at risk of homelessness. Another task of the CoC and CEAS is to decide how funding sources and coordination is administered between the shelter providers, their funders, and their clients. Utilizing policy and procedure and governance guidelines these entities oversee the dissemination of funding of all sources and are the stewards of their own data on their populations. New Jersey has a Homeless Management Information System (HMIS) that is managed by NJ Housing and Mortgage Finance Agency (HMFA); this system is the sole co-located source of data, and is reported on an annual basis directly to HUD and the State of New Jersey.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The CoC has a variety of facilities and services available to the homeless and at risk populations in Essex County. These facilities and services are based on need, and the CoC and ESG programs both have RFP processes in order to solicit applications for funding. From there the type of clients served is based on the mission of the agency and the priorities of funding for the CoC and ESG programs. The CoC and ESG programs are constantly shifting the priorities based upon the needs and the CoC has subcommittees to be able to stay on top of trends, issues, and gaps in services countywide.

The CoC has been cementing its policies and procedures but for now the Executive Board of the CoC either concurs or votes to change the recommendations of the ESG application reviews. From there the County makes the sub awards and does the performance monitoring. At the writing of this document, HUD has not provided us with the ESG standards for evaluation, so at this point we are checking for eligibility and regulatory checks until we receive those standards. We will update the policy and procedure manual at that time to reflect the changes in goal and objectives.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Mental Health Association of Essex County, Inc
	Agency/Group/Organization Type	Housing Services-Persons with Disabilities Services-homeless Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Mental Health Association volunteered to participate on the County's 5 Year Plan sub-committee on affordable housing. The organization represents individuals and families diagnosed with mental health conditions and is a service provider as well as a housing provider.
2	Agency/Group/Organization	The Arc of Essex County, Inc.
	Agency/Group/Organization Type	Housing Services - Housing Services-Persons with Disabilities Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The ARC of Essex County participated on the County's 5 Year Plan sub-committee on affordable housing. The ARC represents individuals with special needs including developmental disabilities. The ARC is a service provider and housing provider that operates in the Essex County jurisdiction.
3	Agency/Group/Organization	ESSEX COUNTY TENANT RESOURCE CENTER
	Agency/Group/Organization Type	Services - Housing Services-homeless Service-Fair Housing Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Essex County Division of Community Action is an agency that provides a wide array of services to tenants in Essex County. The Division serves as the County's anti-poverty agency and provides a number of valuable emergency assistance and social services to individuals facing crisis situations. The Tenant Resource Center is located within the Division and Offers Emergency and Home Energy Assistance (NJ Shares). They promote homelessness prevention offers basic, social services, offers tenant counseling, provides advocacy to Essex County residents.
4	Agency/Group/Organization	COPE Center Inc.
	Agency/Group/Organization Type	Services-Children Services-Health Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Cope Center was a part of our Non-Homeless Special Needs Subcommittee tasked with identifying the needs of those populations with addiction services and mental health needs.
5	Agency/Group/Organization	Township of Nutley
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Market Analysis Infrastructure needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Township of Nutley provided information on the needs of its infrastructure including roadway reconstruction needs, ADA compliant needs and public facility needs.
6	Agency/Group/Organization	Township of Belleville
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Infrastructure Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Township of Belleville provided information on the needs of its infrastructure including roadway reconstruction needs, ADA compliant needs and public facility needs.

7	Agency/Group/Organization	Borough of Glen Ridge
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	infrastructure Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Borough of Glen Ridge provided information on the needs of its infrastructure including roadway reconstruction needs, ADA compliant needs and historic preservation requirements.
8	Agency/Group/Organization	Township of Montclair
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Infrastructure Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Township of Montclair provided information regarding the infrastructure needs and public facility needs.
9	Agency/Group/Organization	Family Service League
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Families with children Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Family Service League provides services to victims of domestic violence. FSL accompanies victims to the hospital, provides victims with new clothes at the hospital, provides counseling and other related services including case management. The organization works closely with law enforcement to establish safe havens for the victims and families seeking refuge from hostile environments.
10	Agency/Group/Organization	The Salvation Army
	Agency/Group/Organization Type	Services - Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Salvation Army operates a shelter facility in the Township of Montclair and provided data on homeless individuals in the area as well contributing to the needs analysis. The Salvation Army is a member of Essex County's Continuum of Care and operates a drop in center as well as providing street outreach and case management services.
11	Agency/Group/Organization	Interfaith Hospitality Network - IHN
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Families with children
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Interfaith Hospitality Network operates a shelter facility in the Township of Montclair and provided data on homeless individuals in the area as well contributing to the needs analysis. The Salvation Army is a member of Essex County's Continuum of Care and operates a drop in center as well as providing street outreach and case management services.
12	Agency/Group/Organization	Township of Millburn
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Infrastructure Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Township of Millburn provided information regarding the infrastructure needs and public facility needs.
13	Agency/Group/Organization	Township of Verona
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Infrastructure Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Township of Verona provided information regarding the infrastructure needs and public facility needs.

14	Agency/Group/Organization	Succeed2gether
	Agency/Group/Organization Type	Services-Education
	What section of the Plan was addressed by Consultation?	Youth Services
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Succeed2gether provides after school tutoring assistance to low and moderate income youth in the Township of Montclair. The agency provided insight into the needs of the county's youth population.
15	Agency/Group/Organization	Bridges Outreach, Inc.
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Bridges Outreach, Inc. is a homeless services provider located in the City of Newark. The shelter provider identified issues facing the county's homeless population as well as contributing factors to the increase in homelessness in the county.
16	Agency/Group/Organization	Big Brothers/Big Sisters of Essex, Hudson, Union Cty
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Big Brothers/Big Sisters of Essex provides youth mentoring services to low income children in Essex County. The agency provided in depth information regarding poverty and its effects on the development of young people in low income families.

Identify any Agency Types not consulted and provide rationale for not consulting

The County explored the subject of fair housing in its discussions with the affordable housing sub-committee members, the County invited a fair housing agency to participate in the discussions however the agency could not attend the meetings. At the time of preparing this document the county is reviewing its current analysis and updating it accordingly.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Division of Community Action	Complete overlap and coordination of plans

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(I))

The Division coordinates with its 18 member urban county partners to analyze the market, determine the needs of the County and allocate resources to fill gaps whenever possible. The 18 municipalities are responsible for providing data on the specific needs of their community and prioritizing those needs each year when they submit proposals for funding to the county. In addition, the county receives statistical information from its many non-profit partners on a variety of issues that effect low and moderate income people in the county.

The 19 communities that comprise the HOME consortium, identify the housing needs within their communities and work with non-profits, the Division of Housing & Community Development and developers to maintain the affordable housing stock as well as bring additional units online with the resources available through Federal, local, State and private resources.

Narrative

PR-15 Citizen Participation - 91.105, 91.115, 91.200(c) and 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

In accordance with the Housing and Community Development Act of 1987 and the National Affordable Housing Act of 1992, the Division of Housing and Community Development considers the Citizen Participation component to be integral to the Consolidated Plan process. Although the County places particular emphasis on participation from residents of low and moderate-income areas, the programs and projects that are initiated as a result of the Consolidated Plan benefit all County residents. Therefore, all citizens are encouraged to participate in the development of the 5-year Consolidated Plan. Additionally, the County includes the Township of Bloomfield in this process because of their involvement in the HOME consortium.

To meet these requirements, the Division of Housing and Community Development has prepared the following Citizen Participation Plan outlining the Division's objectives and how they will be accomplished.

I. Objective: To involve citizens and program beneficiaries in the 2020-2024 Consolidated Plan development process.

·Create a communication structure to understand constituent needs, develop a market analysis, and identify strategies. This can include public hearings, information published in newspapers and meetings in the community to offer citizens the opportunity to attend. Information is compiled and transferred to the appropriate Sub-Committee, to the Division of Housing and Community Development and to the Consolidated Plan Review Committee.

·Five (5) Sub-Committees assume responsibility for facilitating a needs assessment, market analysis, and strategies for specific program areas. Each committee includes a staff person from the Division of Housing & Community Development staff. Committee members are encouraged to utilize all reliable data available in their subject area.

Housing

Homelessness

Economic Development

Non-Homeless Special Needs

Non-Housing Community Development Needs

·The Consolidated Plan Review Committee provides oversight and guidance to the other Sub-Committees. The Consolidated Plan Review Committee should focus on the content of the Plan with respect to the participatory requirements of the regulations.

II. Objective: To provide citizens with information concerning the range of eligible activities, applications, and program requirements.

·Notification for the submission of applications is provided to:

- a. Community Development Representatives
- b. Public service agencies that have participated in the program previously
- c. Local papers (advertisements will be published regarding applications)

·Deadline for submission of applications for Program Year 2020 was January 8, 2020

III. Objective: To encourage citizen participation, with particular emphasis on participation by persons of low and moderate-income who are residents of slum and blighted areas.

·The Essex County Division of Housing & Community Development holds monthly Committee Development meetings to discuss programs, services and information pertaining to HUD programs.

·The Division of Housing and Community Development holds two (2) public hearings throughout the year to provide information on the Consolidated Plan and Proposed Uses of Funds.

The information gathered by the sub-committees and the public meetings were compiled and established the goals of the Essex County Consolidated Plan.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Newspaper Ad	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Residents of Public and Assisted Housing	There were no responses to the public notices.	No public comments were received at the public hearing	Not applicable	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Hearing	<p>Minorities</p> <p>Non-English Speaking - Specify other language: Spanish</p> <p>Persons with disabilities</p> <p>Non-targeted/broad community</p> <p>Residents of Public and Assisted Housing</p>	The Division held a public hearing on November 4, 2019 to discuss the process, timeline for the development of the five year consolidated and one year action plan.	No public comments were received at the public hearing	N/A.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Hearing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing		No public comments were received at the public hearing	N/A.	

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

Every five years, the Division of Housing and Community Development prepares for the Consolidated Plan process by contacting each participating municipality in the Urban County, each participating municipality in the HOME Consortium as well as non-profit service agencies within the County about their need for programs and services that are funded through CDBG, HOME and ESG. Discussion of programs and service needs are generally completed at the first Community Development Meeting, as well as, at individual meetings with each potential recipient. In addition, the County reviews the program information from the previous years to evaluate performance. For the 2020-2024 Consolidated Plan, the Division of Housing and Community Development also incorporated a review of the most current U. S. Census (2010) information to identify demographic shifts or trends that may indicate a need for special programming or changing priorities.

The Division established sub-committees comprised of representatives of various social service agencies, engineers, planners, and government officials, which covered the following areas:

Affordable Housing

Homelessness

Non-homeless public services

Infrastructure / Public Facilities

These Sub-Committees were responsible for the compilation and receipt of data needed to assess and analyze the needs of their respective program areas. The collection of data was completed through various methods including, but not limited to, personal client interviews, service provider surveys, past program performance reports, U.S. Census, as well as municipal reports.

There is one (1) public housing authority (Orange) and three (3) housing agencies (Bloomfield, Montclair and West Orange) that participate in this process to ensure that the needs of their constituents are met. The Division also works closely with the CEAS, or the Comprehensive Emergency Assistance System, to identify the needs of the homeless. The goal of the Consolidated Plan process is to obtain input from as many different groups as possible so that programs and services can be administered effectively. A further description of this process can be found in the Citizen Participation Plan.

NA-10 Housing Needs Assessment - 24 CFR 91.405, 24 CFR 91.205 (a,b,c)

Summary of Housing Needs

The most significant housing problem in Essex County is housing cost burden. There is a need to provide affordable housing for families, as well as for a growing senior citizen population. As described later in this report, there is also a need to provide living spaces for persons with physical and developmental disabilities.

re demographics, it is noted that based on 2011 ACS demographics there were 387,112 residents of Essex County and 139,821 households. As posted in the data below there has been a slight increase in the population and households since 2011.

Demographics	Base Year: 2009	Most Recent Year: 2015	% Change
Population	0	392,930	
Households	0	139,840	
Median Income	\$0.00	\$0.00	

Table 5 - Housing Needs Assessment Demographics

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households	15,975	14,045	16,635	12,025	81,165
Small Family Households	4,289	4,250	6,014	4,945	46,020
Large Family Households	703	944	1,620	1,119	8,155
Household contains at least one person 62-74 years of age	3,528	2,968	3,408	2,897	16,880
Household contains at least one person age 75 or older	4,051	3,728	3,090	1,499	6,119
Households with one or more children 6 years old or younger	1,790	1,668	2,243	1,658	8,642

Table 6 - Total Households Table

Data Source: 2011-2015 CHAS

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30- 50% AMI	>50- 80% AMI	>80- 100% AMI	Total	0-30% AMI	>30- 50% AMI	>50- 80% AMI	>80- 100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	334	380	259	115	1,088	25	0	29	38	92
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	515	360	334	120	1,329	10	40	39	45	134
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	360	219	290	165	1,034	0	30	75	45	150
Housing cost burden greater than 50% of income (and none of the above problems)	6,428	3,615	634	75	10,752	4,190	3,985	3,565	1,804	13,544
Housing cost burden greater than 30% of income (and none of the above problems)	980	2,810	3,950	1,198	8,938	147	1,210	2,789	2,480	6,626

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Zero/negative Income (and none of the above problems)	968	0	0	0	968	409	0	0	0	409

Table 7 – Housing Problems Table

Data 2011-2015 CHAS
Source:

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	7,629	4,565	1,519	475	14,188	4,225	4,055	3,695	1,929	13,904
Having none of four housing problems	2,555	3,894	7,049	4,674	18,172	165	1,520	4,369	4,970	11,024
Household has negative income, but none of the other housing problems	968	0	0	0	968	409	0	0	0	409

Table 8 – Housing Problems 2

Data 2011-2015 CHAS
Source:

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	2,804	2,468	1,804	7,076	827	1,303	2,341	4,471
Large Related	539	494	409	1,442	143	319	773	1,235
Elderly	2,823	2,000	1,171	5,994	2,752	3,051	2,719	8,522

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Other	2,192	2,189	1,659	6,040	634	578	609	1,821
Total need by income	8,358	7,151	5,043	20,552	4,356	5,251	6,442	16,049

Table 9 – Cost Burden > 30%

Data 2011-2015 CHAS
Source:

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	2,719	1,234	230	4,183	813	1,135	1,529	3,477
Large Related	485	185	20	690	143	264	465	872
Elderly	2,114	1,240	248	3,602	2,619	2,206	1,238	6,063
Other	1,983	1,339	244	3,566	634	429	379	1,442
Total need by income	7,301	3,998	742	12,041	4,209	4,034	3,611	11,854

Table 10 – Cost Burden > 50%

Data 2011-2015 CHAS
Source:

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	754	560	554	305	2,173	10	70	83	70	233
Multiple, unrelated family households	40	54	44	4	142	0	0	24	20	44
Other, non-family households	85	0	20	0	105	0	0	0	0	0
Total need by income	879	614	618	309	2,420	10	70	107	90	277

Table 11 – Crowding Information - 1/2

Data 2011-2015 CHAS
Source:

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present	0	0	0	0	0	0	0	0

Table 12 – Crowding Information – 2/2

Data Source
Comments:

Describe the number and type of single person households in need of housing assistance.

Based on Total Households of approximately 139,845 for the municipalities that are participating members of the Essex County HOME consortium, 44% of households are occupied by single person households, vs. 47% utilized by small families of 2 to 4 persons and the balance occupied by large households (9%) of over 5 persons. Furthermore, 34% of households have at least one person aged 62 and higher 9vs. 31% five years ago. As noted above, 44% of households are single person households but 68% of the households with incomes at or below 30% AMI and 63% of households with incomes ranging from 30% to 50% AMI are occupied by single person households, which is a disproportionate share of lower income households.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

Family Service League indicates that the Essex County Prosecutor's office has the highest caseload in the state for victims of domestic violence, dating violence, sexual assault and stalking. Furthermore, Essex County leads the State in the number of restraining orders filed. Gauging the precise housing needs of domestic violence victims is difficult in that much of the victimization goes unreported. The housing need can arise in several ways. First, the actions of the abuser can lead to the eviction from rental housing of the victim when the abuser takes rent money or fails to contribute work earnings to rent, or establishes grounds for eviction by destroying property, etc. Other domestic violence related housing needs result from the victim’s need to relocate away from the abuser.

What are the most common housing problems?

The overwhelming issue for Essex County residents is the Housing Cost Burden. The second highest reported problem for households is overcrowding, which perhaps reflects in part a need for more persons to share space in order to deal with the high housing costs in Essex County. The map depicting housing cost burden provides a visual representation of the issue and demonstrates that this is a countywide issue.

Are any populations/household types more affected than others by these problems?

As might be expected, renters are negatively impacted by overcrowding much more than homeowners. Table 7 cites 2363 instances of overcrowding for renters vs. 284 for home owners; overall 9.8% of renters with household problems referenced overcrowding as an issue vs. 1.3% for homeowners. Both renters and owners struggle with housing costs. At higher income levels at or above 80% AMI, more than half of the home owners are dealing with a cost burden that exceeds 50% of income. Most renters who are in the higher income brackets with one issue are paying between 30% and 50% of their income; approximately 2/3 of tenant residents at 50% to 100% AMI are struggling with a cost burden that exceeds 50% of their income.

Both renters and owners struggle with housing costs. Two significant concerns are (1) the percentage of renters who have cost burdens above 30% represents 66% of renters and (2) the percentage of elderly persons who own property but reporting a cost burden (over 50%) is significantly disproportionate to the elderly population in general (13.6% for County).

Table 8 indicates that 53% of households owned or rented by households at or below 100% AMI report one or more housing problems; these households represent 20% of the total households reported for the County. Based on other data, it is concluded that the most significant problem is the high cost of housing in the County Consortium municipalities.

Table 9 and Table 10 highlight that elderly households represent 30% of renters and 50% of home owners who are facing cost burdens of greater than 30% and 51% of income, vs. the general population demographic that reports persons over 65 constitute 13.6% of the population for all of the Essex County municipalities (see Quick facts from the US Census). The New Jersey Department of Labor projects this older population will increase from the current level of 109,000 residents up to 122,400 by 2024.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

Essex County and the CoC utilize the ESG program in order to provide services to those who are in need of Homeless Prevention or Rapid Re-Housing assistance. The county enters into contracts with sub-recipients in order to carry out the case management and needs assessment on behalf of the county.

The County targets ESG funds to families at < 30% AMI in order to provide assistance for those who are currently housed but at imminent risk of becoming homeless. We have a system in which the Courts as well as service provider agencies are being contacted upon filing of an eviction action, and we evaluate families for eligibility and provide rental arrears and case management. The case management is critical because the County wants to ensure that clients do not return to homelessness and can better plan for

the next crisis that may affect them. Case managers go over budgeting, employment and education assistance, linkages to other programs and general housing planning and strategy. These programs have an extremely high proficiency, with less than 10% of all participants returning to the program within two years. At the time of preparation of this plan the COVID-19 pandemic was becoming a part of the discussion and it is anticipated the virus will greatly impact these populations.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

The current Point in Time methodology does not estimate at-risk populations. The definition of at risk is the same as the HUD CoC definition, and different than the Education definition (doubling up, living with more than 1 relative, etc are not definitions the CoC currently uses). The CoC, however is working to unify data with the other McKinney-Vento programs (Education/Schools, etc) in order to get a truer estimate of how many “at-risk” populations exist in the County. We anticipate that future Point in Time Counts will allow for these at-risk populations.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

Essex County has one of the highest rent costs/housing costs in the entire nation and is amongst the highest in New Jersey. The vast majority of people who are homeless self-reported that having to leave a shared residence/eviction was the main reason why they became homeless. Along with that fact, Essex County has over 40,000 evictions per year and it has led to the populace being very cash poor and with not enough savings to cover if some changes happen in their lives. Medical bills, loss of wages/hours, unexpected emergencies are leading to a huge inflow of persons to our homeless services.

Discussion

A high housing cost burden for Essex County residents is impacted by the following data and trends:

1. Unemployment rate for December 2019 was 4.5%, which is an improvement over the 7.3% level for 2014, but still higher than the national average which is currently 3.7%.

2. Average property tax rates for Essex County are:

\$25.14 per \$1000 assessment vs. a national average of \$11.78 (per Sparling’s Best Places) On May 14, 2019, NJ.Com reported that state property taxes in New Jersey averaged \$8,690, which is greater than the taxes paid on average by 99% of US homeowners; the average property tax bill in Essex County for 2019 was \$12,161 as reported by CBS News. CBS also reports that the median tax rate in Essex County is the 4th highest of 3100 counties in the US, and that New Jersey pay the highest property taxes in the nation.

3. The median value of homes in Essex County exceeds \$363,300 vs. a national average of \$231,000 (via Zillow's Housing Data September 2019)

4. The overall economy in Essex County still lags behind the United States averages. Recent job growth is down .7% as opposed to 1.59% growth for the rest of the country. This lag in job growth is a key indicator for the struggles low and moderate income families face in obtaining a livable wage that can enable them to find stable housing in a high cost county.

5. Developers and service agencies noted that the opportunities for many first time home buyers are limited because over 40% of their income is generally allocated for mortgages, maintenance costs, taxes, etc. Furthermore, for both homeowners and renters, energy costs are impacting personal budgets because the utility providers are much less cooperative when working with residents struggling to pay their bills. Properties that may be affordable to purchase due to age (Median age for homes in Essex County is 62 years vs. the US average of 40 years per Sparling's Best Places) or available due to a foreclosure are generally in disrepair and require significant rehabilitation expenditures

6. The current mortgage market is still tight, especially for residents with lower incomes. Short term availability of mortgages may be negatively impacted by the COVID 19 emergency may be significant.

**NA-15 Disproportionately Greater Need: Housing Problems - 91.405, 91.205
(b)(2)**

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Based on the standard for assessing disproportionately, housing problems do not appear to be disproportionately affecting a specific ethnic group or race across the Income levels detailed in tables 13 through 16.

0%-30% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	12,979	1,602	1,377
White	6,123	763	714
Black / African American	3,973	539	384
Asian	367	39	79
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	2,209	230	139

Table 13 - Disproportionally Greater Need 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	12,630	1,392	0
White	6,759	752	0
Black / African American	3,010	375	0
Asian	508	35	0

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
American Indian, Alaska Native	30	0	0
Pacific Islander	0	0	0
Hispanic	2,106	224	0

Table 14 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	11,950	4,684	0
White	6,579	2,304	0
Black / African American	2,563	1,289	0
Asian	417	228	0
American Indian, Alaska Native	15	10	0
Pacific Islander	15	0	0
Hispanic	2,082	835	0

Table 15 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

80%-100% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	6,069	5,964	0
White	3,224	3,543	0

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Black / African American	1,304	1,294	0
Asian	378	298	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	992	759	0

Table 16 - Disproportionally Greater Need 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

Discussion

Based on the reported data there does not appear to be a disproportionality for housing problems.

NA-20 Disproportionately Greater Need: Severe Housing Problems - 91.405, 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Based on the standard for assessing disproportionately, severe housing problems do not appear to be disproportionately affecting a specific ethnic group or race across the Income levels detailed in tables 17 through 20.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	11,854	2,720	1,377
White	5,618	1,267	714
Black / African American	3,518	998	384
Asian	351	54	79
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	2,059	375	139

Table 17 – Severe Housing Problems 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	8,620	5,414	0
White	4,954	2,589	0
Black / African American	1,805	1,574	0
Asian	398	143	0

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
American Indian, Alaska Native	30	0	0
Pacific Islander	0	0	0
Hispanic	1,327	1,004	0

Table 18 – Severe Housing Problems 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	5,214	11,418	0
White	2,790	6,113	0
Black / African American	1,085	2,757	0
Asian	173	478	0
American Indian, Alaska Native	0	30	0
Pacific Islander	15	0	0
Hispanic	982	1,929	0

Table 19 – Severe Housing Problems 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,404	9,644	0

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
White	1,109	5,648	0
Black / African American	535	2,072	0
Asian	164	516	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	488	1,263	0

Table 20 – Severe Housing Problems 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

Discussion

Based on the standard for assessing disproportionately, severe housing problems do not appear to be disproportionately affecting a specific ethnic group or race across the Income levels detailed in tables 17 through 20.

NA-25 Disproportionately Greater Need: Housing Cost Burdens - 91.405, 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Housing cost burden is a very severe problem in Essex county. Families of all ethnic backgrounds seem to face the high costs of maintaining a household leaving very little disposable income for other necessities such as food and clothing. Based on the standard for assessing disproportionately, housing cost burdens do not appear to be disproportionately affecting a specific ethnic group or race across the Income levels detailed in table 21.

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	82,476	27,579	28,189	1,549
White	54,605	15,900	15,789	789
Black / African American	11,508	5,482	6,335	454
Asian	6,573	1,593	1,106	79
American Indian, Alaska Native	25	15	30	0
Pacific Islander	15	0	15	0
Hispanic	8,349	4,214	4,237	164

Table 21 – Greater Need: Housing Cost Burdens AMI

Data Source: 2011-2015 CHAS

Discussion

Housing cost burden is a very severe problem in Essex county. Families of all ethnic backgrounds seem to face the high costs of maintaining a household leaving very little disposable income for other necessities such as food and clothing. Based on the standard for assessing disproportionately, housing cost burdens do not appear to be disproportionately affecting a specific ethnic group or race across the Income levels detailed in table 21.

NA-30 Disproportionately Greater Need: Discussion - 91.205 (b)(2)

Are there any Income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

Based on the standard for assessing disproportionately, there does not appear to be any income categories with housing issues that were disproportionately burdening a specific ethnic group or race across various Income levels

If they have needs not identified above, what are those needs?

Based on the standard for assessing disproportionately, there does not appear to be any income categories with housing issues that were disproportionately burdening a specific ethnic group or race across various Income levels

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

Essex County is a diverse county. However, some municipalities have significantly higher minority populations. Within the Essex County Consortium, the latest US Census estimates indicate the City of Orange's population that is 69.7% African American and 24.9% Hispanic, and West Orange report African American populations over 27%. Belleville reports an Hispanic population of 46% and an Asian population of 10.9%. Outside the Consortium, Irvington and East Orange population estimates indicate residents are 86.8% and 85.3% African American respectively, while Newark's population is 49.7% African American and 36.4% Hispanic.

NA-35 Public Housing - 91.405, 91.205 (b)

Introduction

An analysis of Tables 22 through 26 indicate there is a significantly higher share of African Americans requiring Public Housing (77.9%) and Housing Choice vouchers (79.6%) relative to the population at large for Essex County (~ 41%). This result may be reflective of the lower median incomes and higher unemployment rates reported for African Americans.Â

The data contained herein also suggests a growing demand for public housing by elderly persons, whereby 28% of public housing units are occupied by senior citizens vs. 13.6% of the population at large for the county. It is noted that the number of persons aged 60 and over increased from 96,300 in 2013 to an estimated 108,768 in 2019 as per ACS, and is projected to reach 122,400 by 2024 as per the NJ DOL.Â

Totals in Use

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	139	0	6,797	6,002	4	5,988	0	0	0

Table 22 - Public Housing by Program Type

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Data Source: PIC (PIH Information Center)

Characteristics of Residents

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher	
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program
# Homeless at admission	0	0	0	1	0	1	0	0
# of Elderly Program Participants (>62)	6	0	2,071	794	3	791	0	0
# of Disabled Families	40	0	2,056	860	0	860	0	0
# of Families requesting accessibility features	139	0	6,797	6,002	4	5,988	0	0
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

Table 23 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

Race	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	16	0	1,432	1,151	3	1,147	0	0	0
Black/African American	123	0	5,296	4,780	1	4,770	0	0	0

Program Type									
Race	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Asian	0	0	26	49	0	49	0	0	0
American Indian/Alaska Native	0	0	29	14	0	14	0	0	0
Pacific Islander	0	0	14	8	0	8	0	0	0
Other	0	0	0	0	0	0	0	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 24 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Program Type									
Ethnicity	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	24	0	713	1,042	2	1,039	0	0	0
Not Hispanic	115	0	6,084	4,960	2	4,949	0	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 25 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

The data confirms there is demand for Section 8 and public housing programs to subsidize the renting of suitable units, which, as per the Fair Housing Act, include accessible building entrances and common use areas; usable doors for wheelchair bound or otherwise impaired persons; manageable routes in and through the dwelling unit; easily accessed light switches, electrical outlets, thermostats and other environmental controls; reinforced walls for the potential installation of grab bars; and user friendly kitchens and bathrooms.

The number of elderly participants and families with disabilities each represents a high percentage of the population participating in the public housing program. The Orange PHA also references safety and security as a key concern for its population, as well as a preference for lower density buildings which allows for more space and better accommodations for each household unit.

The wait list for available vouchers is long with an expected wait period of well over 5 years for local housing agencies.

What are the number and type of families on the waiting lists for public housing and section 8 tenant-based rental assistance? Based on the information above, and any other information available to the jurisdiction, what are the most immediate needs of residents of public housing and Housing Choice voucher holders?

In West Orange, the West Orange Public Housing Agency, which is a "Section 8 only" agency, administers a Housing Choice Voucher Program. As per HUDs Voucher Management System report, West Orange Public Housing Agency manages 99 active Housing Choice Vouchers at a monthly cost of \$877 per voucher. The wait list was last open for two days in February 2016, and before that in 2003. According to the website, there is a wait list of 150 applicants with a stated preference for current residents of West Orange. In PY 2015 the West Orange PHA also managed 15-20 housing choice vouchers from other agencies through portability procedures. But it is not presently known if West Orange Public Housing Agency is still absorbing or billing Section 8 Housing Choice Voucher portability requests. The wait time to receive a voucher is approximately 10 years.

The Montclair PHA also provides Section 8 Rental Voucher Program which increases affordable housing choices for very low-income households by allowing families to choose privately owned rental housing. The public housing authority (PHA) generally pays the landlord the difference between 30 percent of household income and the PHA-determined payment standard – about 80 to 100 percent of the fair market rent (FMR). The rent must be reasonable. The goal of this program is promote self-sufficiency for low income program participants who do not have the means to rent at the market rate. The Township of Montclair Section 8 Program waiting list is closed until further notice.

In 2019 the City of Orange PHA reopened its wait list by conducting a lottey for residents seeking a Section 8 voucher. Historically, the City of Orange notes that its primary market is the African American community, but as of five years ago, there has been a growing demand for public housing assistance from Latino and

Haitian residents. In addition, the most common profile of a household utilizing these services is a low income household with a single mother as the head of the family.

Based on historical information from various sources and the data contained herein, the primary needs for this client base are: 1. Availability of affordable housing units 2. Units that are easily accessible, especially for a growing number of households with disabled and/or elderly persons 3. Units that are safe, secure, and not in disrepair 4. Units that enhance a family's quality of life and provides an opportunity for economic stability

How do these needs compare to the housing needs of the population at large

The needs of the population at large are similar, as documented by (a) data which shows that the most significant issue for Essex County residents is the cost burden for housing, and (b) demographics projecting a significant demand for housing by senior citizens and persons with disabilities.

Discussion

N/A

NA-40 Homeless Needs Assessment - 91.405, 91.205 (c)

Introduction:

The Division of Housing and Community Development is a member of the Comprehensive Emergency Assistance System, which is a committee that oversees the Essex County Continuum of Care. The task of the CEAS and CoC is to identify homeless populations that meet HUDs definition of homelessness and also those who are imminently and potentially at risk of homelessness. Another task of the CoC and CEAS is to decide how funding sources and coordination is administered between the shelter providers, their funders, and their clients. Utilizing policy and procedure and governance guidelines these entities oversee the dissemination of funding of all sources and are the stewards of their own data on their populations. New Jersey has a Homeless Management Information System (HMIS) that is managed by NJ Housing and Mortgage Finance Agency (HMFA); this system is the sole co-located source of data, and is reported on an annual basis directly back to HUD and the State of NJ.

As stated earlier, this data only encompasses those who are actively entered into the system because they are literally homeless and located in a shelter (transitional, temporary or permanent) or have sought out or obtained financial or case management assistance as it pertains to their homeless episode(s). The remainder of the needs assessment is done by the PITC and is also done on a yearly basis.

Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)	837	31	2,415	1,235	450	116
Persons in Households with Only Children	2	0	2	2	1	116
Persons in Households with Only Adults	757	381	3,202	787	340	116
Chronically Homeless Individuals	93	196	289	0	144	116
Chronically Homeless Families	13	11	24	0	80	116
Veterans	49	27	224	147	21	116
Unaccompanied Child	93	12	280	72	30	116
Persons with HIV	46	15	61	42	17	116

Table 26 - Homeless Needs Assessment

Data Source Comments: HUD PIT Count and System PM Report from HUD HDX

Indicate if the homeless population is: Has No Rural Homeless

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

Nature and Extent of Homelessness: (Optional)

Race:	Sheltered:	Unsheltered (optional)
White	191	76
Black or African American	1,435	291
Asian	3	2
American Indian or Alaska Native	27	2
Pacific Islander	24	3
Ethnicity:	Sheltered:	Unsheltered (optional)
Hispanic	288	53
Not Hispanic	1,506	335

Data Source
Comments:

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

Veterans are defined as any person of the age of 18 who has served in any branch of the Armed Forces. For the purposes of the Point-in-Time Count, the veteran definition covers any person who has served including those who may not be eligible for veteran services through the U.S. Department of Veteran’s Affairs. In its plan, Opening Doors: Federal Strategic Plan to Prevent and End Homelessness, the United States Interagency Council on Homelessness (USICH) has prioritized ending homelessness among veterans. Many communities in New Jersey have also been working hard to end homelessness among our country’s servicemen and women and continue to be a focus and target for our Built for Zero initiatives.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

Essex County’s Homeless population is overwhelmingly African-American/Black with 80% of the population while only being 40% of the overall population, and are more than three times as likely to experience homelessness than their white counterparts who only make up 12% of the homeless population while being 42% of the overall population. This a troubling trend and we have commissioned a study to analyze the racial disparity impacts both explicit and implicit that are done by our homeless systems.

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

When reading the data regarding different types of homeless households, it is important for the reader to remember that, in this report, ‘household’ means “any group of persons who, if they were able to

attain permanent housing, would choose to live together; and, shared the same sleeping arrangements on the night of the count.” Of the 1,630 homeless households counted in Essex County in 2019, 291 (18%) were families with at least one child under the age of 18 and one adult. This is a decrease of about 3% from the number counted in 2018. These families included 875 persons, with 522 children under 18 and 353 adults. The average family size was 3.0 persons. Figure 3 shows that 193 families (66%) were staying in emergency shelters, 94 families (32%) were in transitional housing, and 4 families (1%) were identified as unsheltered. 1,319 (82%) of the identified homeless households in Essex County were households without children under 18, and they were composed of 1,338 adults. This is a decrease of 2% from the number of adult only households identified in 2018. The majority of adult only households (59%) were staying in emergency shelters on the night of the count. 304 adult only households were counted as unsheltered in 2019, a decrease of 80 households (21%) from the number identified in 2018. 3 households with only children under 18 years old were reported in 2019, a decrease of 2 households (40%) from the number counted in 2018. 100% of unaccompanied youth households were staying in emergency shelters. In 2019, there were no unsheltered unaccompanied youth were identified, showing no change from the number counted in 2018.

Discussion:

NA-45 Non-Homeless Special Needs Assessment - 91.405, 91.205 (b,d)

Introduction

Essex County is committed to servicing the needs of its most vulnerable populations, ie special needs populations, and follows the regulation where it pertains to "Severely Disabled Adults". The county intends to use CDBG and HOME funds to deliver services and address the shortage of accessible housing for people with special needs throughout the state. The County follows the regulation where it pertains to "Severely Disabled Adults". There is a shortage of accessible housing for people with special needs throughout the state and is only more exacerbated by growing waiting lists for existing units.

Severely disabled adults defined:

"Some CDBG grant recipients serve disabled persons. HUD "presumes" that severely disabled adults are lower income, and therefore agencies who serve this population do not have to document income status. But we have found that there is sometimes a misunderstanding of what constitutes a "severely disabled adult." The Americans with Disabilities Act of 1990 (ADA) defines disability as a substantial limitation in a major life activity. This includes:

- 1) Using a wheelchair, a cane, crutches or a walker;*
- 2) Difficulty performing one or more functional activities (seeing, hearing, speaking, lifting/carrying, using stairs, walking or grasping small objects);*
- 3) Difficulty with one or more activities of daily living (getting in or out of bed or a chair, bathing, dressing, eating, toileting, getting around inside the home);*
- 4) Difficulty with one or more instrumental activities of daily living (preparing meals, doing light housework, keeping track of money and bills, going outside the home, taking prescription medicines in the right amount at the right time and using the telephone);*
- 5) One or more specified conditions (a learning disability, mental retardation or other developmental disability, Alzheimer's disease, or some other type of mental or emotional condition);*
- 6) Other mental or emotional conditions that seriously interfere with everyday activities (frequently depressed or anxious, trouble getting along with others, trouble concentrating or trouble coping with day-to-day stress);*
- 7) A condition that limits the ability to work around the house;*
- 8) If age 16 to 67, a condition that makes it difficult to work at a job or business; or*
- 9) Receives federal benefits based on an inability to work.*

According to HUD's definition, persons are considered to have a severe disability if they meet criteria 1, 6 or 9, or have Alzheimer's disease, or mental retardation or another developmental disability; or are unable to perform or need help to perform one or more of the activities in criteria 2, 3, 4, 7 or 8.

Agencies serving a disabled population must retain, in the client file, substantiation of the client's diagnosis of a severe disability, which may include a letter from their doctor, or proof of receiving federal or County benefits based on disability. If the program is categorized as meeting low/moderate via presumed beneficiary status then the client files do not have to be documented; only documentation showing that the activity is designed to be used exclusively by a segment of the population presumed by HUD to be low/moderate income persons such as a program or agency mission statement is needed."

The County also has various service agencies and facilities that serve special needs clients.

Describe the characteristics of special needs populations in your community:

The County currently funds a number of agencies that provide services to special needs populations. These services are provided to a wide range of diagnoses and classifications of special needs:

1. **Physical and Mental Ailments** - a broad category that includes Cerebral Palsy, Autism, Epilepsy, Severe Intellectual Disability, Osteoporosis, Spastic Quadriplegia, Depression, Hypothyroidism, Fibroids, Dysphasia, Generalized Epilepsy, Severe Obesity, Mosaic Trisomy, Schizophrenia, Myotonic Dystrophy, Anoxic Encephalopathy, Scoliosis, Thrombocytopenia, Leukemia, Hydrocephalus w/Shunt, Moderate Intellectual Impairment, Mild Intellectual Disability, Dysarthria, Thalassemia Minor, Glaucoma, Spina Bifida, Renal Insufficiency, Paranoid Schizophrenia, Impulse Control Disorder, Spastic Paraplegia, Bi-Polar, Osteoarthritis, Deafness, Blindness, Inability to Speak (Mute), Downs Syndrome, Fragile X Syndrome, Noonan's Syndrome, Schizoaffective Disorder, Delusional Disorder to name a few. These diagnoses are determined by medical professionals and either are included in documents like the DSM-5 for classification or are proven medical conditions with prognoses and diagnoses.
2. **Substance Abuse and Addiction** clients who are treated for substance abuse are struggling with alcohol and opiates (both heroin and prescription pain medication abuse); the Adolescent CDBG clients are in treatment for marijuana abuse or dependence and alcohol abuse.
3. **Co-Occurring Disorders treatment** integrated services for those struggling with concurrent mental illness and substance abuse. This population is the most fragile and at highest risk of homelessness due to their struggles with multiple disorders.
4. **HIV and AIDS**

What are the housing and supportive service needs of these populations and how are these needs determined?

The County acknowledges that there are not enough housing units for those with special needs. Service agencies from the Affordable Housing sub committee added that another concern is that some of their clients may be priced out of their non - restricted rental units as management companies are starting to increase rents.

The County makes every effort to solicit RFP's from developers (for profit and non profit) in order to create more units for affordable housing for special needs populations. These projects can include subsidies from other agencies if necessary but our goal is permanent housing; sometimes even including supportive services built into the housing. The County plans to keep funds available in an affordable housing program so that any projects from developers can be entertained as funds get freed up and become available.

The supportive service needs of these populations are often handled by the developer themselves (which usually is a non profit or a subsidiary of a non profit), or is contracted out via memorandum or contract to another agency to provide the services. When services are not tied directly into the project as a condition of housing the individual, the clients have access to the Countys wide variety of service agencies for their needs. These agencies are either County agencies or subrecipients funded through our CDBG program.

The need for housing is documented by the wait lists of persons with disabilities for various programs. For example, the Mental Health Association reports that there are over 1400 persons waiting to return to their communities via the States Division of Developmental Disabilities Conditional Extension Pending Placement (CEPP) program, which insures that persons receive treatment and are able to return home in a timely manner. And there are 1900 adults in essex County that are eligible for DDD services. MHA adds that it receives 50 to 100 inquiries per month regarding the availability of hosuing for developmentally disabled adults. Similarly, ARC and Cerebral Palsy of North Jersey indicate they are able to immediately fill new spaces drawing from the state's wait lists.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

According to the NJ State Department of Health the data is listed here:

<https://www.state.nj.us/health/hivstdtb/documents/stats/hiv/county/essex.pdf>

From the 1980s through 2018, there have been 24,816 reported cases of HIV and AIDs in Essex County, 14,467 of which resulted in the patient dying. In 2018, the number of new cases dropped from 309 in 2017 down to 208, and the number of deaths dropped from 15 to 6. As of December 31, 2018 there are 9,658 adults residing in Essex County with HIV or AIDS, 89% of which are aged 35 and older and 74% of which are described as African American. This population is significantly higher than that reported for any other NJ county.

The State and other agencies provide home health care treatment services. A primary focus of treatment is delivering the proper medication to lower income patients at their homes and ensuring that they follow their health maintenance program. The County has helped fund homes for AIDS patients in the past, but there has not been a major demand for such housing.

Discussion:

The County utilizes its CDBG funds in order to support ADA compliant capital projects all across the County, as they would qualify on their own as an eligible LMC project. These projects include curb cuts on sidewalk crossings, ADA accessible doors, bleachers, ramps, etc. The county will sustain efforts to take the public facility stock (which just like the rest of the Essex County housing stock is an older stock of buildings) and bring it up to ADA standards. Every town has a plan in order to make their public facilities ADA compliant and the County utilizes some of its CDBG funds to assist in that effort.

Since Essex County is an upper quartile certified Urban County, there are some towns that do not have eligible census tracts within their jurisdictional borders. ADA projects give them a way to participate in the CDBG program and also contribute to assisting the needs of the most vulnerable and underserved County residents.

NA-50 Non-Housing Community Development Needs - 91.415, 91.215 (f)

Describe the jurisdiction's need for Public Facilities:

Jurisdictions within Essex County have been very successful with infrastructure and ADA based projects and the County as a whole intends to keep funding those types of projects as they come to us. Essex County is an upper quartile exception urban county and that means that most of our communities are suburban in nature and do not have any CDBG eligible or qualifying areas based on AMI of those areas. What this means is that there is a limited scope of projects for each town to be able to qualify as CDBG eligible based on their needs. With that mitigating circumstance being very apparent, ADA projects are a huge need considering the age of the Essex County public facility stock. Accessibility of goods and services is very important to the residents and is a top priority for those towns that could not qualify projects in any other fashion.

The County does not specifically earmark funds for Economic Development funds (such as the program that was formerly known as the CERP program), but is aware that townships would like to enhance their "main street corridors" and want to transition some of the infrastructure projects to a streetscape and revitalization focused program. With this initiative the township can couple together DoT or municipal funds in order to really get a large impact in their economic centers at one time. This coordination of funds is very effective in addressing the needs within the County, and help to further strengthen the economic recovery process at the municipal level.

The National Association for County Community Development (NACCED) has shown that for every one million of CDBG funding spent, more than 25 jobs are sustained and since 2005 over 350,00 jobs have been created as a direct result. According to HUD every \$1 of CDBG investment leverages another \$4 in private and public funding. At a time when American communities are facing heightened global economic competition, CDBG resources are increasingly important to address vital community needs.

How were these needs determined?

The American Community Survey (ACS) helps shape the maps of CDBG eligible census tracts and block groups. Each consortium member town that applies for funding utilizing their master plans, township counsels, and needs assessments based on resident responses. Some towns are able to rank needs for CDBG accordingly in a wide area of their township and have multiple conceptual projects at their disposal. All they must do is confer with their own governmental structures and then apply for funds and that begins the process for their projects very simply. For other townships they must be much more creative in selecting which projects they will use to apply for CDBG funds.

Describe the jurisdiction's need for Public Improvements:

Jurisdictions within Essex County have been very successful with infrastructure improvements especially utilizing CDBG for roadway reconstruction throughout the county. The recent clean water crisis in the City of Newark brought the need for the overhaul of the water delivery systems in Essex County. Over the summer of 2019, many cases of elevated lead levels in the City of Newark's water supply were detected and the main culprit was found to be the lead service lines. The City immediately responded by taking action and providing water filters to residents affected. The long term solution was a partnership with Essex County to utilize the county's bond rating to provide the financing necessary to replace the water lines.

This situation brought a serious problem to light in the surrounding communities and a review of the infrastructure that is currently being used. Local civil engineers determined that the water mains were installed in the 1920's in the surrounding communities making the infrastructure 100 years old or older. The aging infrastructure in the county could greatly benefit from a replacement project that addresses the concerns of the public. The county will assess the progress and meet with municipalities that are affected over the course of the next 5 year plan.

How were these needs determined?

The American Community Survey (ACS) helps shape the maps of CDBG eligible census tracts and block groups. Each consortium member town that applies for funding utilizing their master plans, township counsels, and needs assessments based on resident responses. Some towns are able to rank needs for CDBG accordingly in a wide area of their township and have multiple conceptual projects at their disposal. All they must do is confer with their own governmental structures and then apply for funds and that begins the process for their projects very simply. For other townships they must be much more creative in selecting which projects they will use to apply for CDBG funds.

Describe the jurisdiction's need for Public Services:

Public service agencies are a very vital and essential portion of our CDBG funding; with agencies ranging from town specific to Countywide in scope. These agencies provide services for special needs populations, students, families, those in crisis and many more in the form of counseling, health service, rape crisis intervention, mental health counseling, substance abuse programs. These public services are provided in various settings such as group and one on one case management.

There is great need for public services for low and moderate income people in the county. These services are wide ranging and the CDBG program can't be relied upon to sustain nor solely fund a particular program. The CDBG program can supplement and be a gap program to initiate new programs that address new issues facing Essex County communities or growing needs within those communities. Substance abuse has become a scourge across the nation and Essex County has not been immune to the pain and suffering it brings to individuals and families. The county has consulted with

addiction service providers who have provided statistics demonstrating the opioid crisis continues to destroy lives in Essex County communities. The treatment and education of the dangers of opioids is essential to overcoming this epidemic.

With that effort comes a need for counseling/advocacy and mentoring programs as well. CDBG is a program that targets the more vulnerable populations; those who have incomes lower than 80% AMI. These children and adults are at a much greater risk of falling short of their goals and dreams, and do not necessarily have access to the appropriate services and goods as others in the County who are not in that circumstance. It is part of the mission of the County to meet the needs of ALL of its residents and the CDBG program enables us the ability to fund agencies that assist our most vulnerable persons.

How were these needs determined?

The County keeps track of persons served each year and enters that data into our IDIS system and then analyzes it to see where our priorities must lie based on the need. The consortium towns also entertain applications for public service funds through resolution from the township counsel and rank those applications based on their own jurisdictional needs. We consider those applications along with the agencies that apply directly to the County for funds in order to develop a comprehensive one year plan that addresses as many of the needs of the County as possible. The process is competitive and the funding recommendations are based on a composite score assessed during the application review.

Funding is limited and we often receive more requests than funds, but we prioritize those applications coming directly from consortium towns first, and then from there the remainder of the money is awarded to those agencies that either fill a gap in service for the County, or provides services to the greatest number of those in need.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

The consortium of municipalities serviced by the Essex County Division of Housing and Community Development services a diverse population; the diversity of the County in total is even greater when factoring in the three municipalities that are outside the Consortium, namely Newark, East Orange, and Irvington).

The data contained herein suggests there are enough properties available to house the local population, but high cost burdens and aging residential properties negatively impact the availability of affordable units in good physical condition.

As discussed herein and other sections of this report, the housing market in Essex County continues to be out of reach for many low moderate income homebuyers. Property values have also continued to rise making renting very challenging for low income families. Furthermore, various persons who contributed their expertise to this report, indicated that rents for their clients continue to rise and that much of the available inventory of affordable properties require extensive rehabilitation.

Essex County continues to be an area with severe housing cost burdens based on property values and annual property taxes. Home acquisition activity is also impaired by burdensome mortgage requirements that eliminate potential buyers who would otherwise be a good investment risk.

There is an underserved population of persons with physical and developmental disabilities who seek affordable, sanitary living facilities that is integrated with local communities. Furthermore, the inventory of available senior housing for a growing elderly population, many of whom are living on limited incomes, is nominal. Finally there is the need to rehab and maintain the aging properties in Essex County, many of which were built over 50 years ago, to ensure that persons can reside in sanitary accommodations. In some cases, repairs may be simple but others may require significant rehabilitation.

Another issue regarding affordable housing development is that some municipalities are more aggressive than others.

For example, Orange has been very active in working with developers to create housing near transportation hubs and other locations with potential for growing both a residential and business sector, and anticipate attracting residents who are looking to move ahead and will help enrich the City. Orange is also seeking to create home ownership opportunities in a community where 80% of the housing units are rented, which is significantly higher than that of the other participating municipalities in the consortium that are well below 50% when comparing rental to home ownership.

Many communities have experienced lags in maintaining their affordable housing obligations mainly as a result of a dormant State of New Jersey Council on Affordable Housing.

Overall, there are opportunities for creative projects to provide affordable home and rental units in Essex County, despite the obstacles arising from high cost housing burdens.

MA-10 Housing Market Analysis: Number of Housing Units - 91,410, 91.210(a)&(b)(2)

Introduction

Based on the data in this report, there appears to a demand for affordable one and two bedroom units and homes.

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	82,500	55%
1-unit, attached structure	7,195	5%
2-4 units	29,164	20%
5-19 units	12,029	8%
20 or more units	18,234	12%
Mobile Home, boat, RV, van, etc	147	0%
Total	149,269	100%

Table 27 – Residential Properties by Unit Number

Data Source: 2011-2015 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	445	0%	4,159	8%
1 bedroom	2,785	3%	19,764	40%
2 bedrooms	12,635	14%	16,415	33%
3 or more bedrooms	74,735	82%	8,871	18%
Total	90,600	99%	49,209	99%

Table 28 – Unit Size by Tenure

Data Source: 2011-2015 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

The County has funded projects which service a diverse income client base, ranging from the homeless, extremely low income, persons with disabilities and families at a 60% AMI. Most of the HOME assisted units have been one or two bedroom rental units or Single Room Occupancy Units. The County continues to work with residents seeking to buy affordable properties, despite the difficulties of matching affordable properties with persons that can manage the cost burden of owning a home. To date, approximately 70% of homes acquired through the first time homebuyers program have been for single family unit structures with the balance for two family structures. Typically, developers leverage

HOME dollars with tax credit funding to build their capital stack and create more affordable units. The NJ HMFA administers the tax credit program and each summer identifies the awardees. Once a developer receives an award and has identified a funding gap, they proceed to apply for HOME funds to close the gap.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

The County is presently not aware of any expiring Section 8 vouchers for this jurisdiction.

Does the availability of housing units meet the needs of the population?

It is quite evident that the county has a lack of affordable housing for the needs of its population. Low/moderate income people and families of all demographics struggle to find safe, decent affordable housing near their place of employment. The senior population continues to grow and with that growth is increased demand for housing designed for elderly populations which is in very short supply. In addition, housing for people with special needs also is a tremendous need as the limited housing that is on line has long waiting lists for those seeking housing options.

Describe the need for specific types of housing:

Based on the data and as discussed previously in this report, there appears to a demand for affordable one and two bedroom units and homes, a need for housing for developmentally and physically disabled adults, and demographic trends that reveal a high demand for senior citizen housing. The baby boomer generation represents a large portion of the senior population and as they continue to retire and downsize they are creating a high demand for accessible units. In February, the Harvard Joint Center for Housing Studies annual America's Rental Housing 2020 report was released. According to the report, households with incomes of \$75,000 and above accounted for more than three-quarters of the growth in renters (3.2 million) from 2010 to 2018. This shift has significantly altered the profile of the typical renter household and, nationwide, a growing number of renters with incomes between \$30,000 and \$75,000 are now cost-burdened (i.e. paying more than 30 percent of their income for housing). Even more alarmingly, a majority of lowest-income renters spend more than half of their monthly income on housing. These conditions have also led to increases in homelessness particularly in high-cost states.

New Jersey being a high cost state falls into this strata. The data within this document seems to mirror the findings in the Harvard report as many renters and homeowners are severely cost burdened and are forced to make tough decisions when it comes to spending on other necessities.

Discussion

MA-15 Housing Market Analysis: Cost of Housing - 91.410, 91.210(a)

Introduction

Based on the data presented in Tables 34 through 36 and other factors related to the Essex County market, the market is very challenging for those seeking affordable housing. Renters or owners must be prepared to exceed a budget of 30% of income for housing costs. This creates a severe economic hardship as working families must make difficult decisions regarding other necessities relating to household expenses. The growth of incomes at the upper ranges has not seen the same levels of growth in the lower income ranges. Inflationary increases combined with high housing costs, high taxes and related expenses limit the disposable income of families and limit housing choices.

Cost of Housing

	Base Year: 2009	Most Recent Year: 2015	% Change
Median Home Value	0	0	0%
Median Contract Rent	0	0	0%

Table 29 – Cost of Housing

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	5,097	10.4%
\$500-999	13,071	26.6%
\$1,000-1,499	21,262	43.2%
\$1,500-1,999	6,130	12.5%
\$2,000 or more	3,644	7.4%
Total	49,204	100.0%

Table 30 - Rent Paid

Data Source: 2011-2015 ACS

Housing Affordability

% Units affordable to Households earning	Renter	Owner
30% HAMFI	2,945	No Data
50% HAMFI	7,377	1,038
80% HAMFI	22,929	4,483
100% HAMFI	No Data	9,722
Total	33,251	15,243

Table 31 – Housing Affordability

Data Source: 2011-2015 CHAS

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	1,042	1,188	1,447	1,847	2,159
High HOME Rent	1,042	1,188	1,447	1,728	1,908
Low HOME Rent	881	943	1,132	1,308	1,458

Table 32 – Monthly Rent

Data Source: HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

There are housing options for those with higher incomes however those options greatly diminish as the income of the household declines. Renters face a serious challenge in obtaining housing that is not cost burdensome to the household. Approximately, 68% of reported renters are earning at or below 80% AMI which for a two person household is a maximum of \$60,400 per year. The data in table 34 reveals that over 43% of renters are paying \$1,000 - \$1,499 per month for rent. A monthly housing expenditure for households in this income bracket at 30% of earnings would mean that monthly housing costs are topping out at \$1,500.

How is affordability of housing likely to change considering changes to home values and/or rents?

The mortgage rates are at historic lows which has driven the cost of housing upward. Wage rates for lower income households have been stagnant. As demand increases for housing, prices continue to rise and lower income households are priced out of the market. Rents continue to rise to meet the demand and the result is limited housing options for lower income households. The demand for more affordable housing will require more in subsidies to meet those demands.

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

The High HOME and Fair Market Rents are the same for efficiencies, one BR and two BR units but increasingly differ for 3 BR and larger units. It is noted that HOME projects funded by the County generally focus on providing smaller units, which is consistent with the much greater demand for renting one and two bedroom units cited in table 32.

In order to meet HOME requirements that 90% of all households assisted by the County must be at or below 60% AMI, the maximum rent collected from a tenant in a County HOME assisted unit will generally be lower than the High HOME rent, which could impact the fiscal viability of some projects unless rents are subsidized.

Rent Data .org provides a comparison of Area Median to High HOME rents:

This data indicates the HOME rents are approximately \$100 per month less for 1 and 2 bedroom units, and well over \$200 for larger units. Given the potential savings for larger families, we may consider designating more 3 BR units as HOME assisted units.

It is noted that the impact on future rents due to Covid-19 is uncertain at the moment but could be significant in the future.

Discussion

N/A

MA-20 Housing Market Analysis: Condition of Housing - 91.410, 91.210(a)

Introduction

Essex County's housing is comprised of old stock as the county experienced a majority of its development during the 1950's and 1960's. An older housing stock tends to have multiple housing problems from energy efficiency issues to lead based paint hazards. Table 38 details the county's housing age as 87% was built prior to 1979.

Describe the jurisdiction's definition for "substandard condition" and "substandard condition but suitable for rehabilitation:

Standard Condition:

1. Housing unit meets or exceeds the Uniform Physical Condition Standards.
2. Housing unit does not have any critical or major structural defects, or significant observable deficiencies
3. Housing unit has adequate plumbing facilities and working HVAC system, and requires normal maintenance to address any deficiencies

Substandard Condition but Suitable for Rehabilitation:

1. Housing unit does not meet HUD HQS
2. Housing unit has one or more major structural defects, but these defects can be repaired and the property restored to an acceptable condition at a fair and reasonable cost and completed within a reasonable time period.

Substandard Condition

1. Housing unit does not meet HUD HQS
2. Housing unit is determined to be unsafe
3. Housing unit has severe structural defects, environmental issues, etc. that could not be repaired without unreasonable expenditures and an extended time commitment, or would require a demolition of the existing facility.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	33,240	37%	22,185	45%
With two selected Conditions	448	0%	2,180	4%
With three selected Conditions	24	0%	134	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	56,905	63%	24,725	50%
Total	90,617	100%	49,224	99%

Table 33 - Condition of Units

Data Source: 2011-2015 ACS

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	4,012	4%	3,348	7%
1980-1999	7,935	9%	6,521	13%
1950-1979	34,953	39%	19,760	40%
Before 1950	43,700	48%	19,618	40%
Total	90,600	100%	49,247	100%

Table 34 – Year Unit Built

Data Source: 2011-2015 CHAS

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	78,653	87%	39,378	80%
Housing Units build before 1980 with children present	3,140	3%	1,753	4%

Table 35 – Risk of Lead-Based Paint

Data Source: 2011-2015 ACS (Total Units) 2011-2015 CHAS (Units with Children present)

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	0	0	0
Abandoned Vacant Units	0	0	0
REO Properties	0	0	0
Abandoned REO Properties	0	0	0

Table 36 - Vacant Units

Data Source: 2005-2009 CHAS

Describe the need for owner and rental rehabilitation based on the condition of the jurisdiction's housing.

As previously indicated, a majority of the homeowner households reside in structures built prior to 1979. It must then be presumed that the county has a large proportion of its housing stock that contains lead based paint. The county administers a home improvement program that utilizes CDBG funds to address lead based paint in 18 communities. The county utilizes lead safe workpractices to stabilize those surfaces that contain lead when identified. Many communities have identified the need to preserve their existing affordable housing stock and have proposed to fund additional improvements with their local housing trust fund dollars to supplement existing county efforts to improve the current housing stock.

Estimate the number of housing units within the jurisdiction that are occupied by low or moderate income families that contain lead-based paint hazards. 91.205(e), 91.405

Table 34 indicates over 87% of housing units in Essex County were built prior to 1980 and the Lead Based Paint (LBP) Hazardous Reduction Act of 1992, suggesting that many older homes in the County have lead based paint concerns. To ensure that LBP issues are addressed, the County requires that all lead based paint issues be identified and remediated before a project is completed. The County staff which administers the Home Improvement Program estimate that up to 90% of the homes that receive assistance from the County have lead paint issues that must be cleared.

Discussion

MA-25 Public And Assisted Housing - 91.410, 91.210(b)

Introduction

In Essex County, there are four primary Public Housing Authorities (PHA) in Newark, East Orange, Irvington, and Orange and three housing agencies in West Orange, Montclair and Bloomfield. As Newark, East Orange and Irvington are not members of the Essex County Consortium, those PHAs are not included in this discussion.

The West Orange Public Housing Agency is a "Section 8 only" agency that administers a Housing Choice Voucher Program. This agency currently has a baseline of 99 housing choice vouchers and a wait list of approximately 150 applicants.

The Bloomfield Housing Agency is also a Section 8 only agency that administers the Section 8 Housing Choice Voucher Program and subsidizes the rent for approximately 218 low-income families at a monthly rate of \$927. Due to the length of the current waiting list, program pre-applications are not available at this time. The Bloomfield Housing Agency has no emergency funding for housing and does not operate any public housing within the Township.

Similarly, Montclair has no public housing facilities. Montclair's Section 8 Program wait list for Section 8 vouchers is presently closed until further notice but it administers a total of 50 Section 8 Vouchers. Montclair Township Housing Authority Montclair Township Housing Authority also manages several funded programs and has a total of 60 subsidized affordable housing units for rental assistance.

Although none of these three agencies manage any public housing units, their municipalities do include several properties which provide affordable rental units for area residents, senior citizens and persons with disabilities.

The single Public Housing Authority that manages public housing units in the Consortium is Orange. As a result much of the narrative below references the Orange PHA

Totals Number of Units

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project -based	Tenant -based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available	143	0	9,062	8,734	126	6,244	0	1	144
# of accessible units									
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 37 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

Describe the supply of public housing developments:

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

The City of Orange presently manages 250 senior citizen public housing units at Washington Manor, and 6 housing units at the Walter G Alexander Village complex, 2 of which are designated for senior citizens. It is noted that there are other affordable units in the various properties managed by the PHA that are not designated as public housing units; many of those are designated as tax credit units for example. The condition of these public housing units are described as good to very good.

Although the Montclair, West Orange and Bloomfield agencies do not manage any public housing units, their municipalities do include several properties, which provide affordable rental units for area residents, senior citizens and persons with disabilities.

Public Housing Condition

Public Housing Development	Average Inspection Score

Table 38 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

Historically the Orange PHA focuses on addressing the demand for as many safe, sanitary, and decent affordable housing units as possible.

To achieve this objective, the Orange PHA seeks to restore properties that are abandoned and/or are substandard. These classifications of properties not only diminish the appeal of a neighborhood and cut the tax revenue, but are also a potential threat for fires and vandalism.

Through its development projects, the Orange PHA also helps enhance the safety for local residents.

For example, the Orange PHA targeted vacant and substandard properties in the East Ward, and succeeded in providing affordable decent housing that incorporated safety features such as security cameras, lighting, and minimal common areas such that residents feel less threatened, are taking ownership of their own space, and slowly but surely enhancing their local community.

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

Historically, the strategic plan for the Orange Public Housing Authority to increase the availability of affordable housing in Orange includes the following activities:

1. Acquire or build new units that are safe and sanitary one neighborhood at a time, and provide residents with a sense of ownership of both their housing space and their community
2. Redevelop non-performing or non tax paying properties
3. Demolish obsolete buildings and either replace units or procure more vouchers
4. Implement public housing security improvements
5. Establish supportive services to improve employability of residents and/or to assist elderly and disabled persons
6. Provide mix of rental and home ownership opportunities
7. Diversify locations of public housing within the City in order to minimize the potential for creating concentrated poverty areas

Discussion:

N/A

MA-30 Homeless Facilities and Services - 91.410, 91.210(c)

Introduction

The CoC has a variety of facilities and services available to the homeless and at risk populations in Essex County. These facilities and services are based on need, and the CoC and ESG programs both have RFP processes in order to solicit applications for funding. From there the type of clients served is based on the mission of the agency and the priorities of funding for the CoC and ESG programs. The CoC and ESG programs are constantly shifting the priorities based upon the needs and the CoC has subcommittees to be able to stay on top of trends, issues, and gaps in services countywide.

Facilities Targeted to Homeless Persons

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	990	64	463	776	20
Households with Only Adults	733	10	197	455	18
Chronically Homeless Households	0	0	0	973	50
Veterans	30	0	0	273	0
Unaccompanied Youth	9	0	5	4	0

Table 39 - Facilities Targeted to Homeless Persons

Data Source Comments:

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

Essex County has a one stop center in East Orange that helps connect families to health, mental health, and employment services. The County has also utilized its CDBG/ESG/CSBG funds in order to partner with specific agencies to provide services to homeless persons and families. Through our Coordinated Entry process, homeless persons are connected to whichever services are necessary to ensure their permanent housing and stability and are done through referrals and case conferencing. Each of these providers is required to be a member of the CEAS committee as well as participate in a subcommittee. The service delivery dollars are contingent on levels of service and there is an entire subcommittee devoted to the monitoring of these agencies to ensure that any mainstream or wrap-around service that is needed is provided and provided at no cost to the consumer and at a high level.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

Essex County provides services and houses persons through our Welfare, SSH, and ESG funds. The facilities that provide this housing are all inspected at least multiple times per month, and are required to send submittals to their funder to show case management, levels of service, and length of stay reports for each program that they provide. Chronically homeless individuals, Families, Veteran Families and Unaccompanied Youth all have specific facilities that are utilized to meet their needs, because their needs differ often times from the general homeless population and each has its own policy and procedure in order to provide proper services to these families. Each of those populations also has its own subcommittee on the CEAS board that makes sure to set policy, monitor programs for effectiveness in both cost and service, as well as advocate for new funding and programs to be brought into the CoC or created if necessary. The Coordinated Entry process matches homeless families and persons to the facility that best meets their needs and monitors through HMIS their path throughout that program. All programs are required to provide at least three to six months of wrap around services upon discharge from programs, and each program takes the utmost care to not discharge families and persons until they are ready for permanent housing and stability.

MA-35 Special Needs Facilities and Services - 91.410, 91.210(d)

Introduction

The county is committed to its most underserved populations, especially those with special needs, and utilizes its funds to not only meet the service needs of this population, but also to address the housing needs and public facility needs as well.

The County's limited funds, are used to leverage other resources to enable service providers to maintain levels of service to low income populations with special needs. The county continues to partner with these service providers to provide the appropriate levels of service to house, train and educate these populations.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

The elderly, frail elderly, disabled (mental, physical, developmental), substance abuse, persons with HIV/AIDS persons, all have specific needs dependent on specific issues that are unique to their situation. The county system has its own self-contained agencies like Senior Services and the Division of Citizen Action to assist tenants with understanding their rights, however other populations with special needs require the partnerships with non-profit agencies that have the expertise and knowledge to provide the level of service appropriate for their clientele. County CDBG funds enable agencies such as Mental Health Association, The ARC of Essex County, The Bridge, Family Service League, Main Street Counseling, 1st Cerebral Palsy and others in order to meet those specific needs.

Many of these persons have complex case management needs, which require many of these public service agencies to advocate on their behalf while at the same time act as developers to create permanent supportive housing through our HOME program. In many cases, these clients have medical or emotional needs and cannot complete some very basic self-sufficiency functions without these funds. The County also uses its CDBG funds at the township level to try to make sure that public facilities meet ADA standards so that all citizens can utilize and access services. Historically, the county has provided CDBG for the purchase of vehicles and busses for those who have mobility issues to enable these populations to access services.

There is a much larger need for supportive housing units than there are actually constructed units, so the County is still encouraging agencies to consider becoming developers or partner with developers to create more units. The County's two CHDOs under the HOME program happens to be an agency that specializes in mental, physical, and developmental disabilities so we are confident that these discussions

will remain at the forefront and we will continue creating permanent supportive housing units constantly.

The opioid epidemic, which has been highly publicized in the media has negatively impacted families lives throughout Essex County. Statistics provided by the COPE Center on Substance Abuse Treatment indicate that 40.5% of those seeking treatment for drug and alcohol substance abuse treatment do not have insurance while 46.4% receive Medicaid.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

The County has partnerships with mental and physical health agencies to ensure that there is a way to accommodate the needs of those returning from mental and physical health institutions. These agencies are equipped to handle ailments ranging from head trauma, mental and physical health diagnoses, etc.

As stated in an earlier question the County in of itself is not equipped to fully serve the needs of these persons but county works with a network of agencies to refer people with mental and physical health issues to the appropriate agency. Depending on the issue, diagnoses can be very complex and the science behind their treatment and prognosis can be challenging. The county's partner agencies have been tasked with monitoring trends, changes, and identifying gaps. The County holds monthly community development meeting where participation is encouraged by agencies funded or not funded with HUD funds. These meetings identify any issues or new business pertaining to community development needs. This is a public meeting and is recorded with meeting minutes available to anyone in the public, to reach as many people as possible.

Through our ESG program we also have agencies that run Shelter Plus Care voucher based housing programs that have been constructed using HOME and other Federal and State funds, and these vouchers are earmarked specifically for these populations. The Clients are assessed and the CoC provides the actual vouchers for the tenant to live in the units, the County only provides the building subsidy and administrative reimbursement for eligible costs.

CDBG, HOME and ESG work in concert to address this need, but the numbers increase daily and require more and more resources in order to administrate and provide services.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

Family Service League - Provides critical care including forensic nursing assistance to victims of domestic violence.

1st Cerebral Palsy- Administers an adult day care program for individuals with cerebral palsy.

COPE Center - Families Empowered - a program that services a wide variety of mental illness, substance abuse and domestic violence and stress related issues. Targeted to primarily youth populations but can serve persons of all ages

SOFIA - Soar to Success - a program designed to assist those fleeing or recovering from domestic abuse

Main St. Counseling - Operates two programs in two townships in order to meet the mental health needs of the children and adults in their respective towns. Is equipped for prescription writing and also for medical referral and counseling.

1st Cerebral Palsy - Nursing Support - a program to provide services to those who have physical ailments such as Cerebral Palsy

Mental Health Association - Vehicle Replacement - With the growing need for mental health services and some of the clients getting older in age, this agency has a need for a larger fleet of vehicles. This purchase would expand their capacity.

The ARC of Essex County - ADA Modifications at Scattered Sites- Some of the housing stock on older supportive housing projects are not ADA compliant so this is an effort to begin the process of bringing all of these buildings to the ADA standard.

North Ward Center- Casa Israel - This program is adult day medical day care for those who have medical conditions that limit mobility or otherwise keep the person from interacting without assistance. The clients are given a safe and warm environment to interact with each other and also stay active.

Northwest Essex - W.E.R.C- Another workforce based program for those with special cognitive disabilities and teaches independent living skills.

Opportunity Project - Pre-Vocational Program- A program for those who are victims of head trauma (even veterans) and is a clubhouse model that retools the skills and abilities of the individual during rehabilitation and helps push as far towards recovery and possibly employment and reintegration into the community as possible based on the prognosis.

The Bridge, Inc. - Behavioral Health Counseling- A program designed to help those who have anger management, substance abuse, have experienced domestic abuse or rape trauma issues along with a wide variety of mental health issues. Targeted towards adolescents and youth.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

MA-40 Barriers to Affordable Housing - 91.410, 91.210(e)

Describe any negative effects of public policies on affordable housing and residential investment

Members of the Sub Committee for Affordable Housing commented that a failure by state and local governments to address the creation of affordable units has negatively impacted the housing environment. Further complicating this issue, are building developers who have filed lawsuits against towns for not fulfilling their obligation to create affordable units. Although on the surface this appears to be a righteous endeavor, but a closer look at these these lawsuits and the related proposals indicate a minimum amount of affordable units with a high ratio of market rate units. The developers seem to be taking advantage of the affordable housing needs of communities and weaponizing the need through law suits which include plans for high density housing with mostly market rate units. Many municipalities do not want high density housing developments since they are overdeveloped and simply want the affordable units. This counter-proposal does not benefit the developer since they want to maximzie profits from the market rate units. The result is a drawn out process of housing plans being submitted to the court who typically assigns a special master to mediate a resolution. This process delays the development of addtional affordable units and negatively impacts low and moderate income families.

Additionally, some municipalities create land use and planning barriers to the production of affordable housing by not accepting the responsibility to meet constitutional affordable housing obligations, zoning inappropriately, not addressing local opposition to housing including (real or perceived) negative impacts on finances, traffic, open space, and quality of life, and advancing the perception that such growth is bad.

Other barriers to affordable housing in the County include the high annual costs for property taxes, as well as the cost for rehabbing buildings to accommodate persons with special needs.

MA-45 Non-Housing Community Development Assets - 91.410, 91.210(f)

Introduction

Essex County's jobs are predominantly in the education and health care service industries followed by the professional, scientific and management services. These jobs tend to require advanced education, which could be a barrier to those of low income who may not have the same opportunities to attend post secondary schools as those of the moderate income population. Essex County's unemployment rate of 7.96% is higher than the national average of 3.6%.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	89	21	0	0	0
Arts, Entertainment, Accommodations	13,734	14,627	10	11	1
Construction	4,751	5,775	4	4	0
Education and Health Care Services	28,572	34,778	21	25	4
Finance, Insurance, and Real Estate	16,113	11,935	12	9	-3
Information	5,600	2,807	4	2	-2
Manufacturing	7,259	9,108	5	7	2
Other Services	6,246	7,579	5	6	1
Professional, Scientific, Management Services	21,604	20,062	16	15	-1
Public Administration	0	0	0	0	0
Retail Trade	15,446	19,165	12	14	2
Transportation and Warehousing	5,393	1,977	4	1	-3
Wholesale Trade	8,335	9,628	6	7	1
Total	133,142	137,462	--	--	--

Table 40 - Business Activity

Data Source: 2011-2015 ACS (Workers), 2015 Longitudinal Employer-Household Dynamics (Jobs)

Labor Force

Total Population in the Civilian Labor Force	182,927
Civilian Employed Population 16 years and over	168,330
Unemployment Rate	7.96
Unemployment Rate for Ages 16-24	19.66
Unemployment Rate for Ages 25-65	5.72

Table 41 - Labor Force

Data Source: 2011-2015 ACS

Occupations by Sector	Number of People
Management, business and financial	58,180
Farming, fisheries and forestry occupations	6,336
Service	12,629
Sales and office	39,515
Construction, extraction, maintenance and repair	8,160
Production, transportation and material moving	5,171

Table 42 – Occupations by Sector

Data Source: 2011-2015 ACS

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	76,490	49%
30-59 Minutes	51,960	33%
60 or More Minutes	28,695	18%
Total	157,145	100%

Table 43 - Travel Time

Data Source: 2011-2015 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	6,205	760	3,009
High school graduate (includes equivalency)	23,795	3,024	8,175
Some college or Associate's degree	27,200	2,664	6,650
Bachelor's degree or higher	85,980	4,125	12,725

Table 44 - Educational Attainment by Employment Status

Data Source: 2011-2015 ACS

Educational Attainment by Age

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
Less than 9th grade	273	1,172	1,127	2,288	4,203
9th to 12th grade, no diploma	2,214	923	1,467	3,000	3,889
High school graduate, GED, or alternative	5,768	6,097	7,788	21,105	15,600
Some college, no degree	12,044	5,784	6,222	13,835	6,410
Associate's degree	1,155	2,334	2,994	5,364	1,678
Bachelor's degree	4,679	14,395	16,395	29,640	9,460
Graduate or professional degree	425	5,774	12,390	24,295	10,385

Table 45 - Educational Attainment by Age

Data Source: 2011-2015 ACS

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	490,854
High school graduate (includes equivalency)	789,597
Some college or Associate's degree	944,975
Bachelor's degree	1,541,280
Graduate or professional degree	1,831,903

Table 46 – Median Earnings in the Past 12 Months

Data Source: 2011-2015 ACS

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

The major employment sectors within the Essex County jurisdiction are: 1. Education and healthcare employ the most people in Essex County. A review of data provided by datausa.io indicates that a significant proportion of these jobs are management occupations 2. Professional, Scientific sectors are second in numbers of people employed with Business and Financial Operations, Health Diagnosing & Treating Practitioners and Computer Occupations comprising the majority of jobs in this sector. 3. Real Estate, Sales, Insurance and Retail round out the top three with regards to numbers of people employed in this sector.

Describe the workforce and infrastructure needs of the business community:

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

No

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

Discussion

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

American Community Survey. Figure 1 shows the total number of housing units for each city in the local area shown. Essex County shows it has 316,136 housing units which is the 3d most of all other counties in the area.

Figure 2 illustrates the housing density in the area as measured by houses per square land mile and it has 2,504.5 housing density which is the 4th ranked in housing density out of 10 total in the area. The county with the highest housing density in the area is New York County with a density of 38,587.7 compares as considerably bigger. Comparing housing density to the United States average of 38.6, Essex County is very much bigger. Also, benchmarked against the state of New Jersey, housing density of 490.2, Essex County compares as markedly bigger.

The next **Figure 4** change shows the change in housing units and shows Essex County shows it has 1.0% change in the housing units which is the 4th smallest change in the housing units of all the other counties in the area. The county with the highest change in the housing units in the area is Hudson County with a housing units of 3.5% is approximately 3.4 times bigger. Comparing change in the housing units to the United States average of 4.9%, Essex County is approximately a fifth the size. Also, compared to the state of New Jersey, change in the housing units of 1.5%, Essex County is approximately three-fourths the size.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

Essex County has a moderate inventory of affordable housing units. The distribution of these units, however, is uneven throughout the County, with dense clusters of affordable housing located near the cities. About 70% of the County's affordable housing stock is concentrated in just four cities-Newark, East Orange, Irvington and Orange.

What are the characteristics of the market in these areas/neighborhoods?

Essex County is a county in the northeastern part of the U.S. state of New Jersey. As of the 2018 Census estimate, the county's population was 799,767, making it the state's third-most populous county.

Are there any community assets in these areas/neighborhoods?

New Jersey Community Capital is a nonprofit community development financial institution (CDFI) that provides innovative financing, investment, and support to sustainable community development ventures that develop and preserve affordable homes, increase jobs, improve educational opportunities, and strengthen neighborhoods to ensure that communities can thrive.

Are there other strategic opportunities in any of these areas?

MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

Thirty years after the launch of the world wide web, internet, broadband and cell phone adoption has grown tremendously for all Americans this including those less well off financially. However, the access to this technology is strikingly different for low income users. According to the Pew Research Center, three in ten adults with incomes below \$30,000 a year don't own a smartphone. More than four-in-ten don't have broadband services or a traditional computer. With fewer options for online access, many lower income households are relying on smartphones. As of early 2019, 26% of adults earning less than \$30,000 a year are "smartphone dependent" internet users-meaning they own a smartphone but do not have broadband internet at home. This research mirrors the finding by HUD's Office of Policy Development & Research which cited the following:

- Research on digital inequality has shifted toward frameworks that consider multiple dimensions and levels, including social supports and other neighborhood-level factors.
- Low-income households have lower rates of in-home Internet connectivity compared with higher-income groups. Connectivity rates are particularly low among HUD-assisted renter households, who are also more likely to depend exclusively on smartphones and other handheld devices to access the Internet in the home.
- Low-income households are most likely to cite affordability constraints as a substantial barrier to in-home broadband adoption. Eighty percent of respondents to the 2015–2016 ConnectHome baseline survey who lacked Internet access at home cited Internet costs as one reason they lacked in-home Internet access, and 37 percent cited device costs.

The Essex County ACS data estimates for 2018 reveal that of the 53,685 households whose incomes fall below \$20,000, 18,033 households or 33% are without an internet subscription. Of the 107,610 Households with incomes between \$20,000 and & \$74,999, 20,122 or 18.6% of these households are without an internet subscription. Finally, households making \$75,000 or more total 128,626 of which 6,521 or 19.72% do not have an internet subscription.

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

A Center for Public Integrity analysis of Internet prices in five U.S. cities and five comparable French cities found that prices in the U.S. were as much as 3 1/2times higher than those in France for similar service. The analysis shows that consumers in France have a choice between a far greater number of providers — seven on average — than those in the U.S., where most residents can get service from no

more than two companies. The Center's analysis echoes the findings of several studies on Internet pricing disparities worldwide.

By mapping the service areas of U.S. providers, The Center for Public Integrity also found that telecommunications companies appear to carve up territory to avoid competing with more than one other provider.

Higher broadband prices don't just mean fewer dollars in Americans' wallets at the end of every month. They make it difficult for low- to middle-income families to afford fast Internet service, which has become a necessity for job training, education, health care.

MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

Superstorm Sandy hit New Jersey in October 2012 and devastated many parts of the state including sections of Essex County. This storm exposed many increased hazard risks that are susceptible to the effects of climate change. The areas around rivers in Essex County are susceptible to flooding. Essex County is a densely populated county with many rivers and waterways that flow through the 22 communities that during times of mild weather provide tranquility and respite from urban surroundings. However, during ravaging micro bursts or superstorms these waterways can flood and devastate the surrounding communities causing loss of power, destroy businesses, block roadways and cost millions of dollars to the communities. A major natural hazard is attributed to the Rahway River which flows through Essex, Union, and Middlesex counties.

The communities affected have suffered severe, widespread flooding on numerous occasions in recent decades — including during Tropical Storm Floyd in 1999 and Tropical Storm Irene in 2011— displacing residents and causing more than \$100 million in property damage. Mayors from communities along the Rahway River, as well as county officials, have met with officials from the New Jersey Department of Environmental Protection and the U.S. Army Corps of Engineers to discuss a potential Rahway River Flood Mitigation Plan. The project could cost up to \$60 million and would need significant resources from federal, state and local governments.

The Essex County Sheriff's Office issued a report on Hazard Mitigation which indicated, both northern and southern New Jersey have become wetter over the past century. Northern New Jersey's 1971-2000 precipitation average was over five inches (12%) greater than the average from 1895-1970. Southern New Jersey became two inches (5%) wetter late in the 20th century (Office of New Jersey State Climatologist). Average annual precipitation is projected to increase in the region by 5% by the 2020s and up to 10% by the 2050s. Most of the additional precipitation is expected to come during the winter months (New York City Panel on Climate Change [NPCC] 2009). In addition, heavy precipitation events have increased in the past 20 years.

Climatologists predict an increase in the number and intensity of severe weather events. More storms with higher winds will increase the chance that the power infrastructure will be impacted. Extreme temperatures are predicted to increase as well. During the hot summer months, the potential for power overload will increase as demand for power increases. Additionally, climatologists predict an increase in precipitation, which may lead to more winter weather thus causing additional power failures. Power outage events have potential health impacts including injury and death. Other issues from power outages include food safety from lack of refrigeration and carbon monoxide poisoning from misuse of generators.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

There are many vulnerabilities to these risks of housing occupied by low and moderate income households. The Hazard Mitigation Plan that was prepared by the Essex County Sheriffs Office identified the risks to critical facilities, residences and businesses which identified vulnerabilities to a myriad of risks both natural and man made. Power outage events have potential health impacts including injury and death. Other issues from power outages include food safety from lack of refrigeration and carbon monoxide poisoning from misuse of generators. The elderly are also vulnerable to the effects of power failure, as power failure has the potential to expose them to extreme heat or extreme cold. During power failure events, water purification systems may not be functioning. Further, populations on private wells will not have access to potable water. Many power outage events are caused by storm events that can lead to flooding. Without electricity, residents would be unable to pump water from their basements potentially causing structural and content damage to their homes. Since elderly households tend to be low and moderate income households it can be inferred that they are more vulnerable. Additionally, those with limited means may not have the ability to replace or rehabilitate the damage caused by the natural hazard leaving them without a suitable living environment.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The Consolidated Plan, prepared by the Essex County Division of Housing and Community Development, is a comprehensive document that addresses the priorities of our Urban County & HOME consortium. The Plan is also a planning tool by which the County's needs and strategies are assessed and remedied. The attached One-Year Action Plan identifies activities that will be funded through the Community Development Block Grant (CDBG), Home Investment Partnership (HOME) and Emergency Solutions Grants (ESG) programs during the 2020 Program Year.

SP-10 Geographic Priorities - 91.415, 91.215(a)(1)

Geographic Area

Table 47 - Geographic Priority Areas

1	Area Name:	Essex County HOME Consortium
	Area Type:	Essex County geographic area
	Other Target Area Description:	Essex County geographic area
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	
	Other Revital Description:	
	Identify the neighborhood boundaries for this target area.	The HOME Consortium consists of the same 18 communities along with the Township of Bloomfield which has agreed to participate in the Essex County HOME Consortium. In addition to the consortium, the County will invest resources in adjacent city and municipalities within the County when those jurisdictions contribute to the creation of affordable housing.
	Include specific housing and commercial characteristics of this target area.	The housing stock stock in the the HOME Consoritum is generally older and those homes with more than one housing problem tend to be those homes occupied by low and moderate income families.

	<p>How did your consultation and citizen participation process help you to identify this neighborhood as a target area?</p>	<p>The HOME Consortium acknowledged that affordable housing is in great need in Essex County. The amount of homeless families has increased due to evictions largely in part due to New York City's SOTA program which provided housing voucher assistance to the homeless but did not provide the supportive services that should accompany such vouchers. The result was large amounts of people crossing the Hudson River seeking affordable housing opportunities that they ultimately could not sustain once the vouchers were exhausted and became homeless once again. In addition, the elderly are highest growing population in need of affordable housing options. The elderly population are living much longer and cannot maintain high cost housing and with limited affordable options are forced to either relocate or seek housing with relatives. Potential homebuyers identified high housing costs as a barrier and the ability to purchase a two family home and receive rent from a tenant would contribute to the sustainability of their home.</p>
	<p>Identify the needs in this target area.</p>	<p>Increased affordable housing opportunities throughout the HOME Consortium for the elderly, people with special needs and the working poor.</p>
	<p>What are the opportunities for improvement in this target area?</p>	
	<p>Are there barriers to improvement in this target area?</p>	<p>The cost of living in Essex County is a significant barrier for low income families. A review of the severe housing cost burden reveals that this issue is pervasive throughout the entire County. Relative high home prices throughout the HOME Consortium in addition to high property taxes represent barriers to low income homebuyers. Low income renters face high rents in the HOME Consortium and a lack of affordable housing options.</p>
<p>2</p>	<p>Area Name:</p>	<p>Essex Urban County</p>
	<p>Area Type:</p>	<p>18 Communities within the Urban County</p>
	<p>Other Target Area Description:</p>	<p>18 Communities within the Urban County</p>
	<p>HUD Approval Date:</p>	

% of Low/ Mod:	
Revital Type:	
Other Revital Description:	
Identify the neighborhood boundaries for this target area.	The 18 communities that comprise the Urban County are as follows: Township of Belleville, Township of Caldwell, Township of Cedar Grove, Borough of Essex Fells, Township of Fairfield, Township of Glen Ridge, Township of Livingston, Township of Maplewood, Township of Millburn, Township of Montclair, Township of Nutley, City of Orange Township, Borough of Roseland, Borough of South Orange Village, Township of Verona, Township of West Caldwell and the Township of West Orange.
Include specific housing and commercial characteristics of this target area.	The housing stock stock in the Urban County is generally older and those homes with more than one housing problem tend to be those homes occupied by low and moderate income families.
How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	The Community Development Representatives from each of the 18 participating communities through monthly meetings and through sub-committees that identified the needs within the jurisdiction and applied for resources that targeted their respective needs.
Identify the needs in this target area.	Roadway reconstruction, sanitary seweres, ADA accessible improvements, sidewalk reconstruction, low and moderate income homeowner rehabilitation, ADA accessible public facilities, new public facilities, rehabilitation of existing public facilities, a myriad of social service needs including, domestic violence services, after school educational services, financial counseling services, special needs services, job training, tenant services and mental health counseling.
What are the opportunities for improvement in this target area?	The opportunities are plentiful including the overhaul of the county's drinking water delivery system in the urban areas of Newark and the surrounding areas. New units of affordable housing for the workforce is an opportunity for the county as well.
Are there barriers to improvement in this target area?	The barriers to improvement are financial resources that can address the needs.

General Allocation Priorities

Describe the basis for allocating investments geographically within the state

Essex County is comprised of 22 municipalities and communities that range from urban centers with an array of infrastructure and social problems to suburban areas that have affordable housing shortages. The Division of Housing & Community Development represents 18 of the 22 municipalities that participate in the CDBG program and 19 municipalities in the HOME program. The City of Orange Township is the most densely populated town in the consortium. It also has the highest unemployment rate at 7.3% as opposed to 4.6% for the county as a whole and the highest minority concentration. The Township of Montclair is one of the most unique Townships in the County and perhaps the State in that it has some of the wealthiest households in the County along with some of most disadvantaged. The Township of Belleville has the second highest unemployment rate in the Urban County at 5.1%. The County has consulted with the municipalities that make up the consortium and determined that there is a need for more safe and affordable housing. The County intends to address this need by allocating future CDBG and HOME dollars to fund more affordable housing projects. The obstacles facing the Division are high property costs, high property taxes, and costs of living associated with housing in Essex County.

Over the course of the next five years the Division of Housing and Community Development will ensure that at least 70% of its Community Development Block Grant entitlement will benefit the low and moderate-income citizens of Essex County. The Division will target areas where the need is greatest and fund projects that address national objectives established by the Department of Housing & Urban Development.

With these goals in mind, the Division of Housing and Community Development intends to utilize programs such as the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME) and the Emergency Shelter Grant Program (ESG) to create an environment that promotes increased housing options, home ownership and home maintenance within Essex County, and ultimately, a better quality of life for its residents. Any reductions in funding levels will compromise the planned initiatives of the Division.

Over the course of the next five years the Division of Housing and Community Development will ensure that at least 70% of its Community Development Block Grant entitlement will benefit the low and moderate-income citizens of Essex County. The Division will target areas where the need is greatest and fund projects that address national objectives established by the Department of Housing & Urban Development.

SP-25 Priority Needs - 91.415, 91.215(a)(2)

Priority Needs

Table 48 – Priority Needs Summary

1	Priority Need Name	Affordable Housing
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Large Families Families with Children Elderly Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Victims of Domestic Violence Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Victims of Domestic Violence Non-housing Community Development
	Geographic Areas Affected	Essex County geographic area 18 Communities within the Urban County
	Associated Goals	Create and Retain Affordable Housing Units Economic Development Planning and Administration

	Description	<p>PRIORITY #1: AFFORDABLE HOUSING NEEDS AND STRATEGIES</p> <ul style="list-style-type: none"> ·Expand the supply of affordable housing units for low and moderate-income persons. ·Maintain the existing supply of affordable housing units for low and moderate-income persons. ·Provide assistance to low and very low-income households that are in danger of becoming homeless. ·Provide increased housing opportunities with support for first time homebuyers. <p>The low interest rates coupled with stagnant job growth has enabled the rising cost of living within Essex County. With the cost of homes, rental payments and property taxes increasing every year, it is difficult for residents to live in Essex County without experiencing a cost burden. As a result, the County plans to expand the supply of affordable housing units through the rehabilitation of existing units and offering assistance to developers for the construction of new units and rehabilitation of existing units. Additionally, the County offers support through its Homebuyer’s Purchase Program.</p>
	Basis for Relative Priority	Based on the analysis of the County housing needs, which primarily is a lack of affordable housing availability. The County will allocate its limited resources to retain existing units through homeowner rehabilitation and create new units through the HOME funded affordable housing program, first time homebuyer program and CHDO activities.
2	Priority Need Name	Homelessness Prevention
	Priority Level	High
	Population	<p>Extremely Low</p> <p>Large Families</p> <p>Families with Children</p> <p>Individuals</p> <p>Families with Children</p> <p>Mentally Ill</p> <p>veterans</p> <p>Victims of Domestic Violence</p>
	Geographic Areas Affected	18 Communities within the Urban County
	Associated Goals	Homelessness Planning and Administration

	Description	Provide homeless prevention services to those individuals and families who are in danger of becoming homeless through no fault of their own. The County will provide funding through the ESG program to non-profit homeless service agencies to achieve this goal. The funds will provide for a variety of assistance, including: short-term or medium-term rental assistance and stabilization services, including mediation, credit counseling, security or utility deposits, moving cost assistance and case management.
	Basis for Relative Priority	Provide homeless prevention services to those individuals and families who are in danger of becoming homeless through no fault of their own. The County will provide funding through the ESG program to non-profit homeless service agencies to achieve this goal. The funds will provide for a variety of assistance, including: short-term or medium-term rental assistance and stabilization services, including mediation, credit counseling, security or utility deposits, moving cost assistance and case management.
3	Priority Need Name	Chronic Homelessness
	Priority Level	High
	Population	Extremely Low Families with Children Elderly Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth
	Geographic Areas Affected	18 Communities within the Urban County
	Associated Goals	Homelessness Planning and Administration

	Description	Homelessness is an epidemic spread throughout the entire county. Although the concentration of homeless individuals is primarily found in the urban centers (Newark, East Orange, Orange and Irvington), homelessness is a problem in many suburban areas, including Bloomfield, Maplewood, Montclair and West Orange. The County intends to work with the CEAS Committee – Comprehensive Emergency Assistance System –to ensure that homeless individuals and families are offered the services they need to find and retain permanent, affordable housing. The funds will also be used to upgrade homeless shelters to better accommodate the homeless populations they serve.
	Basis for Relative Priority	The Essex CEAS is committed to the plan's goals which indicate all individuals and families at risk of homelessness in Newark and across Essex County will have access to safe, quality housing that they can afford, with the resources to sustain it. To that end, a critical component of achieving this goal is to address chronic homelessness in Essex County. Chronic homelessness requires intensive case management services which demand significant resources therefore the County has identified this priority.
4	Priority Need Name	Public Improvements
	Priority Level	High
	Population	Extremely Low Low Moderate Non-housing Community Development
	Geographic Areas Affected	18 Communities within the Urban County
	Associated Goals	Public Infrastructure Improvements Planning and Administration
	Description	Improve the infrastructure in low and moderate income neighborhoods. Municipal infrastructure rehabilitation is an important component in the CDBG program and the County plans to continue remedying pre-existing conditions. These include, but are not limited to, water and sewer improvements, street and sidewalk improvements, flood drain improvements and ADA curb cuts. Infrastructure projects will continue to emphasize leveraging public funds for projects.

	Basis for Relative Priority	Municipal partners stressed the need for additional resources to address the County's infrastructure. The County's infrastructure is old and deteriorated which is further compromised by heavy usage and the severe northeast weather.
5	Priority Need Name	Public Facilities
	Priority Level	High
	Population	Extremely Low Low Moderate Non-housing Community Development
	Geographic Areas Affected	18 Communities within the Urban County
	Associated Goals	Public Facility Sustainability Planning and Administration
	Description	<p>Improve existing public facilities for low and very low-income persons.</p> <p>The County intends to increase the number of available public facilities spaces used by low and moderate income persons. In the past, the County has been successful in implementing projects that directly effect low and moderate-income neighborhoods, families and individuals. In the future, the County anticipates completing projects that benefit low and moderate income neighborhoods. Based on a needs assessment completed for the 2020-2024 Consolidated Plan , municipalities and service agencies cited the need for better adult day care facilities, recreational facilities and more health facilities.</p>
	Basis for Relative Priority	After the County performed its community and stakeholder outreach, the County narrowed its focus to eight goals, seven of which are HIGH priority. Qualitative feedback collected from sub-committee meetings, interviews and public hearings which were substantiated by quantitative data reported in the needs assessment and market analysis, served as the basis for the priority need.
6	Priority Need Name	Public Services
	Priority Level	High

	Population	Extremely Low Low Moderate Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development
	Geographic Areas Affected	18 Communities within the Urban County
	Associated Goals	Public Services Planning and Administration

<p>Description</p>	<p>Maintain the existing level of support for low and moderate income persons.</p> <ul style="list-style-type: none"> ·Enhance and increase the capacity of various health and human service agencies for low and very low-income persons. ·Enhance and increase the capacity of various health and human services agencies for the special needs populations. ·Increase transportation services for severely disabled adults, special needs and elderly persons throughout the County. <p>The County will try to maintain the existing levels of support services that are offered for low and very low-income persons, as well as enhance and increase the capacity of many of these services. Funding availability continues to be a major obstacle facing service providers in Essex County and New Jersey. Shrinking resources from other foundations have hindered many agencies and caused the demise of others. For instance the mental health agencies have reported a spike in counseling services which can be attributed to the ever increasing stresses the American family experiences in today's world.</p> <p>Essex County has the highest welfare caseload in the state, and as such, needs to offer a wide array of supportive services to help individuals obtain employment and become economically self-sufficient. Although there are a multitude of services currently available, there is no formal system that networks agencies or links individuals with services. To create a better service delivery system, the County intends to work with social service agencies to identify alternative funding sources and to analyze the existing service delivery system to identify gaps and/or duplication of services.</p> <p>There is also a need to provide enhanced services for the elderly and individuals with disabilities. Some of the major disabilities include:</p> <ol style="list-style-type: none"> 1. Developmental disabilities (mental retardation, cerebral palsy, autism, spina bifida, and epilepsy) 2. Blindness 3. Deafness 4. Psychiatric impairment (neurosis, psychosis, phobias, and schizophrenia) <p>These populations have needs for funding for the following:</p> <p>Housing: Funds are needed for both capital improvements of existing group homes and for purchase of new homes. There is a waiting list of approximately 1,200 persons who are currently institutionalized and waiting to be placed in homes.</p> <p>Adult Day Care Programs: Funds are needed for the expansion of current adult day care programs.</p>
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	Basis for Relative Priority	The County performed its community and stakeholder outreach, then the County narrowed its focus to seven goals, six of which are HIGH priority. Qualitative feedback collected from sub-committee meetings, interviews and public hearings which were substantiated by quantitative data reported in the needs assessment and market analysis, served as the basis for the priority need.
7	Priority Need Name	Economic Development
	Priority Level	Low
	Population	Low Moderate Middle Other
	Geographic Areas Affected	18 Communities within the Urban County
	Associated Goals	Economic Development
	Description	Although a low priority for CDBG funding, economic development is critical to the overall health of Essex County. The County experienced a 1.1% increase in jobs growth for the time period 2001-2014 which is grossly below the national rate(source NACo). The County's unemployment rate was 7.8% in 2014 and the average annual pay in 2012 was \$47,696. The County's economic output growth rate was just .2% for the time period 2001-2014 (source: NACo). These economic indicators demonstrate a need for economic development in Essex County. The advent of the Opportunity Zone program as a result of the 2017 Tax Cuts and Jobs Act. The program was designed to bring investments to qualifying census tracts. The program is designed to leverage other federal resources such as CDBG and HOME to further spur economic development and job creation.
	Basis for Relative Priority	Although a low priority in the County's plan, economic development is acknowledged as an essential component of the sustainability of the County's communities. The County's high cost burden for housing could be somewhat alleviated by additional economic opportunities for its low and moderate income citizens. The Division will primarily allocate CDBG resources to job development and training to public non-profit agencies for the furtherance of this objective.
8	Priority Need Name	Rapid-Rehousing
	Priority Level	High

Population	Extremely Low Low Large Families Families with Children Elderly Individuals Families with Children
Geographic Areas Affected	18 Communities within the Urban County
Associated Goals	Homelessness Planning and Administration
Description	Provide rapid re-housing assistance and related services to those individuals and families who without such assistance would be homeless. The funds will provide for a variety of assistance, including: short-term or medium-term rental assistance and housing relocation and stabilization services, including mediation, credit counseling, security or utility deposits, moving cost assistance and case management.
Basis for Relative Priority	The SOTA program instituted by the New York City homeless program was designed to rapidly rehouse its citizens however the program has had a deliterous effect on the Essex County region as a result of a poor design. Many of these low income people were provide with housing assistance for a period of one year with no supportive services and had re-located to New Jersey where rents were lower cost than in New York. However, once the resources were exhausted many of these people became unable to sustain their housing putting them in jeopardy of becoming homeless once again. The results are a high number of people in need of rapid re-housing assistance to help them sustain their housing along with the supportive services and case management to prevent recidivism.

Narrative (Optional)

SP-30 Influence of Market Conditions - 91.415, 91.215(b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	The County does not administer a tenant based rental assistance program with HOME funds.
TBRA for Non-Homeless Special Needs	The County does not administer a tenant based rental assistance program with HOME funds.
New Unit Production	The County will utilize HOME funds to provide assistance to sponsors of affordable housing development for the creation of new rental and homeowner units. The County's HOME program provides subsidies for these developments based on an analysis of the needs of the project and the parameters prescribed in the HOME final rule.
Rehabilitation	<p>The County will continue to utilize its CDBG program to provide assistance to low and moderate-income homeowners who need essential housing rehabilitation. The County provides up to \$25,000 in assistance to address the safety, sanitary and energy efficiency conditions thereby preserving its affordable housing stock. The County utilizes safe work practices in its program which identifies areas where there is lead based paint, stabilizes these areas and ensures the area is safe when work is completed.</p> <p>Additionally, the County provides HOME funds to developers for the rehabilitation of existing homes, which will add to the existing affordable housing stock.</p>
Acquisition, including preservation	The County will utilize HOME funds to acquire additional affordable units through its first time homebuyer program as well as its affordable housing rental development program. CDBG will also play a part in the preservation of existing affordable housing by making necessary improvements to low and moderate-income homeowner properties.

Table 49 – Influence of Market Conditions

SP-35 Anticipated Resources - 91.420(b), 91.215(a)(4), 91.220(c)(1,2)

Introduction

The County of Essex FY 2020 entitlement amount is \$7,136,871. While HUD allocations are critical, they are not sufficient to overcome the barriers and address the community needs that low-income individuals and families face in attaining self-sufficiency.

The FY 2020 entitlement funding for the County of Essex is broken down as follows:

CDBG \$5,470,456

HOME \$1,209,827

ESG \$456,588

Using the 2020 entitlement as a basis for future funding, the County projects an annual entitlement over the next 4 years similar to those amounts identified in the 2020 Action Plan. The projections of anticipated resources for the remainder of the Consolidated Plan are as follows:

CDBG: \$21,881,824

HOME: \$4,839,308

ESG: \$1,826,352

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	5,470,456	0	0	5,470,456	0	The Division expects to receive program income from its Home Improvement Program. The Division secures its investment with a 10 year 0% non-amortizing lien (prior to 2009 funding was secured with a 20 year lien).
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	1,209,827	0	0	1,209,827	0	The Division expects to receive program income from loans issued to developers. The payments are received quarterly and deposited in the County's local account.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	456,588	0	0	456,588	0	The Division will utilize its ESG entitlement to address homelessness in Essex County, prioritizing homeless prevention and rapid re-housing activities as well as funding case management and street outreach. Essex County does not receive program income from its ESG program.

Table 50 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Federal funds will be leveraged in the following manner: CDBG funds will be leveraged with municipal, state and private dollars for a myriad of activities. All non-profits assisted with CDBG funds leverage these resources with funding from foundations, donations and other philanthropic contributions. Local governments leverage CDBG with funding from NJ Department of Transportation funds, state grants as well as municipal taxes.

The HOME program relies heavily on the Low Income Housing Tax Credit Program for leveraging the lion share of funding for affordable housing development. In addition, non-profit developers may utilize other funding sources to leverage the HOME investment.

ESG funding is leveraged with other homeless funding sources from the federal and state governments.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Some municipalities may use publically owned land or property located within the jurisdiction to address the affordable housing needs identified in the plan during the 2020-2024 period. These municipalities will address their affordable housing obligations by developing these properties for a myriad of housing opportunities.

Discussion

The County will use the anticipated resources of the CDBG, HOME and ESG programs to fund the projects identified in the 2020 One Year Action Plan.

SP-40 Institutional Delivery Structure - 91.415, 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
Division of Housing & Community Development	Government	Homelessness Non-homeless special needs Ownership Planning Rental neighborhood improvements public facilities public services	Jurisdiction
COUNTY OF ESSEX DEPARTMENT OF PUBLIC WORKS	Government	neighborhood improvements public facilities	Jurisdiction
Essex County Div. of Trng. & Employment - Case Management	Government	public services	Jurisdiction
ESSEX COUNTY TENANT RESOURCE CENTER	Government	Rental	Jurisdiction
TOWNSHIP OF BELLEVILLE	Subrecipient	neighborhood improvements public facilities	Jurisdiction
Borough of Caldwell	Subrecipient	neighborhood improvements public facilities	Jurisdiction
Township of Cedar Grove	Subrecipient	public facilities public services	Jurisdiction
Township of Fairfield	Subrecipient	neighborhood improvements public facilities	Jurisdiction
Borough of Glen Ridge	Subrecipient	neighborhood improvements public facilities	Jurisdiction

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
Township of Montclair	Subrecipient	neighborhood improvements public facilities public services	Jurisdiction
Township of Nutley	Subrecipient	neighborhood improvements public facilities public services	Jurisdiction
City of Orange Township	Subrecipient	Rental neighborhood improvements public facilities public services	Jurisdiction
Borough of Roseland	Subrecipient	neighborhood improvements public facilities public services	Jurisdiction
Township of South Orange Village	Subrecipient	neighborhood improvements public facilities public services	Jurisdiction
Township of Verona	Subrecipient	neighborhood improvements public facilities public services	Jurisdiction
Township of West Orange	Subrecipient	neighborhood improvements public facilities public services	Jurisdiction
Township of West Caldwell	Subrecipient	neighborhood improvements public facilities public services	Jurisdiction
BLOOMFIELD TOWNSHIP	Government	Ownership Rental	Jurisdiction

**Table 51 - Institutional Delivery Structure
Assess of Strengths and Gaps in the Institutional Delivery System**

The Essex County governmental structure consists of a County Executive (the executive branch) and Board of Chosen Freeholders (the legislative branch).

The executive branch is divided into nine Departments that consist of more than thirty divisions. Through these departments and divisions, the County institutes all policies, programs, and projects. The County's current economic status directly impacts its ability to carry out activities under the Consolidated Plan. The Division of Housing and Community Development is grant funded and does not directly affect the County budget.

The Division of Housing and Community Development will analyze the existing program delivery system for the 2020-2024 Consolidated Plan to identify strengths and weaknesses. The Division is committed to closing any gaps in service that may exist through coordination with other County departments and divisions, private companies and non-profit agencies. The Division of Housing and Community Development participates in the County's annual open house to showcase the services and programs offered by the County.

The Division also engages in public outreach campaigns to promote the CDBG, HOME, and ESG programs. Through the Office of the County Executive, the Division has had a number of press conferences, ribbon cuttings, and press releases to promote the projects funded with the above-mentioned programs. The Division will continue this practice in the future.

The partnership of the urban county and the four (4) direct entitlement communities (Bloomfield, Newark, East Orange and Irvington), have created a system that will carry out the goals outlined in the 2020-2024 Consolidated Plan. These objectives will be achieved through strong cooperation and collaboration by government agencies, not-for-profit organizations, private corporations and the citizens of Essex County.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance	X	X	X
Mortgage Assistance	X		
Rental Assistance	X	X	
Utilities Assistance	X	X	
Street Outreach Services			
Law Enforcement			
Mobile Clinics	X	X	
Other Street Outreach Services	X	X	
Supportive Services			
Alcohol & Drug Abuse	X	X	
Child Care	X	X	

Supportive Services			
Education	X	X	
Employment and Employment Training	X	X	
Healthcare	X	X	
HIV/AIDS	X	X	X
Life Skills	X	X	
Mental Health Counseling	X	X	
Transportation	X	X	
Other			

Table 52 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

As stated in the previous sections, any homeless person, including Chronically Homeless Families, Veteran Families and Unaccompanied Youth) can receive services and referrals through our Coordinated Entry system. Our One Stop Centers also provide the proper referrals to programs. Our DHCD and Division of Community Action work hand in hand in order to ensure that funds are utilized properly and that any homeless person is able to access those funds. Our Street Outreach groups through our PATH programs specifically target Chronic Homeless populations in order to bring them into the Coordinated Entry system and engages with persons real time anywhere in the County, even literally on the street. Our Veterans hospitals and organizations also provide a funnel directly into our Coordinated Entry system and we have a liaison at the Veterans Association (VA) that ensures referral into our system. Unaccompanied Youth generally go to one of our contracted partners, and they are also a Coordinated Entry hub so whatever services would be able to be accessed at the One Stop Centers can also be made available at our partner agency facilities.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The recent move to a Coordinated Entry system ensures a strong system that no longer has the gaps that it once had in the past. A uniform intake process along with a singular door that the homeless have to enter to provide service gives anyone the ability to get the same level of service as any other person who is seeking it. Our transportation fleet has more than quadrupled since the last Consolidated Plan, and this has given the County the ability to provide services at any end of the County and ensure that people can get to that service. Our CEAS committee is over 150 agencies working together to ensure that no further gaps are created, and we have formerly and currently homeless liaisons that sit on the

Executive Board of the CEAS in order to give us real time feedback and guidance on the ever changing and evolving needs of our homeless families and persons.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

SP-45 Goals - 91.415, 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Create and Retain Affordable Housing Units	2020	2024	Affordable Housing	Essex County HOME Consortium Essex Urban County	Affordable Housing	CDBG: \$880,000 HOME: \$1,088,844	Rental units constructed: 25 Household Housing Unit Rental units rehabilitated: 25 Household Housing Unit Homeowner Housing Rehabilitated: 45 Household Housing Unit
2	Homelessness	2020	2024	Homeless	Essex County HOME Consortium Essex Urban County	Homelessness Prevention Chronic Homelessness Rapid-Rehousing	ESG: \$422,344	Tenant-based rental assistance / Rapid Rehousing: 212 Households Assisted Homeless Person Overnight Shelter: 801 Persons Assisted Homelessness Prevention: 153 Persons Assisted
3	Public Infrastructure Improvements	2020	2024	Non-Housing Community Development	Essex Urban County	Public Improvements	CDBG: \$1,749,029	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 80000 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Public Facility Sustainability	2020	2024	Non-Homeless Special Needs Non-Housing Community Development	Essex Urban County	Public Facilities	CDBG: \$929,650	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 205810 Persons Assisted
5	Public Services	2020	2024	Homeless Non-Homeless Special Needs Non-Housing Community Development	Essex Urban County	Public Services	CDBG: \$817,686	Public service activities other than Low/Moderate Income Housing Benefit: 16269 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 950 Households Assisted
6	Economic Development	2020	2024	Non-Housing Community Development	Essex Urban County	Affordable Housing Economic Development	CDBG: \$0 HOME: \$0 ESG: \$0	Facade treatment/business building rehabilitation: 0 Business Businesses assisted: 0 Businesses Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
7	Planning and Administration	2020	2024	Affordable Housing Homeless Non-Homeless Special Needs Non-Housing Community Development	Essex County HOME Consortium Essex Urban County	Affordable Housing Homelessness Prevention Chronic Homelessness Public Improvements Public Facilities Public Services Rapid-Rehousing	CDBG: \$1,094,091 HOME: \$120,983 ESG: \$34,244	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 57162 Persons Assisted Public service activities other than Low/Moderate Income Housing Benefit: 3253 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 190 Households Assisted Rental units constructed: 25 Household Housing Unit Rental units rehabilitated: 25 Household Housing Unit Tenant-based rental assistance / Rapid Rehousing: 42 Households Assisted Homeless Person Overnight Shelter: 160 Persons Assisted 110 Homelessness Prevention: 30 Persons Assisted
	Consolidated Plan				ESSEX COUNTY			

Table 53 – Goals Summary

Goal Descriptions

1	Goal Name	Create and Retain Affordable Housing Units
	Goal Description	Construct affordable housing units for low and moderate income people through the HOME program. Rehabilitate rental and homeowner units through both the HOME and CDBG programs. The Division will seek to create new quality affordable rental and homeowner units through investment of HOME funds in the entire Essex County HOME consortium. The Division may allocate HOME resources in neighboring non-participating jurisdictions within the County when the creation of units demonstrate they will benefit an underserved population and when resources from that non-participating jurisdiction have been identified and committed to a project in accordance to the HOME rule. The County will prioritize housing units within the HOME Consortium.
2	Goal Name	Homelessness
	Goal Description	Address homeless needs in Essex County by utilizing the ESG program to provide for case management, street outreach, shelter rehabilitation, rapid re-housing, and homeless prevention. The County will allocate resources to those activities that will strive to prevent homelessness, re-house those that have recently become homeless through no fault of their own, provide case management for chronically homeless, street outreach to identify those in need of services, provide shelter beds and improve the existing shelter stock so that homeless populations can be addressed in a dignifying manner.
3	Goal Name	Public Infrastructure Improvements
	Goal Description	Address the county's public infrastructure needs through the utilization of the CDBG program. Municipal infrastructure reconstruction is an integral component of the CDBG program. Because of the age and deterioration of the County's infrastructure, a high priority has been placed on addressing the needs of rehabilitating these structures which ultimately create a suitable living environment for all users of these facilities.

4	Goal Name	Public Facility Sustainability
	Goal Description	Utilize the CDBG program to update, maintain and sustain the public facilities needs throughout the County to address the needs of the public. The County will use CDBG funds and leverage other federal, state and local dollars to rehabilitate existing facilities as well as create new facilities. These facilities will provide additional opportunities to low and moderate income individuals and families by preserving existing and creating additional space for services to be provided.
5	Goal Name	Public Services
	Goal Description	Expand existing levels of support services for low and moderate income people in the County. The County's diversity is reflected in the social service support provided by the variety of non-profit agencies throughout the County
6	Goal Name	Economic Development
	Goal Description	Provide economic opportunities for low and moderate income persons. Encourage a business environment that actively supports the creation or expansion of new business in opportunity zones within Essex County.
7	Goal Name	Planning and Administration
	Goal Description	Administrative costs necessary to administer the CDBG program.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

Based on past history and the current availability of HOME funds, it is projected that County HOME funds will produce 15 to 25 HOME assisted units each of the next two years, with approximately 35% of those units dedicated to extremely low income households comprised of homeless persons and persons with special needs, and the balance of the units occupied by low income households and households at 60% AMI.

It is noted that the County is presently assessing several potential HOME projects that would produce 10 units for persons with physical and developmental disabilities, and 38 rental units for extremely low, very low and low income households if all these projects were approved, funded and completed over the next two years.

SP-50 Public Housing Accessibility and Involvement - 91.415, 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

The County is not under a Section 504 Voluntary Compliance Agreement.

Activities to Increase Resident Involvements

To increase resident involvement, the Orange PHA historically advertises its programs in local and minority newspapers, and its Bulletin Board. Marketing campaigns focused on promoting the benefits and opportunities of obtaining affordable housing through the available programs. The agency also provided voucher mobility and home ownership counseling to participating families. In addition, the City's plan calls for the provision of supportive services to help participating persons enhance their employability and/or assist elderly and disabled individuals.

To secure more affordable housing and increase Section 8 lease up rates, the City will also market the program to owners of properties, including those outside of poverty concentrated areas.

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the 'troubled' designation

In 2016 and 2017 the orange PHA was rated as a High Performer.(scores of 94 and 91) . For 2018, although the public housing agency is not designated as troubled under 24 CFR part902, HUD designated the agency as substandard physical ; the authority's PHAS score for 2018 was 74 (PHAS Score - PHAS score is a total of the four PHAS indicators and late penalty points, if applicable; ranges from 0 to 100).

The authority's FASS score was 25 (FASS Score - Financial Indicator score based on the Unaudited or Audited Financial Assessment Subsystem (FASS) submission ranges from 0 to 25 points unless points are redistributed from other PHAS indicators)

SP-55 Strategic Plan Barriers to Affordable Housing - 91.415, 91.215(h)

Barriers to Affordable Housing

Members of the Sub Committee for Affordable Housing commented that a failure by state and local governments to address the creation of affordable units has negatively impacted the housing environment. Further complicating this issue, are building developers who have filed lawsuits against towns for not fulfilling their obligation to create affordable units. Although on the surface this appears to be a righteous endeavor, but a closer look at these these lawsuits and the related proposals indicate a minimum amount of affordable units with a high ratio of market rate units. The developers seem to be taking advantage of the affordable housing needs of communities and weaponizing the need through law suits which include plans for high density housing with mostly market rate units. Many municipalities do not want high density housing developments since they are overdeveloped and simply want the affordable units. This counter-proposal does not benefit the developer since they want to maximize profits from the market rate units. The result is a drawn out process of housing plans being submitted to the court who typically assigns a special master to mediate a resolution. This process delays the development of additional affordable units and negatively impacts low and moderate income families.

Additionally, some municipalities create land use and planning barriers to the production of affordable housing by not accepting the responsibility to meet constitutional affordable housing obligations, zoning inappropriately, not addressing local opposition to housing including (real or perceived) negative impacts on finances, traffic, open space, and quality of life, and advancing the perception that such growth is bad.

Other barriers to affordable housing in the County include the high annual costs for property taxes, as well as the cost for rehabbing buildings to accommodate persons with special needs.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

Continue to provide HOME funds to subsidize the creation of affordable, sanitary units.

Identify and work with lenders that can provide reasonable mortgage rates and creatively accommodate lower income residents without compromising solvency

After the Covid-19 crisis is ended, aggressively promote financial assistance programs to first time homebuyers who may be considering the acquisition of two family units, thereby allowing them to generate additional income to help manage property costs.

Continue to support the efforts to compel municipalities to reassess deed-restricted properties and subsequently reduce the tax assessment accordingly during the term of the affordability period.

Encourage legislators to increase living wages for residents.

SP-60 Homelessness Strategy - 91.415, 91.215(d)

Describe how the jurisdiction's strategic plan goals contribute to:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Essex County Continuum of Care utilizes its consultant, Monarch Housing in order to assist with the Point in Time Count, which not only tells us the current level of street homelessness but also gives the CoC the opportunity to define and strategize assisting the most at need populations. Their methodology is here: <https://monarchhousing.org/endinghomelessness/njcounts/> All throughout the year, street outreach agencies are going to the most high volume areas that the homeless congregate (Penn Station, Hospitals, outside welfare offices, etc.) in an attempt to assess the needs out on the street. The County's ESG program has a Street Outreach component built right into it, and currently the Salvation Army in Montclair is the Consortium ESG funded destination for those who need walk in services and shelter with no referral needed. The County plans to keep using ESG in order to maintain and improve the Street Outreach system. Currently the Street Outreach program also meshes with the Code Blue initiatives throughout the State and County, so that at the times of greatest need (i.e. the coldest days of the year) we can save lives and keep people safe from the harsh weather.

The CoC has a Coordinated Entry System that will ensure two things: streamlined entry of the homeless into the system and also uniform ways to refer and match the homeless with the services they need. Utilizing uniform assessment tools, the homeless will all encouraged to go to a singular entry point to initial assessment and subsequent referral to an open bed or services in order to begin the process of ending their homelessness. The NJHMIS system will then be updated accordingly and that bed or case management system will be reserved and the information will be forwarded to the appropriate agency before the client even enters the facility. This allows the homeless system be much more fluid and better at matching up services with clients and will greatly improve outcomes.

Addressing the emergency and transitional housing needs of homeless persons

Essex County and the CoC currently fund shelters and transitional housing projects in the following ways: 1) Directly funding the per diem stays for the clients that need immediate and emergency sheltering at facilities all over the County, 2) Funding the administrative and/or case management expenditures at it pertains to ESG eligible costs, and 3) Through the rehabilitation of Shelters and Facilities; the housing and building stock in Essex County is an older stock and is in need of constant rehabilitation.

Through our yearly application process and discussions during the CoC meetings, we have seen that the need has been shifted heavily to the administrative and case management activities. The reason for this shift is because the ESG program is broad enough to fund a variety of professional positions such as MSW, LSW and Clinical/Medical/Mental Health. Along with that reason is the fact that in order to adhere to the US and County 10 year plans to end homelessness the CoC and County have made the

shift to program designs that emphasize better outcomes, less days experienced being homeless, and eliminating the risk factors that create homelessness in the first place. Case Management is the driver in that initiative and does lead to all of the things listed previously but is much more expensive to fund than the generic case manager/data entry position. The County and the CoC are committed to making data-driven decisions, and also to putting funds towards the most efficient and cost-effective outcomes, as the ESG program is our smallest program of our CPD compliment of programs.

As far as Transitional Housing is concerned, the County throughout the years has funded less and less Transitional Housing projects and is seriously considering working on phasing it out completely in favor of the more efficient Permanent Housing/Rapid Re-Housing and Homeless Prevention models. Elimination of homelessness is the overall goal set out in all of the plans, and the County is in concert with that initiative. We will still entertain and accept applications for Transitional Housing programs, but we intend on capping the amount of money that can be used and applied for under that criteria. The CoC also has created a subcommittee in order to play with and flesh out how the transitional housing model will operate within the larger CoC compliment of projects. We understand that it still has a place and function within the system as it stands today and will still encourage to have our agencies refer clients to transitional housing programs if necessary but also to seek out the more efficient project designs if at all possible.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Hand in hand with the expansion of Case Management funding initiatives comes a greater ability to serve those who are "chronically homeless", are families (with and without children), veterans (and families) and unaccompanied youth. Coordinated Entry is critical in order to get these clients to the most appropriate programs swiftly so that they can be served. The CoC also has a membership committee that is committed to have non grant funded community assets come to the table to assist where there may be a gap in expertise and experience dealing with these populations. The VA (Veterans Association) and DCP&P (formerly DFYS) both have contact persons in which come to meetings and also are available to help agencies and clients navigate through their own individual systems. The CoC also includes our Human Services Advisory Council to ensure that all services can be provided to our homeless individuals and families. Anyone who is running an ESG funded program is required to utilize any and all resources necessary in order to fully serve the client.

Once the individual or family is on their feet we have a network of affordable housing units and agencies, some funded internally through our HOME program and some in partnership with local PHA's and other federally, state or locally funded units (such as tax credit, etc). These projects often accept

subsidies and vouchers if required, and in some instances have permanent support built into their programs and budgets. The County envisions utilizing the HOME funds along with the ESG funds in order to create more options for affordable housing for those formerly or currently homeless.

Each ESG funded client must have a written out plan for the return to stability and permanent housing. Case managers within our programs work very closely with the clients to make sure that they do all of the necessary things so that they will be prevented from becoming homeless again. This is another reason why case management initiatives have been highlighted as a large need for our Consortium: the more extensive case management leads to overall better outcomes and a greater rate in which a client becomes permanently housed and self-sufficient. Without these initiatives, our Shelter system would be a revolving door for a large portion of the clientele and would put those who have very serious issues at risk. We have drastically reduced the number of homeless families and individuals that return to programs upon discharge, largely because of these initiatives.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

The individuals and families detailed in the question are treated exactly the same as the ones in the previous question: no matter what the circumstance the person enters the programs and facilities in, there is a coordinated assessment tool that will pair them with the appropriate agency and services. The CoC and ESG program has agencies that are equipped to deal with some of the most difficult to serve populations and the CoC overall reaches every one of those subcategories through one of its programs. We did an internal surveying of our currently funded agencies and did not receive any suggestions of any types of clients we did not currently serve. We got RFP's for LGBT, HIV/AIDS, Mental Health, Substance Abuse, aging out of Foster Care, those fleeing Domestic Abuse, etc. We also have all of these systems of care as a part of our CEAS committee and they also participate with the CoC in order to do planning activities such as the point in time count and the housing inventory chart.

The CoC and the County also work closely with Welfare, DCP&P, the VA, Medical Care Providers, Institutions like Foster Care/Halfway Houses, Jails and Prisons, etc. The CoC constantly is identifying gaps in service and constantly reaches out to stakeholders within the community to ensure that we have their involvement. Just in 2019 we added another 35+ agencies to our CEAS committee that had never been members before and that includes the Public Defenders Office, SSVF, and Mental Health providers.

All homeless individuals, especially those who are extremely low income, have access to our Homeless Prevention and Rapid Re-housing programs. Sub-recipients apply for the funding in order to take on the responsibility of case management in lieu of the County and are reimbursed for those costs along with whatever costs are necessary and allowable to prevent the client from becoming homeless. Each year the County allots at least 40% of our ESG funds to these initiatives and often times much more than the

required amount. The County also is constantly looking for the sub-committees of the CoC to analyze how the data and outcomes of the Permanent Housing models are our priority and that we want to fund more and more of those projects each year. As the CoC as a whole makes a transition towards permanent housing, so will the ESG funds. As of the writing of this plan, we will be going over our 40% minimum number for Rapid Re-Housing and Homeless Prevention programs in 2020. The County sees this as a positive thing, as 100% of the outcomes from these programs are for the elimination of the homelessness. These programs run at a tremendously efficient rate with 98% of participants remaining permanently housed upon completion of our programs.

SP-65 Lead-based Paint Hazards - 91.415, 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

The county has a high number of homes built prior to 1978, the county was listed in the Fiscal Year 2019 HUD Lead Hazard Reduction NOFA as one of the highest lead abatement needs jurisdictions with 38,989 occupied pre-1940 rental units. Although the actual number of cases is extremely hard to determine, the county will take corrective action to eliminate the hazard.

Essex County is actively pursuing measures to eliminate the exposure to hazards created by lead based paint. The Residential Lead Based Paint Hazard Reduction Act of 1992 added a Lead Based Paint element to the Consolidated Strategy and Plan. The County has contracted with a certified lead inspection agency to perform inspections and is an integral part of the remediation process. During an inspection, the inspector evaluates the potential of lead based paint in a structure as well as, the appearance of applicable requirements under the lead based paint regulations such as:

- Child resident or facility user under the age of eight
- Cracked, chipped, or peeling paint

The County administers the Home Improvement Program and is required to inform all applicants with housing constructed prior to 1978, which are occupied by families with children less than seven (7) years of age of the dangers of lead based paint and shall:

- Provide applicant with a copy of HUD Notice entitled "Watch Out for Lead-Based Poisoning.
- Discuss the availability of free testing service available for blood level screenings of all children residing in the residence whom are less than seven (7) years of age.

If the applicant elects to receive the free testing and the blood levels are found to be below the acceptable State standards, the processing for rehabilitation shall proceed. If the blood levels exceed the State standards, the New Jersey State Health Department shall initiate the necessary investigative forms and requirements and compliance shall be placed with the County Health Department. Deferred payment loans are provided to property owners for the reduction of lead-based paint hazards in connection with the rehabilitation of substandard housing units.

During the Program Year, the Division of Housing and Community Development will use the following objectives to develop programming for lead based paint removal:

1. Provide education to homeowners and developers regarding lead based paint hazards and the required and desirable ways of removing lead based paint.

2. Assess the current procedures for residents, landlords and developers to remove lead based paint and determine if changes need to be made to make the system more “user friendly” and to integrate better tracking methods.
3. Expand the number of contractors who are qualified to perform lead based paint reductions and lead paint hazardous evaluation assessments.
4. Identify lead safe units.

The Division has entered into a contract with a certified lead paint risk consultant, Mandell Lead Inspectors, Inc. to provide risk assessment and clearance reviews for all eligible residential housing rehabilitation activities funded with CDBG and HOME dollars.

The inspector examines the potential for any future paint problems in the respective structure. This procedure helps to eliminate the need to inspect the property in the immediate future. In addition to the County’s Inspector, the state requires every municipality to have a hazardous materials or HAZMAT officer. These officers will work in tandem with the Inspectors to provide seminars and lectures on lead based paint and other materials.

How are the actions listed above related to the extent of lead poisoning and hazards?

The County's Home Improvement Program will identify existing lead paint hazards and utilize safe work practices to stabilize those units thereby preventing lead poisoning. Additionally, the County's HOME program may also identify additional units with lead based paint when used for rehabilitation. These units will also be stabilized using the same methods or abated altogether.

How are the actions listed above integrated into housing policies and procedures?

The County's Division of Housing & Community Development has integrated a lead based paint safe work practices policy into its Home Improvement Program Policy & Procedures Manual. The policy states that all homeowners participating in the program must abide by the Lead Based Paint requirements. The County's HOME Program Policies and Procedures Manual identifies references the regulations at 24 CFR Part 35 and identifies the level of assistance that triggers the appropriate hazard reduction requirement.

The County's ESG Policy & Procedures manual prescribes a habitability standards inspection be conducted on any unit receiving assistance through the program.

SP-70 Anti-Poverty Strategy - 91.415, 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

Essex County will address poverty through the combined efforts of all public and private agencies that provide relief to low and very low-income populations. Through the efforts of these agencies a successful anti-poverty plan would develop a comprehensive support system for all individuals. The support system including short and long term programs to provide services to help persons, families and neighborhoods become healthy and prosperous.

With the implementation of the projects, programs, and policies outlined in the Consolidated Plan, the County intends to enhance its anti-poverty strategy with the implementation of a comprehensive menu of options available to persons of low and very low-income. Often there are gaps in the service delivery system that prohibit recipients from getting all of the support that is needed, these have been identified by the CEAS committee with the homelessness services. Essex County will continue to engage and to link agencies with similar functions and goals for dialogue that had begun a few years ago. The County continues to recognize that an Anti-Poverty Plan must progress incrementally.

The County is currently engaging in the enhancement of the coordinated assessment system as a requirement of the HEARTH Act, which will essentially create a no wrong door entry into the homeless management system. Through the coordination with the Essex County CEAS/Continuum of Care the County seeks to link agencies such as welfare, homeless care providers and housing providers whereby a client can access services that are suited to their individual or family needs. For example, a client with a diagnosed mental health condition would be linked to an agency that specializes in providing case services to this population.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

The County's coordinated efforts mentioned above along with homeless prevention, rapid re-housing along with the County's plan to end homelessness are intertwined with its affordable housing plan. In addition, the County utilizes its CDBG grant to fund supplemental services such as food pantries, financial literacy counseling, job training, mental health counseling, drug treatment and a variety of other related services that strive to help people become self sufficient members of the community.

SP-80 Monitoring - 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The County will continually review each priority during the project implementation phase. The County's strategies for monitoring will employ continuous quality improvement measures that aggressively and consistently monitor projects to ensure that short term and long term goals are being met.

Additionally, the Division consists of technical staff experienced in the various program and project type areas. Subsequent projects funded with the resources previously noted are monitored in the following areas:

- Compliance with the following National Objectives:
 - Benefit to low and moderate income persons
 - Elimination of slums and blight
 - Urgent need
- Compliance with federal, state and local procurement standards.
- Compliance with the Davis-Bacon Prevailing Wage Act and similar state requirements.
- Compliance with all federal OMB financial management guidelines.

Compliance in these areas is verified through the following processes:

- Receipt and review of monthly service provider clientele reports.
- A minimum of two (2) on site monitoring visits for each project per program year.
- The monthly distribution of a financial summary by municipality.
- Annual review of the all, Single Audits conducted of funded projects.
- Constant interaction with the primary project contact person and municipal representatives.
- The use of explanatory and comprehensive agreements for grants and loans.

·The filing of mortgage liens and deed restrictions on capital projects.

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The County of Essex FY 2020 entitlement amount is \$7,136,871. While HUD allocations are critical, they are not sufficient to overcome the barriers and address the community needs that low-income individuals and families face in attaining self-sufficiency.

The FY 2020 entitlement funding for the County of Essex is broken down as follows:

CDBG \$5,470,456

HOME \$1,209,827

ESG \$456,588

Using the 2020 entitlement as a basis for future funding, the County projects an annual entitlement over the next 4 years similar to those amounts identified in the 2020 Action Plan. The projections of anticipated resources for the remainder of the Consolidated Plan are as follows:

CDBG: \$21,881,824

HOME: \$4,839,308

ESG: \$1,826,352

Anticipated Resources

Program	Source	Uses of Funds	Expected Amount Available Year 1	Expected	Narrative Description
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	of Funds		Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$	Amount Available Remainder of ConPlan \$	
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	5,470,456	0	0	5,470,456	0	The Division expects to receive program income from its Home Improvement Program. The Division secures its investment with a 10 year 0% non-amortizing lien (prior to 2009 funding was secured with a 20 year lien).
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	1,209,827	0	0	1,209,827	0	The Division expects to receive program income from loans issued to developers. The payments are received quarterly and deposited in the County's local account.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	456,588	0	0	456,588	0	The Division will utilize its ESG entitlement to address homelessness in Essex County, prioritizing homeless prevention and rapid re-housing activities as well as funding case management and street outreach. Essex County does not receive program income from its ESG program.

Table 54 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Federal funds will be leveraged in the following manner: CDBG funds will be leveraged with municipal, state and private dollars for a myriad of activities. All non-profits assisted with CDBG funds leverage these resources with funding from foundations, donations and other philanthropic contributions. Local governments leverage CDBG with funding from NJ Department of Transportation funds, state grants as well as municipal taxes.

The HOME program relies heavily on the Low Income Housing Tax Credit Program for leveraging the lion share of funding for affordable housing

development. In addition, non-profit developers may utilize other funding sources to leverage the HOME investment.

ESG funding is leveraged with other homeless funding sources from the federal and state governments.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Some municipalities may use publically owned land or property located within the jurisdiction to address the affordable housing needs identified in the plan during the 2020-2024 period. These municipalities will address their affordable housing obligations by developing these properties for a myriad of housing opportunities.

Discussion

The County will use the anticipated resources of the CDBG, HOME and ESG programs to fund the projects identified in the 2020 One Year Action Plan.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Create and Retain Affordable Housing Units	2020	2024	Affordable Housing	Essex County HOME Consortium Essex Urban County	Affordable Housing	CDBG: \$880,000 HOME: \$1,088,845	Rental units constructed: 66 Household Housing Unit Rental units rehabilitated: 60 Household Housing Unit Homeowner Housing Added: 5 Household Housing Unit
2	Homelessness	2020	2024	Homeless	Essex County HOME Consortium Essex Urban County	Homelessness Prevention Chronic Homelessness Rapid-Rehousing	ESG: \$456,588	Tenant-based rental assistance / Rapid Rehousing: 107 Households Assisted Homeless Person Overnight Shelter: 801 Persons Assisted Homelessness Prevention: 40 Persons Assisted
3	Public Infrastructure Improvements	2020	2024	Non-Housing Community Development	Essex Urban County	Public Improvements	CDBG: \$1,749,029	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 13000 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Public Facility Sustainability	2020	2024	Non-Homeless Special Needs Non-Housing Community Development	Essex Urban County	Public Facilities	CDBG: \$929,650	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 10000 Persons Assisted
5	Public Services	2020	2024	Homeless Non-Homeless Special Needs Non-Housing Community Development	Essex Urban County	Public Services	CDBG: \$817,686	Public service activities other than Low/Moderate Income Housing Benefit: 12000 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 60 Households Assisted

Table 55 – Goals Summary

Goal Descriptions

1	Goal Name	Create and Retain Affordable Housing Units
	Goal Description	<p>BASIS FOR PROJECTION OF HOME COMMITMENTS AND HOUSING UNITS:</p> <p>Production Estimates: Average HOME investment of Entitlement and CHDO per HOME assisted unit for the past several years has averaged \$80K per unit. First Time HOME buyers generally receive up to \$50K. We are assuming TBRA outlays per household for a six month period would be approximately \$11,500 based on an avg median rent of \$1408 for a 2 R unit.</p> <p>Funding Estimates: Entitlement represents actual amounts available from PY 18 and PY 19 as of May 8, 2020 plus the actual allocation for PY 2020 plus a projected annual entitlement of \$800K from 2011 thru 2024. CHDO = 15% of Entitlement but waived for PY 2020 due to COVID waiver. Program income based on interest payments from various activities. Proposed TBRA based on estimated impact of Covid to residents who may struggle to meet rental obligations.</p> <p>Historically we have a mix of new construction and housing rehab projects. Nearly all CHDO projects involve rehabilitation. For the purpose of this plan we are assuming 60% of entitlement projects are new construction.</p>
2	Goal Name	Homelessness
	Goal Description	The Division has allocated ESG resources for homeless prevention and rapid re-housing activities, shelter rehabilitation, case management, shelter nights, and street outreach
3	Goal Name	Public Infrastructure Improvements
	Goal Description	Address the infrastructure needs of the Urban County by investing CDBG resources to reconstruct streets, curbs, sidewalks, sanitary sewers, water systems and other related public works activities that enhance the community and contribute to the suitable living environment.
4	Goal Name	Public Facility Sustainability
	Goal Description	Improve existing public facilities serving low and moderate-income persons. To achieve this goal, the County will use CDBG funds and leverage other federal, state and local dollars to rehabilitate existing as well as create new facilities. These facilities will provide additional opportunities to low and moderate-income individuals and families by preserving existing and creating additional space for services to be provided.

5	Goal Name	Public Services
	Goal Description	Expand existing levels of support services for low and moderate-income people in the County. The County's diversity is reflected in the social service support provided by the variety of non-profit agencies throughout the County

AP-35 Projects - 91.420, 91.220(d)

Introduction

Essex County has identified activities that will receive CDBG and ESG funds that are consistent with the 5 year Consolidated Plan.

#	Project Name
1	Belleville- Water Main Relining & Valve Replacement Project Phase II
2	Cedar Grove - ADA Ramp Improvements
3	Fairfield - Sand Road Sidewalks
4	Glen Ridge - ADA Ramps Midland Ave.
5	Maplewood ADA-Compliant Curb Cuts
6	Montclair - Glenridge Avenue Streetscape Improvement Project
7	Montclair - Maple Avenue Sewer Repair - Phase 2
8	Montclair - Start Out Fresh Intervention Advocates - Soar to Success Program
9	Montclair - Interfaith Hospitality Network for the Homeless of Essex County, Inc.
10	Montclair - Succeed2gether
11	Montclair - COPE Center, Inc. - Positive HOPE
12	Montclair - MNDC - Project OASIS Youth Empowerment Project
13	Montclair - Strategic Mentoring, Inc DBA Brother to Brother
14	Nutley - ADA Elevator at Nutley Library
15	Nutley - Entwistle Street Reconstruction and Resurfacing
16	Orange - Central Playground Improvements
17	Orange - Colgate Park Pool Improvements
18	South Orange - Public Library ADA Improvements
19	Verona - ADA Access Ramps & Barrier Removal Various Locations
20	West Orange - Main Street Counseling Center - Expansion of Accessible Mental Health Services
21	West Orange - Bethany Center for Champions - Outreach for At-Risk Youth
22	West Orange - Roadway Improvements, Mitchell Street, Valley Rd to Orange Line
24	Big Brothers Big Sisters of Essex, Hudson and Union Counties, Inc.
25	Essex County Community Transportation Vehicle Purchase
26	Essex County Tenant Resource Center
27	Family Connections, Inc. - Psychiatric Services Increase
28	Family Service League - Sexual Assault/Domestic Violence Victim Services and Counseling
29	Jewish Family Service of MetroWest NJ - HouseCalls: Services for Frail, Homebound Older Adults
30	Jewish Vocational Service of MetroWest - Vocational Rehabilitation Services for Adults with Disabilities
31	Mental Health Association of Essex and Morris, Inc. - Vehicle Replacement
32	National Council Of Jewish Women - Job Readiness

#	Project Name
33	NJCAEF Housing and Foreclosure Prevention Education, Outreach & Counseling Project for Essex County
34	Opportunity Project, Inc. -Pre-Vocational Program
35	Planned Parenthood - HIV Testing
36	ARC of Essex County
37	The Bridge Mental Health Counseling - Mental Health Services
38	The North Ward Center dba Casa Israel Medical Day Program
39	Home Improvement Program
40	Program Delivery Costs : Home Improvement
41	CDBG Planning & Administration
42	Emergency Solutions Grant - Various Agencies
43	Affordable Housing Development
44	CHDO Housing Development
45	HOME Planning & Administration
46	Livingston - ADA Accessible Bus
47	Orange-Senior Transportation Mini Bus
48	Orange - Main Street Counseling
49	1st Cerebral Palsy of NJ - Facility Expansion
50	Northwest Essex - Public Facility Improvement
51	Wynona's House - Public Facility Improvement
52	Millburn - ADA Improvements Curb Cuts

Table 56 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Costs necessary to administer the Home Improvement Program.

AP-38 Project Summary
Project Summary Information

1	Project Name	Belleville- Water Main Relining & Valve Replacement Project Phase II
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$540,257
	Description	The project goal of the project is to provide adequate water service to the community's low-to-moderate-income residents. All low-to-moderate-income individuals and people living with disabilities within these block groups will directly benefit from the proposed project. The current water mains are experiencing a reduction in internal diameter due to various corrosion by-products. The water main relining and valve replacements will improve the water quality; increase the water system's resiliency by increasing the longevity of the aging pipes; decrease the likelihood of future water main breaks; and improve the overall water system maintenance. There will also be an improvement in the hydraulic capacity of the distribution system, which improves flow to fire hydrants and overall water quality and reliability.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	1935 low and moderate income people.

	Location Description	<p>The proposed project includes the following locations:</p> <p>Tract 14700:</p> <ol style="list-style-type: none"> 1. Newark Avenue (Magnolia Street to Watsessing Avenue); 2. Rocco Street (Newark Avenue to Newcomb Street); 3. Cuzzo Street (entire length); 4. Brighton Avenue (Sanford Avenue to Newark Avenue); 5. Watsessing Avenue (Newark Avenue to Sanford Avenue); 6. Kimball Street (entire length); 7. Forest Avenue; (entire length); 8. Highland Avenue (entire length); and, <p>Tract 14100:</p> <ol style="list-style-type: none"> 1. Franklin Avenue (Joralemon Street to Liberty Street); 2. Melwex Street (Joralemon Street to Liberty Street); 3. Ligham Street (Joralemon Street to Liberty Street); 4. Wilber Street (Joralemon Street to Liberty Street); 5. Jefferson Street (Joralemon Street to Liberty Street); and, 6. Harvard Place (entire length).
	Planned Activities	<p>The proposed project will result in rehabilitating 16,906 linear feet of existing water mains in the project area by cleaning the walls of the pipes and then relining the pipe walls with a cement mortar lining mix. All twenty (20) insufficient valves and thirteen (13) deficient fire hydrants will be replaced. Where applicable, roadways are to be excavated for the project, and then reconstructed.</p>
2	Project Name	Cedar Grove - ADA Ramp Improvements
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$51,862
	Description	ADA ramp improvements which will remove barriers for those with severe disabilities.
	Target Date	5/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	445 limited clientele.
	Location Description	Various municipal roadways.
	Planned Activities	This project consists of the construction and reconstruction of approximately 20 ADA ramps along municipal roadways to conform with current requirements for accessibility. the works includes the construction of concrete ADA ramps with truncated domes and new depressed curbing as required to complete roadway improvements at roadway intersections.
3	Project Name	Fairfield - Sand Road Sidewalks
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$45,379
	Description	The project involves the fourth phase of the extension of the existing sidewalk on Sand Road from the current terminus near Bates Drive to Hollywood Ave.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Sand Road, Fairfield
	Planned Activities	Sidewalk will be approximately 750 LF in length and be located on the south side of Sand Road. The project will involve all design, grading, construction and landscaping, and pavement markings.
4	Project Name	Glen Ridge - ADA Ramps Midland Ave.
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements

	Needs Addressed	Public Improvements
	Funding	CDBG: \$38,763
	Description	The construction of ADA ramps with eliminate barriers and bring the intersection into compliance with current ADA standards.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	407 limited clientele.
	Location Description	Various intersections on Midland Avenue, including but not limited to Midland and Carteret Street, Midland and Lorraine Street, Midland and Brighton Avenue, Midland and Coolidge Avenue and Midland and Madison Street.
	Planned Activities	Provide design, inspections and construction services for the installation of six new concrete handicapped ramps and the associated sidewalks at various intersections on Midland Avenue, including but not limited to Midland and Carteret Street, Midland and Lorraine Street, Midland and Brighton Avenue, Midland and Coolidge Avenue and Midland and Madison Street.
5	Project Name	Maplewood ADA-Compliant Curb Cuts
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$214,292
	Description	This project will benefit all persons using our public thoroughfares in that ADA-compliant curb cuts benefit all pedestrian users.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	200 Limited Clientele

	Location Description	Maplewood Public Thoroughfares
	Planned Activities	The Township will collect survey elevations of the existing sidewalks, sidewalk ramps, curb elevations, pavement grades and prepare engineered plans to design ADA compliant ramps and sidewalks in accordance with current standards. Sidewalks that are heaved at these intersections represent trip hazards, and barriers will be identified and called out on the plans for upgrading. Signed and sealed plans and specifications will make up the bidding documents. Construction will involve excavating the old slabs of concrete, and installing new curb, sidewalk, ramps and detectible warning surfaces. Signage and striping will be upgraded at each of these intersections when required.
6	Project Name	Montclair - Glenridge Avenue Streetscape Improvement Project
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$140,946
	Description	This project includes reconstruction of the street and widening of the sidewalk along the north side of the street. The street improvement will ensure appropriate transportation mobility in the area. The widened sidewalk will improve accessibility to and through the area for persons with mobility disabilities and create a safer pedestrian environment.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	1075 low and moderate income people.
	Location Description	Glenridge Avenue
	Planned Activities	Extend 360 linear feet of sidewalk by four feet on north side of street including installation of new concrete, new curbing and resetting existing pavers. Mill and pave street and add new street trees.
7	Project Name	Montclair - Maple Avenue Sewer Repair - Phase 2
	Target Area	Essex Urban County

	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$114,608
	Description	This project will repair a 24-inch sanitary sewer pipe that is almost 100 years old that serves this neighborhood.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	610 low and moderate income people.
	Location Description	Maple Avenue
	Planned Activities	The project includes the flushing, scoping and lining for 800 linear feet of a 24-inch sewer pipe in Maple Avenue from Woodland Avenue to Lincoln Street. This 24-inch pipe is a major collection point for sewer system that serves this neighborhood. The pipe, which is almost 100 years old, will be cleaned using high pressure water hoses and video cameras to inspect the pipe condition. Crews will place a flexible liner into the existing sewer. Steam or heated water will be forced into the liner, pushing the liner tightly against the existing sewer walls. The heat causes the liner material to cure, creating a new pipe within the existing sewer that is free of cracks and holes. Crews will cut open the existing lateral pipes serving each home, using a remote operated cutter and video camera. Crews will then use pumps and hoses to re-route sewer flows, ensuring sanitary service to customers.
8	Project Name	Montclair - Start Out Fresh Intervention Advocates - Soar to Success Program
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$7,840
	Description	Provide Domestic Violence Victims and Survivors, Skills Improvement, Crisis Counselling and Support Services.

	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	325 victims of domestic violence.
	Location Description	11 Pine Street, Montclair
	Planned Activities	The project supports the Urgent needs for Economic Development of victims of Domestic Violence. This helps the population which is financially challenged and deprived of economic resources, to learn the healthy financial management, be stimulated and motivated to sustain, develop skills to get a job to support themselves.
9	Project Name	Montclair - Interfaith Hospitality Network for the Homeless of Essex County, Inc.
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$24,500
	Description	Case management by IHN Social Service staff couple with support services insure low income individuals/families receive services to stabilize income and housing thus allowing them to become active and contributing community members.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	40 low income people.
	Location Description	46 Park Street, Montclair

	Planned Activities	<p>IHN provides intensive case management services to adult head of households to eliminate the barriers to housing and employment , case management include the children as well to ensure immediate and education needs are met. Children and adult programming is offered to help families learn and stay together through enrichment programs offered by the IHN at the IHN Family Resource Center in Montclair. The facility is open 5 days a week from 10:00am to 6:00pm all year round.</p> <p>Interfaith Hospitality Network (IHN) Shelter Program: Consists of forty congregations in Essex County and 1,250 volunteers that provide homeless families of IHN with shelter and meals on a weekly rotational basis 365 days a year.</p> <p>Children's After School Program: Children enrolled in Montclair and area schools in grades K-12 receive free tutoring from pro bono teachers, high school students, Montclair State and Seton Hall Universities students volunteer who assist 11-20 children annually from the IHN shelter program, as well as children from IHN families i.e. the adults who receive relocation assistance and moved into permanent supportive housing in Essex County. IHN is unique in that it is the only Family Shelter to provide an After School Program for grades K-12 from 3:00pm to 6:00pm during the school year offering free child care essentially, while parents are working or in training, giving children a safe place for education enrichment.</p> <p>Adult Programs: Workshops are conducted for Home for Good and Shelter families at IHN by partner agencies such as HOME Corp, William Patterson University and Essex County Community Action. Programs for Parents budgeting/finance, parenting and tenant/landlord relations programs are taught. In addition, IHN has linkages with other community agencies such as Salvation Army and the Cope Center to provide additional services as needed.</p>
10	Project Name	Montclair - Succeed2gether
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$19,600

	Description	Offer a free tutoring program and free after-school enrichment workshops, which include STEM, language arts and math enrichment, music and chess.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	300 low and moderate income people.
	Location Description	11 Pine St., 50 S. Fullerton Ave., Montclair

<p>Planned Activities</p>	<p>CDBG funding will help to support continued excellence in academic enrichment programs for students from low-income families, including expansion of our offerings to reach more students. This grant will support CDBG-allowable expenditures for educational staff and paid consultants and hard costs for utilities, specifically helping to cover staffing costs required to maintain and manage the increase in enrollment and student volunteers. We expect 300 unique individual students enrolled in several of our programs. Many of our students attend more than one of our programs throughout the year. The numbers we serve in each of our programs are not all non-unique individuals as many of our students enroll in multiple programs.</p> <p>1) After-School Tutoring Program (serving 120 students for over 34 weeks a year): Volunteer tutors for the ASTP provide individual instruction in language arts, math, science and social studies for students in grades K-12 at the Montclair Public Library (MPL) [Mon-Thu; 3-6 pm; mid Sept-May]. Homework assistance and fun learning activities supplement this effective one-on-one tutoring experience, facilitating proficiency in core subject areas. An individualized curriculum is developed from assessment tests and tutor evaluations-services usually only found in expensive private tutoring centers.</p> <p>2) Workshops (serving 60 unique students for average 7.5 encounters each for 1260 hours of free service to the families): To address the difficulties most troubling to our students and give them additional support in math and literacy, we will continue our popular after-school academic workshops in Algebra Readiness, Math Fundamentals, and Literacy. This year we are offering additional workshops in computer coding and game design, STEM club for girls, creative writing, writing fundamentals, chess and music. We will continue to offer workshops for families on empowering parents and students. Workshops are open to the general public as well as to our After-School Tutoring families.</p> <p>3) Parent Educational and Informational Workshops. Four workshops offered during the year. These include workshops on helping children and families deal with anxiety, given by Mountainside Hospital doctors; workshops on early literacy for parents, given by an early literacy expert; a robotics workshop, given by the Montclair High School Robotics Team; a college readiness workshop, with mental health and educational experts.</p> <p>4) Summer Enrichment Program: Serving 60 students. This year we piloted a new version of our Summer Enrichment Program, in which we offered week-long modules of classes in various subjects for students, ages rising K-12. Classes included: a morning of language arts and math enrichment for our rising 1st through 3rd graders at the Montclair Public Library followed by</p>
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11	Project Name	Montclair - COPE Center, Inc. - Positive HOPE
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$19,600
	Description	The proposed project provides targeted direct counseling and case management services to individuals to increase their self-sufficiency and address the issues that chronically put them at risk. (Mental health and Substance abuse--especially those involved with the impact of opioids and chronic high level marijuana use.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	100 low and moderate income people.
	Location Description	104 Bloomfield Avenue, Montclair

	Planned Activities	<p>Positive HOPE is the program COPE will provide with the requested funds. This is an intense targeted intervention and support program for extremely low and low income Montclair residents who are homeless or at risk of becoming homeless. The program will be implemented between June 1, 2020 and May 31, 2021.</p> <p>The funds requested will enable COPE to provide targeted case management and intervention services to adolescents and adults who are struggling with substance abuse and mental health issues which interfere with their ability to function effectively consistently. The goal is to strengthen family stability and reduce the risk of homelessness. As the provision of these services are an enhancement to COPE's evidence-based trauma treatment for co-occurring (substance abuse & mental health) disorders. The individuals (adolescents and adults alike) in this program are those who are more chronic and possess a higher severity of mental health and substance use disorders. They require both mental health and substance abuse medication assisted treatment (MAT) which COPE provides and monitors. These funds will assist COPE to ensure all of the intensive case management needs of these individuals can be met to ensure connection to and involvement with needed social services, vocational training and job placements.</p> <p>The funds will be used to cover the cost of providing direct clinical services. These costs are the salaries of those professionals providing direct services to the adults and adolescents involved in this program.</p>
12	Project Name	Montclair - MNDC - Project OASIS Youth Empowerment Project
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$18,620
	Description	The program provides workforce experience and youth employment.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	255 low and moderate income people.

	Location Description	228 Bloomfield Ave., Montclair
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<p>Planned Activities</p>	<p>The MNDC- Project Oasis Youth EmpoweIDent Project(POYEP)is designed to target the youth ages 13 to 21-year-olds. All program is designed to develop our youth through classroom instruction, internships, employment, recreation, education, and cultural awareness.</p> <p>The POYEP consists of several components: Summer Oasis, Winter Oasis, CDI-1, CDI-II, College to Career Summer Institute, Children Who Read</p> <p>WINTER OASIS - (October 2020- May 2021) A free tutorial program offered to elementary and middle school-age youth. GOAL- to ensur1 that students set and reach their academic goals. Outcomes - 1) To enroll 15 students 2) To provide 2-1/2 hours' tutorial services 3) T1 improve academic pefonnance4) To improve school, family, and community engagement.</p> <p>SUMMER CAMP (June 2020 to August 2020) FREE camp designed to offer the youth alternatives to juvenile delinquent behavior, during the summer recess and to enhance academic progress. Participants will have the opportunity to embrace leadership and teamwork skills, practice. Assume the ability to balance curricular activities and academia. Outcomes - 1) To enroll 60 participants 2) To provide 4 hours' classroom instruction for 5 days a week for 6 weeks. 3) To provide social services to all family members 4) To empower, build upon self-esteem and self-confidence 5) improve character building skills. 6) Provide life skills training, improve anger management skills, provide conflict resolution skills 7) address substance abuse through discussion and information</p> <p>CAREER DEVELOPMENT INSTITUTE I- (January 2021 - May 2021) Objectives-To provide entrepreneurial classroom instruction and field instruction in preparation for the workforce. Outcomes - 1) To enroll 20 participants ages 15-18. 2) Participants to become better informed, trained and prepared in areas of business, such as business writing, contract negotiations, resume writing, interviewing techniques and instruction on appropriate business attire. 3) Overall improved job readiness skills 4) Ability to research employment opportunities 4) participants will gamer good work ethics, work etiquette, financial literacy 5) Increased community service participation.</p> <p>CAREER DEVELOPMENT INSTITUTE II - (September 2020-May 2021) Objectives-To prepare participants ages 18-24 to obtain long term, permanent employment and to become self-sufficient. Outcomes - 1) To enroll 5 participants 2) Participants will obtain job readiness skills, leading to permanent employment. 3) Participants will obtain life skills and soft skills leading to employment opportunities in Essex County. 3) improved financial literacy. 3) improved self-esteem & self-confidence 4) Acquired great work ethics and work etiquette 5) Self-sufficiency.</p>
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13	Project Name	Montclair - Strategic Mentoring, Inc DBA Brother to Brother
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$9,486
	Description	The project will allow disadvantaged youth the opportunity to obtain life skills that will enable them to become productive members of society and improve their lives.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	65 low and moderate income people.
	Location Description	11 Pine Street, Montclair, NJ 07042
	Planned Activities	<p>The Summer Youth Empowerment Program aims to create suitable living environment for low-income disadvantaged youth in Montclair area. The goal of the program is to enhance the safety and well-being of Montclair area youth through social, educational and recreation activities. Recreation activities are crucial to the program as a way to motivate the youth to increase their physical activity and develop goal setting habits while also teaching them the benefits of physical activity.</p> <p>Social activity goals include the development of higher self esteem, avoidance of substance abuse and to learn appropriate behavior in a variety of social situations.</p> <p>Education goals for the youth are to get higher grades, to have less discipline issues and to increase their awareness of the need to work hard for educational success.</p>
14	Project Name	Nutley - ADA Elevator at Nutley Library
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities

	Funding	CDBG: \$95,000
	Description	ADA rehab that allows wheel chair accessibility to second and third floors.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	3098 limited clientele
	Location Description	93 Booth Drive, Nutley
	Planned Activities	Remove the existing cab enclosure door operators and all related equipment. Retain the existing car sling and platform assembly. Provide new cab enclosure with flush laminate faced walls, stainless still doors and operators, proximity door detectors, car station fixtures and car riding lanterns. Include new extruded aluminum sills. Refurbish all existing door openings with new door rollers, interlocks and related equipment. Finish and install new code compliant hall fixtures at all landings. Provide new wiring for all fixtures. Re-install the keyless system. Perform required testing and inspection.
15	Project Name	Nutley - Entwistle Street Reconstruction and Resurfacing
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$162,483
	Description	
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	195 low and moderate income people.
	Location Description	Entwistle Avenue from Harrison Street to Belleville Border in Nutley

	Planned Activities	The proposed project is to resurface Entwistle Avenue from Harrison Street to the Belleville Township border in Nutley, New Jersey. The project will consist of milling and resurfacing of the existing roadway. Curbs, sidewalks and driveway aprons are to be reconstructed where found to be in poor and deteriorating condition and within responsibility of Township. Installation of ADA compliant/detectable warning surfaces are proposed at all existing sidewalk curb ramps within project limits. Stormwater structures including inlets and manholes will be removed and reset as applicable.
16	Project Name	Orange - Central Playground Improvements
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$140,000
	Description	The project includes improvements to a playground in a public park and does not target a special population. Rather, the improved park will be open to and primarily utilized by the residents of Orange, the majority of whom reside in low-moderate income households.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	3977 low and moderate income people.
	Location Description	Central Avenue and Carteret Place, Orange

	Planned Activities	Central Park Playground is located at the corner of Central Avenue and Carteret Place. The park currently has a playground along the Central Avenue frontage that is very old and in need of replacement. In 2019 the City of Orange Township applied for funding for improvements to happen at this park which have yet to occur. The anticipated award will be less than the overall project cost for what the City would like to have under one contract. The goal for the playground is to have one theme for the entire playground area for children to enjoy. Other improvements include new site amenities such as shade structures, sitting areas, fencing improvements, and landscaping. Should money be available, there is a need to resurface the tennis courts and a desire to install a handball court at the location of one of the existing tennis courts. Recent improvements at this park have been the installation of artificial turf field that allows for baseball and football, as well as resurfacing of a basketball court and volleyball courts. Pool renovations and installation of a splash park have also occurred in recent years.
17	Project Name	Orange - Colgate Park Pool Improvements
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$140,500
	Description	The project includes improvements to a playground in a public park and does not target a special population. Rather, the improved park will be open to and primarily utilized by the residents of Orange, the majority of whom reside in low-moderate income households.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	30731 low and moderate income people.
	Location Description	110 North Day Street, Orange

	Planned Activities	<p>Colgate Park Pool is located at Colgate Park. The subject park is bounded by North Day Street, New Street and North Center Street. The park currently has other existing features including playground areas and basketball courts, as well as a Skatepark in development. The proposed pool improvements will be refurbishing the existing pool while improving the conditions of the plumbing and amenities for the community to use.</p> <p>It is our understanding that the City has the funding to supplement any CDBG grant award to repair the Colgate Park Pool to compliance. The goal is to use this money to upgrade the essential systems and make any necessary repairs to further the longevity of the existing pool complex. The goal of this project will be to make strategic improvements to produce a minimal care, long life, pool facility which is easy to operate. Other important components in the overall design include site considerations such as pedestrian interest, safety and visibility, spatial allocation, grading, drainage, landscaping and fencing.</p>
18	Project Name	South Orange - Public Library ADA Improvements
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$102,900
	Description	<p>This project will target assistance for the handicapped and disabled as well as senior citizens of South Orange and surrounding Essex County communities by removing barriers, including the need to ask for help with things they would prefer to do on their own (i.e., use the elevator). Improved accessibility will also benefit some people experiencing homelessness who use the library in the course of the day. Individuals with severe disabilities, including adults with intellectual and developmental disabilities associated with Jespy House, use the library for a variety of services as well.</p>
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	1409 limited clientele

	Location Description	65 Scotland Road, South Orange
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	<p>Planned Activities</p>	<p>The current Library building was opened in 1968; it is still using the original elevator. This elevator provides access between three floors; travel between floors is necessary to access services, restrooms, programs and collections. Movement between some floors requires a key which in turns requires that people who require the elevator must ask for assistance. In more ways than this, the elevator does not meet current ADA requirements. The elevator will be modernized to meet all current ADA and safety requirements. At a cost of est. \$28,000 per floor, this will have a cost of \$84,000.</p> <p>The library has two entrances to the building. On an average day, 400-450 people use one of these doors to come into the library. One entrance leads from the sidewalk and parking lot at the back of the building into the lower level of the building. An average of 40-45 seniors a week attend the library's Thursday lecture series entering through this door. This program, as do other library programs, attract some seniors from surrounding towns (Maplewood, Newark, Orange) as well as locals. The door is not equipped with a push-button opener and it thereby inaccessible to a severely disabled adult or anyone with mobility difficulties. In addition , the sidewalk leading to the door is not level, creating difficulty for those relying on walkers/canes. Door modification with push button door operator cost: \$20,000</p> <p>The other entrance to the building is from Scotland Road. This entrance has 1968 double-hung heavy doors which enter into a vestibule. Entry from the vestibule into the library is again through double-hung 1968 doors. Both sets of doors need to be brought up to current standards, including push-button operation for entry and exit. This door serves as the emergency exit for the main floor of the library. Door modification (two sets of doors) with push button door operator cost: \$15,000</p> <p>ADA sidewalks and Entrance Improvements:</p> <p>Reinforced Concrete Sidewalk under awning, 8" thick (SY) Q30 UP\$100.00 T:\$3,000</p> <p>Rear Entrance Sidewalk Access to ADA Parking Reinforced Concrete Sidewalk under rear awning, 8" thick (SY) Q12 UP\$100.00 T:\$1,200</p> <p>Concrete pad under Book Drop Containers, 6" thick (SY) Q2 UP\$85.00 T:\$170.00</p> <p>Concrete ramp from awning to parking lot sidewalk, 4" think (SY) Q11 UP\$75.00 T:\$750.00</p> <p>Concrete pad under bike rack, 4" thick (SY) Q:10 UP\$75.00 T:\$750.00</p> <p>Concrete sidewalk from entrance Ramp to ADA parking , 4" think (SY) Q:75 UP\$75.00 T:\$4,200.00</p>
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19	Project Name	Verona - ADA Access Ramps & Barrier Removal Various Locations
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$99,840
	Description	The three ADA ramps will remove barriers to facilities which are all public buildings. They are directly impacting the handicap and physically challenged population of not only Township residents but the community at large.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	45 limited clientele
	Location Description	Ramp #1 (600 Bloomfield Avenue) Ramp #2 (125 Grove Avenue) Ramp #3 (118 Forest Avenue)

	Planned Activities	<p>Ramp #1 - Municipal Building. The existing ADA ramp and railing system located at the municipal building which fronts along Gould Street is in severely poor condition. There are large areas where concrete has spalled and the railings are continually coming loose which presents dangerous conditions which are constantly requiring repair. This is a fairly long ramp system which seems to have been installed as a sort of retrofit to the existing site conditions which were present at the time. We are proposing to remove this ramp system completely and to reconstruct it to current ADA Access Standards for ramps. To facilitate this work we will need to slide the location of the ramp down from its current position. This actually does two things, by sliding the ramp system to the left we then are able to install a new ADA compliant van accessible handicap parking space adjacent to the ramp, currently there is no loading-unloading area for the ADA parking space, so this one project will then really resolve two existing barrier related issues at the one site.</p> <p>Ramp#2 - FN Brown Elementary School. This school presently does not have any permanent ADA access ramps to any of the public entrances at the front of the school. This facility not only serves the public as an elementary school but also the community at large as a public facility which is used for voting during all elections. The Township must install a temporary metal ramp system whenever the facility is to be utilized as a voting center for the public. A new permanent ADA ramp system will be a great addition not only to the school children with disabilities but to their families, and to the community at large during election voting.</p> <p>Ramp#3 - Forest Avenue Elementary School. There is an existing large outdoor play-ground to the rear of the existing building which is roughly 20 feet in height higher than the parking lot which it is connected to. The parking lot serves a sport court play-ground and the upper area is more of a climbing gym and swing set area. To access the upper level play-ground a child or adult must navigate a series of steps which are constructed of railroad tie timber with a gravel in-fill which makes the upper play impossible for anyone to get to that</p>
20	Project Name	West Orange - Main Street Counseling Center - Expansion of Accessible Mental Health Services
	Target Area	Essex Urban County
	Goals Supported	Public Services

	Needs Addressed	Public Services
	Funding	CDBG: \$25,000
	Description	The project meets the needs of these populations by increasing access to mental health treatment.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	204 low and moderate income people.
	Location Description	8 Marcella Avenue, West Orange
	Planned Activities	Expand accessible mental health services in 2020-2021 for low-income individuals and families of West Orange. Using this new grant, we will increase our staff availability, in turn providing 24 more hours of direct services weekly to West Orange clients. The master's-level therapists dedicated to these services will be culturally competent and ideally Spanish-speaking. Services will be delivered in West Orange at our main facility (MSC), the James A. Degnan Senior House, and Valley Settlement House.
21	Project Name	West Orange - Bethany Center for Champions - Outreach for At-Risk Youth
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$49,000
	Description	Sustaining the program team will allow the BCC to continue serving West Orange's at-risk population by increasing the number of youth served by providing a safe-haven of structured activities in their community.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	300 low and moderate income people.

	Location Description	30 Ashwood Terrace, West Orange
	Planned Activities	The Bethany Center for Champions provides delinquency prevention activities for West Orange, NJ youth through educational, recreational, life-skills, mentoring, and summer camp opportunities so that youth can be equipped in mind, body and spirit for a more productive life.
22	Project Name	West Orange - Roadway Improvements, Mitchell Street, Valley Rd to Orange Line
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$306,544
	Description	The new pavement will improve vehicular ride quality for motorists and extend roadway life. Hazards at intersections and adjacent to trees will be eliminated for the walking public.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	1175 low and moderate income people.
	Location Description	25 Lakeside Avenue, West Orange
	Planned Activities	Mitchell Street from Valley Road to the Municipal Line with Orange is 650 feet long. It will be improved with new granite block curb, new concrete sidewalks and concrete driveway aprons, a decorative brick ribbon strip between the new curb and sidewalk, driveway restoration, reconstructed inlets and manholes with new castings, ADA compliant curb ramps, decorative street lights, pavement milling and new pavement resurfacing. The construction quantities are 960 feet of granite block curb, 45 feet of concrete curb, 570 square yards of four inch thick concrete sidewalk, 180 square yards of six inch thick driveway aprons and handicapped ramps, four detectable warning surfaces, 275 square yards of brick paver ribbon strip, 90 square yards of driveway restoration, seven reconstructed inlets and manholes, 20 decorative street lights, 2,200 square yards of pavement milling and 300 tons of hot mix asphalt pavement resurfacing.

23	Project Name	Big Brothers Big Sisters of Essex, Hudson and Union Counties, Inc.
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$11,000
	Description	Youth served by the project hail from low/moderate income families and demonstrate one or more additional risk factor, such as raised by a single parent or non-parental guardian, residing in a high-crime community, struggling academically, victim of abuse or neglect, having a learning difference or other disability, potential first-generation college student or graduate, have one or both incarcerated parents, etc.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	10 low and moderate income people.
	Location Description	500 Broad Street, 2nd Floor, Newark
	Planned Activities	Our agency is requesting \$18,000 to grow, and support retention efforts in our Essex County Mentoring Programs. The program will serve 30 youth (age 5-18) in mentoring relationships and their parent/guardian who meet CDBG income eligibility and reside in Essex County. The request is based on an annual cost of \$1,500 per one-to-one mentoring relationship. and will be leveraged with other funds.
24	Project Name	Essex County Community Transportation Vehicle Purchase
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$79,200

	Description	The purpose of the Essex County Community Transportation System is to make available and accessible transportation services allowing senior citizens age 60 years and older and all adults with physical and/or mental disabilities the opportunity to obtain the necessities of life including but not limited to: non-emergency medical appointments, dialysis treatments, physical and mental therapies, radiation and chemotherapy, nutrition sites, competitive employment, non-competitive workshop employment, food shopping, post-secondary education, veteran services, social and recreational activities.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	500 limited clientele
	Location Description	900 Bloomfield Avenue, verona
	Planned Activities	Purchase of an ADA accessible bus to be used for the transportation of senior citizens countywide.
25	Project Name	Essex County Tenant Resource Center
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$100,000
	Description	The Tenant Resource Center serve the need of low to moderate income residents of Essex County that are renters. The target population finds itself extremely vulnerable to the arbitrary and capricious whims of some unscrupulous landlords.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	355 low and moderate income people.
	Location Description	50 South Clinton Street Suite 3201, East Orange

	Planned Activities	The Essex County Tenant Resource Center provides information, counseling and referrals to consumers as to their rights. Our focus is dedicated to promoting positive relations between rental housing consumers and landlords throughout Essex County. This information will enable our citizens to preserve and maintain decent affordable housing, by ensuring that tenants and landlord are aware of their rights, and what to do when a violation and problem occur. The Tenant Resource also provide Counseling on rent increases that are illegal and the proper steps to be taken. Building maintenance and code enforcement issues when landlords are derelict with health and safety violations. Direct consumers who are illegally evicted from their apartments including referrals for legal advise. Counseling consumers on preventing themselves from becoming homeless. Provide information to consumers on what they should know about housing discrimination. Provide direct utility assistance for New Jersey Shares when funds are available. Provide direct utility assistance for the Page Program. Refer consumers to various provider agencies for rental assistance, relocation assistance and shelter placement. In addition to the aforementioned, The Tenant Resource Center also provides workshops to educate the residents of Essex County on their rights and tenants.
26	Project Name	Family Connections, Inc. - Psychiatric Services Increase
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$28,800
	Description	This service application will fund psychiatric services for individuals in need of Mental Health and/or Substance Use Disorder treatment services.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	106 low and moderate income people.
	Location Description	395 S. Center St., Orange

	Planned Activities	<p>New Jersey, like most states, is experiencing a severe shortage of psychiatrists. This shortage compounded by the trending of psychiatrists to work in private practice settings, where they can make more money, has exacerbated the situation to a shortage crisis of psychiatrists who serve lower income communities. Given this shortage psychiatric private practices have evolved to accept mainly cash payment in the Northeast, where, in fact, only 48.5% of psychiatrists take insurance and only 42% take Medicaid. For the past decade in the US, it has been observed that psychiatrist, more than any other specialty are accepting only cash for their services, with fees increasing dramatically.</p> <p>The psychiatric shortage has been increasing in severity in New Jersey in recent years. The challenge for community based psychiatric services in New Jersey to provide psychiatric services become even more difficult with the transition by the state to the fee-for-service payment mechanism 3 years ago. When agencies were provided contracts for services, they were able to project a service capacity. With the current fee-for-service rates much of the required work of psychiatrists is not billable and the reimbursements do not even cover the salary of the psychiatrist. This revenue shortfall is true not just for psychiatry but for all of outpatient Mental Health and Substance Use Treatment services. As a result community providers of Mental Health and/or Substance Abuse Treatment services are facing fiscal challenges like never before.</p>
27	Project Name	Family Service League - Sexual Assault/Domestic Violence Victim Services and Counseling
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$44,000
	Description	Survivors of sexual violence/domestic violence and their significant others - among this group we serve, there are homeless, mentally/physically disabled, LGBTQIA clients.
	Target Date	5/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	385 limited clientele
	Location Description	60 South Fullerton Ave Suite 109, Montclair
	Planned Activities	<p>Family Service League consists of two programs: the Counseling Program and SAVE of Essex County Program, the State of New Jersey's designated sexual violence program for Essex County. SAVE provides a 24-hour emergency hotline, victim accompaniments, and counseling for sexual violence/domestic violence survivors and their significant others.</p> <p>Through this project, we aim to provide crisis intervention and counseling services to the sexual assault/domestic violence survivors and their significant others. We will provide counseling for sexual violence and domestic violence survivors with specially trained therapists. Counseling clients, regardless of if they are victims of sexual violence or not, are never denied treatment as a result of financial constraints. Thus, our counseling program is particularly sensitive to low-income individuals, couples, and families.</p> <p>In addition, counseling supervision will be provided to the therapists who provide counseling services to sexual assault/domestic violence clients. Crisis Intervention services will also be provided to victims via our 24-hour emergency hotline and victim accompaniments at hospitals and police departments.</p>
28	Project Name	Jewish Family Service of MetroWest NJ - HouseCalls: Services for Frail, Homebound Older Adults
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$10,000
	Description	Frail, home bound at-risk older adults living in HUD-approved facilities in South and West Orange.
	Target Date	5/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	165 limited clientele
	Location Description	219 S. Orange Avenue, South Orange
	Planned Activities	<p>HouseCalls is an integrated approach to the provision of case management, mental health, health education, and healthcare services for frail, homebound older adults. Most are isolated - single, without caregivers, or with relatives who live out of state. HouseCalls' social workers develop personalized care plans for each older adult with input from the client, and his/her family if possible. The plan is monitored and adapted to meet the evolving needs of the aging client as the client gets older, their health declines, and their needs increase.</p> <p>For this program, every client is a new client because every meeting is critical in ensuring frail, low-income, oftentimes home-bound older adults are able to get the support they need to live meaningful lives. Without funding for this program, JFS would be unable to provide services for this vulnerable, at-risk population.</p>
29	Project Name	Jewish Vocational Service of MetroWest - Vocational Rehabilitation Services for Adults with Disabili
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$30,000
	Description	No two people with disabilities are alike. JVS of MetroWest uses a person-centered approach that meets each of our program participants where THEY are; helps them identify their strengths, unique abilities, and vocational goals; and, helps them create an Annual Rehabilitation Plan that will enable them to fulfill their potential. As a result, our program participants feel more supported and are better-prepared to succeed in the workforce, be it in a competitive employment environment in the larger world, or in the more protective extended employment environment offered at JVS in Montclair.
	Target Date	5/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	150 low and moderate income people.
	Location Description	83 Walnut St, Montclair
	Planned Activities	<p>Jewish Vocational Service of MetroWest provides vocational rehabilitation services to help adults who have physical, intellectual, and/or developmental disabilities prepare for, search for, find, keep, and excel in a job. At least 75% of our program participants are low-income (at or below 100% of FPL) and 90% are residents of Essex County (the remaining 10% reside in bordering counties). We use a person-centered approach that meets each of our program participants where they are, helps them identify their strengths and vocational goals, and helps them create an individualized Annual Rehabilitation Plan that serves as a road map to achieving their goals. Our services include:</p> <ul style="list-style-type: none"> Individualized vocational assessments/evaluations Communications and other soft skills training Job search skills-training, including resume and cover letter-writing and interview preparation Real-time, individualized job coaching and feedback Pre-Employment Transition Services (Pre-ETS) for young adults transitioning from school to the workforce Supported Employment and Long-term Follow Along (LTFA) for program participants who need additional support after transitioning into a competitive work environment Extended Employment opportunities
30	Project Name	Mental Health Association of Essex and Morris, Inc. - Vehicle Replacement
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$29,100
	Description	Vehicle replacement will assure the sustainability of critical transportation needs for those with severe and persistent mental illness to treatment and daily living activities in Essex County: transportation assures access to services creating a suitable living environment.

	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	714 low and moderate income people.
	Location Description	33 South Fullerton Avenue, Montclair
	Planned Activities	Vehicles will be used to provide transportation for individuals with severe and persistent mental illness (all of whom live in poverty) to treatment programs and associated activities in Essex County.
31	Project Name	National Council Of Jewish Women - Job Readiness
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$9,700
	Description	NCJW/Essex, through the CFW, serves all women in Essex County. Most CFW clients are single heads of households and are raising their families without any spousal support. They must improve their skills in order to find adequate employment.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	68 low and moderate income people.
	Location Description	70 S. Orange Ave. Suite 120, Livingston

<p>Planned Activities</p>	<p>In the 2020-2021 fiscal year, The Linda & Rudy Slucker NCJW/Essex Center for Women (“CFW”) expects to work with 68 new, lower-income displaced homemakers and their families in Essex County. CDBG funding from Essex County will support the salaries of the CFW staff, including the Career Services Manager, Case Manager, and the Director of the CFW, enabling NCJW/Essex to provide job readiness and job training services through the programs and activities listed below. The CFW continues to attract new clients through expansive partnerships with area nonprofits, advertising, word of mouth and a strong reputation for providing empowering services in the Essex County community. NCJW/Essex is proud to report that for fiscal year 2018-2019, the CFW placed nearly half of all clients in new job opportunities, though the actual number of job placements is likely significantly higher, due to underreporting from clients.</p> <p>The CFW is a non-sectarian project of NCJW/Essex that was established in 1981 to provide services to all women experiencing challenging times in their lives. Services are provided on a sliding scale and fees are waived for those unable to pay. Services provided include Job Readiness (individualized career planning), resume writing /interview skills, job placement assistance, and Career Closet (career clothing and accessories for interviews), Computer Classes, Women's Workshops, Self-esteem and educational grants for certificate courses, legal guidance, food insecurity and menstrual equity support.</p> <p>In Essex County, the unemployment rate is among the highest in the state. During difficult economic times, women, particularly women of color, are disproportionately impacted. CFW programs assist women who face unique challenges and barriers to employment, in addition to their need for employment skills and job opportunities. Clients receive “hard skills” training, including computer classes, Linked-In classes, mock interviewing, job search strategies, resume writing skills, and access to the NCJW/Essex Career Closet. Each client is referred to the specific programs they feel will best meet their unique needs to enter, re-enter or advance in the work force. Staff oversees bi-monthly “Job Clubs,” and a weekly “Empower Hour,” providing clients access to information on networking through Linked-in, communication skills, and face-to-face meetings with local business representatives looking for new hires or providing real-world insight into a particular employment field. We have developed strong relationships with many employers and employment agencies from Essex and the surrounding counties such as the Women’s Center for Entrepreneurship Corporation (WCEC) of Chatham, NJ, Winston Staffing, Glassroots, Manischewitz, Hotels for Home, Medicare Advisors, All About Cleaning NJ, U.S. 2020 Census, and PSE&G. Our professional staff actively participates in the ECEN- Essex County Employment Network. The CFW</p>
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32	Project Name	NJCAEF Housing and Foreclosure Prevention Education, Outreach & Counseling Project for Essex County
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$30,000
	Description	The project will remove barriers to affordable housing opportunities and promote fair housing, affordable housing, and asset preservation by providing LMI Essex County residents with free housing & foreclosure counseling, education and outreach.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	150 low and moderate income people.
	Location Description	625 Broad Street, Newark

	Planned Activities	NJCAEF's housing and foreclosure counseling service is a HUD-certified community-based counseling program for LMI people seeking affordable housing or assistance in preserving their assets. This program: (1) Identifies eligible LMI potential homebuyers; (2) Assists buyers in identifying potential properties for purchase; (3) Prepares potential buyers for submitting applications to lenders and/or other entities with affordable mortgage programs by reviewing income, employment history debts, credit history, projected housing payments, estimated settlement costs, and purchase documents; (4) Provides budgeting, homeownership, and credit history for program participants; (5) Provides long-term, individualized plans for people with issues with savings or credit; (6) Promotes fair and affordable housing and/or foreclosure prevention assistance programs in targeted communities; (7) Conducts education and outreach to LMI people on the homeownership process, fair housing, predatory lending, and foreclosure prevention; (8) Provides assistance to people without enough savings for down payment and settlement costs; (9) Provides home improvement counseling and access to alternative funding; and (10) Provides foreclosure prevention counseling; (11) Provides post-purchase counseling for first-time homebuyers.
33	Project Name	Opportunity Project, Inc. -Pre-Vocational Program
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$14,000
	Description	Opportunity Project has been carefully designed as a Clubhouse model, one of only a handful serving those with brain injury in the entire world. The model exemplifies empowerment, including individual goal-setting and accountability in a work-ordered structure. Individuals with such disabilities are in great need of repetition, a high level of individual support and structure.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	60 low and moderate income people.

	Location Description	60 E. Willow Street, Millburn
	Planned Activities	<p>In order for Opportunity Project to continue and increase its specialized vocational program for adults who are severely disabled and have sustained a brain injury, we request CDBG funds. Our one-of-a-kind program in New Jersey, the Clubhouse model, initiated in 1994 and serves a great need for our members. Our mission is one of empowerment in order to attain each member's full potential.</p> <p>Our vocational counselor, along with our Job Coach and Occupational Therapist, offers evaluation and adaptive tools to ensure vocational success. OP features a structured day which resembles a true work environment, training our members for future employment opportunities. Members also receive adjustment counseling services, assisting them with becoming accustomed to the significant challenges and changes after a brain injury occurs. The counselors also spend a considerable amount of time educating employers about brain injury. This knowledge and support ensures a successful transition into the vocational arena.</p> <p>Our local Essex County Division of Vocational Rehabilitation Services (DVRS) office continues to provide us with referrals. Opportunity Project also maintains an agreement with DVRS to provide:</p> <ul style="list-style-type: none"> - a 25-day Work Evaluation - 45 and 90-day Work Adjustment Training - 20-day Supported Employment, including Job Development and Job Coaching - Long-Term Follow-Along services
34	Project Name	Planned Parenthood - HIV Testing
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$9,800
	Description	This project fits the need of this specific population because our patients don't always have access to these services. Whether they vary from financial reasons, to transportation, education and accessibility, it is normally challenging for our patient demographic to find accessible reproductive healthcare let alone STI or HIV testing. This will allow us to have qualified and present staff to assist them in their process.

	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	5100 low and moderate income people
	Location Description	29 North Fullerton Ave. - Montclair
	Planned Activities	Our proposed project focuses on HIV testing and counseling. With this funding we are able to assist our patients by screening them for their individual history, completing a HIV test through blood draw, and assisting them in their next steps of counseling ranging from setting up their next HIV test, informing them of other STI's, and educating them on PrEP (pre-exposure Prophylaxis) Program. Our on-site RN will be administering the tests and completing the counseling and our Clinical Systems Specialists will be managing that data. Funding received from the Essex County Community Development Grant enables PPMNJ to continue incorporating universal HIV screening for men and women as a routine part of care at its Montclair health center. Universal screening is an "opt-out" method of testing whereby all new clients are tested as part of a routine exam unless they specify they do not wish to have the test. By coupling routine opt-out HIV testing with our well established family planning, STI testing and reproductive health services, we can address the need to increase testing and prevention strategies. HIV testing has been a component of Planned Parenthood services since the disease became prevalent in 1985. This funding also allows us to continue using rapid HIV testing. This technology provides test results in 20 minutes, allowing patients to learn their test results in the same visit, rather than returning later. We can more effectively convey prevention messages to those who are HIV negative and transition those who are found to have contracted HIV into care before they leave our health center. By identifying patients who test positive at the time of care we are able to link them to care sooner, prevent infections, and more effectively reduce HIV transmissions.
35	Project Name	ARC of Essex County
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services

	Funding	CDBG: \$32,340
	Description	Additional accessible vehicles will enable our consumers to fully integrate with the Essex County community. Shopping trips and lunch outings will not only enhance social and life skills, but improve the local economy.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	180 limited clientele
	Location Description	50-58 Burnett Avenue, Maplewood
	Planned Activities	<p>Transportation is an essential component of The Arc's service delivery as the participants in our day programs do not have the ability to transport themselves to program sites. The Arc of Essex County is seeking funds to offset the purchase of two handicap accessible vans. The vans identified for purchase, are 12 passenger vehicles. The vehicles feature a state-of-the-art track system that can easily be reconfigured based on the scheduled van routes on a particular day. Passenger chairs are purchased a la carte (included in the total estimate price) and can simply be added or removed from the track system as needed. While previous vehicles could only accommodate a maximum of two wheelchairs, the new vans would each safely accommodate three wheelchairs along with additional passenger seating.</p> <p>The Arc of Essex County strives to reduce unnecessary overhead wherever possible. The purchase of these multi-functional vehicles will enable supervisors to craft van routes that can maximize the number of consumers transported within each route. This will further strengthen the efficiency with which The Arc can deliver services. The new vehicles would provide stability, ensuring a reliable and safe transportation option for consumers.</p>
36	Project Name	The Bridge Mental Health Counseling - Mental Health Services
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$14,000

	Description	Since the State of NJ converted community-based mental health providers from grant or slot based reimbursement model to a fee-for-service reimbursement model, this funding will ensure access to those patients that would otherwise slip through the cracks due to lack of other funding. This will allow for continuity of quality care for those in need.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	28 low and moderate income people.
	Location Description	860 Bloomfield Avenue, West Caldwell
	Planned Activities	Mental Health services for Essex County residents with low to moderate income that have no insurance or other source of funding.
37	Project Name	The North Ward Center dba Casa Israel Medical Day Program
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$48,000
	Description	he provision of individualized care, based on each client's medical/health condition, is designed to meet the needs of the population served. The ongoing monitoring of our nursing staff insures that medical and clinical needs of our elderly and disabled clients are met.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	202 limited clientele
	Location Description	288-298 Mt. Prospect Avenue, Newark

	Planned Activities	Casa Israel Medical Day Program provides preventative, therapeutic, rehabilitative, nutrition and social services for older and physically impaired adults. The nursing and social service departments are the most important elements in Casa Israel's ongoing ability to provide quality care to an at risk population. The care our nursing staff provides allows our clients to remain in their homes and age in place. The nursing staff work as a team to meet the medical and clinical needs of our clients.
38	Project Name	Home Improvement Program
	Target Area	Essex Urban County
	Goals Supported	Create and Retain Affordable Housing Units
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$509,600
	Description	To provide deferred loans for eligible HOME Improvements to qualified low and moderate income home owners occur dying a 1 to 3 family home.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	20 units of low and moderate income housing.
	Location Description	Essex County Urban County
	Planned Activities	Rehabilitation of homeowner units to address code violations, energy efficiency, lead safe workpractices and general improvements to create the safe and sanitary conditions.
39	Project Name	Program Delivery Costs : Home Improvement
	Target Area	Essex Urban County
	Goals Supported	Create and Retain Affordable Housing Units
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$380,000
	Description	The costs necessary to administer the Essex County Home Improvement Program including all staff related costs, advertising, environmental reviews, lead based paint assessments, title runs, appraisals and clearance reports.

	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	20 affordable housing units.
	Location Description	Urban County
	Planned Activities	Costs necessary to administer the home improvement program including but not limited to application processing, review, underwriting, environmental reviews, inspections, lead based paint assessments/clearance reports, title searches, appraisals, and other associated staff costs.
40	Project Name	CDBG Planning & Administration
	Target Area	Essex County HOME Consortium Essex Urban County
	Goals Supported	Create and Retain Affordable Housing Units Homelessness Public Infrastructure Improvements Public Facility Sustainability Public Services
	Needs Addressed	Affordable Housing Homelessness Prevention Chronic Homelessness Public Improvements Public Facilities Public Services Rapid-Rehousing
	Funding	CDBG: \$1,094,091
	Description	This activity encompasses the planning, execution of projects, program coordination, evaluation and monitoring of the CDBG program. This year, \$ 1,094,091.00 is being recommended for allocation under this category.
	Target Date	5/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Urban County and HOME Consortium
	Planned Activities	Preparation of the 2020-2024 Consolidated Plan and One Year Action Plans, review of applications, preparation of documents to administer the program, monitoring and oversight.
41	Project Name	Emergency Solutions Grant - Various Agencies
	Target Area	Essex Urban County
	Goals Supported	Homelessness
	Needs Addressed	Homelessness Prevention Chronic Homelessness Rapid-Rehousing
	Funding	ESG: \$456,588
	Description	Essex County's 2020 HESG funds will be used to operate shelters for the homeless, provide emergency rental assistance to prevent homelessness, implement rapid rehousing strategies, for program administration, as well as street outreach to persons living on the streets.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 1,166 extremely low income individuals and families.
	Location Description	Countywide
	Planned Activities	To provide residents that are homeless or at-risk of homelessness, night stay for up to 6 months in a clean, safe environment, receiving case management and referrals.
42	Project Name	Affordable Housing Development
	Target Area	Essex County HOME Consortium
	Goals Supported	Create and Retain Affordable Housing Units

	Needs Addressed	Affordable Housing
	Funding	HOME: \$725,896
	Description	The program will fund the development of affordable units of housing for low income people. The amount allocated will increase the pool of available funds to future proposals.
	Target Date	5/31/2025
	Estimate the number and type of families that will benefit from the proposed activities	10 low income families.
	Location Description	Essex County HOME Consortium
	Planned Activities	Creation of affordable housing units including new construction and rehabilitation of existing units for low income households.
43	Project Name	CHDO Housing Development
	Target Area	Essex County HOME Consortium
	Goals Supported	Create and Retain Affordable Housing Units
	Needs Addressed	Affordable Housing
	Funding	HOME: \$181,474
	Description	HOME dollars will be used to assist Essex County CHDOs acquire, rehabilitate or construct affordable housing units.
	Target Date	5/31/2025
	Estimate the number and type of families that will benefit from the proposed activities	10 individuals with special needs.
	Location Description	Essex County HOME Consortium.
	Planned Activities	
44	Project Name	HOME Planning & Administration
	Target Area	Essex County HOME Consortium
	Goals Supported	Create and Retain Affordable Housing Units

	Needs Addressed	Affordable Housing
	Funding	HOME: \$302,457
	Description	Administrative costs associated with preparing the 5 Year Consolidated Plan, One Year Action Plan and staff costs for the administration of the HOME Program.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	20 units of affordable housing.
	Location Description	Essex County HOME Consoritum.
	Planned Activities	Administrative costs associated with preparing the 5 Year Consolidated Plan, One Year Action Plan and staff costs for the administration of the HOME Program. The HUD memorandum issued on April 10, 2020 issued waivers ans suspension authority for the HOME Program.
45	Project Name	Livingston - ADA Accessible Bus
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$49,500
	Description	Purchase of an ADA accessible bus for senior programs.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	6,702 limited clientele
	Location Description	Livingston Townwide
	Planned Activities	Purchase of an ADA accessible bus to use for transportation of seniors to various programs, medical and other essential services.
46	Project Name	Orange-Senior Transportation Mini Bus

	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$70,000
	Description	Purchase of a Senior ADA accessible mini bus.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	4,989 limited clientele
	Location Description	Orange townwide
	Planned Activities	The City of Orange Township - Office of Older Adults offers transportation to senior citizens in Orange in order to facilitate access to social services, entertainment, and other destinations. Our goal is to continue advocating for improving the quality of life for older adults in the City. These services include, but are not limited to, medical referrals, public transit, exercise classes, breakfast and a movie, bingo, swimming, computer basics for senior classes with the Orange Board of Education, assistance in completing forms and applications, out of town travel experiences, and more.
47	Project Name	Orange - Main Street Counseling
	Target Area	Essex Urban County
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$25,000
	Description	Provide accessible mental health treatment. The grant will pay for 24 additional hours of direct services weekly, to be provided by culturally competent and ideally Spanish-speaking therapists. Services will take place at our main facility (MSC), Orange public schools--especially STEM Innovation Academy of the Oranges--and Valley Settlement House.
	Target Date	5/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	217 low and moderate income people.
	Location Description	8 Marcella Ave., West Orange
	Planned Activities	<p>Main St. Counseling's trauma-versed therapists have built trusting relationships with these students, guiding them toward productive behaviors that include resolving conflicts without hitting or yelling and avoiding substance abuse. With additional funding, however, we could have a much deeper school impact as we increase our hours of service and counsel multiple more students weekly.</p> <p>Another important collaboration for Orange families, where we want to maintain our high level and standard of services, takes place at Valley Settlement House. This is a child care center that serves all of the Oranges. We have a decades-long relationship there, having supported Valley's preschool program for several years now with on-site social and emotional skill building. Our experienced therapists run classes and targeted small groups for these very young children. Puppets, games, and art therapy reinforce lessons about listening, respecting personal space, and understanding feelings. During the summer, we run nine therapeutic groups, expanding the participants to include additional preschool children and older children, elementary and middle-school age. Main St. Counseling's presence is deeply appreciated by both the Valley staff and guardians. Because we do not charge out-of-pocket fees for on-site services, financial contributions help us keep them accessible, removing any barriers related to lack of income, insurance, or transportation.</p>
48	Project Name	1st Cerebral Palsy of NJ - Facility Expansion
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$300,000
	Description	Expand an existing facility to include new rooms for the adult day care program.
	Target Date	5/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	60 limited clientele
	Location Description	7 Sanford Ave., Belleville
	Planned Activities	The project will add rooms and ADA bathrooms to our facility (1,600 sf). The new area will have a dual purpose supporting our adult medical day program and our school. Construction will include a multi purpose classroom/activities/dining area (750 sf), a social workers office (100 sf), a nurses service office (100 sf), a quiet room (100 sf), a control station (70 sf), 2 barrier free bathrooms (160 sf) and an access corridor (280 sf). The additional space is much needed as our enrollment continues to climb.
49	Project Name	Northwest Essex - Public Facility Improvement
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$30,000
	Description	Improve public facility with energy efficient fixtures.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	897 limited clientele.
	Location Description	570 Belleville Ave., Belleville

	Planned Activities	Retrofit all 5 floors and basement of existing florescent lights with LED lamps, replace fixtures where existing incandescent fixtures, replace broken fixtures, replace gym fixtures with LED. All fixtures in halls and offices to be 4000K in color, gym to be 5000K life to be 50000hr on all. - New fixtures 46 RAB Gus Jr fixtures of circular fixture in small areas - Retrofit 4 light fixtures 154 - New lenses 2 - Retrofit 2 light fixtures 100 - Retrofit 1 lamp fixture 14 - 4 RAB ARBAU 2-125 or equal in Gym
50	Project Name	Wynona's House - Public Facility Improvement
	Target Area	Essex Urban County
	Goals Supported	Public Facility Sustainability
	Needs Addressed	Public Facilities
	Funding	CDBG: \$121,250
	Description	Child Advocacy Center Accessible Entrance
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	990 limited clientele
	Location Description	185 Washington Street, Newark

	Planned Activities	Create a new, accessible entrance to the first floor of 185 Washington Street, at the University Avenue end of the facility, construct steps and install electric lift per drawings provided, secure all permits and approvals as required. Completed project must meet current ADA standards, City of Newark standard specifications, and other compliances as required in Essex County, New Jersey. Scope includes selected partial demolition of an exterior wall and installation of a new door at the first floor-level of the facility and permanent closure of the current door just below the first floor-level, roughly in line with parking lot surface. Scope includes installation of all doors, railings, safety posts, and hardware; finishing including painting, surfacing and all clean-up required to complete the project to specifications. Scope shall include the removal of all debris from the site. All completed work will be in compliance with the ADA (Americans with Disabilities Act) Standards for Accessible Design and with the utmost concern for all site users, the general public and property. The contractor will maintain the site of operations clean and clear of debris on a daily basis. Labor rates will be paid in accordance with current federal prevailing wage.
51	Project Name	Millburn - ADA Improvements Curb Cuts
	Target Area	Essex Urban County
	Goals Supported	Public Infrastructure Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: \$34,055
	Description	Remove barriers on sidewalks by installing ADA curb cuts as roadway intersections.
	Target Date	5/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	891 limited clientele.
	Location Description	
Planned Activities		

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The County does not have a specific geographic area it plans to invest in. A project utilizing the area benefit criteria must be located in a HUD defined low-moderate income block group. The most recent data provided by HUD will be used until newer data is released. Funds are applied for by each municipality participating in the Urban County and are scored by the Division of Housing & Community Development.

Geographic Distribution

Target Area	Percentage of Funds
Essex County HOME Consortium	100
Essex Urban County	100

Table 57 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

All project applications reviewed by the Essex County Division of Housing & Community Development for funding through the CDBG, HOME and ESG programs were consistent with the needs identified by the Urban County partner municipalities, Continuum of Care and HOME Consortium.

Discussion

Affordable Housing

AP-55 Affordable Housing - 91.420, 91.220(g)

Introduction

The County will utilize the resources of the CDBG, HOME and ESG programs to support low-income households in the Urban County and HOME Consortium.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 58 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	5
Rehab of Existing Units	10
Acquisition of Existing Units	1
Total	16

Table 59 - One Year Goals for Affordable Housing by Support Type

Discussion

The CDBG program will be utilized to rehabilitate eligible single and multi-family homes. This program provides up to \$25,000 for rehabilitation of low and moderate-income homeowner units and their eligible tenant units.

The HOME program will be utilized to provide subsidies for the rehabilitation and/or construction of new rental and homeowner units. In addition, the County will provide subsidies to eligible first time homebuyers for down payment and closing costs.

AP-60 Public Housing - 91.420, 91.220(h)

Introduction

Based on its past development projects, the creation of new public housing units by the Orange PHA is an incremental process, due in part to funds availability and the time required to bring a project to completion. However, by working with private developers via tax credits and other financing mechanisms, more decent affordable housing can be developed.

Actions planned during the next year to address the needs to public housing

To increase the number of affordable housing units, the Orange PHA is committed to redeveloping non-performing and non-tax paying properties. The agency is also seeking to increase Section 8 lease up rates by marketing its' programs to building owners and landlords throughout the area. It is noted that in 2019 reopened its wait list for Section 8 vouchers.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The Orange Public Housing Authority historically promotes the potential opportunity for enhanced quality of life and economic stability for those that participate in home ownership, and delivers supportive services that enhance ability of residents to manage a home and family budget.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

In 2016 and 2017 the orange PHA was rated as a High Performer.(scores of 94 and 91) . For 2018, although the public housing agency is not designated as troubled under 24 CFR part902, HUD designated the agency as substandard physical ; the authority's PHAS score for 2018 was 74 (PHAS Score - PHAS score is a total of the four PHAS indicators and late penalty points, if applicable; ranges from 0 to 100).

The authority's FASS score was 25 (FASS Score - Financial Indicator score based on the Unaudited or Audited Financial Assessment Subsystem (FASS) submission ranges from 0 to 25 points unless points are redistributed from other PHAS indicators)

Discussion

AP-65 Homeless and Other Special Needs Activities - 91.420, 91.220(i)

Introduction

The Division of Housing and Community Development is a member of the Comprehensive Emergency Assistance System (CEAS), which is a committee that oversees the Essex County Continuum of Care. The task of the CEAS and CoC is to identify homeless populations that meet HUD's definition of homelessness and also those who are imminently and potentially at risk of homelessness. Another task of the CoC and CEAS is to decide how funding sources and coordination is administered between the shelter providers, their funders, and their clients. Utilizing policies, procedures and governance guidelines these entities oversee the dissemination of funding of all sources and are the stewards of their own data on their populations. New Jersey has a Homeless Management Information System (HMIS) that is managed by NJ Housing and Mortgage Finance Agency (HMFA); this system is the sole co-located source of data, and is reported on an annual basis directly back to HUD and the State of NJ.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Essex County Continuum of Care utilizes its consultant, Monarch Housing in order to assist with the Point in Time Count, which not only tells us the current level of street homelessness but also gives the CoC the opportunity to define and strategize assisting the most at need populations. Their methodology is here: <https://monarchhousing.org/endinghomelessness/njcounts/> All throughout the year, street outreach agencies are going to the most high volume areas that the homeless congregate (Penn Station, Hospitals, outside welfare offices, etc.) in an attempt to assess the needs out on the street. The County's ESG program has a Street Outreach component built right into it, and currently the Salvation Army in Montclair is the Consortium ESG funded destination for those who need walk in services and shelter with no referral needed. The County plans to keep using ESG in order to maintain and improve the Street Outreach system. Currently the Street Outreach program also meshes with the Code Blue initiatives throughout the State and County, so that at the times of greatest need (i.e. the coldest days of the year) we can save lives and keep people safe from the harsh weather.

The CoC has a Coordinated Entry System that will ensure two things: streamlined entry of the homeless into the system and also uniform ways to refer and match the homeless with the services they need. Utilizing uniform assessment tools, the homeless will all encouraged to go to a singular entry point to initial assessment and subsequent referral to an open bed or services in order to begin the process of ending their homelessness. The NJHMIS system will then be updated accordingly and that bed or case management system will be reserved and the information will be forwarded to the

appropriate agency before the client even enters the facility. This allows the homeless system be much more fluid and better at matching up services with clients and will greatly improve outcomes.

Addressing the emergency shelter and transitional housing needs of homeless persons

Essex County and the CoC currently fund shelters and transitional housing projects in the following ways: 1) Directly funding the per diem stays for the clients that need immediate and emergency sheltering at facilities all over the County, 2) Funding the administrative and/or case management expenditures at it pertains to ESG eligible costs, and 3) Through the rehabilitation of Shelters and Facilities; the housing and building stock in Essex County is an older stock and is in need of constant rehabilitation.

Through our yearly application process and discussions during the CoC meetings, we have seen that the need has been shifted heavily to the administrative and case management activities. The reason for this shift is because the ESG program is broad enough to fund a variety of professional positions such as MSW, LSW and Clinical/Medical/Mental Health. Along with that reason is the fact that in order to adhere to the US and County 10 year plans to end homelessness the CoC and County have made the shift to program designs that emphasize better outcomes, less days experienced being homeless, and eliminating the risk factors that create homelessness in the first place. Case Management is the driver in that initiative and does lead to all of the things listed previously but is much more expensive to fund than the generic case manager/data entry position. The County and the CoC are committed to making data-driven decisions, and also to putting funds towards the most efficient and cost-effective outcomes, as the ESG program is our smallest program of our CPD compliment of programs.

As far as Transitional Housing is concerned, the County throughout the years has funded less and less Transitional Housing projects and is seriously considering working on phasing it out completely in favor of the more efficient Permanent Housing/Rapid Re-Housing and Homeless Prevention models. Elimination of homelessness is the overall goal set out in all of the plans, and the County is in concert with that initiative. We will still entertain and accept applications for Transitional Housing programs, but we intend on capping the amount of money that can be used and applied for under that criteria. The CoC also has created a subcommittee in order to play with and flesh out how the transitional housing model will operate within the larger CoC compliment of projects. We understand that it still has a place and function within the system as it stands today and will still encourage to have our agencies refer clients to transitional housing programs if necessary but also to seek out the more efficient project designs if at all possible.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to

permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Hand in hand with the expansion of Case Management funding initiatives comes a greater ability to serve those who are "chronically homeless", are families (with and without children), veterans (and families) and unaccompanied youth. Coordinated Entry is critical in order to get these clients to the most appropriate programs swiftly so that they can be served. The CoC also has a membership committee that is committed to have non grant funded community assets come to the table to assist where there may be a gap in expertise and experience dealing with these populations. The VA (Veterans Association) and DCP&P (formerly DFYS) both have contact persons in which come to meetings and also are available to help agencies and clients navigate through their own individual systems. The CoC also includes our Human Services Advisory Council to ensure that all services can be provided to our homeless individuals and families. Anyone who is running an ESG funded program is required to utilize any and all resources necessary in order to fully serve the client.

Once the individual or family is on their feet we have a network of affordable housing units and agencies, some funded internally through our HOME program and some in partnership with local PHA's and other federally, state or locally funded units (such as tax credit, etc). These projects often accept subsidies and vouchers if required, and in some instances have permanent support built into their programs and budgets. The County envisions utilizing the HOME funds along with the ESG funds in order to create more options for affordable housing for those formerly or currently homeless.

Each ESG funded client must have some sort of written out plan for the return to stability and permanent housing. Case managers within our programs work very closely with the clients to make sure that they do all of the necessary things so that they will be prevented from becoming homeless again. This is another reason why case management initiatives have been highlighted as a large need for our Consortium: the more extensive case management leads to overall better outcomes and a greater rate in which a client becomes permanently housed and self-sufficient. Without these initiatives, our Shelter system would be a revolving door for a large portion of the clientele and would put those who have very serious issues at risk. We have drastically reduced the number of homeless families and individuals that return to programs upon discharge, largely because of these initiatives.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services,

employment, education, or youth needs.

The individuals and families detailed in the question are treated exactly the same as the ones in the previous question: no matter what the circumstance the person enters the programs and facilities in, there is a coordinated assessment tool that will pair them with the appropriate agency and services. The CoC and ESG program has agencies that are equipped to deal with some of the most difficult to serve populations and the CoC overall reaches every one of those subcategories through one of its programs. We did an internal surveying of our currently funded agencies and did not receive any suggestions of any types of clients we did not currently serve. We got RFP's for LGBT, HIV/AIDS, Mental Health, Substance Abuse, aging out of Foster Care, those fleeing Domestic Abuse, etc. We also have all of these systems of care as a part of our CEAS committee and they also participate with the CoC in order to do planning activities such as the point in time count and the housing inventory chart.

The CoC and the County also work closely with Welfare, DCP&P, the VA, Medical Care Providers, Institutions like Foster Care/Halfway Houses, Jails and Prisons, etc. The CoC constantly is identifying gaps in service and constantly reaches out to stakeholders within the community to ensure that we have their involvement. Just in 2019 we added another 35+ agencies to our CEAS committee that had never been members before and that includes the Public Defenders Office, SSVF, and Mental Health providers.

Discussion

AP-75 Barriers to affordable housing - 91.420, 91.220(j)

Introduction

In general, the County will continue to provide its comments and observations regarding affordable housing to agencies and organizations that manage and/or impact public policy for affordable housing. The county recently updated its analysis of impediments to fair housing which includes the latest statistical data from the ACS and other relevant resources which will be used to guide the county's efforts to overcome identified barriers.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The County will assist in addressing any issues that may arise between local municipalities, developers and citizens. More specifically, the County will work with towns and developers/owners/service agencies to ensure that property tax obligations and other property costs are reasonable. The county will continue to work with the non-profit community including NJ Citizens' Action which investigates fair housing allegations, provides financial counseling and provides mortgage modification assistance to homeowners.

Discussion

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

Essex County is an urban county with a diverse population consisting of aging infrastructure, high living costs and great social service needs. The CDBG, HOME and ESG programs certainly alleviate the burden on local governments to provide all the necessary programs to address the communities' needs, however cuts to the CDBG and Home programs over the past few years have had a negative impact on the County. As needs to continue to rise, continued resources will be needed to alleviate the burden on County and local governments to provide services. Although, CDBG, HOME and ESG cannot solve all community development problems, they have a positive impact in addressing these issues.

Actions planned to address obstacles to meeting underserved needs

The primary obstacle to meeting underserved needs is the underfunding of programs and personnel. There is a need for additional staff resources both at the County and local level to analyze needs and potential resources, to package potential projects for consideration, and to implement and monitor project activities.

There is also a lack of financial resources to institute programs and projects that address all the needs identified in the Action Plan.

To enhance efficiency and productivity, the County has licensed software to digitize the application and voucher process for CDBG projects and plans to do the same for ESG and HOME. After one year it appears the software has significantly improved productivity of the staff.

Actions planned to foster and maintain affordable housing

1. Promote housing programs to local municipalities, service agencies and developers
2. Sustain first time homebuyer program when deemed feasible and achievable.

Actions planned to reduce lead-based paint hazards

1. Continue to require that lead based paint issues be identified and remediated before a project is completed.
2. When applicable, utilize the Home Improvement Program to assist eligible home owners to remediate

lead based paint issues.

Actions planned to reduce the number of poverty-level families

Continue to communicate with active housing and service agencies, as well as recruit new agencies that may not be fully aware yet of our programs, via workshops, community meetings, newspaper advertisement, etc. We will also interact with local officials to assess where we may be able to help in their development plans.

Actions planned to develop institutional structure

Essex County as an urban county, and is well positioned to coordinate the work of public, private, and non-profit organizations through which it will carry out the Consolidated Plan and Annual Action Plan. Essex County is the lead agency responsible for overseeing the development of the plan for the Essex County Urban County Consortium. The Essex County Urban County Consortium, as of 2019, includes 18 participating municipalities.

Together, these cities, villages, boroughs and towns along with various departments in Essex County will be the major public agencies responsible for administering programs covered by the Consolidated Plan. The Division of Housing & Community Development will continue to work with County non-profit organizations to promote and educate the community on a myriad of community issues such as affordable housing, social services and poverty. The Division will foster coordination among all stakeholders to pursue solutions to the needs of the participating communities.

The Division of Housing & Community Development will also continue to participate in the CEAS committee to coordinate efforts to address the needs of the homeless. The County will continue to organize workgroups as needed to address different projects.

Private non-profit agencies that help to carry out the Annual Plan are typically selected as sub-recipients through an application process.

The program is overseen by the Essex County Division of Housing & Community Development and the U.S. Department of Housing and Urban Development (HUD).

Actions planned to enhance coordination between public and private housing and social service agencies

The County in an effort to coordinate with public and private housing agencies has increased its outreach efforts. Previously, the County advertised its programs in the Star Ledger, local newspapers

and the County website. The County has expanded its marketing to include advertising funding opportunities through its website. The County is actively involved with the Essex County CEAS, which administers the Continuum of Care. The CEAS holds monthly meetings attended by social service agencies who provide critical services to homeless populations in the County.

Discussion

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	80.00%

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The County is not using other forms of investment beyond those identified in Section 92.205

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:
3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:
4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Emergency Solutions Grant (ESG)

Reference 91.220(l)(4)

1. Include written standards for providing ESG assistance (may include as attachment)
2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

The Division of Housing and Community Development is a member of the Comprehensive Emergency Assistance System, which is a committee that oversees the Essex County Continuum of Care. The task of the CEAS and CoC is to identify homeless populations that meet HUDs definition of homelessness and also those who are imminently and potentially at risk of homelessness. Another task of the CoC and CEAS is to decide how funding sources and coordination is administered between the shelter providers, their funders, and their clients. Utilizing policy and procedure and governance guidelines these entities oversee the dissemination of funding of all sources and are the stewards of their own data on their populations. New Jersey has a Homeless Management Information System (HMIS) that is managed by NJ Housing and Mortgage Finance Agency (HMFA); this system is the sole co-located source of data, and is reported on an annual basis directly back to HUD and the State of NJ.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.
5. Describe performance standards for evaluating ESG.

Appendix - Alternate/Local Data Sources

1	<p>Data Source Name</p> <p>NJHMIS</p>
	<p>List the name of the organization or individual who originated the data set.</p> <p>NJ HMFA is the lead organization with the Essex County CoC being the data entry arm and HMFA being in charge of the actual system itself</p>
	<p>Provide a brief summary of the data set.</p> <p>Centralized data entry point for all homeless providers within the CoC</p>
	<p>What was the purpose for developing this data set?</p> <p>New Jersey was one of the first states to have a homeless tracking system. This system is essential to knowing the need and breadth of the homelessness within Essex County</p>
	<p>How comprehensive is the coverage of this administrative data? Is data collection concentrated in one geographic area or among a certain population?</p> <p>Every agency has to pay a fee for access to NJHMIS and has to go to training in order to do the physical data entry. The system is web based so it can be entered by any computer connected to the web. Data entry is done for every agency within the Essex County CoC jurisdiction.</p>
	<p>What time period (provide the year, and optionally month, or month and day) is covered by this data set?</p> <p>This data is the most current NJHMIS AHAR (Annual Homeless Assessment Report) that ended in October 2014</p>
	<p>What is the status of the data set (complete, in progress, or planned)?</p> <p>The data is complete</p>
2	<p>Data Source Name</p> <p>Essex County Unemployment Rates - December 2014</p>
	<p>List the name of the organization or individual who originated the data set.</p> <p>New Jersey Department of Labor & Workforce Development Local Area Unemployment Statistics</p>
	<p>Provide a brief summary of the data set.</p> <p>Unemployment Rate Percentage</p>

	<p>What was the purpose for developing this data set?</p> <p>Performed monthly</p>
	<p>How comprehensive is the coverage of this administrative data? Is data collection concentrated in one geographic area or among a certain population?</p> <p>Calculated for the State of New Jersey on a monthly basis.</p>
	<p>What time period (provide the year, and optionally month, or month and day) is covered by this data set?</p> <p>December 2014</p>
	<p>What is the status of the data set (complete, in progress, or planned)?</p> <p>Complete</p>

Executive Summary

ES-05 Executive Summary – 24 CFR 91.200(c), 91.220(b)

1. Introduction

The purpose of the Township of Bloomfield's Five Year 2020-2024 Consolidated Plan is to develop a viable community by providing decent housing, a suitable living environment, expanded economic opportunities principally for low and moderate-income persons, and programs that will address the needs of homeless and near homeless persons. The plan sets forth how the Community Development Block Grant will be used to achieve specific HUD objectives and outcomes performance measures.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The Township's goals for the 2020-2024 planning period focus on continuing neighborhood revitalization efforts, providing affordable housing and assisting low-income, homeless, and special needs residents with supportive services. Specifically, the Township will do the following:

Provide Decent Affordable Housing:

- Assist low to moderate income rental households through rehabilitation
- Create housing units for low to moderate income households
- Rehabilitate owner occupied housing units for low to moderate income households
- Provide direct financial assistance for low to moderate income homebuyers
- Provide rental assistance to low-income households

Create Suitable Living Environments for low to moderate income persons:

- Assist persons through Public Facility or Infrastructure activities
- Assist persons through Public Service activities
- Assist homeless persons through overnight shelters

Create Economic Opportunity:

- Create and/or retain low to moderate income jobs
- Assist businesses to start or expand

3. Evaluation of past performance

HUD's assessment has included reviews of the Township's consolidated planning process, management of grant funds, progress in carrying out local policies and program activities, compliance with program requirements, the accuracy of performance reports, and accomplishments in meeting Departmental objectives. HUD has determined that the Township's overall progress is satisfactory and that it has the capacity to continue implementing and administering Consolidated Plan program activities in accordance with the applicable statutory requirements.

4. Summary of citizen participation process and consultation process

During the development of the Consolidated Plan, the Township undertook the following steps regarding citizen participation and consultation:

- Hosted a public hearing

5. Summary of public comments

Public comments were received as part of the Community Survey and during the Public Hearing. They are summarized as follows:

- Ranking of funding priorities was received for PY20
- Attendees requested the prioritization of social service funding
- No public comments were received

6. Summary of comments or views not accepted and the reasons for not accepting them

There were no comments or views not accepted

7. Summary

The Township's 2020-2024 Consolidated Plan have been prepared to develop a viable urban community by providing decent housing, a suitable living environment, expanded economic opportunities principally for low and moderate-income persons, and programs that will address the needs of homeless and near homeless persons. An approved Citizen Participation Plan was used to gather public comments through public meetings and the consultation process provided additional input. Information gathered from the public, a community survey, and data provided by HUD was used to identify, goals and the activities of this Consolidated Plan.

The Process

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	BLOOMFIELD TOWNSHIP	Community Development Department

Table 60– Responsible Agencies

Narrative

Consolidated Plan Public Contact Information

Community Development Department

One Municipal Plaza, Bloomfield NJ 07103

PR-10 Consultation - 91.100, 91.110, 91.200(b), 91.300(b), 91.215(l) and 91.315(l)

1. Introduction

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 61– Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?

Table 62– Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

Narrative

PR-15 Citizen Participation - 91.105, 91.115, 91.200(c) and 91.300(c)

- 1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting**

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)

Table 63– Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

NA-50 Non-Housing Community Development Needs - 91.415, 91.215 (f)

Describe the jurisdiction's need for Public Facilities:

How were these needs determined?

Describe the jurisdiction's need for Public Improvements:

How were these needs determined?

Describe the jurisdiction's need for Public Services:

How were these needs determined?

Based on the needs analysis above, describe the State's needs in Colonias

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

MA-45 Non-Housing Community Development Assets - 91.410, 91.210(f)

Introduction

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	15	0	0	0	0
Arts, Entertainment, Accommodations	2,015	1,020	9	9	0
Construction	774	334	4	3	-1
Education and Health Care Services	4,636	3,081	21	27	5
Finance, Insurance, and Real Estate	1,957	612	9	5	-4
Information	827	37	4	0	-4
Manufacturing	1,205	310	6	3	-3
Other Services	898	475	4	4	0
Professional, Scientific, Management Services	2,685	1,455	12	13	0
Public Administration	0	0	0	0	0
Retail Trade	2,559	2,406	12	21	9
Transportation and Warehousing	1,003	137	5	1	-3
Wholesale Trade	1,274	383	6	3	-3
Total	19,848	10,250	--	--	--

Table 64 - Business Activity

Data Source: 2011-2015 ACS (Workers), 2015 Longitudinal Employer-Household Dynamics (Jobs)

Labor Force

Total Population in the Civilian Labor Force	27,423
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Civilian Employed Population 16 years and over	25,510
Unemployment Rate	6.90
Unemployment Rate for Ages 16-24	14.19
Unemployment Rate for Ages 25-65	5.25

Table 65 - Labor Force

Data Source: 2011-2015 ACS

Occupations by Sector	Number of People
Management, business and financial	6,645
Farming, fisheries and forestry occupations	1,064
Service	2,060
Sales and office	7,055
Construction, extraction, maintenance and repair	1,430
Production, transportation and material moving	1,215

Table 66 – Occupations by Sector

Data Source: 2011-2015 ACS

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	12,005	49%
30-59 Minutes	8,735	36%
60 or More Minutes	3,575	15%
Total	24,315	100%

Table 67 - Travel Time

Data Source: 2011-2015 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	1,020	85	580
High school graduate (includes equivalency)	4,710	345	1,290
Some college or Associate's degree	6,135	525	1,175
Bachelor's degree or higher	10,240	505	1,165

Table 68 - Educational Attainment by Employment Status

Data Source: 2011-2015 ACS

Educational Attainment by Age

	Age				
	18-24 yrs	25-34 yrs	35-44 yrs	45-65 yrs	65+ yrs
Less than 9th grade	15	125	135	510	845
9th to 12th grade, no diploma	280	175	290	453	665
High school graduate, GED, or alternative	1,205	1,200	1,550	3,600	2,255
Some college, no degree	2,165	1,465	1,270	3,010	690
Associate's degree	259	485	713	890	205
Bachelor's degree	365	2,755	2,345	2,950	690
Graduate or professional degree	50	1,253	1,140	1,465	565

Table 69 - Educational Attainment by Age

Data Source: 2011-2015 ACS

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	46,874

Educational Attainment	Median Earnings in the Past 12 Months
High school graduate (includes equivalency)	75,813
Some college or Associate's degree	163,001
Bachelor's degree	148,222
Graduate or professional degree	145,958

Table 70 – Median Earnings in the Past 12 Months

Data Source: 2011-2015 ACS

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

Describe the workforce and infrastructure needs of the business community:

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

Discussion

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

What are the characteristics of the market in these areas/neighborhoods?

Are there any community assets in these areas/neighborhoods?

Are there other strategic opportunities in any of these areas?

MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

SP-10 Geographic Priorities - 91.415, 91.215(a)(1)

Geographic Area

Table 71 - Geographic Priority Areas

General Allocation Priorities

Describe the basis for allocating investments geographically within the state

SP-25 Priority Needs - 91.415, 91.215(a)(2)

Priority Needs

Table 72 – Priority Needs Summary

Narrative (Optional)

SP-35 Anticipated Resources - 91.420(b), 91.215(a)(4), 91.220(c)(1,2)

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		

Table 73 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

If appropriate, describe publically owned land or property located within the state that may be used to address the needs identified in the plan

Discussion

SP-40 Institutional Delivery Structure - 91.415, 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served

Table 74 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy			
Legal Assistance			
Mortgage Assistance			
Rental Assistance			
Utilities Assistance			
Street Outreach Services			
Law Enforcement			
Mobile Clinics			
Other Street Outreach Services			
Supportive Services			
Alcohol & Drug Abuse			
Child Care			
Education			
Employment and Employment Training			
Healthcare			
HIV/AIDS			
Life Skills			
Mental Health Counseling			
Transportation			
Other			
Other			

Table 75 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

SP-45 Goals - 91.415, 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator

Table 76 – Goals Summary

Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

SP-65 Lead-based Paint Hazards - 91.415, 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

How are the actions listed above integrated into housing policies and procedures?

SP-70 Anti-Poverty Strategy - 91.415, 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

SP-80 Monitoring - 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		

Table 77 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator

Table 78 – Goals Summary

Goal Descriptions

AP-35 Projects - 91.420, 91.220(d)

Introduction

#	Project Name

Table 79 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

AP-38 Project Summary
Project Summary Information

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Geographic Distribution

Target Area	Percentage of Funds

Table 80 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Discussion

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

Actions planned to address obstacles to meeting underserved needs

Actions planned to foster and maintain affordable housing

Actions planned to reduce lead-based paint hazards

Actions planned to reduce the number of poverty-level families

Actions planned to develop institutional structure

Actions planned to enhance coordination between public and private housing and social service agencies

Discussion

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan
3. The amount of surplus funds from urban renewal settlements
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.
5. The amount of income from float-funded activities

Total Program Income

Other CDBG Requirements

1. The amount of urgent need activities

Discussion

Appendix - Alternate/Local Data Sources

ESSEX COUNTY

Division of Housing & Community Development



Citizen Participation Plan



ESSEX COUNTY
DIVISION OF HOUSING & COMMUNITY DEVELOPMENT

In accordance with the National Affordable Housing Act of 1992, the Division of Housing and Community Development considers the Citizen Participation component to be integral to the Consolidated Planning process. Although the County places particular emphasis on participation from residents of low and moderate-income areas, the programs and projects that are initiated as a result of the Consolidated Plan benefit all County residents. Therefore, all citizens are encouraged to participate in the development of the 2020-2024 Five Year Consolidate Plan 2020 One Year Action Plan. Additionally, the County includes the Township of Bloomfield in this process because of their involvement in the HOME consortium.

To meet these requirements, the Division of Housing and Community Development has prepared the following Citizen Participation Plan outlining the Division's objectives and how they will be accomplished.

I. Objective: To provide citizens with information concerning the range of eligible activities, applications, and program requirements.

1. Week of November 4, 2019 notification for the submission of applications was given to:
 - a. All Community Development Representatives as elected by the participating municipalities.
 - b. All Public Service Agencies that have participated in the program previously
 - c. Advertisements for applications were be placed in local papers and posted on the County's website.
2. Deadline for submission of 2020 applications was 4:00 PM on January 6, 2020.

II. Objective: Provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction.

Implementation:

1. The Essex County Division of Housing & Community Development will hold monthly meetings of all Committee Development Representatives. These meetings are scheduled for the third Thursday of each month.
2. The Essex County Division of Housing & Community Development will hold two public hearings. The location of these hearings will be at the Salvation Army, Montclair. This will allow equal opportunity for all county residents to attend.

The locations for the 2020 Program Year will be:

Fall: The Salvation Army
13 Trinity Place
Montclair, NJ
Date: November 4, 2019
Time: 6:00 PM

Spring: Virtual Public Hearing
Call in
Virtual Hearing in order to practice social distancing
Date: June 15, 2020
Time: 2:00 PM

Notice of Countywide public hearings will be handled as follows:

- a. A letter of invitation will be sent to the following:
 - Community Development Representatives
 - The Mayor of the participating municipality
 - the Directors of the Service Agencies
 - Emergency Shelter Representatives
 - Home Investment Partnership Program recipients
- b. An advertisement will be placed in the legal section of the Star Ledger and local papers as well as the County website <http://www.essex-countynj.org/>
- c. Notices will be placed in various web pages throughout the municipalities by the Community Development Representatives (e.g. Library websites, police websites, municipal building websites).

Notice of Municipal Hearings will be handled as follows:

- a. A notice must be published in the local paper advertising two public hearings to be held in the municipality prior to the December 2020 municipal application submission deadline.
- b. Community Development Representatives will place notices in various buildings throughout the municipality encouraging local citizen participation.

The hearings are designed to enable citizens to comment on all aspects of the Community Development Programs. Therefore, the citizen comment portion is the largest of all components of the hearing. The Division of Housing & Community Development within a reasonable amount of time will provide response to all written grievances and proposals. This period shall not exceed thirty (30) days from receipt of the written comment.

1. The municipality will notify all residents of the project area at least one week before construction begins.
2. Direct Mailing
3. Posters in the project area.

If the nature of the project warrants, (determined by Essex County Community Development), the individual municipality will hold a meeting with all concerned citizens. Minutes of these meetings will be kept on file at the Town Hall and Essex County Division of Housing & Community Development.

III. Objective: To provide citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds as required by the regulations of the Secretary and relating to the actual use of funds under the Act.

1. Public Hearings:
 - A public notice appears in the local papers at least fifteen (15) days prior to the scheduled date of the public hearing.
 - An invitation is sent to all Community Development Representatives, Mayors and agency and company representatives at least two (2) weeks before the scheduled date of the Spring and Fall Public Hearings.
 - A follow-up telephone call is placed to each municipality, agency and company within one (1) week prior to the scheduled date of the hearing.

Note: In emergency situations, this period may be shortened via a waiver as prescribed by HUD.
2. Community Development Representative Meetings:
 - Meetings are scheduled for the third Thursday of each month.
 - A reminder is sent to the Representatives, Mayor and clerk of each municipality.
 - Minutes of each meeting are kept on file at the Division of Housing and Community Development within three (3) weeks following the meeting for public access and review.
 - Minutes from each meeting are e-mailed to all representatives and agencies and are reviewed at the beginning of the next meeting. These minutes are also kept on file at the Division of Housing & Community Development and the municipalities for public access and review.
3. Public Accessing of Information:
 - All information regarding Community Development programs is on file at the:

Division of Housing & Community Development
Kip's Castle Park
20 Crestmont Road
Verona, New Jersey 07044

The proposed Essex County Consolidated Plan Objectives and Proposed Use of Funds is published fifteen (15) days prior to the second public hearing. This Statement is also presented to all persons in attendance at the hearing. Additional copies are available upon request from the Division of Housing and Community Development.

4. Submission of the Consolidated Plan to HUD:

-A fifteen (15) day comment period follows the public hearing. During this time, all responses to citizen comments are prepared. Upon completion of this period, the 2020 One Year Action Plan and Use of Funds is submitted to HUD.

Emergency Situations Provision

In the event of an emergency, such as the county is in a location covered by a major disaster declaration made under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). The county will follow guidance provided by the HUD Office of the Secretary for Community Planning and Development. This includes shortening of the public notice requirements and comment period for substantial amendments to a Consolidated Plan or Action Plan, virtual public hearings and submissions to the local CPD field office. This also includes the posting of all public notices which may allow for posting on the county website as opposed to a paper of general circulation.

IV. Objective: To provide technical assistance to groups representing low and moderate-income persons who request assistance.

1. The Division of Housing and Community Development's staff is available to any person or group requesting assistance. The following areas of expertise is provided upon request:

- Housing
- Public Improvements
- Public Facilities
- Environmental Reviews
- Application Submission

2. Technical assistance is available at, but not restricted to, the Division of Housing and Community Development's offices at Kip's Castle Park (Carriage House), 20 Crestmont Road, Verona, New Jersey 07044.

3. Notification for the availability of technical assistance is made via letter or e-mail to each requesting person or group.

V. Objective: To conduct public hearings to obtain citizen views and respond to proposals and questions at all stages of the Consolidated Plan development process, including, but not limited to, identification of needs, review of proposed activities, and evaluation of program performance.

Implementation:

1. The Division of Housing and Community Development holds at least two (2) public hearings each program year. The first Hearing is held to discuss the application process and the development of the Consolidated Plan. The second public hearing is held to discuss the Plan, including the Proposed Use of Funds. Additional public hearings may be scheduled when the Division substantially amends the action plan. The County must notify HUD of a substantial amendment to the Action plan. The Division will notify the public of availability of reprogrammed funds via a public notice in the Star Ledger and the County's website as well as announcing reprogrammed fund availability at the monthly Community Development Representative's meeting.

Notification of these hearings is handled as follows:

- Advertisements are published in the local papers at least fifteen (15) days prior to the scheduled date.
- Invitations are sent to each Community Development Representative and clerk for each of the participating municipalities. Participating service providers also receive an invitation.

The Division of Housing and Community Development will post the consolidated plan on the Essex County website and ensure that it is available at the 18 Essex County Consortium municipalities, as well as the Division of Community Action, the ARC of Essex County and the Mental Health Association of Essex & Morris, Inc.

2. The Division of Housing and Community Development holds monthly Community Development meetings to discuss program performance. This forum allows for the discussion and dissemination of any existing or future HUD regulations or information that is pertinent to the County and the implementation of the CDBG programs.

The location of these meetings will be held at Verona Park Boat House in Verona and on occasion at various sites throughout the consortium to permit the public complete access to the information that will be disseminated including the County website.

3. The Division of Housing and Community Development also holds individual meetings with the representatives from each municipality. At these meetings, municipalities receive information regarding their funding and current program evaluations. These meetings are scheduled to begin during the first week of January. During these meetings, the following items are discussed:

- a. the town's funding and project implementation history.
- b. 2020 applications
 - Documentation
 - Project evaluation
 - Timely expenditure of funds
 - Current Policy and Procedures

In some cases, supportive documentation is requested. This information is then added to the current municipalities' application and kept on file at the Division for public reference.

VI. Objective:

To provide a timely written answer to written complaints and grievances, within thirty (30) calendar days where practical.

Implementation:

1. Documented complaints and grievances are responded to, in writing, within thirty (30) calendar days from the receipt of the complaint.
2. If written responses cannot be offered within thirty (30) calendar days, notification is made to the complainant in writing. This notification will estimate the approximate time frame for a response to be issued.

VII. Objective

To provide program information to persons with special needs including, but not limited to, non-English speaking persons, deaf persons, blind or sight impaired persons, or persons with disabilities.

Implementation:

1. An interpreter, who is fluent in Spanish, is available to provide assistance at the public hearings and technical assistance meetings. Based on current county demographics, the attendance of Spanish speaking residents is anticipated. Interpreters for other languages may be available upon prior request.
2. Interpreter assistance is available throughout the 2020-2024 Consolidated Plan 2020 One Year Action Plan process. (Prior notification to the Division is required.)
3. Hearing impaired persons will receive written material. All public hearings are transcribed to minutes and circulated throughout participating municipalities.
4. Transportation is provided for individuals with disabilities to and from public hearings and technical assistance meetings. All meetings are scheduled in barrier-free facilities. (Prior notification to the Division is required.)
5. Any additional needs are addressed on an individual basis.

Note: Additional citizen participation may be included by each municipality in their corresponding Citizen Participation Plans. However, UNDER NO CIRCUMSTANCES, may the municipality omit any provision in this plan.

VIII. Amendments to the Action Plan

An amendment to the One-Year Action Plan is required when a substantial change is requested to the existing annual action plan submitted to HUD.

An amendment is required if:

1. If there is a substantial change in the scope of the activity.
2. If the cost increase is more than 20% of the established allocation of the activity.
3. If it is deemed necessary by the Division, due to unusual or extraordinary circumstances.

An amendment is not required if:

1. If the increase in costs is no more than 20% of the established allocation for an activity.
2. If a new eligible activity is identified by the County and the cost is less than 10% of the existing program year's allocation. The Division shall notify the public of this new activity via a posting on the County's website and ad in the Star-Ledger.
3. If a proposed change of scope is minor and reasonably consistent with the original scope of the activity.

Amendment Procedure for substantial changes to the One-Year Action Plan

1. 15-day public notice of availability of funds due to reprogramming.
2. Public Notice of proposed awards of reprogrammed funds and changes.
3. Public hearing on proposed award of funds and changes to existing action plan.
4. Public Comment period of 15 days.
5. Submit amendment to action plan with public comments to HUD.
6. Decision memo to the Board of Chosen Freeholders for approved amendments.
7. Approval by the Board of Chosen Freeholders.
8. New contracts entered into and signed by all responsible parties.
9. IDIS updated to reflect changes to the action plan.
10. Funding made available to the grantee through the provision of a purchase order by the Division of Accounts & Controls.

Activities can begin once all-applicable bidding requirements and environmental reviews have been performed.

**COUNTY OF ESSEX
AFFIRMATIVE MARKETING POLICY
AND
IMPLEMENTING PROCEDURES**

STATEMENT OF POLICY

In accordance with Title 24 CFR Part 92.351 of the HOME Investment Partnerships Program Interim Rule dated December 16, 1991 and in furtherance of the County of Essex commitment to nondiscrimination and equal opportunity in housing, the County of Essex has established procedures to affirmatively market housing units, consisting of 5 or more units, developed through the HOME Program.

It is the affirmative marketing goal of the County of Essex to insure that individuals of similar economic levels in the same housing market area should have available to them a like range of housing choices regardless of their race, color, religion, sex, national origin, handicap or familial status.

The County of Essex is committed to the goals of this policy and will carry out this policy through affirmative marketing procedures designed specifically for the HOME Program as outlined below.

I. METHOD FOR INFORMING THE PUBLIC, OWNERS AND POTENTIAL TENANTS ABOUT FEDERAL FAIR HOUSING LAWS AND THE AFFIRMATIVE MARKETING POLICY

The County of Essex and/or subsequent sub-recipients shall:

Include a statement regarding its affirmative marketing policy and procedures in all media releases and reports informing the public about the program and include a description of applicable fair housing laws; and

Include the Equal Housing Opportunity logo, slogan or statement in all newspaper and other media announcements regarding the program; and

Discuss its affirmative marketing policy and procedures and the fair housing laws directly with recipient of HOME funds.

II. METHOD REQUIRED BY OWNERS TO AFFIRMATIVELY MARKET TO PERSONS IN THE HOUSING MARKET AREA

The owner shall:

Use the HUD equal opportunity logo, slogan or statement in press releases; comply with the Special Outreach procedures; and

Maintain records of all actions taken.

III. SPECIAL OUTREACH PROCEDURES

To inform and solicit applications from persons in the housing market area who are not likely to apply for housing without special outreach, the owner shall:

Place an advertisement in those papers that are most likely to be read by those persons; and

Place an advertisement in the local newspaper; and

Contact community organizations, places of worship, employment centers, fair housing groups, housing counseling agencies and supply information on available units; and

Further, the owner shall be required to maintain copies of all written correspondence, posters and results of same.

IV. MAINTENANCE OF RECORDS

The County of Essex, in cooperation with the owner, will keep records of the following:

Copies of published advertisements; and

Copies of letters, posters and other written materials; and

Record reflecting minority and gender data on beneficiaries; and

Information on how potential applicants and assisted applicants became aware of the units.

V. ASSESSMENT AND CORRECTIVE ACTIONS

The County of Essex shall review:

The steps taken by the owner, as outlined in II and III;

The records submitted by the owner, as outlined in IV and based on results of IV, the County of Essex will determine if sufficient persons least likely to apply for housing were reached. If the determination is positive, the County of Essex shall assume the procedures to be effective; and

If the determination is negative, the County of Essex shall review the procedures to determine what changes, if any, might be made to make the affirmative marketing effort more effective; and

The County of Essex will take corrective action if the owner failed to carry out the procedures required. The County of Essex shall discuss with the owner ways to improve. If the owner continues to fail in meeting the affirmative marketing requirements, the County of Essex shall disqualify the owner from future participation.

County of Essex Community Development Block Grant (CDBG)

Language Assessment

Four – Factor Analysis

In order to determine the estimated needs of Limited English Proficient (LEP) persons in the jurisdiction of the County of Essex, the Division of Housing & Community Development conducted the following analysis:

Factor 1 – Number or proportion of LEP persons served or encountered in the eligible service area

The Division of Housing & Community Development obtained information from the U.S. Census Bureau's American Factfinder website as recommended by HUD in order to gather data about the jurisdiction's overall population, as well as the population of LEP persons within the jurisdiction and the primary languages spoken. This data indicated the following:

Total population 5 years and over	631,994
Total LEP population 5 years and over	159,721
Spanish speaking LEP population 5 years and over	70,446
Other Indo-European language speaking LEP population 5 years and over	32,643
Asian and Pacific Islander language speaking LEP population 5 years and over	7,120
Other language speaking LEP population 5 years and over	5,010

The above data demonstrates that slightly less than half (44.1%) of the jurisdiction's LEP population is Spanish speaking, 20.43% are other Indo-European language speaking populations, .044% speak languages that are either Asian or Pacific Islander.

The Division of Housing & Community Development also completed an informal, in-office survey to determine how many LEP persons visited or called the office, and what was their primary language, over a one-month period. This informal survey revealed that while there were significant numbers of Spanish-speaking LEP persons contacting the Division of Housing & Community Development, there were no LEP persons who spoke languages other than Spanish.

Fact 2 – Frequency of contact with the program

Through past experiences, the Division of Housing & Community Development determined that on average, there are 2-3 Spanish speaking LEP persons contacting the Division of Housing & Community Development on a weekly basis for information or assistance. Because of this, the Division of Housing & Community Development is committed to maintaining bilingual staff serving in both reception and case management. The Division of Housing & Community Development does not have bilingual management staff on site, however the Department of Economic Development, Training and Employment has bilingual management on staff in order to resolve higher level concern of Spanish speaking LEP persons.

Contacts with LEP persons who speak other languages are infrequent.

Fact 3 – Importance of service, information, program or activity

The services provided by the Division of Housing & Community Development are important as they relate to a client's needed for or continued provision of, affordable housing.

Factor 4 - Costs versus resources and benefits

Because the Division of Housing & Community Development has Spanish-speaking staff, it is cost effective for the Division of Housing & Community Development to provide Spanish language translation of all vital documents and many others that while not vital, may be beneficial to a client.

The Division of Housing & Community Development will utilize any documents provided by HUD in languages other than English.

The Division of Housing & Community Development will seek to retain the services of a professional interpretation service to provide oral interpretation in languages other than Spanish as needed.

Additionally, the Division has developed a Language Assistance Plan, which is as follows:

County of Essex Community Development Block Grant (CDBG) Language Assistance Plan

I. Introduction

The Division of Housing & Community Development is committed to providing equal opportunity housing in a non-discriminatory manner, and in complying fully with all Federal, State and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment. This includes complying with Title IV of the Civil Rights Act of 1964 to ensure meaningful access to programs and activities by Limited English Proficient (LEP) persons.

The purpose of this Language Assistance Plan (LAP) is to identify how the Division of Housing & Community Development will ensure its methods of administration will not have the effect of subjecting LEP persons to dissemination because of their national origin, and to ensure LEP persons have full access to the Division of Housing & Community Development's programs services.

II. Who is LEP?

For the purposes of this LAP, anyone whose primary language is not English, and has a limited ability to read, write, speak or understand English may be LEP.

The Division of Housing & Community Development will not identify anyone as LEP; the beneficiaries of the services and activities must identify themselves as LEP (Federal Register Vol. 72, No. 13, January 22, 2007).

III. Identification of Languages Needs Within the Jurisdiction

It was determined through review of the U.S. Census Bureau's American Fact Finder for the County of Essex, as recommended by the U.S. Department of Housing and Urban Development (HUD), that Spanish was the only language to meet the 4 factor analysis criteria (1 – Number or proportion of LEP persons served or encountered in the eligible service area; 2 – Frequency of contact with the program; 3 – Importance of service, information, program or activity; 4 - Costs versus resources and benefits) requiring translation of vital documents, this was supported by the volume of encounters with LEP persons where virtually all were Spanish speaking. According to Fact Finder, there are an estimated 70,446 Spanish-speaking persons over the age of five years in the County of Essex who speaks English less than very well. Guidance provided by HUD states that written translations of vital documents should be provided for each eligible LEP language group constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be serviced or likely to be affected or encountered. The Division of Housing & Community Development has determined that because there are more than 1,000 Spanish-speakers in the County of Essex who speak English less than very well, the Division of Housing & Community Development will translate vital documents into Spanish.

The next largest LEP populations were persons who speak Other Indo-European Languages and identified themselves as speaking English "less than well". This is a population of 32,643 which 42% of the Essex County population of 77,466 of people over the age of five years, and more than 1,000 people. In addition, this number is a combination of many different languages, which signifies that when each individual language is separated from this group, the percentage of LEP persons in this language group is even greater percentage less than 1%. The Division of Housing & Community Development also took into consideration that while there are 32,643 LEP persons in this population, not all of them will seek assistance from the Division of Housing & Community Development programs and services as some of them are children and others will not need the type of services provided by the Division of Housing & Community Development. The Division of Housing & Community Development has determined that because there is less than 1% or 1,000 people in any of the Indo-European languages, it will not translate vital documents into these languages. However, the Division of Housing & Community Development will provide oral interpretation as needed to LEP persons requesting such services.

The next largest LEP populations were persons who speak Asian and Pacific Islander Languages and identified themselves as speaking English "less than well". This is a population of 7,120 which is 3% of the Essex County population of 23,514 of people over the age of five years, and more than 1,000 people. In addition, this number is a combination of many different languages, which signifies that when each individual language is separated from this group, the percentage of LEP persons in this language group is even greater percentage less than 1%. The Division of Housing & Community Development also took into consideration that while there are 7,120 LEP persons in this population, not all of them will seek assistance from the Division of Housing & Community Development programs and services as some of them are children and others will not need the type of services provided by the Division of Housing & Community Development. The Division of Housing & Community Development has determined that

because there is less than 1% or 1,000 people in any of the Asian or Pacific Islanders languages, it will not translate vital documents into these languages. However, the Division of Housing & Community Development will provide oral interpretation as needed to LEP persons requesting such services.

Other languages groups in the County of Essex had few LEP persons and therefore did not meet the threshold to require written translation of vital documents into those languages. The Division of Housing & Community Development will provide oral interpretation as needed to LEP persons requesting such services.

IV. Written Translation

As stated above in Section III, the Division of Housing & Community Development has determined that because there are more than 1,000 Spanish-speakers in the County of Essex who speak English less than very well, the Division of Housing & Community Development will translate vital documents into Spanish. As of the date of the creation of this LAP, Spanish is the only language into which vital documents will be translated. This is subject to change upon review of the LAP as discussed below.

A. Vital Documents

HUD has defined “vital documents” to be those documents that are critical for ensuring meaningful access or awareness of rights or services, by beneficiaries or potential beneficiaries generally and LEP persons specifically. In general, the Division of Housing & Community Development will attempt to translate all letters sent to program applicants and participants to Spanish. However, the following is a list of documents the Division of Housing & Community Development has determined to be vital and has committed to translating into or providing HUD-approved version in Spanish:

Already Translated or Have Translations Provided by HUD

HOMEbuyer Assistance Program Brochure
HOMEbuyer Assistance Program Program Eligibility Requirements Packet
Home Improvement Program Brochure
Home Improvement Program Eligibility Requirements Packet
Foreclosure Fast Facts
Guide for Homeowners
Preventing Foreclosure booklet

To Be Translated

HOMEbuyer Assistance Program Application
Home Improvement Program Application
Public Notices
NOFA

V. Oral interpretation

The Division of Housing & Community Development will make every effort to provide oral interpretation for all its clients who have identified themselves as LEP and request services.

A. Bilingual Staff

The Division of Housing & Community Development employs bilingual, Spanish-speaking staff in several positions, including loan advisors, to ensure there are sufficient personnel available to assist Spanish-speaking LEP persons when needed. Currently the Essex County Division of Housing & Community Development has **two** full-time Spanish-speaking staff. In addition, as part of the County of Essex, the Division of Housing & Community Development has access to other bilingual County employees, including numerous Spanish-speaking staff, as well as staff who are fluent in French-Creole.

The Division of Housing & Community Development staff, as well as other County of Essex bilingual employees, must take and pass a competency test in the other language in order to be designated as a bilingual person. This test includes being required to answer questions in the other languages as in an interview setting, serve as an interpreter in a role-play scenario and to translate written documents from English to the foreign language and from the foreign language to English.

B. Interpretation Services

When there is not a Division of Housing & Community Development staff person who speaks the LEP person's primary language, the Division of Housing & Community Development will seek interpretation through a professional interpreter service.

In the event that the LEP person's primary language is not widely spoken and the Division of Housing & Community Development is unable to locate a suitable interpreter through a professional interpreter service, the Division of Housing & Community Development may resort to other methods such as seeking community volunteers. As a last resort in cases where the Division of Housing & Community Development is unable to find an acceptable interpreter within a time frame to effectively assist the client, the Division of Housing & Community Development may use an online translation website, such as Google translate or [_Free translation.com](#), in order to communicate via an in-office computer.

C. Informal Interpreters

The Division of Housing & Community Development will generally discourage the use of family members or other informal interpreters, but will allow the use of an interpreter of the LEP person's choosing (including family members or a professional interpreter at the LEP person's own expense) when the LEP person rejects the Division of Housing & Community Development free language assistance services. The Division of Housing & Community Development will document the offer and the LEP person's subsequent rejection.

VI. Outreach

The Division of Housing & Community Development will conduct outreach in a method that is inclusive of LEP persons identified through its bi-annual analysis. All Public Notices and marketing advertisements, such as notification of the availability of homebuyer assistance applications, shall be published in Spanish as well as English, and the Division of Housing & Community Development will publish these in local Spanish media. The Division of Housing & Community Development may also participate in community-sponsored events, and make presentations through community organizations to target LEP persons and ensure they are aware of the availability of LEP assistance. For clients, reception service is provided in Spanish, flyers and other communications posted in the lobby are translated into Spanish, and interviews and programs briefings are conducted in Spanish. Brochures advertising other available programs within the organization are also available in Spanish.

For clients who are LEP but are not Spanish-speaking, the Division of Housing & Community Development Receptionist has a document created by the US Census Bureau translated into 38 different languages to use as a tool to identify the client's primary language. The Division of Housing & Community Development will also seek translation of a notice announcing the availability of primary language assistance into as many languages as possible to be posted in the lobby. Until this is achieved, the Division of Housing & Community Development will post the notice in English.

VII. Staff Training

The Division of Housing & Community Development will provide a copy of this LAP to all existing staff, and will also provide training as to its contents and what is required of them under its policies. This training shall include the types of services available to clients and how to access them. New employee will receive this LAP and the same training as part of their orientation.

VIII. Monitoring and Updating of This LAP

The Division of Housing & Community Development will review/revise this LAP on an as needed basis, but no less than every two years to ensure the populations of the various language groups within the jurisdiction and their needs are reflected in the provision of primary-language services. At that point the Plan will be reviewed to determine if the existing LEP services are sufficient to meet the needs of LEP clients.

Events that will be considered indicators of the need for a review of the LAP and will also be utilized to identify the need for LEP assistance in other languages include but not limited to LEP populations within the jurisdiction encountered or affected; frequency of encounters with LEP population; and continued availability of existing resources and the addition of new resources.

Organizations that Represent Minorities and individuals with disabilities

On the local level there is myriad of agencies certified by HUD as Approved Housing Counseling Agencies. Below is a list of the certified agencies and the service provided by each that are physically located in Essex County. Complaints in Essex County are not limited to these agencies and there are housing counseling agency not certified by HUD or certified agencies that are located outside Essex County that may be able to provided the necessary assistance.

Tri-City Peoples Corporation
55 Washington Street
East Orange, New Jersey 07017

Phone:

973-675-4484

Fax:

973-675-4493

E-mail:

tcaldwell@tri-citypeoples.org

Website: www.tri-citypeoples.org

Services:

- Fair Housing Assistance
- Homebuyer Education Programs
- Loss Mitigation
- Mobility and Relocation Counseling
- Money Debt Management
- Mortgage Delinquency and Default Resolution Counseling
- Post-purchase Counseling
- Pre-purchase Counseling
- Renters Assistance
- Services for Homeless

La Casa De Don Pedro
75 Park Avenue
Newark, New Jersey 07104

Phone:

973-485-0701-4601

Fax:

973-485-7555

E-mail:

aries@lacasanwk.org

Website: www.lacasanwk.org

Services:

- Fair Housing Assistance
- Mobility and Relocation Counseling
- Money Debt Management
- Mortgage Delinquency and Default Resolution Counseling
- Renters Assistance
- Services for Homeless

Neighborhood Assistance Corporation of America
50 Park Place, Suite 1419
Newark, New Jersey 07102

Phone:

973-679-2601

Toll-free:

888-297-5568

E-mail: kcampbell@naca.com

Website: www.naca.com

Services:

- Fair Housing Assistance
- Homebuyer Education Programs
- Loss Mitigation
- Money Debt Management
- Mortgage Delinquency and Default Resolution Counseling
- Post-purchase Counseling
- Predatory Lending
- Pre-purchase Counseling

New Community Federal Credit Union

274 South Orange Avenue

Newark, New Jersey 07103

Phone: 973-621-5624

Fax:

973-645-0252

E-mail: mulu@newcommunity.org

Services:

- Fair Housing Assistance
- Homebuyer Education Programs
- Marketing and Outreach Initiatives
- Money Debt Management
- Post-purchase Counseling
- Predatory Lending
- Pre-purchase Counseling

New Jersey Citizen Action

744 Broad Street, Suite 2080

Newark, New Jersey 07102

Phone:

973-643-8800-14

Toll-free:

800-656-9637

Fax:

973-643-8100

E-mail:

application@njcitizenaction.org

Website: www.njcitizenaction.org

Services:

- Home Improvement and Rehabilitation Counseling
- Homebuyer Education Programs
- Loss Mitigation
- Marketing and Outreach Initiatives
- Mortgage Delinquency and Default Resolution Counseling
- Predatory Lending
- Pre-purchase Counseling

Fair Housing Council of Northern New Jersey

131 Main Street

Hackensack, New Jersey 07601

Phone:

201-489-3552

Fax:

201-489-8472

E-mail:

david@fairhousingnj.org

Website: www.fairhousing.org

Services:

- Renters Assistance
- Fair Housing Investigations

Finally, complaints that require adjudication may be referred to local attorneys or legal aid services. In Essex County the following Legal Service Referrals exist:

Legal Services of New Jersey

New Jersey's statewide legal hotline that provides brief service, advice and referrals over the telephone. Individuals can speak with attorneys, in English and Spanish, about a range of civil legal issues without the need for an in-person interview.

100 Metroplex Drive - P.O. Box 1357

Edison, NJ 08818-1357

1-888-LSNJ-LAW (1-888-576-5529)

www.lsnj.org

Essex-Newark Legal Services

Essex County branch of Legal Services of New Jersey provides direct services to income-eligible clients.

5 Commerce Street, 2nd Floor, Newark, NJ 07102

(973) 624-4500

Legal Services of New Jersey Kiosks

Provide online access to information, publications, benefits calculators and court forms. Covers topics including housing, employment, tenancy, immigration and family law.

Hall of Records, 465 Dr. MLK Jr. Blvd., Newark, NJ 07102

Wilentz Justice Complex, 212 Washington Street, Room 1365, Newark, NJ 07102

Essex County Legal Aid Association

Attorneys provide legal advice and assistance to income-eligible Essex County residents.

Hall of Records - Room 118, 465 Dr. Martin Luther King Jr. Blvd., Newark, NJ 07102

Hours: 9:30 a.m. – 1:30 p.m., Monday - Friday

(973) 622-0063

Essex County Bar Association Lawyer Referral Service

Provides caller with the name and telephone number of one attorney upon inquiry. Consultation with that attorney is \$25.00 for the first ½ hour.

(973) 622-6204

www.essexbar.com

Essex County Public Defender's Office

Specializes in criminal defense for income-eligible Essex County residents.

Available upon individual's application or appointment by the court.

31 Clinton Street, Newark, NJ 07102

(973) 648-6200 - Adult

(973) 648-3470 - Juvenile

Seton Hall University School of Law

Law students provide legal assistance in the following areas:

Civil Litigation

Civil Rights and Constitutional Law

Family Law

Immigrant Workers' Rights

Immigration and Human Rights
Impact Litigation - Juvenile Justice Center for Social Justice
833 McCarter Highway, Newark, NJ 07102
(973) 642-8700
<http://law.shu.edu/csaj/index.html>

Rutgers University School of Law – Newark
Law students provide legal assistance in the following areas:
Child Advocacy Clinic
Community Law Clinic
Constitutional Litigation Clinic
Environmental Law Clinic
Federal Tax Law Clinic
Special Education Clinic
Urban Legal Clinic

Center for Law and Justice
123 Washington Street, Newark, NJ 07102
(973) 353-5576
www.law.newark.rutgers.edu

Rutgers University Law Library (for legal research)
123 Washington Street, Newark, NJ 07102
(973) 353-5676
www.law-library.rutgers.edu

Community Health Law Project
Provides legal and advocacy services, training, education and related activities to persons with disabilities.
185 Valley Street, South Orange, NJ 07079
(973) 275-1175
650 Essex County Avenue, Suite 210, Essex County, NJ 07003
(973) 680-5599
www.chlp.org

Partners for Women and Justice
Promotes equal access to the judicial system for low-income and abused women who cannot afford legal representation.
60 South Fullerton Avenue, Montclair, NJ 07042
(973) 233-0111
www.pfwj.org

American Friends Service Committee
Carries out service, development, social justice and peace programs.
89 Market Street, Sixth Floor, Newark, NJ 07102
973-643-3191- Criminal Justice Program - 973-643-1924 - Immigration Rights Program
www.afsc.org

The Rachel Coalition
Provides advocacy services and access to legal and medical support for victims of domestic violence.
256 Columbia Turnpike, Suite 105, Florham Park, NJ 07932

973-765-9050 - General Information 973-740-1233 - 24-Hour Crisis Line -
Confidential
www.rachelcoalition.org intake@jfs-metronj.org

Community agencies that represent minorities and those with disabilities in Essex
County

NAACP
30 Clinton St # 5 Newark, NJ 07102
Phone: (973) 624-6400 Fax: (973) 624-6402
<http://www.naacp.org>

ARC
123 Naylor Ave.
Livingston, NJ 07039
(973) 535-1181

COPE Center, Inc.
60 South Fullerton Ave, Suite 206
Montclair, NJ 07042
(973) 783-6655

Family Connections
395 Centre Street
Orange, NJ 07050
(973) 675-3871

NJ Citizen Action Fund, Inc.
744 Broad Street
Newark, NJ 07102
(973) 643-8800

1st Cerebral Palsy of NJ
7 Sanford Ave.
Belleville, NJ 07109
973-751-0200

Jewish Family Service of Metrowest
256 Columbia Turnpike, Suite 105
Florham Park, NJ
(973) 765-9050

Essex County, NJ



Analysis of Impediments to Fair Housing Choice

The Department of Economic Development, Training & Employment
The Division of Housing & Community Development
20 Crestmont Road, Verona, New Jersey 07044
Tel (973) 655 – 0200 Fax (973) 655 -0982

Joseph N. Di Vincenzo, Jr., County Executive
Robert D. Jackson, County Administrator
Anibal Ramos, Jr., Department Director
George F. Serio, Jr., Division Director

Sí necesitan ayuda entendiendo documento llamen (973) 655-0200
y pregunten por Elvin Pereira

Essex County, NJ
Analysis of Impediments to Fair Housing Choice
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Executive Summary

Essex County, is the 14th-most densely populated county in the United States is home to approximately 799,767 residents, within 22 municipalities and possesses an increasingly diverse demographic. To ensure that Essex County remains a desirable place to live, we strive to ensure that an environment exists where equal access to housing opportunities is treated as a fundamental right.

The communities within Essex County have established a commitment to providing equal housing opportunities for their existing and future residents. This report, the Analysis of Impediments to Fair Housing Choice (AI), presents a demographic profile of the County of Essex, assesses the extent of fair housing issues among specific groups, and evaluates the availability of a range of housing choices for all residents. This report also analyzes the conditions in the private market and public sector that may limit the range of housing choices or impede a person's access to housing.

As part of the consolidated planning process, which includes the AI, the County and the participating Municipalities conducted public hearings which provided residents and local service agencies with the opportunity to gain awareness of fair housing laws and to share issues and concerns. A survey was also implemented to gather information on programmatic needs and develop a funding plan. The survey, was provided to a number of local public service agencies for distribution to their clients. Additionally, the consortium's five (5) sub-committees assumed the responsibility for facilitating a needs assessment, market analysis, and strategies for specific program areas. A member of the County's Division of Housing & Community Development staff also participated to provide the programmatic perspective.

Examination of demographic characteristics provides some insight regarding the need and extent of equal access to housing in a community. Between 2010 and 2018 the County's population has grown by 2%. Based on the 2018 Census, 13.6% of the population in Essex County was age 65 or over (elderly), with another 6.18% in the 55 to 64 age group (future elderly). The elderly generally place higher demands on a community to provide health and human services. Essex Fells and North Caldwell had the smallest minority populations, 6% and 3% respectively, and Orange, at 93%, had the largest. Belleville, had the largest Hispanic population. In Essex County, 66.2% of residents indicated that they spoke only English, with 9.5% indicating they spoke Spanish.

Assessing housing conditions in the County can provide the basis for developing policies and programs to maintain and preserve the quality of the housing stock. Housing age can indicate general housing conditions within a community. The County's housing stock is older with a majority of the housing units (81.5%) built before 1979. Home rehabilitation can be an obstacle for senior homeowners with fixed incomes and mobility issues.

The cost of homeownership varies within Essex County depending on the community. For example, according to the state Division of Taxation the median sales price in the County for 2019 for a home was \$527,519, however homes in Essex Fells or North Caldwell can be significantly higher. As with home prices, rental rates in the County vary by community.

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the current lending/credit crisis. Aside from income, another major factor in securing a home loan is sufficient understanding of the home buying and lending processes. The applicant pool for mortgage lending should be reflective of the demographics of a community or the County. When one racial/ethnic group is overrepresented or underrepresented in the total applicant pool, it could be an indicator of unequal access to housing opportunities.

In regards to affordable housing, the County has a large inventory, however the distribution of these units is uneven throughout the County, with dense clusters of affordable housing located in the cities of Newark, East Orange and Irvington.

The County, like most parts of New Jersey, is facing a shortage of rental housing. Most rental properties have low vacancy rates and do not require published advertising. Furthermore, a large number of rental listings in Essex County contain what could be construed as discriminatory language, such as encouraging or discouraging family living, or potentially discouraging persons with disabilities by emphasizing a no-pet policy without clarifications that service/companion animals are allowed.

Chapter I - Introduction

Essex County, is the 14th-most densely populated county in the United States is home to approximately 799,767 residents, within 22 municipalities and possesses an increasingly diverse demographic. Essex's proximity to New York City makes the County a highly desirable place to live. To ensure that Essex County remains a desirable place to live, we strive to ensure that an environment exists where equal access to housing opportunities is treated as a fundamental right. In recognition of this, the federal government and the State of New Jersey have both established fair housing choice as a right protected by law.

1. Purpose of Report

Essex County has established a commitment to providing equal housing opportunities for their existing and future residents. Through the federally funded Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs, among other state and local programs, the Municipalities of Essex County work to provide a decent living environment for all.

Pursuant to CDBG regulations [24 CFR Subtitle A §91.225(a)(1)], to receive CDBG funds, a jurisdiction must certify that it "actively furthers fair housing choice" through the following:

- Completion of an Analysis of Impediments to Fair Housing Choice (AI);
- Actions to eliminate identified impediments; and
- Maintenance of fair housing records.

This report, the Analysis of Impediments to Fair Housing Choice, presents a demographic profile of the County of Essex, assesses the extent of fair housing issues among specific groups, and evaluates the availability of a range of housing choices for all residents. This report also analyzes the conditions in the private market and public sector that may limit the range of housing choices or impede a person's access to housing.

2. Geographic Area Covered

This AI covers the Essex County Consortium, which consists of eighteen of the County's twenty-two towns. This includes:

- | | |
|----------------|--------------------|
| 1. Belleville | 10. Montclair |
| 2. Caldwell | 11. North Caldwell |
| 3. Cedar Grove | 12. Nutley |
| 4. Essex Fells | 13. Orange |
| 5. Fairfield | 14. Roseland |
| 6. Glen Ridge | 15. South Orange |
| 7. Livingston | 16. Verona |
| 8. Maplewood | 17. West Caldwell |
| 9. Millburn | 18. West Orange |

The remaining four municipalities are direct entitlements and as such are required to complete their own AI, however the Township of Bloomfield is part of the County's HOME Consortium. These four towns are:

- | | |
|-----------------|---------------|
| 19. Bloomfield | 21. Irvington |
| 20. East Orange | 22. Newark |

3. Fair Housing Legal Framework

Fair housing is a right protected by both Federal and State laws. Among these laws, virtually every housing unit in New Jersey is subject to fair housing practices.

A. Federal Laws

The Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 (42 U.S. Code §§ 3601-3619, 3631) are federal fair housing laws that prohibit discrimination in all aspects of housing, including the sale, rental, lease, or negotiation for real property. The Fair Housing Act prohibits discrimination based on the following protected classes:

- Race or color
- Religion
- Sex
- Familial status
- National origin
- Disability (mental or physical)

Specifically, it is unlawful to:

- Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, disability, familial status, or national origin.
- Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, disability, familial status, or national origin.
- Make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, disability, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.
- Represent to any person because of race, color, religion, sex, disability, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
- For profit, induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, disability, familial status, or national origin.

In order to assist the US Department of Housing & Urban Development (HUD) resolve complaints, state and local organizations have been recognized under HUD's **Fair Housing Assistance Program (FHAP)**. The agencies, who receive funding support from HUD, are authorized enforcement agencies. To participate, a jurisdiction must demonstrate that it enforces a fair housing law that provides rights, remedies, and opportunities for judicial review that are substantially equivalent to those provided by the national Fair Housing Act. In New Jersey HUD has recognized and funded the State of New Jersey Division on Civil Rights (DCR) as the FHAP agency serving the entire state.

Another HUD program called the **Fair Housing Initiatives Program (FHIP)** provides funds to private organizations. In New Jersey, the New Jersey Fair Housing Council of Northern New Jersey (FHCNNJ) in

Essex County Analysis of Impediments to Fair Housing Choice 2020-2024

Hackensack conducts rigorous fair housing and investigations projects. The project will be conducted statewide. FHCNN proposes to train 90 testers, conduct rental/sales tests, distribute 6000 Fair Housing flyers to community groups, faith-based organizations, local shops, and markets and other places people congregate. The project will serve people affected by race and color as well as persons with disabilities and Limited English Proficient (LEP) families. Additionally, Citizen Action of New Jersey (NJCA) received \$100,000 to increase the knowledge and understanding of community leaders about predatory lending in NJ so they may recognize and inform clients how to identify, screen, and report fair lending complaints. NJCA will work to educate people about their rights and obligations under the Fair Housing Act and to increase access to affordable housing through fair and equal access to credit, capital, and banking services for traditionally underserved populations, specifically low and moderate income minorities and non-English or limited English speaking adults, seniors and people with disabilities living in New Jersey's urban areas.

The **Fair Housing Amendments Act** requires owners of housing facilities to make "reasonable accommodations" in their rules, policies, and operations to give people with disabilities equal housing opportunities. For example, a landlord with a "no pets" policy may be required to grant an exception to this rule and allow an individual who is blind to keep a guide dog in the residence. The Fair Housing Act also requires landlords to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces, at the tenant's own expense.

Finally, the Act requires that new multi-family housing with four or more units be designed and built to allow access for persons with disabilities. This includes accessible common use areas, doors that are wide enough for wheelchairs, kitchens and bathrooms that allow a person using a wheelchair to maneuver, and other adaptable features within the units.

On March 5, 2012, the HUD published the Final Rule on **Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity**. It applies to all McKinney-Vento-funded homeless programs, as well as to permanent housing assisted or insured by HUD. The rule creates a new regulatory provision that generally prohibits considering a person's marital status, sexual orientation, or gender identity (a person's internal sense of being male or female) in making homeless housing assistance available.

B. New Jersey Laws

The New Jersey Law Against Discrimination (LAD) prohibits discrimination when selling or renting property. The law covers owners, agents, employees and brokers and makes it unlawful to refuse to rent, show or sell property based on a person's race, creed, color, national origin, nationality, ancestry, marital status, domestic partnership or civil union status, familial status, affectional or sexual orientation, gender identity or expression, sex, or mental and physical disability, including AIDS and HIV-related illness. In addition, the LAD prohibits discrimination in the housing context based on one's source of lawful income or rent subsidy. Examples of sources of lawful income include, child support, alimony, gifts from family members, supplemental security income, etc. Other sources include assistance from a federal loan program through HUD, state loan programs through the New Jersey Housing and Mortgage Finance Agency (NJHMFA). Rent subsidies are programs where the individual qualifies for financial assistance through governmental programs. In this situation, a tenant or a potential tenant qualifies for rental assistance programs, through county and local housing authorities, or through the HUD section 8 program. The main difference between a loan and rental assistance through State or Federal agencies is that a subsidy need not be paid back to the lender while the same is not true in a loan assistance program.

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The LAD does not prohibit discrimination on the basis of age in a housing context. However, it is unlawful to discriminate against families with children, except in certain qualified housing developments intended specifically for older persons, which may be allowed to exclude children. The LAD also does not prohibit discrimination on the basis of sex where the property is planned exclusively for and occupied exclusively by individuals of one sex.

By way of example, it is illegal for a landlord or real estate professional to refuse to rent:

- To a single mother with children, if this decision is made on the basis of her marital status or domestic partnership status;
- A one bedroom apartment to two members of the same sex, if they are otherwise qualified
- To an individual with a mental or physical disability. However, generally under the LAD, a landlord in an existing building is not required to modify the property to provide assistance to a person with a disability. On the other hand, the landlord is prohibited from charging extra fees for any accommodations provided to a person with a disability. For example, a landlord cannot charge a person with a disability extra rent for keeping a guide or service animal. The landlord is, however, entitled to reimbursement for damage done by a guide or service animal;
- To an individual with a disability who relies on a guide or service animal, even if the facility does not permit pets;
- To a person with AIDS or HIV infection or to someone perceived to have AIDS or HIV infection.

In addition, it is illegal to subject a renter, applicant, or home buyer to sexual harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual contact, and/or other verbal or physical conduct of a sexual nature. Harassment and differential treatment based on race, national origin or other protected characteristics is also unlawful.

Landlords may require that a potential tenant complete an application with questions regarding the applicant's income, credit history and debts, as long as all prospective tenants are required to complete the same application and all tenants are selected on the basis of uniform standards. The form must not contain any reference to race, creed, color, national origin, nationality, ancestry, sex, marital status, domestic partnership status, affectional or sexual orientation, familial status or disability.

For owners in common interest communities the **New Jersey Condominium Act** and the **Planned Real Estate Development Full Disclosure Act**, require associations to provide a "fair and efficient" alternative to litigation for unit owners to resolve "housing related" (meaning not personal but related directly to association living) disputes between one another or with the association.

The **Senior Citizens and Disabled Protected Tenancy Act** grants certain rights and protections to senior citizens and disabled persons who rent apartments which are being converted into condominiums. Senior citizens and disabled tenants are eligible for these rights and protections if they meet certain income requirements and have lived in the apartment for at least two years.

Tenants can face eviction if their building or apartment is being converted into a condominium or cooperative. The **Anti-Eviction Act** protects all tenants from eviction due to condominium conversion for at least three years, and possibly for several more years. In Hudson County, the law also protects senior

citizens and their spouses, handicapped tenants and their families, and lower-income residents against conversion-related eviction.

The **Fair Eviction Notice Law** stipulates that it is illegal for a landlord to padlock or otherwise block entry to a rental premises while a tenant is still in possession of the premises unless such action is done in accordance with law.

According to the **Tenant Protection Act of 1992** no lessee or tenant may be removed by the Superior Court from their dwelling, other than (1) owner-occupied premises with not more than two rental units or a hotel, motel or other guesthouse or part thereof rented to a transient guest or seasonal tenant; (2) a dwelling unit which is held in trust on behalf of a member of the immediate family of the person or persons establishing the trust, provided that the member of the immediate family on whose behalf the trust is established permanently occupies the unit; and (3) a dwelling unit which is permanently occupied by a member of the immediate family of the owner of that unit, provided, however, that exception (2) or (3) shall apply only in cases in which the member of the immediate family has a developmental disability, except upon establishment of grounds as good cause.

The **Rent Security Deposit Act** specifies how a landlord must collect, maintain and return a security deposit. Under this law, a security deposit is considered to belong to the tenant and these funds must be held in trust. An exception to this law is owner-occupied buildings that have less than two-units.

The **New Jersey Home Ownership Security Act of 2002** enacted by the Senate and General Assembly of the State of New Jersey which was enacted November 28, 2003 and amendment July 6, 2004 was created to prevent unfair practices in the lending market. In enacting the Act, the Legislature found that abusive mortgage lending has become a growing problem in the State, leading to a loss of equity in homes along with a corresponding increase in the number of foreclosure actions instituted in this State. In light of this perceived increase in abusive lending practices, the Legislature deemed the Act necessary to “encourage lending at reasonable rates with reasonable terms.” The Act sets forth the basic framework while granting authority to the Commissioner of Banking and Insurance to promulgate regulations to further the Act’s objectives.

C. Fair Housing Defined

In light of the various pieces of fair housing legislation passed at the Federal and State levels, fair housing throughout this report is defined as follows:

A condition in which individuals of similar income levels in the same housing market have a like range of choice available to them regardless of their characteristics as protected under State and Federal laws.

Housing Issues, Affordability, and Fair Housing

HUD’s Office of Fair Housing and Equal Opportunity (FHEO) draws a distinction between housing affordability and fair housing. For example, economic factors that affect a household’s housing choices are not fair housing issues. Only when the relationship between household income, household type, race/ethnicity, and other factors create misconceptions, biases, and differential treatments would fair housing concerns arise.

Tenant/landlord disputes are also typically not related to fair housing. Most disputes between tenants and landlords result from a lack of understanding by either or both parties of their rights and responsibilities. Tenant/landlord disputes and housing discrimination cross paths when the disputes are based on factors protected by fair housing laws and result in differential treatment.

D. Fair Housing Impediments

Within the legal framework of Federal and State laws, and based on the guidance provided by HUD's *Fair Housing Planning Guide*, impediments to fair housing choice can be defined as:

- Any actions, omissions, or decisions taken because of the characteristics protected under State and Federal laws, which restrict housing choices or the availability of housing choices; or
- Any actions, omissions or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of characteristics protected under State and Federal laws.

To affirmatively promote equal housing opportunity, a community must work to remove impediments to fair housing choice.

4. Lead Agency

This report, prepared by the Essex County Division of Housing and Community Development, along with input from various municipalities and agencies, funded with CDBG funds. The Essex County Consortium, which serves as the lead agency, represents the following 18 municipalities as follows:

- | | |
|-----------------|--------------------|
| 23. Belleville | 32. Montclair |
| 24. Caldwell | 33. North Caldwell |
| 25. Cedar Grove | 34. Nutley |
| 26. Essex Fells | 35. Orange |
| 27. Fairfield | 36. Roseland |
| 28. Glen Ridge | 37. South Orange |
| 29. Livingston | 38. Verona |
| 30. Maplewood | 39. West Caldwell |
| 31. Millburn | 40. West Orange |

The remaining four municipalities in the County are direct entitlements and as such are required to complete their own AI, however the Township of Bloomfield is part of the County's HOME Consortium.

These four towns are:

- | | |
|-----------------|---------------|
| 41. Bloomfield | 43. Irvington |
| 42. East Orange | 44. Newark |

5. Organization of Report

This report is divided into eight chapters:

Chapter I: Introduction defines "fair housing" and explains the purpose of this report.

Chapter II: Community Participation describes the public outreach program and summarizes comments from residents and various agencies on fair housing issues such as discrimination, housing impediments, and housing trends.

Chapter III: Community Profile presents the demographic, housing, and income characteristics in Essex County. Major employers and transportation access to job centers are identified. The relationships among these variables are discussed. In addition, this section evaluates whether community care facilities, public and assisted housing projects, as well as Section 8 recipients in the County are unduly concentrated in Low and Moderate Income areas. Also, the degree of housing segregation based on race is discussed.

Chapter IV: Mortgage Lending Practices assesses the access to financing for different groups. Predatory and subprime lending issues are discussed.

Chapter V: Public Policies analyzes various public policies and actions that may impede fair housing within the County and the participating municipalities.

Chapter VI: Current Fair Housing Profile evaluates existing public and private programs, services, practices, and activities that assist in providing fair housing in the County. This chapter also assesses the nature and extent of fair housing complaints and violations in different areas of the County. Trends and patterns of impediments to fair housing, as identified by public and private agencies, are included.

Chapter VII: Assesses the **Progress** made since the preparation of the last Analysis of Impediments (AI) to Fair Housing Choice.

Chapter VIII: Impediments and Recommendations summarizes the findings regarding fair housing issues in Essex County and provides recommendations for furthering fair housing practices.

6. Data Sources

According to the Fair Housing Planning Guide, HUD does not require Municipalities to commence a data collection effort to complete the AI. Existing data can be used to review the nature and extent of potential issues. Various data and existing documents were reviewed to complete this AI, including:

- American Community Surveys (ACS)
- 2014 and 2018 U.S. Census
- Comprehensive Housing Affordability Strategy (CHAS)
- Legal Services of New Jersey
- New Jersey Department of Health
- National Alliance to End Homelessness - Point in Time Survey
- Center for Housing Policy
- New Jersey Department of Education
- Home Mortgage Disclosure Act
- Federal Reserve Bank of New York
- National Fair Housing Alliance
- Current market data for rental rates, home prices, and foreclosure activities
- Fair housing records from the NJ Division on Civil Rights
- Housing Choice Voucher (Section 8) data from local Housing Authorities

Sources of specific information are identified in the text and tables.

Chapter II – Community Participation

This AI Report has been developed to provide an overview of laws, regulations, conditions, or other possible obstacles that may affect an individual's or a household's access to housing. As part of this effort, the report incorporates the issues and concerns of residents, housing professionals, and service providers. To assure the report responds to community needs, development of the AI includes a community outreach program consisting of sub-committee meetings, a survey, and public meetings.

1. Public Hearings

The County of Essex and the participating Municipalities conducted public hearings as part of the Consolidated Planning process, which includes the AI. These hearings provided a forum to residents and local service agencies with the opportunity to gain awareness of fair housing laws and to share issues and concerns.

Additionally, the consortium's five (5) sub-committees assumed the responsibility for facilitating a needs assessment, market analysis, and strategies for specific program areas. A member of the County's Division of Housing & Community Development staff also participated to provide the programmatic perspective.

2. Community Survey

As part of this AI development, a survey was implemented to gather information on programmatic needs and the develop a funding plan. The survey, was provided to a number of local public service agencies for distribution to their clients.

3. Public Review

The draft AI was made available for public review at a Public Hearing held on **April 6, 2020** at 6:00 PM at the Essex County Division of Housing and Community Development Offices located at 20 Crestmont Road, Verona, New Jersey 07044. The document was also made available at the Division, following the publication of the Public Hearing Notice, which was published in the Star Ledger **on July 16, 2020**.

Chapter III - County Consortium Profile

This chapter provides an overview of Essex County’s residents and housing stock, including population, economic, and housing trends, which help to identify housing needs and potential fair housing concerns specific to the County. This overview provides the context for discussing and evaluating fair housing in the following chapters.

Data Sources

Key data sources include: the 2014 and 2018 Census and American Community Surveys (ACS). To the extent feasible, 2018 Census data are used because that dataset represents 100% count of the population and provides the most accurate data. However, the 2018 Census contains limited data. The Census Bureau supplements the 2018 Census with ACS for detailed housing and demographic characteristics. The ACSs are administered on a schedule based on the community’s population size and specific data to be collected. Depending on the specific data in question, to capture the entire region, different ACS datasets may be used throughout this AI.

1. Demographic Profile

The ability of households within a protected class to obtain decent housing in a neighborhood of their choice is impacted by demographic and economic factors. This section covers population, housing and economic change within the County to reveal any unintentional impediments to fair housing.

Population and economic change affect the quality of housing units, which, ultimately, aids or impedes housing choices. Communities are defined by their housing stock, which is observed as declining or improving, which either leads to isolation or integration. The departure of wealthier families capable of leaving a neighborhood they perceive as declining, may contribute to further decline if poorer families, who cannot afford basic maintenance, or renters, who are not responsible for maintenance, replace them. The ensuing neglect of these housing units by poor owners, renters or landlords makes the problem worse.

Homeowners, who make the decision to rent a house because they could not get the price they wanted when attempting to sell the unit, may not realize the challenges of managing a rental property and may not be knowledgeable in tenant relations and, especially, fair housing law. Rents collected may not be enough to realize a profit and when maintenance costs begin to mount, landlords may decide to defer or avoid maintenance altogether, which in the end contributes to further decline in housing stock.

A. Population Growth

Essex County is one of more than 3,000 counties and County equivalents in the United States. In 2018, County of Essex had a population of 793,633 – 411,895 (51.9%) females and 381,738 (49.1%) males. The median age was 37.8 years. 28.6% of the population were aged 25 to 44 years old and 11.5% were 65 years and older.

Table 1: Total Population

2000 - 2018					
	2000	2009	% Change 2000 - 2009	2018	% Change 2010 - 2018
County of Essex	793,633	769,644	-3.03	799,767	2.00%
Source: US Census Bureau					

B. Households and Families

According to the 2013-17 Census estimates there were 280,327 households in the County. The average household size was 2.73 people.

Families made up 89.5% of the households in the County. This figure includes both married-couple families (39%) and other families (25%). Non-family households made up 35.1% of all households in the County. Most of the non-family households were people living alone, but some were comprised of people living in households in which no one was related to the householder.

Table 2: Households and Families

Subject	Essex County, New Jersey					
	Occupied housing units		Owner-occupied housing units		Renter-occupied housing units	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Occupied housing units	280,327	+/-1,247	124,852	+/-1,422	155,475	+/-1,698
HOUSEHOLD SIZE						
1-person household	84,632	+/-1,476	23,330	+/-950	61,302	+/-1,492
2-person household	75,312	+/-1,420	37,152	+/-985	38,160	+/-1,208
3-person household	49,858	+/-1,208	24,103	+/-927	25,755	+/-1,086
4-person household	70,525	+/-1,399	40,267	+/-1,076	30,258	+/-1,056
OCCUPANTS PER ROOM						
1.00 or less occupants per room	268,713	+/-1,621	122,901	+/-1,392	145,812	+/-1,898
1.01 to 1.50 occupants per room	7,488	+/-640	1,407	+/-220	6,081	+/-603
1.51 or more occupants per room	4,126	+/-459	544	+/-156	3,582	+/-439
HOUSEHOLD TYPE (INCLUDING LIVING ALONE) AND AGE OF HOUSEHOLDER						
Family households	181,847	+/-1,505	78.20%	+/-0.8	55.20%	+/-0.9
Married-couple family	110,539	+/-1,690	60.20%	+/-0.9	20.60%	+/-0.8
Householder 15 to 34 years	3,915	+/-642	5.4%	+/-0.4	24.3%	+/-0.6
Householder 35 to 64 years	11,148	+/-1,160	17.8%	+/-0.7	22.5%	+/-0.7
Householder 65 years and over	2,039	+/-274	23.2%	+/-0.6	16.3%	+/-0.6
Male householder, no wife present	17,102	+/-942	6,563	+/-513	10,539	+/-784
Householder 15 to 34 years	3,915	+/-434	3,957	+/-406	7,381	+/-552
Householder 35 to 64 years	11,148	+/-806	55,549	+/-1,144	23,071	+/-878
Householder 65 years and over	2,039	+/-274	1,395	+/-191	644	+/-178
Female householder, no husband present	54,206	+/-1,284	15,286	+/-695	38,920	+/-1,093
Householder 15 to 34 years	11,809	+/-704	620	+/-168	11,189	+/-641
Householder 35 to 64 years	34,836	+/-1,005	9,862	+/-614	24,974	+/-887
Householder 65 years and over	7,561	+/-543	4,804	+/-407	2,757	+/-360
Nonfamily households	94,480	+/-1,476	26,828	+/-950	71,652	+/-1,424

Householder living alone	84,632	+/-1,476	23,330	+/-950	61,302	+/-1,492
Householder 15 to 34 years	12,128	+/-697	1,006	+/-220	11,122	+/-710
Householder 35 to 64 years	42,554	+/-1,234	10,464	+/-681	32,090	+/-1,101
Householder 65 years and over	29,950	+/-973	11,860	+/-595	18,090	+/-857
Householder not living alone	13,848	+/-856	3,498	+/-412	10,350	+/-736
Householder 15 to 34 years	5,358	+/-465	419	+/-125	4,939	+/-454
Householder 35 to 64 years	6,796	+/-655	1,993	+/-313	4,803	+/-535
Householder 65 years and over	1,694	+/-268	1,086	+/-208	608	+/-154
FAMILY TYPE AND PRESENCE OF OWN CHILDREN						
With related children of householder under 18	98,088	+/-1,308	45,970	+/-1,102	52,118	+/-1,238
With own children under 18 years	88,826	+/-1,264	41,163	+/-1,026	47,663	+/-1,279
Under 6 years only	18,468	+/-845	7,241	+/-547	11,227	+/-664
Under 6 years and 6 to 17 years	16,703	+/-879	6,322	+/-565	10,381	+/-651
6 to 17 years only	53,655	+/-1,219	27,600	+/-849	26,055	+/-994
No own children under 18 years	9,262	+/-613	4,807	+/-409	4,455	+/-443
No related children under 18 years	182,239	+/-1,538	78,882	+/-1,150	103,357	+/-1,756

C. Age Characteristics

Housing demand is affected by the age characteristics of residents in a community. Different age groups are often distinguished by important differences in lifestyle, family type, housing preferences and income levels. Typically, young adult households may occupy apartments, condominiums, and smaller single-family homes because of size and/or affordability.

Middle-age adults may prefer larger homes as they begin to raise their families, while seniors may prefer apartments, condominiums, mobile homes, or smaller single-family homes that have lower costs and less extensive maintenance needs. Because the community's housing needs change over time, this section analyzes changes in the age distribution of Essex County residents and how these changes affect housing need.

Based on the 2017 Census, 12.8% of the population in Essex County was age 65 or over (elderly), with another 11.9% in the 55 to 64 age group (future elderly). The elderly generally place higher demands on a community to provide health and human services.

While the County has a large percentage of adults between the age of 25 and 44 (27.7%), indicating a substantial number of potential first-time homebuyers (Table 3) this proportion dropped from 28.5% in 2010. Relative to 2010, there was also an decrease in the proportion of residents 45 to 54 years of age. This age structure also suggests the County has a high proportion of families with children but has a rapidly increasing older population. Approximately 26% of Essex County residents were school-age children between the ages of five and 17.

The median age was 37.3 years, which is an increase from 36.4 in 2010. This is also a national trend. 13.6% of the population were aged 25 to 34 years old and 12.8% were 65 years and older. This high median age is due mostly to Essex County's high proportion of adults between 25 and 54 years of age and seniors (over 65). Table 7 shows a comparison of the median age and the percentage of three age groups.

**Table 3: Age (2010-2017)
Age Group Essex County**

Age	2010	2017
Under 5 years	53,819	52,804
5 to 9 years	53,756	52,383
10 to 14 years	53,781	54,291
15 to 19 years	54,903	51,919
20 to 24 years	52,785	54,488
25 to 34 years	107,655	108,797
35 to 44 years	116,221	112,893
45 to 54 years	115,223	114,808
55 to 59 years	46,553	51,286
60 to 64 years	38,985	43,938
65 to 74 years	47,566	57,971
75 to 84 years	29,094	26,639
85 years and over	13,627	15,184
Median age (years)	36.4	37.3
Source: US Census Bureau		

D. Racial and Ethnic Composition

Housing needs and preferences are sometimes influenced by cultural practices. The nation’s demographic profiles are becoming increasingly diverse in their racial and ethnic compositions. In 2017, at least three out of ten U.S. residents were non-White (non-Hispanic White).

There are 336,968 White Non Hispanic in Essex County or 42.9% of the population. The number of Black or African American Non Hispanic was 320,160 or 40.4% of the overall population. The Asian population was 41,620 or 5.2%. The number of Hispanics was 179,289 or 20.8% of the overall population. An “Area of Concentration” for any racial group is a census tract that contains 10% or greater of the overall population percent in each respective census tract.

Table 4: Racial Composition

	2013	% of Total	2017	% of Total	Change 2013 -2017	Percentage Change 2013 -2017
White	336,779	42.9	336,968	42.9	-189	-.00005%
Black	317,439	40.4	320,160	40.4	+2,721	0.008%
Hispanic	163,713	20.8	179,289	20.8	+15,576	.08%
Source: US Census Bureau						

Racial and Ethnic Concentrations

Patterns of racial and ethnic concentration are present within particular areas of the Essex County consortium. As summarized in Table 5, racial and ethnic composition varies considerably across Municipalities. Essex Fells and North Caldwell had the smallest minority populations and Orange had the largest.

In the towns of Caldwell, Cedar Grove, Fairfield, Essex Fells, Fairfield, Glen Ridge, Nutley and North Caldwell, the majority of the residents were White (non-Hispanic White). Belleville had the largest majority of Hispanic residents. Livingston had the highest proportion of Asian residents and Orange had the highest proportion of Black residents.

Areas with concentrations of minority residents may have different needs. A "concentration" is defined as a block group whose proportion of minority residents is greater than the overall Essex County average.

Table 5: Racial and Ethnic Composition

City	Total Population	Non Hispanic White	Black or African American	Hispanic or Latino	American Indian or Alaska Native	Asian / Pacific Islander	Some Other Race	Two or More Races
Belleville	36,383	11,826	3,355	16,165	-	4,024	321	692
Caldwell	25,712	21,830	359	1,728	-	1,538	9	248
Cedar Grove	12,638	10,260	651	693	-	918	-	116
Essex Fells	2,095	1,810	119	7	-	82	-	77
Fairfield	7,671	6,885	469	-	-	259	19	39
Glen Ridge	7,668	5,767	332	859	-	441	-	269
Livingston	29,955	20,729	461	1,205	-	6,714	90	701
Maplewood	24,706	12,887	8,289	1,952	-	675	234	641
Millburn	20,387	13,988	633	904	-	4,267	125	460
Montclair	38,572	22,779	9,131	3,799	-	1,216	104	1,543
North Caldwell	6,637	5,879	-	155	-	511	-	92
Nutley	28,829	19,512	730	4,537	-	3,330	124	596
Orange	30,644	865	21,127	7,549	-	437	372	294
Roseland	5,907	4,763	-	433	-	568	-	143
South Orange	16,503	9,655	4,281	1,083	-	832	55	597
Verona	13,585	11,446	262	749	-	864	13	251
West Caldwell	10,932	9,441	131	581	-	745	9	25
West Orange	47,609	20,674	12,606	9,465	19	3,755	203	883
Essex County	800,401	249,087	310,404	179,661	1,130	40,996	7,414	11,574

Source: US Census Bureau 2013-2017 American Community Survey 5-Year Estimates

Residential Segregation

Residential segregation refers to the degree to which population groups, self-defined by race and Hispanic Origin in Census Bureau surveys, live separately from one another. Segregation is complex, difficult to generalize, and is influenced by many factors. Individual choices can certainly be a cause of segregation.

Many residents choose to live among people of their own race/ethnic group. This does not mean that they prefer ethnically homogeneous neighborhoods, but that they feel more comfortable where members of their group are commonly found. This attitude is typically more frequently found among recent immigrants, who often depend on nearby relatives, friends, and ethnic institutions to help them in their adjustment. However, individual choices may be constrained by factors outside an individual's control. A large factor in residential segregation is related to housing market dynamics. Discrimination can also affect residential segregation. In Belleville where a large majority of the population is Hispanic, it is not mathematically possible to have "integrated" neighborhoods throughout each city.

The dissimilarity index is the most commonly used measure of segregation between two groups, reflecting their relative distributions across neighborhoods (as defined by census tracts). The index represents the percentage of the minority group that would have to move to new neighborhoods to achieve perfect integration of that group. An index score can range in value from 0%, indicating complete integration, to 100%, indicating complete segregation. An index number above 60 is considered high similarity and segregated. An index number of 40 to 50 is considered moderate segregation and values of 30 or below are considered low levels of segregation.

Table 6 presents the dissimilarity summary for the Newark-Union, Metropolitan Statistical Area. In 2010 segregation was highest between Whites with Blacks and White with Hispanics. Segregation levels between White and Black and White and Hispanic residents have decreased consistently since the 1980s. Segregation between White and Asian has had the opposite effect and has risen since 1980, although it has decreased since the 2005-09 ACS.

Table 6: Dissimilarity Index (2010)

Dissimilarity Index	1990	2000	2000	2005-09 ACS	2010
White/Black	82.7	80.4	80.4	79.4	78
White/Hispanic	67.1	65.1	65.1	62.9	62.6
White/Asian	31.4	35.7	35.7	40.3	35.6
Hispanic/Black	63	6.3	6.8	58.8	55.6
Hispanic/Asian	62.5	62.5	60.1	61.8	59.3
Source: Project US2010, http://www.s4.brown.edu/us2010/index.htm					

Linguistic Isolation

Language barrier can be an impediment to accessing housing of choice. According to 2013-2017 ACS estimates, approximately 25.80% of County residents were foreign born and 34.6% spoke a language other than English at home. American born residents accounted for 74.19% of the population. Additionally, in 2013-17 ACS people at least five years old living in Essex County 65.4% spoke English only, 34.6% spoke a language other than English. However, speaking two languages in a household does not mean that the household is linguistically isolated; it means that possibly some members of the household are linguistically isolated.

The Census Bureau defined "linguistically isolated households" as "...one in which no member 14 years and over (1) speaks English or (2) speaks a non-English language and speaks English 'very well.' The ACS provides information on households with persons five years and over who speak English "less than very well" and also provides estimates of households that are linguistically isolated. In Essex County, 14.7% of residents indicated that they spoke English "less than very well," but only 7.5% of all residents can be considered linguistically isolated. Most of these residents were Spanish speakers.

Language barriers may prevent residents from accessing services, information, and housing, and may also affect educational attainment and employment. On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services by Persons with Limited English Proficiency". This requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to Limited English Proficiency (LEP), cannot fully and equally participate in or benefit from those programs and activities. This requirement passes down to grantees of federal funds as well. To the extent feasible, advertising for HUD-funded services and programs in the County has been made available in English and Spanish to ensure equal access to LEP persons for the implementation of services. The majority of the public service agencies funded each year also provide Spanish translation and are monitored for compliance.

2. Household Characteristics

A household is defined by the Census as all persons occupying a housing unit. Families are a subset of households and include all persons living together who are related by blood, marriage or adoption. Single households include persons living alone, but do not include persons in group quarters such as convalescent homes or dormitories. "Other" households are unrelated people living together, such as roommates. Household type and size, income level, the presence of persons with special needs, and other household characteristics may affect access to housing. This section details the various household characteristics that may affect equal access to housing.

A. Household Composition and Size

Different household types generally have different housing needs. Seniors or young adults tend to reside in apartment units, condominiums or smaller single-family homes. Families, meanwhile, often prefer single-family homes. Household size can be an indicator of changes in population or use of housing, and household composition and size are often two interrelated factors. An increase in household size can indicate a greater number of large families or a trend toward overcrowded housing units. A decrease in household size, on the other hand, may reflect a greater number of elderly or single-person households, or a decrease in family size.

According to the 2018 ACS estimates there were 282,502 households in the County. The average household size was 2.73 people. Families made up 64.4% of the households in the County. This figure includes both married-couple families (59.6%) and other families (40.3%). Non-family households made up 35.1% at the last time of this report however data was not available for these households in the County. Most of the non-family households were people living alone, but some were comprised of people living in households in which no one was related to the householder.

Table 7: Household Growth (2013-2018)

	2013	2014	2015	2016	2017	2018	Percent Change 2013 - 2018
Households	277,302.00	277,745.00	278,085.00	279,480.00	280,327.00	282,502.00	1.8%
Average Household Size	2.76	2.77	2.77	2.76	2.78	2.73	-.1%
Total Families	182,399.00	180,154.00	181,249.00	180,784.00	181,847.00	182,151.00	-.001%
Average Family Size	3.42	3.47	3.47	3.48	3.51	3.46	.04%
Source: US Census Bureau American Community Survey 5-Year Estimates							

According to the 2013-17 ACS, a majority (64.4%) of the households in Essex County were family households. Many of these family households (40.3%) include children under the age of 18. Families with children often face housing discrimination by landlords who fear that children will cause property damage, or the landlords have cultural biases against children of opposite sex sharing a bedroom. Approximately one-third of households in the County included an elderly member and 19.3% of households were female-headed households with children.

The average size and composition of households are highly sensitive to the age structure of the population. But they also reflect social and economic changes. For example, economic downturns may prolong the time adult children live at home or result in multiple families and non-family members living together to lower housing costs. The average household size countywide in 2013 was 2.73 persons per household.

Table 8: Household Type and Size (2013-17)

Average Household Size	Households with Elderly	Families	Average Family Size	Families with Children	Female Headed-Households w/ Children
2.72	31.7%	64.4%	3.43	35.0%	11.5%
Source: US Census Bureau American Community Survey 5-Year Estimates					

B. Special Needs Households

Certain households, because of their special characteristics and needs, may require special accommodations and may have difficulty finding housing due to special needs. Special needs groups include seniors, large households, families with children, single-parent households, persons with disabilities, persons with HIV/AIDS, homeless persons and persons at-risk of homelessness. The following section highlights particular characteristics that may affect access to housing in a community.

Seniors

Seniors (persons age 65 and above) are gradually becoming a more substantial segment of a community’s population. According to the 2018 ACS, residents 65 and over made up 19% of the County population, compared to 11.52% in 2010. During this time period, the senior population grew at a rate slightly higher than that of the overall County. Americans are living longer and having fuller lives than ever before in our history and are expected to continue to do so. Elderly households are vulnerable to housing problems and housing discrimination due to limited income, prevalence of physical or mental disabilities, limited mobility, and high health care costs. The elderly, particularly those with disabilities, may face increased difficulty in finding housing accommodations and may become victims of housing discrimination or fraud. A senior on a fixed income can face great difficulty finding safe and affordable housing. Subsidized housing and federal housing assistance programs are increasingly challenging to secure and often involve a long waiting list.

According to the 2018 ACS, an estimated 37.1% of households in the County had at least one individual who was 65 years of age or older. Additionally, close to 20% of all residents were ages 65 and over.

Table 9: Senior Profile - Essex County (2018)

	Percent of Population	Percent with a Disability	Percent of Families and People below the Poverty Level

Seniors	19%	26.1%	11%
All Residents	81%	9.8%	15.2%
Source: US Census Bureau American Community Survey 1-Year Estimates			

In addition to affordable housing located near transportation, the housing needs of the elderly include supportive housing, such as intermediate care facilities, group homes, and other housing with a planned service component. According to the NJ Department of Health, there are 33 Long-Term Care Facilities, 15 adult day care facilities, 1 Residential Health Care Facility, 11 Assisted Living Residences and 3 Comprehensive Personal Care Homes. 61% of these facilities are located in towns within the Essex County, while the remaining 39% are located in the County's four entitlement communities.

Large Households

Large households are defined as those with five or more members. These households are usually families with two or more children or families with extended family members such as in-laws or grandparents. Large households often face discrimination in the housing market, particularly for rental housing. Property owners could be concerned with the potential for the increase wear and tear and liability issues related to large households, especially those with children. Housing discrimination against families with children can also be masked as overcrowding issues.

According to the 2018 ACS, approximately 25.2% of all households in Essex County had five or more members; specifically 12.19% of owner-households and 8.69% of renter-households in the County were considered to be large households. Large households report higher incidences of cost burden and housing problems. This is especially true for renter-households because multi-family rental units are typically smaller than single-family units.

In addition to space requirements, large households often face a significant cost burden for housing. Large, very low-income households will continue to be among the most impacted in terms of finding and maintaining affordable and appropriate housing.

Families with Children

Families with children often face housing discrimination by landlords who fear that children will cause property damage. Some landlords may also have cultural biases against children of the opposite sex sharing a bedroom. Differential treatments such as limiting the number of children in a complex or confining children to a specific location are also fair housing concerns.

Single-Parent Households

Single-parent families, particularly female-headed families with children, often require special consideration and assistance because of their greater need for affordable housing and accessible day care, health care, and other supportive services. Because of their relatively lower income and higher living expenses, female-headed families have comparatively limited opportunities for finding affordable and decent housing.

The 2018 ACS identified 12% of households in the County as female-headed households with children (Table 8). Female single-parent family households are disproportionately affected by poverty. The Census Bureau defines the poverty threshold, or poverty line, as the minimum level of resources that are adequate to meet basic needs. There is also a second measure of poverty, the Supplemental Poverty Measure (SPM). Every year since 2010, the Census Bureau has released a report describing the SPM. It extends the official measure of poverty by taking account of government benefits and necessary expenses (food, clothing, shelter and utilities) that are not in the official measure.

According to the 2009-2013 ACS, about 38% of female single parent family households in Essex County lived below the poverty level. Limited household income constrains the ability of these households to afford adequate housing and childcare, health care, and other necessities. Finding adequate and affordable childcare is also pressing issue for many families with children and single-parent households in particular.

Persons with Disabilities

The Americans with Disabilities Act (ADA) defines a disability as a “physical or mental impairment that substantially limits one or more major life activities.” Fair housing choice for persons with disabilities can be compromised based on the nature of their disability. Persons with physical disabilities may face discrimination in the housing market because of the use of wheelchairs, need for home modifications to improve accessibility, or other forms of assistance. Landlords/owners sometimes fear that a unit may sustain wheelchair damage or may refuse to exempt disabled tenants with service/guide animals from a no-pet policy.

A major barrier to housing for people with mental disabilities is opposition based on the stigma of mental disability. Landlords often refuse to rent to tenants with a history of mental illness. Neighbors may object when a house becomes a group home for persons with mental disabilities. While housing discrimination is not covered by the ADA, the Fair Housing Act prohibits housing discrimination against persons with disabilities, including persons with HIV/AIDS. In their 2019 Fair Housing Trends Report, the National Fair Housing Alliance indicated that disability complaints were the most prevalent type of housing discrimination complaints. The proportion of residents by age with a disability is presented in Table 10

Table 10: Persons with Disabilities (2018)

Disability by Age	Number
Under 5 years:	52,554
With a disability:	292
5 to 17 years:	136,240
With a disability:	6,117
18 to 34 years:	177,690
With a disability:	10,378
35 to 64 years:	316,944
With a disability:	30,208
65 to 74 years:	60,607
With a disability:	12,292
75 years and over:	43,954
With a disability:	17,808
Source: US Census Bureau American Community Survey 1-Year Estimates	

Special housing needs for persons with disabilities fall into two general categories: physical design to address mobility impairments and in-home social, educational, and medical support to address developmental and mental impairments. The U.S. Census Bureau classifies disabilities into the following categories:

- **Hearing difficulty:** Deaf or having serious difficulty hearing
- **Vision difficulty:** Blind or having serious difficulty seeing, even when wearing glasses
- **Cognitive difficulty:** Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions
- **Ambulatory difficulty:** Having serious difficulty walking or climbing stairs
- **Self-care difficulty:** Having difficulty bathing or dressing
- **Independent living difficulty:** Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor’s office or shopping

The Census and ACS do not document detailed disability characteristics for all populations and places within the County; therefore, estimates for disabled adults in Essex County are detailed in Table 11.

Table 11: Detailed Disability Profile - Essex County (2018)

Total disabilities tallied:	162,983
Total disabilities tallied for people 5 to 17 years:	7,568
Sensory disability	2,286
Ambulatory disability	258
Cognitive disability	3,727
Self-care disability	1,297
Total disabilities tallied for people 18 to 64 years:	80,884
Sensory disability	13,778
Ambulatory disability	19,983
Cognitive disability	18,591
Self-care disability	10,636
Independent Living difficulty	17,896
Total disabilities tallied for people 65 years and over:	74,531
Sensory disability	17,341
Ambulatory disability	21,364
Cognitive disability	7,592
Self-care disability	8,981
Independent Living difficulty	14,482
Source: US Census Bureau American Community Survey 5-Year Estimates	

According to the NJ Department of Health, there are 33 Long-Term Care Facilities, 15 adult day care facilities, 1 Residential Health Care Facility, 11 Assisted Living Residences and 3 Comprehensive Personal Care Homes. 61% of these facilities are located in towns within the Essex County, while the remaining 39% are located in the County's four entitlement communities.

Persons with Developmental Disabilities

As defined by federal law, “developmental disability” means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age 22;

- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency; and
- Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The Census does not record developmental disabilities. According to the U.S. Administration on Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.5%. This equates to 11,787 persons in the County based on the 2009-13 ACS Census.

Housing Needs

There are several different housing needs of disabled persons. For those disabled with a developmental or mental disability, one of the most significant problems is securing affordable housing that meets their specialized needs. Housing needs can range from institutional care facilities to facilities that support partial or full independence such as group homes. Supportive services such as daily living skills and employment assistance need to be integrated into the housing situation also. The disabled person with a mobility limitation requires housing that is physically accessible. Examples of accessibility in housing include widened doorways and hallways, ramps leading to doorways, modifications to bathrooms and kitchens and special sensory devices such as smoke alarms, flashing lights, etc.

The location of housing and availability of transportation is also important because disabled people may require access to a variety of social and specialized services. Amendments to the Fair Housing Act, require ground-floor units of new multi-family construction with more than four units to be accessible to persons with disabilities. Older units, particularly in older multi-family structures, are very expensive to retrofit for disabled occupants because space is rarely available for elevator shafts, ramps, or widened doorways, etc. The site, parking areas, and walkways may also need modifications to install ramps and widen walkways and gates.

Persons with HIV/AIDS

Persons with HIV/AIDS face a wide array of barriers when seeking and maintaining affordable, stable housing. For persons living with HIV/AIDS, access to safe, affordable housing is as important to their general health and well-being as access to quality health care. For many, the persistent shortage of stable housing can be the primary barrier to consistent medical care and treatment. Despite federal and state anti-discrimination laws, many people face illegal eviction from their homes when their illness is exposed. Stigmatism associated with their illness and possible sexual orientation can add to the difficulty of obtaining and maintaining housing. The Fair Housing Amendments Act of 1988, which is primarily enforced by HUD, prohibits housing discrimination against persons with disabilities, including persons with HIV/AIDS.

Persons with HIV/AIDS require a broad range of services, including counseling, medical care, in home care, transportation, and food, in addition to stable housing. Today, persons with HIV/AIDS live longer and require longer provision of services and housing. Stable housing promotes improved health, sobriety, decreased drug abuse, and a return to paid employment and productive social activities resulting in an improved quality of life. Furthermore, stable housing is shown to be cost effective for the community in that it helps to decrease risk factors that can lead to HIV and AIDS transmission

The State of New Jersey Department of Health estimates that as of December 31, 2018, there were a total of 17,746 individuals living with AIDS in Essex County. An additional 7,070 persons in Essex County are

believed to be infected with the HIV virus. Of these 78%, were Not Hispanic, Black or African American, 15% were Hispanic and 7% were Not Hispanic, White. Additionally, 35% were females and 66% were males. The most prevalent case was injection drug use at 37%, followed by heterosexual contact, 34%.

Homeless Persons

According to HUD, a person is considered homeless if they are not imprisoned and: 1) lack a fixed, regular, and adequate nighttime residence; 2) their primary nighttime residence is a publicly or privately operated shelter designed for temporary living arrangements, an institution that provides a temporary residence for individuals that should otherwise be institutionalized; or 3) a public or private place not designed for or ordinarily used as a regular sleeping accommodation.

Homeless persons often have a difficult time finding housing once they have moved from a transitional housing or other assistance program. Housing affordability for those who are or were formerly homeless is challenging from an economics standpoint, and this demographic group may encounter fair housing issues when landlords refuse to rent to formerly homeless persons.

New Jersey’s annual Point-In-Time Count of the Homeless (PIT), provides data on homeless households in communities, including where they find shelter, what their needs are, and what factors contribute to making them homeless. The 2018 Count gives us details on demographics and other information about families and individuals who were homeless on the night of the count. It was carried out with the assistance of government agencies, community based organizations, and local volunteers.

The information assists communities with the allocation of housing resources and services in order to prevent and end homelessness. The PIT Count is the only opportunity throughout the year for most communities to take a comprehensive look at the total homeless population, and is especially crucial in assessing the needs of the unsheltered homeless.

Assessing a region’s homeless population is difficult because of the transient nature of the population. On the night of the count a total of 1,654 households, including 2,229 persons, were experiencing homelessness in Essex County. A total of 250 adult individuals were identified as chronically homeless. 1,350 adult only households, with 197 persons were unsheltered on the night of the count.

Table 12: Homeless Population by Type (2018)

Type	2014	2015	2016	2017	2018
Unsheltered	223	162	443	428	396
Transitional Housing	547	581	459	485	496
Emergency Shelter	879	980	877	1135	1337
Total	1649	1723	1779	2048	2229
Source: Monarch Housing Associates - Point in Time Survey					

Essex County had the largest percentage of New Jersey’s statewide homeless population in 2018. Many of these persons can become homeless because of social structural issues such as increases in rent, loss of job, and rising health care costs. In addition, personal experiences such as domestic violence, physical disabilities, mental illness, and substance abuse can cause members of a low-income household or an entire household to become homeless. Often, one or more of these experiences factor into a household’s homeless experience.

3. Income Profile

Household income is the most important factor determining a household's ability to balance housing costs with other basic life necessities. Regular income is the means by which most individuals and families finance current consumption and make provision for the future through saving and investment. The level of cash income can be used as an indicator of the standard of living for most of the population. While economic factors that affect a household's housing choice are not a fair housing issue per se, the relationships among household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

A. Median Household Income

According to the US Census, Essex County households had a median income of \$59,302. Table 13 displays median household income by jurisdiction. The towns of North Caldwell, Essex Fells and Millburn had the highest median household incomes and Orange and Belleville had the lowest median household incomes. Overall, family households reported higher median incomes compared to all households.

Table 13: Median Household Income (2018)

City	Median Household Income
Belleville	69,121
Caldwell	87,727
Cedar Grove	119,946
Essex Fells	172,386
Fairfield	117,969
Glen Ridge	213,801
Livingston	163,403
Maplewood	132,143
Millburn	214,449
Montclair	117,151
North Caldwell	190,028
Nutley	95,134
Orange	38,578
Roseland	126,250
South Orange	133,555
Verona	121,141
West Caldwell	117,841
West Orange	99,845
Essex County	59,302
Source: US Census Bureau 2013-2017 American Community Survey 5-Year Estimates	

B. Income Distribution

HUD periodically receives "custom tabulations" of Census data from the U.S. Census Bureau that are largely not available through standard Census products. The most recent estimates are derived from the

2013-2017 ACS. These data, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrate the extent of housing problems and housing needs, particularly for low-income households. The CHAS cross tabulates the Census data to reveal household income in a community in relation to the Area Median Income (AMI).

As defined by CHAS, housing problems include:

- Units with physical defects (lacking complete kitchen or bathroom);
- Overcrowded conditions (housing units with more than one person per room);
- Housing cost burden, including utilities, exceeding 30% of gross income; and
- Severe housing cost burden, including utilities, exceeding 50% of gross income.

HUD has also established the following income categories based on the Area Median Income (AMI) for the Metropolitan Statistical Area (MSA):

- Extremely-Low-Income (0-30% of AMI)
- Low-Income (31-50% of AMI)
- Moderate-Income (51-80% of AMI)
- Middle/Upper-Income (above 80% of AMI)

According to the CHAS data in Table 14, approximately 21% of Essex County households were within the extremely low-income and low-income categories, 11% were within the moderate-income category, and 66% were within the middle/upper income category. Of towns in the consortium, the proportion of households with extremely low and low-incomes was highest in Orange and Belleville.

Table 14: Income Distribution (2011-2015)

	0 - 30% HAMFI	>30 - 50% HAMFI	>50 - 80% HAMFI	>80 - 100% HAMFI	>100% HAMFI
Total Households	15,975	14,045	16,635	12,025	81,165
Small Family Households	4,289	4,250	6,014	4,945	46,020
Large Family Households	703	944	1,620	1,119	8,155
Household contains at least one person 62 - 74 years of age	3,528	2,968	3,408	2,897	16,880
Household contains at least one person 75 or older	4,051	3,728	3,090	1,499	6,119
Households with one or more children 6 years old or younger	1,790	1,668	2,243	1,658	8,642
Source: Comprehensive Housing Affordability Strategy (CHAS)					

C. Housing Problems By Type

Household income often varies by household type. As shown in Table 15, households with cost burden greater than 50% of income comprised 59.7% of all extremely low-income households.

Table 15: Housing Problems

	Renter					Owner				
	0 - 30% AMFI	>30 - 50% AMFI	>50 - 80% AMFI	>80 - 100% AMFI	TOTAL	0 - 30% AMFI	>30 - 50% AMFI	>50 - 80% AMFI	>80 - 100% AMFI	TOTAL
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	334	380	259	115	1088	25	0	29	38	92
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	515	360	334	120	1,329	10	40	39	45	134
Overcrowded - With 1.01 -1.5 people per room (and none of the above problems)	360	219	290	165	1,034	0	75	75	45	150
Housing cost burden greater than 50% of income (and none of the above problems)	6,428	3,615	634	75	10,752	4,190	3,985	3,565	1,804	13,544
Housing cost burden greater than 30% of income (and none of the above problems)	980	2,810	3,950	1,198	8,938	147	1,210	2,789	2,480	6,626
Zero/negative Income (and none of the above problems)	968	0	0	0	968	409	0	0	0	409
Source: Comprehensive Housing Affordability Strategy (CHAS) and the ACS										

Income and Unemployment by Race/Ethnicity

Race/ethnicity can indicate housing need to the extent that different race/ethnic groups earn different incomes and experience differing rates of employment. Overall, certain groups had lower median household income and thus a greater percentage of low- and moderate-income households. More specifically, Black/African American residents experienced higher rates of unemployment than other races from 2013 to 2017. Additionally, the median household income was 45.5% of that earned by white residents. In regards to the County's Hispanic residents, they experienced a 1.5% decrease in unemployment from 2013 to 2017 and the median household income was 49.3% of that earned by white residents.

Table 16: Unemployment and Median Household Income by Race/Ethnicity (2013-17)

Race	% Unemployed		Decrease	Median Household Income
	2013	2017		
White	8.40%	6.1%	-2.3%	92,419
Black / African American	16.60%	15.8%	-.8%	42,083
Asian	7.50%	5.1%	-2.4%	136,764
American Indian / Alaskan Native	16.40%	13.9%	-2.5%	0
Pacific Islander	13.90%	0%	0%	0
Some Other Race	12.20%	12.20%	-	34,220
Two or more races	14.00%	10.4%	-3.6%	66,264
Hispanic or Latino Origin	11.70%	10.2%	-1.5%	45,581

Concentrations of Lower- and Moderate-Income Populations

Typically, HUD defines a LMI area as a Census tract or block group where over 51% of the population is LMI. However, certain communities are higher income, with few block groups qualifying as LMI using this definition. In Essex County, several municipalities have a significantly higher percentage of low to moderate-income residents. Within the Essex County Consortium, the City of Orange reports a median household income of \$38,578 compared to the County average of \$59,302. The City also has high concentrations of minority residents, with a population that is 68.9% African American and 24.6% Hispanic. Belleville, West Orange and Montclair contain concentrations of low to moderate-income residents. West Orange and Montclair report African American populations over 25% while Belleville reports a Hispanic population of 44%.

4. Housing Profile

A discussion of fair housing choice must be preceded by an assessment of the housing market being analyzed. This section provides an overview of the characteristics of the local and regional housing markets.

A. Housing Growth

The Essex County housing stock increased by .0053% from 2013 to 2017 (Table 17). Among the 18 municipalities in the Essex County consortium, 12 experienced growth while the other 6 experienced a decrease. The cities with the greatest housing growth were Orange (4.11%) and Livingston (5.1%). The two Municipalities with the largest decrease in housing were North Caldwell (14.68%) and Cedar Grove (7.41%).

Table 17: Housing Growth (2013-2017)

Municipality	Housing Units		Difference
	2013	2017	
Belleville	13,897	13,897	-14
Caldwell	3,758	3,593	-165
Cedar Grove	4,368	4,368	-324
Essex Fells	777	829	52
Fairfield	2,705	2,705	196
Glen Ridge	2,449	2,561	112
Livingston	9,471	9,960	489
Maplewood	8,494	8,524	30
Millburn	6,863	6,912	49
Montclair	15,513	15,379	-134
North Caldwell	2,460	2,145	-315
Nutley	11,550	11,832	282
Orange	12,917	13,448	531
Roseland	2,325	2,426	101
South Orange	5,563	5,741	178
Verona	5,374	5,515	141
West Caldwell	3,837	3,857	20
West Orange	17,168	16,899	-269
Essex County	311,738	313,138	1,400

Total	441,227	443,729	2,360
Source: US Census Bureau 2009-113 & 2013-17 ACS			

B. Housing Type

A region's housing stock is comprised of three categories: single-family dwelling units, multi-family dwelling units, and other types of units such as mobile homes. Single-family detached units comprise a substantial majority of the County's housing stock (55.43%) (Table 18). Correspondingly, the proportion of multi-family housing in the County is about 39.79% with mobile homes comprising the remaining .18% of the housing stock.

Table 18: Housing Stock Mix

Property Type	Number	Percent
1 unit detached structure	82,839	55.43%
1 unit detached structure	6,862	4.59%
2 - 4 Units	29,996	20.07%
5 - 19 Units	12,278	8.22%
20 or more units	17,195	11.51%
Mobile Home, boat, RV, van, etc	275	0.18%
TOTAL	149,445	100.00%
Source: US Census Bureau American Community Survey 5-Year Estimates		

C. Housing Condition

Assessing housing conditions in the County can provide the basis for developing policies and programs to maintain and preserve the quality of the housing stock. Housing age can indicate general housing conditions within a community. Housing is subject to gradual deterioration over time. Deteriorating housing can depress neighboring property values, discourage reinvestment, and eventually impact the quality of life in a neighborhood.

State and federal housing programs typically consider the age of a community's housing stock when estimating rehabilitation needs. In general, most homes begin to require major repairs or have significant rehabilitation needs at 30 or 40 years of age. In rental units, landlords may not complete needed maintenance or repairs requested by tenants as buildings begin to age. Furthermore, housing units constructed prior to 1979 are more likely to contain lead-based paint. The County's housing stock is older with a majority of the housing units (77.7%) built before 1979.

The inventory of housing in Essex County is comprised primarily of older buildings that often require consistent maintenance. Table 19 presents data that suggests allow percentage of households are citing non-severe substandard conditions as an issue. It's unclear from the data as to how many households are reporting severe sub standard conditions as a housing problem. It's noted that the Orange Public Housing Authority identified the East Ward in Orange as an area with several abandoned and/or sub standard properties.

Table 19: Age of Housing Stock (2009-2013)

Year Built	Number	Percent
Built 2014 or later	5,301	1.8%
Built 2010 to 2013	3,495	1.2%

Built 2000 to 2009	16,820	5.8%
Built 1980 to 1999	38,927	13.4%
Built 1960 to 1979	19,226	6.1%
Built 1960 to 1979	60,112	20.7%
Built 1940 to 1959	71,291	24.6%
Built 1939 or earlier	93,975	32.4%
Source: US Census Bureau American Community Survey 5-Year Estimates		

Lead-Based Paint Hazard

According to the federal Centers for Disease Control (CDC), approximately 250,000 children aged one to five years in the United States have elevated levels of lead in their blood. High blood lead levels are a concern because they may be harmful to a child’s developing organ systems such as the kidneys, brain, liver, and blood-forming tissues, potentially affecting a child’s ability to learn. Very high blood lead levels can cause devastating health consequences, including seizures, coma, and even death. Children are much more vulnerable to lead poisoning than adults because they put many kinds of items into their mouths. In addition, their bodies absorb up to 40% of the lead with which they come into contact, as opposed to only 10% absorbed by adults. Lead can enter the body through breathing or ingestion. Several factors contribute to higher incidence of lead poisoning:

- All children under the age of six years old are at higher risk.
- Children living at or below the poverty line are at a higher risk.
- Children in older housing are at higher risk.
- Children of some racial and ethnic groups and those living in older housing are at disproportionately higher risk.

Housing age is the key variable used to estimate the number of housing units with lead-based paint (LBP). Starting in 1978, the federal government prohibited the use of LBP on residential property. Housing constructed prior to 1978, however, is at risk of containing LBP. According to the ACS, an estimated 250,257 units (representing 79% of the housing stock) in Essex County were constructed prior to 1980.

The potential for housing to contain LBP varies depending on the age of the housing unit. National studies estimate that 75% of all residential structures built prior to 1970 contain LBP. Housing built prior to 1940, however, is much more likely to contain LBP (estimated at 90% of housing units). About 62% of housing units built between 1960 and 1979 are estimated to contain LBP. Table 20 estimates the number of housing units in Essex County estimated to contain lead based paint. It should be noted, however, that not all units with LBP present a hazard. Properties most at risk include structures with deteriorated paint, chewable paint surfaces, friction paint surfaces, and deteriorated units with leaky roofs and plumbing.

Table 20: Lead-Based Paint Estimates

Risk of Lead-Based-Paint Hazard	Owner Occupied		Renter Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	82,210	88%	38,911	84%
Housing Units build before 1980 with children present	1,937	2%	1,022	2%
Source: US Census Bureau American Community Survey 5-Year Estimates				

As of 2014, the New Jersey Department of Health Childhood Lead Poisoning Annual Report reported a total of 134 referrals in Essex County. Of these it was determined that investigation were required in 85

cases and abatement was required in 22 cases. The respective percentages were 60 and 55 as detailed in Table 21.

Table 21: Environmental Case Activity

County	Cases Referred	Investigation Required	Investigation Completed	% Investigation Completed	Abatement Required	Abatement Completed	% Abatement Completed
Essex	134	85	51	60%	22	12	55%

Source: NJ Department of Health, Child Lead Poisoning in NJ Annual Report

D. Tenure and Vacancy

Housing tenure describes the arrangement by which a household occupies a housing unit; that is, whether a housing unit is owner-occupied or renter-occupied. A person may face different fair housing issues in the rental housing market versus in the for-sale housing market. Residential stability is also influenced by tenure with ownership housing evidencing a much lower turnover rate than rental housing. Tenure preferences are primarily related to household income, composition, and age of the householder. Communities need to have an adequate supply of units available both for rent and for sale in order to accommodate a range of households with varying incomes, family sizes, composition, life styles, etc. Table 22 summarizes the tenure and vacancy characteristics of the County's households. Essex County showed a higher proportion of renter-occupied housing (54%) than owner-occupied housing (46%).

Table 22: Housing Tenure and Vacancy (2009-2013)

	Percent Owner Occupied	Percent Renter Occupied	Vacancy Rate
Essex County	129,998	159,933	5.14%

Source: US Census Bureau American Community Survey

A certain number of vacant units are needed to moderate the cost of housing, allow sufficient choice for residents and provide an incentive for unit upkeep and repair. Vacancy rates are generally higher among rental properties, as rental units have greater attrition than owner occupied units. A healthy vacancy rate is considered to be 2 to 3% for ownership units and 5 to 6% for rental units. Low vacancy rates can indicate a heightened likelihood of housing discrimination as the number of home buyers increases while the number of available units remains relatively constant. Managers and sellers are then able to choose occupants based on possible biases because the applicant pool is large. The vacancy rate for the County is within these ranges, indicating adequate housing options and mobility for residents.

A substantial income and housing disparity exists between owner- and renter-households. Table 23 indicates that Essex County renters are more likely to be lower- and moderate income and are more likely to experience housing problems such as cost-burden and substandard housing conditions.

Table 23: Tenure by Income

Tenure	Percent of All Households	% Units Affordable to Low Income Households	Percent with Housing Problems	Average Household Size
Renters	54%	7,930	45%	2.46

Owners	46%	2,409	41%	2.95
Source: US Census Bureau American Community Survey				

5. Housing Cost and Affordability

One of the most important factors in evaluating a community's housing market is the cost of housing and, even more significant, whether the housing is affordable to households who live there or would like to live there. Housing problems directly relate to the cost of housing in a community. If housing costs are relatively high in comparison to household income, a correspondingly high prevalence of housing cost burden and overcrowding occurs. This section evaluates the affordability of the housing stock in the County to lower- and moderate income households.

A. Ownership Housing Costs

As indicated in Table 23, there are 7,930 units of housing affordable to renters and 2,409 affordable for owners. This is based upon the need to keep housing costs below 30% of the household income. The cost of homeownership varies within Essex County depending on the community. For example, according to the New Jersey Realtors Association the median sales price in 2014 ranged from \$426,250 for a single family home to \$278,900 for a condo/townhome. Median sales prices in the County have increased steadily, but changes in the median price for homes also varied depending on the community.

Table 24 displays median home prices in Essex County for the period ending December 31, 2014. For 2014, the median sales price for single family homes in Essex County was \$426,250, an increase of about 1.5% from 2013.

Table 24: Home Sales in Essex County

Year	Median Sales Price Single Family Home	Median Sales Price Condo/Townhome	Median Sales Adult Community
2013	420,000	260,000	514,950
2014	426,250	278,900	525,000
% Change	1.50%	7.30%	2.00%
Source: NJ Realtors Association			

B. Rental Housing Costs

While rentals costs in Essex County may be more affordable than ownership costs in some areas, overall apartment rents have been increasing. The 2009-13 ACS reflected a countywide rental vacancy rate of 9.6%, higher than the national average of 5%. The Essex County median rent in dollars was \$1,055, an increase of \$17 from the prior year's ACS. As with home prices, rental rates in the County vary by community.

Table 25: Gross Rent by Amount

Amount	2008-12		2009-13	
	Estimate	%	Estimate	%
Less than \$200	4,257	2.90%	4,157	2.80%
\$200 to \$299	7,456	5.10%	7,554	5.20%

\$300 to \$499	7,083	4.80%	6,981	4.80%
\$500 to \$749	13,928	9.50%	13,616	9.30%
\$750 to \$999	35,410	24.20%	33,444	22.80%
\$1,000 to \$1,499	55,727	38.10%	56,848	38.80%
\$1,500 or more	22,568	15.40%	24,076	16.40%
No rent paid	2,907	0.00%	3,329	0.00%
Total	149,336	100.00%	150,005	100.00%

Median (dollars)	\$1,038		\$1,055	
Source: US Census Bureau American Community Survey				

Table 26: Gross Rent as a Percentage of Household Income (GRPI)

Amount	2008-12 ACS		2009-13 ACS	
	Estimate	%	Estimate	%
Less than 15.0%	15,608	10.90%	15,047	10.50%
15.0 to 19.9%	15,457	10.80%	15,527	10.90%
20.0 to 24.9%	16,130	11.30%	16,220	11.30%
25.0 to 29.9%	16,771	11.80%	16,480	11.50%
30.0 to 34.9%	13,323	9.30%	13,373	9.40%
35.0% or more	65,314	45.80%	66,368	46.40%
Not computed	6,733	0.00%	6,990	0.00%
Total	149,336	100.00%	150,005	100.00%
Source: US Census Bureau American Community Survey				

C. Housing Affordability

Housing affordability can be estimated by comparing the cost of renting or owning a home in a community with the maximum affordable housing costs for households at different income levels. Taken together, this information can generally show who can afford what size and type of housing and indicate the type of households most likely to experience overcrowding and overpayment.

HUD conducts annual household income surveys to determine a household's eligibility for federal housing assistance. Households in the lower end of each category can afford less by comparison than those at the upper end. Table 27 shows the annual household income by household size and the maximum affordable housing payment based on the standard of 30 to 35% of household income. General cost assumptions for utilities, taxes, and property insurance are also shown.

Table 27: Affordable Housing Costs

Household Size	Annual Income	Affordable Costs (All Costs)		Estimated Utility Allowance		Tax and Insurance	Affordable Prices	
		Rental Costs	Ownership Costs	Renters	Owners		Renters	Owners
1-person households	\$27,929	\$698	\$698	\$257	\$2,933	\$140	\$4,413	\$106,368

2-person households	\$60,072	\$1,502	\$1,502	\$553	\$6,308	\$300	\$9,491	\$228,784
3-person households	\$68,323	\$1,708	\$1,708	\$629	\$7,174	\$342	\$10,795	\$260,208
4-person households	\$90,194	\$2,255	\$2,255	\$830	\$9,470	\$451	\$14,251	\$343,504
5-person households	\$89,795	\$2,245	\$2,245	\$826	\$9,428	\$449	\$14,188	\$341,984
6-person households	\$87,192	\$2,180	\$2,180	\$802	\$9,155	\$436	\$13,776	\$332,071
7-or-more-person households	\$81,497	\$2,037	\$2,037	\$750	\$8,557	\$407	\$12,877	\$310,381

Source: US Census Bureau American Community Survey

Homeownership is therefore out of reach for most lower-and moderate-income households when you factor in the calculations in Table 27 and the median County household income of \$55,095. Even in the jurisdiction with the lowest median home price homeownership is out of reach for most lower-income households. Given the high costs of homeownership in the County, lower-income households are usually confined to rental housing but the affordability problem also persists in the rental market. The situation is exacerbated for large households with lower- and moderate-incomes given the limited supply of large units, and for seniors with their fixed incomes. When the housing market is tight, with high demand, low vacancies, and rising costs, the potential for discriminatory housing practices also increases.

6. Housing Issues

A. Cost Burden

According to the federal government, any housing condition where a household spends more than 30% of income on housing is considered cost-burdened. A cost burden of 30 to 50% is considered moderate; payment in excess of 50% of income is considered a severe cost burden. Cost burden is an important housing issue because paying too much for housing leaves less money available for basics such as food and living expenses as well as for emergency expenditures.

Over 58% of households experiencing a cost burden are witnessing more that 50% of their income go towards housing (Table 28). A higher proportion of owner-occupied households experienced cost burden compared with renter-occupied households. Housing costs remain relatively high for new home owners and renters. Additionally, many lower income households compensate with larger-than-average household sizes that include several working adults who, collectively, can manage a mortgage or rent payment.

Table 28: Cost Burden

	Renter					Owner				
	0 - 30% AMFI	>30 - 50% AMFI	>50 - 80% AMFI	>80 - 100% AMFI	TOTAL	0 - 30% AMFI	>30 - 50% AMFI	>50 - 80% AMFI	>80 - 100% AMFI	TOTAL
Housing cost burden greater than 50% of income (and none of the above problems)	5,433	2,945	899	150	9,427	3,160	3,915	4,015	2,235	13,325
Housing cost burden greater than 30% of income (and none of the above problems)	980	2,248	3,530	1,224	7,982	94	1,134	2,609	2,024	5,861

Zero/negative Income (and none of the above problems)	1,074	0	0	0	1,074	363	0	0	0	363
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Source: Comprehensive Housing Affordability Strategy (CHAS) and the ACS

B. Overcrowding

Some households may not be able to accommodate high cost burdens for housing, but may instead accept smaller housing or reside with other individuals or families in the same home. Potential fair housing issues emerge if non-traditional households are discouraged or denied housing due to a perception of overcrowding.

Household overcrowding is reflective of various living situations: (1) a family lives in a home that is too small; (2) a family chooses to house extended family members; (3) infants or small children compared to adults, and/or (4) if unrelated individuals or families are doubling up to afford housing. However, cultural differences also contribute to the overcrowded conditions since some cultures tend to have larger household size than others due to the preference of living with extended family members or the number of children in the household. Not only is overcrowding a potential fair housing concern, it can strain physical facilities and the delivery of public services, reduce the quality of the physical environment, contribute to a shortage of parking, and accelerate the deterioration of homes. As a result, some landlords or apartment managers may be more hesitant to rent to larger families, thus making access to adequate housing even more difficult.

Approximately 5% of all households in Essex County are overcrowded and 2.4% are severely overcrowded. The prevalence of overcrowding varies among Municipalities, however, overcrowding is significantly more prevalent among renter-households than owner-households (Tables 29 and 30).

Table 29: Overcrowding

	Occupied Housing Units	Owner-occupied Housing Units	Renter-occupied Housing Units
1.00 or less occupants per room	95.10%	98.40%	92.20%
1.01 to 1.50 occupants per room	2.50%	0.90%	3.90%
1.51 or more occupants per room	2.40%	0.70%	3.90%
Source: US Census Bureau American Community Survey			

Table 30: Overcrowded Households

	Renter					Owner				
	0 - 30% AMFI	>30 - 50% AMFI	>50 - 80% AMFI	>80 - 100% AMFI	TOTAL	0 - 30% AMFI	>30 - 50% AMFI	>50 - 80% AMFI	>80 - 100% AMFI	TOTAL
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	800	820	720	324	2,664	75	95	74	65	309
Overcrowded - With 1,01 - 1.5 people per room (and none of the above problems)	144	260	323	45	772	4	0	100	44	148

Source: Comprehensive Housing Affordability Strategy (CHAS) and the ACS

7. Assisted Housing

The availability and location of public and assisted housing may be a fair housing concern. If such housing is concentrated in one area of a community or of a region, a household seeking affordable housing is limited to choices within the area. In addition, public/assisted housing and Housing Choice Voucher (formerly Section 8) assistance should be accessible to qualified households regardless of race/ethnicity, disability, or other protected class status.

A. Housing Choice Vouchers and Public Housing

Most of the nation’s affordable housing stock is in privately owned and operated developments subsidized by the federal government. The Housing Choice Voucher program (formerly Section 8) is a rent subsidy program that helps low-income families and seniors pay rents of private units. Tenants pay a minimum of 30% of their income for rent and the local housing authority pays the difference up to the payment standard established by housing authority. The program offers low-income households the opportunity to obtain affordable, privately owned rental housing and to increase their housing choices. The housing authority establishes payment standards based on HUD-established Fair Market Rents. The owner’s asking price must be supported by comparable rents in the area. Any amount in the excess of the payment standard is paid by the program participant. There are currently four Housing Authorities that administer the Housing Choice Voucher Program within the Essex County CDBG HOME consortium and one that provides both public housing and Housing Choice Vouchers. They are as follows:

- **The West Orange Public Housing Agency**, administers Housing Choice Voucher Program only. This agency currently has a baseline of 120 housing choice vouchers and a waiting list of approximately 50 - 100 families. The agency also administers approximately 15 - 20 housing choice vouchers from other agencies through portability procedures.
- **The Township of Bloomfield Housing Authority** provides Housing Choice Vouchers for 260 units of scattered site housing. The HA also will provide information on several affordable senior housing developments, some with units accessible for persons with disabilities.
- **The Orange Housing Authority** administers both a public housing and Section 8 housing voucher program. The housing authority owns and manages 3 projects which contain 390 affordable rental units. It also administers 741 Section 8 housing vouchers. There are approximately 600 families on the city’s wait list for Section 8 assistance and there were over 7,000 applications when his agency advertised the availability of 200 affordable housing slots.

- **The Montclair Housing Authority** administers a Section 8 housing voucher program. The housing authority administers 321 Section 8 housing vouchers. The Section 8 Housing Choice Voucher program waiting list is currently closed

There are three additional Essex County cities that have Housing Authorities, but are not a part of the Essex County CDBG Consortium. They are, the City of East Orange, the City of Irvington and the City of Newark. In total Countywide, there are 111 properties and 13,087 units funded through the Housing Choice Voucher Program.

Table 31 provides a breakdown of the County’s Federally assisted affordable rental housing stock by program type.

Table 31: Public Housing by Program Type

Program	Properties	Units
Section 8	111	13,087
LIHTC	97	5,680
Section 202	16	1,462
Section 811	18	94
Public Housing	56	9,462
Total	225	19,562
Note: The total does not necessarily equal the sum of each program as some properties may participate in multiple funding programs.		

B. Assisted and Public Housing Projects

As in typical urban environments throughout the country, areas designated for high density housing in the County are usually adjacent to areas designated for commercial and industrial uses. Lower and moderate-income households tend to live in high density areas where the lower land costs per unit can result in lower development costs and associated lower housing payments. Therefore, the location of public/assisted housing is partly the result of economic feasibility.

Most of the County’s federally assisted units are located outside of the Essex County CDBG Consortium. In fact, 83.07% are located in the Cities of Newark (66.16%), East Orange (14.3%) and Irvington (2.61%). Countywide, the average number of units per property for affordable rentals is 86.90. The largest Federally assisted affordable rental community in the county is New Community Corporation at 754 units and the smallest is South Orange Consumer Home at 3 units. There are 16 properties that provide housing for seniors totaling 1,462 units. Table 32 contains a list of the federally assisted projects and the number of units in Essex County, by Municipality.

Table 32: Federally Assisted Projects by Municipality

City	Properties	Units
Belleville	1	7
Bloomfield	3	253
Caldwell	1	159
Cedar Grove	1	150
East Orange	29	2,819

Glen Ridge	1	3
Irvington	8	515
Livingston	1	5
Maplewood	4	123
Montclair	7	503
Newark	137	13,044
Nutley	3	210
Orange	19	1,264
South Orange	3	72
Verona	2	162
West Caldwell	2	11
West Orange	5	417
Source: Affordable Housing Online		

8. Licensed Community Care Facilities

Persons with special needs, such as the elderly and those with disabilities, must also have access to housing in a community. Community care facilities provide a supportive housing environment to persons with special needs in a group situation. Restrictions that prevent this type of housing represent a fair housing concern.

According to the NJ Department of Health, there are 33 Long-Term Care Facilities, 15 adult day care facilities, 1 Residential Health Care Facility, 11 Assisted Living Residences and 3 Comprehensive Personal Care Homes. 61% of these facilities are located in towns within the Essex County, while the remaining 39% are located in the County's four entitlement communities.

Table 33: Licensed Community Care Facilities by Jurisdiction

Facility	Municipality	Type	Funding
Clara Maass Transitional Care Unit	Belleville	Long Term Care Facility	Medicaid, Private
Job Haines Home For Aged People	Bloomfield	Long Term Care Facility	Medicaid, Medicare, Private
Job Haines Home For Aged People/Hearthside Commons	Bloomfield	Assisted Living Residence	Private
St. Catherine Of Siena	Caldwell	Long Term Care Facility	Medicaid, Medicare, Private
Alaris Health at Cedar Grove	Cedar Grove	Long Term Care Facility	Medicaid, Medicare, Private
Arbor Glen Center	Cedar Grove	Long Term Care Facility	Medicaid, Medicare, Private
The Canterbury At Cedar Grove Care and Rehabilitation	Cedar Grove	Long Term Care Facility	Medicaid, Medicare, Private
St. Vincent's Nursing Home	Cedar Grove	Long Term Care Facility	Medicaid, Medicare, Private
Waterview Center	Cedar Grove	Long Term Care Facility	Medicaid, Medicare, Private
Brookhaven Health Care Center	East Orange	Long Term Care Facility	Medicaid, Medicare, Private
New Grove Manor	East Orange	Long Term Care Facility	Medicaid, Medicare, Private
Park Crescent Healthcare & Rehabilitation Center	East Orange	Long Term Care Facility	Medicaid, Medicare, Private
Windsor Gardens Care Center	East Orange	Long Term Care Facility	Medicaid, Medicare, Private
Sunrise Assisted Living at West Essex	Fairfield	Assisted Living Residence	Medicaid, Private
Alaris Health at Essex	Irvington	Long Term Care Facility	Medicaid, Medicare, Private
Care One At Livingston	Livingston	Long Term Care Facility	Medicaid, Medicare, Private
Care One At Livingston Assisted Living	Livingston	Assisted Living Residence	Medicaid, Private
Inglemoor Rehabilitation and Care Center of Livingston	Livingston	Long Term Care Facility	Medicaid, Medicare, Private
Winchester Gardens	Maplewood	Assisted Living Residence	Medicaid, Private
Gates Manor	Montclair	Long Term Care Facility	Medicaid, Medicare, Private

Hackensack-UMC Mountainside	Montclair	Long Term Care Facility	Medicaid, Private
Little Nursing Home	Montclair	Long Term Care Facility	Private
Van Dyk Manor of Montclair	Montclair	Long Term Care Facility	Medicaid, Medicare, Private
Broadway House for Continuing Care	Newark	Long Term Care Facility	Medicaid, Medicare, Private
Forest Hill Healthcare Center	Newark	Long Term Care Facility	Medicaid, Medicare, Private
New Community Extended Care Facility	Newark	Long Term Care Facility	Medicaid, Medicare, Private
New Vista Nursing and Rehabilitation Center	Newark	Long Term Care Facility	Medicaid, Medicare, Private
Sinai Post Acute Nursing and Rehab Center	Newark	Long Term Care Facility	Medicaid, Medicare, Private
Alaris Health at St. Mary's	Orange	Long Term Care Facility	Medicaid, Medicare, Private
White House Healthcare & Rehabilitation Center	Orange	Long Term Care Facility	Medicaid, Medicare, Private
The Solana Roseland	Roseland	Assisted Living Residence	Private
Lutheran Social Ministries At Crane's Mill	West Caldwell	Assisted Living Residence	Medicare, Private
Lutheran Social Ministries at Crane's Mill	West Caldwell	Long Term Care Facility	Medicare, Private
West Caldwell Care Center	West Caldwell	Long Term Care Facility	Medicaid, Medicare, Private
Alaris Health at West Orange	West Orange	Long Term Care Facility	Medicaid, Medicare, Private
Arden Courts of West Orange	West Orange	Assisted Living Residence	Private
Brighton Gardens of West Orange	West Orange	Assisted Living Residence	Private
The Cliffs At Eagle Rock	West Orange	Assisted Living Residence	Medicaid, Private
Daughters of Israel Pleasant Valley Home	West Orange	Long Term Care Facility	Medicaid, Medicare, Private
Emeritus at West Orange	West Orange	Assisted Living Residence	Medicaid, Private
Green Hill	West Orange	Residential Health Care	Private
Stratford Manor Rehabilitation and Care Center	West Orange	Long Term Care Facility	Medicaid, Medicare, Private
Summit Ridge Center	West Orange	Long Term Care Facility	Medicaid, Medicare, Private
Source: NJ Department of Health			

9. Accessibility to Public Transportation and Services

Public transportation information is important to the analysis of impediments to fair housing because access to public transportation is of great importance to low income households. Public transportation should be able to link low-income persons, who are often transportation dependent, with major employers where job opportunities exist. Access to employment through public transportation can reduce welfare usage rates and increase housing mobility, which enables residents to locate housing outside of traditionally low and moderate-income areas. The lack of a relationship between public transportation, employment opportunities, and affordable housing may impede fair housing choice because persons who depend on public transportation will have limited choices regarding places to live. In addition, elderly and disabled persons also often rely on public transportation to visit doctors, go shopping, or attend community activities. Public transportation that provides a link between job opportunities, public services, and affordable housing helps to ensure that transportation-dependent residents have adequate opportunity to access housing, services, and jobs.

A. Public Transportation

Bus and rail transportation services in Essex County are provided by several transportation operators. There are a number of public and private transportation services operate in Essex County, in addition to one major airport. These systems developed organically over time with most primarily serving local residents within city boundaries. As with other forms of transportation in Essex County, services are funded by a mix of federal, state, and local funds.

Generally within the County of Essex, major employers are located directly on or adjacent to public transportation routes. However, having regional access to jobs by means of public transportation does not necessarily translate into stable employment. Low-income workers, especially female heads of household with children, have unique travel patterns that may prevent them from obtaining work far from home,

regardless of access to public transportation. Women in general are disproportionately responsible for household-supporting activities such as trips to grocery stores or to accompany young children to and from schools. Women using public transportation are often limited to looking for employment near home that will allow them time to complete these household-sustaining trips.

Table 34 provides a list of the public transportation providers in Essex County along with a brief description of the services they provide.

Table 34: Public Transportation Providers

NIA (Newark Liberty International Airport)	Newark Liberty International Airport is an international airport which straddles the municipal boundary between Newark and Elizabeth, New Jersey. The airport is owned by the city of Newark and operated by the Port Authority of New York and New Jersey. Newark Airport was the first major airport in the United States and is the New York-New Jersey metropolitan area's busiest in terms of flights. In 2014 Newark Airport handled 35.6 million passengers. Newark is the third-largest hub for United Airlines, which is the airport's largest tenant.
PATH (Port Authority Trans-Hudson)	The Port Authority Trans-Hudson Corporation (PATH) was established in 1962 as a subsidiary of The Port Authority of New York and New Jersey. The heavy rail rapid transportation system serves as the primary transportation link between Manhattan and neighboring New Jersey urban communities and suburban commuter railroads. PATH presently carries 244,000 passenger trips each weekday. This volume is expected to continue to increase with the anticipated growth in regional residential, commercial, and business development.
DBL (DeCamp Bus Lines)	The bus fleet operates 24 hours a day, 365 days a year and make over two hundred trips per day between points in northern New Jersey and the Port Authority Bus Terminal in Manhattan.
NJ Transit (NJ Transit Corporation)	NJ Transit (NJT) is NJ's public transportation corporation. Covering a service area of 5,325 square miles, NJT is the nation's third largest provider of bus, rail and light rail transportation, linking major points in NJ, NY and Philadelphia. The agency operates a fleet of 2,027 buses, 711 trains and 45 light rail vehicles. On 236 bus routes and 12 rail lines statewide, NJT provides nearly 223 million passenger trips each year. NJT also administers several publicly funded transit programs for people with disabilities, senior citizens and people living in the state's rural areas who have no other means of transportation. In addition, the agency provides support and equipment to privately-owned contract bus carriers. NJT also offers the Access Link Program, which provides transportation for the disabled and is made available to those citizens that are specifically prevented from using the bus system due to their disability.
ONE Bus (Orange-Newark-Elizabeth Bus)	ONE / Independent Bus has a long history of providing quality public transportation in New Jersey. We are a major local bus operator in the Newark metropolitan area, with routes serving The Oranges, Newark, and Elizabeth.

Table 35 provides a list of some of the local transportation programs provided by various municipalities with the Essex County consortium, along with a brief description of the services they provide. The general purpose of these programs is to ease the local commute to mass transportation centers.

Table 35: Local Transportation Service Providers

Jurisdiction	Service
Bloomfield	The Bloomfield Shuttle Bus picks up commuters and transports them to the newly renovated Bloomfield Station located on Lackawanna Place. The new Bloomfield Station is a stop on NJ Transit's Montclair-Boonton Line which enables commuters a direct trip to many destinations such as Hoboken and New York. The Township also offers a Dial-A Ride Program for residents 60 years and older. Eligible residents are picked up in front of their homes and driven anywhere in Essex County. Rides are primarily for medical purposes but if the schedule allows we can set up rides to the beauty parlor/barbershop, library and even visits to grave sites. Approximately 75 people a week have been taking advantage of the this service.
Fairfield	The Fairfield - West Caldwell Shuttle is a free service and serves people who work along Route 46 at companies such as Bowne & Co., R&R Marketing and West Caldwell Care Center in the townships of Fairfield and West Caldwell. This shuttle is funded by Essex County and NJ Transit. The shuttle operates from 6 a.m. to 9 a.m. weekday mornings and from 3 p.m. to 7 p.m., weekday afternoons. Riders take NJ Transit Bus #29 or #71 to the stop at the intersection of Bloomfield and Passaic Avenue.
Glen Ridge	The Borough of Glen Ridge, in conjunction with NJ Transit, provides a Jitney Service that transports commuters to the Ridgewood Avenue Train Station. The shuttle buses make stops throughout the Borough.
Livingston	The Jitney travels from the Livingston Mall parking lot to the South Orange train station.
Maplewood	The Township of Maplewood Jitney Service transports commuters from and to the Maplewood Train Station. The Jitney Service run Monday through Friday (except municipal holidays), on a fixed route.
Montclair	The Shuttle Bus provides transportation for Montclair residents in the area of the bus route from the Bay Street Station.
Nutley	The Nutley "Jitney" will provide access to Delawanna Station, located in Clifton. This service will be available Monday through Friday.
South Orange	Jitney service to the South Orange Train Station for commuters to and from NYC and Hoboken
West Caldwell	The Fairfield - West Caldwell Shuttle is a free service and serves people who work along Route 46 at companies such as Bowne & Co., R&R Marketing and West Caldwell Care Center in the townships of Fairfield and West Caldwell. This shuttle is funded by Essex County and NJ Transit. The shuttle operates from 6 a.m. to 9 a.m. weekday mornings and from 3 p.m. to 7 p.m., weekday afternoons. Riders take NJ Transit Bus #29 or #71 to the stop at the intersection of Bloomfield and Passaic Avenue.
West Orange	West Orange provides free jitney service to the Midtown-Direct train line, which brings riders straight to New York's Penn Station. The town also provides the free jitney service to Orange Station and South Orange Station.
Essex County	In cooperation with Essex County and NJ Transit, EZ Ride operates the Essex Night Owl, which provides free shuttle service between Newark Penn Station and residents' homes in Newark, Orange, East Orange and Irvington. Service operates between 1 a.m. and 5 a.m., seven days a week. The Essex Night Owl shuttle is funded by Essex County and NJ Transit.
Essex County	This free Essex County WAVE Shuttle service is funded by Essex County and NJ Transit. The shuttles operate using Essex County vehicles and provide service for low-income residents to several agencies in the Greater Newark Area that provide work training and work assistance. WAVE Shuttles operate along six different routes Monday through Friday from 7:40 a.m. to 4:35 p.m.

B. Industry

A review of the County’s top employers reveals the diversity of industry and employment in Essex County. Jobs are predominantly in the education and health care service industries followed by the professional, scientific and management services. These jobs tend to require advanced education, which could be a barrier to those of low income who may not have the same opportunities to attend post secondary schools as those of the moderate income population. Table 36 provide a breakdown of Industry by Occupation for the Civilian Employed 16 Years Old and Over. Most of the County’s major employers are accessible via public transportation. The mean transportation time to work for County residents is 32.4 minutes and 61.9% drove to work alone.

Table 36: Industry by Occupation for the Civilian Employed 16 Years Old and Over

Description	Total
Agriculture, forestry, fishing and hunting, and mining:	480
Wholesale trade	10,262
Information	11,887
Public administration	20,512
Other services, except public administration	15,860
Construction	25,161
Transportation and warehousing, and utilities:	26,686
Manufacturing	25,491
Arts, entertainment, and recreation, and accommodation and food services:	31,265
Finance and insurance, and real estate and rental and leasing:	31,396
Retail trade	38,961
Professional, scientific, and management, and administrative and waste management services:	48,466
Educational services, and health care and social assistance:	100,424
Total:	386,841
Source: US Census Bureau American Community Survey	

C. Affordable Housing and Public Transportation

Limited access to public transportation counteract some of the benefits of affordable housing. Current research indicates a strong connection between housing and transportation costs. In general, those with lower incomes and must expend a larger portion of their disposable incomes on housing costs tend to be more reliant on public transportation. A study conducted by The Center for Housing Policy revealed that families who spend more than half of their income on housing spend only 8% on transportation, while families who spend 30% or less of their income on housing spend almost 24% on transportation. This equates to more than three times the amount spent than those in less affordable housing.

Many affordable housing projects are located along regional transportation routes. However, many of the larger employers in the County, particularly those in the industrial parks are not easily accessible by public transportation. Therefore, residents living along transportation routes may still have difficulty getting to entry level jobs.

D. ADA-Compliant Public Facilities

The Americans with Disabilities Act (ADA) of 1990 is federal civil rights legislation which makes it illegal to discriminate against persons with disabilities. Title II of the ADA requires elimination of discrimination in all public services and the elimination of architectural barriers in all publicly owned buildings and facilities.

It is important that public facilities are ADA-compliant to facilitate participation among disabled residents in the community planning and decision-making processes. One of the key places that facilitate community participation is the local or County government buildings. As funding permits, the County and the participating municipalities continue to make ADA improvements to other public facilities, including but not limited to sidewalks and curb cuts.

E. Public Schools

Essex County is comprised of 21 municipal school districts, a countywide vocational system as well as numerous charter schools. The Essex County Executive County Superintendent of Schools supervises and administers the day-to-day functions of the County Office of Education as a representative of the State Commissioner of Education. The County Superintendent provides educational leadership to and general over-sight of the County's public school districts pursuant to law and code. In the role of educational leader, the County Superintendent encourages and advances the public schools' efforts towards implementing high quality and cost-effective school/classroom programs.

As part of President Johnson's "War on Poverty," the Elementary and Secondary Education Act (ESEA) was passed in 1965. It is often regarded as the most far-reaching federal legislation affecting education. The act is an extensive statute that funds primary and secondary education, while emphasizing equal access to education and establishing high standards and accountability. A major component of ESEA is a series of programs typically referred to as "Title 1." These programs distribute funding to schools and school districts with a high percentage of students from low-income families. To qualify as a Title 1 school, a school typically must have around 40% or more of its students coming from families who are low-income. The programs also give priority to schools that are in obvious needs of funds, low-achieving schools, and schools that demonstrate a commitment to improving their education standards and test scores. While there are Title 1 schools in most municipalities there is a noticeable concentration in areas with minority concentrations. These areas generally correlate with the low and moderate-income areas.

In Essex County, 14 school districts receive Title 1 funding, encompassing 154 individual schools.

Chapter IV – Mortgage Lending Practices

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the current lending/credit crisis. This chapter reviews the lending practices of financial institutions and the access to financing for all households, particularly minority households and those with lower incomes. Lending patterns in low and moderate income neighborhoods and areas of minority concentration are also examined. However, publicly available data on lending does not contain detailed information to make conclusive statements of discrimination, but can only point out potential concerns. Furthermore, except for outreach and education efforts, the County's ability to influence lending practices is limited. Such practices are largely governed by national policies and regulations.

1. Background

Discriminatory practices in home mortgage lending have evolved in the last fifty years. In the 1940s and 1950s, racial discrimination in mortgage lending was easy to spot. From government-sponsored racial covenants to the redlining practices of private mortgage lenders and financial institutions, minorities were denied access to home mortgages in ways that severely limited their ability to purchase a home. Today, discriminatory lending practices are more subtle and tend to take different forms. While mortgage loans are readily available in low income minority communities, by employing high-pressure sales practices and deceptive tactics, some mortgage brokers push minority borrowers into higher-cost subprime mortgages that are not well suited to their needs and can lead to financial ruin. Consequently, minority consumers continue to have less than equal access to loans at the best price and on the best terms that their credit history, income, and other individual financial considerations merit.

A. Legislative Protection

In the past, financial institutions did not always employ fair lending practices. Credit market distortions and other activities such as “redlining” were prevalent and prevented some groups from having equal access to credit. The Community Reinvestment Act (CRA) in 1977 and the subsequent Home Mortgage Disclosure Act were designed to improve access to credit for all members of the community and hold the lender industry responsible for community lending.

Community Reinvestment Act and Home Mortgage Disclosure Act

The Community Reinvestment Act (CRA) is intended to encourage regulated financial institutions to help meet the credit needs of entire communities, including low and moderate income neighborhoods. Depending on the type of institution and total assets, a lender may be examined by the Federal Reserve Board (FRB), Federal Financial Institutions Examination Council (FFIEC), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC) to ensure its CRA performance. However, the CRA rating is an overall rating for an institution and does not provide insights regarding the lending performance at specific locations by the institution.

Home Mortgage Disclosure Act

In tandem with the CRA, the Home Mortgage Disclosure Act (HMDA) requires lending institutions to make annual public disclosures of their home mortgage lending activity. Under HMDA, lenders are required to disclose information on the disposition of home loan applications and on the race or national origin, gender, and annual income of loan applicants.

HMDA data provide some insight into the lending patterns that exist within a community. However, HMDA data are only an indicator of potential problems; the data cannot be used to conclude definitively that

redlining or discrimination is occurring due to the lack of detailed information on loan terms or specific reasons for denial.

Conventional versus Government-Backed Financing

Conventional financing involves market-rate loans provided by private lending institutions such as banks, mortgage companies, savings and loans, and thrift institutions. To assist lower and moderate income households that may have difficulty in obtaining home mortgage financing in the private market due to income and equity issues, several government agencies offer loan products that have below market rate interests and are insured by the agencies. Sources of government-backed financing include loans insured by the Federal Housing Administration (FHA) and the Department of Veterans Affairs (VA). Often government-backed loans are offered to the consumers through private lending institutions. Local programs such as first-time homebuyer and rehabilitation programs are not subject to HMDA reporting requirements.

Typically, low income households have a much better chance of getting a government assisted loan than a conventional loan. However, the pre-2009 lending market offered subprime loan options such as 0% down, interest-only, and adjustable loans. As a result, government-backed loans were a less attractive option for many households then. In recent years, however, heightened lending restrictions were put into place to severely limit the issuance of risky sub-prime loans. In addition, the federal government created a government-insured foreclosure avoidance initiative in September 2007, FHASecure, to assist tens of thousands of borrowers nationwide in refinancing their sub-prime home loans.

Expanded marketing to assist potential homeowners to understand the requirements and benefits of these loans still remains a priority.

Making Home Affordable Program

Established in 2009, the Making Home Affordable Program, assists eligible homeowners who can no longer afford their home with mortgage loan modifications and other options, including short sale or deed-in-lieu of foreclosure. The program is targeted toward homeowners facing foreclosure and homeowners who are unemployed or are homeowners who owe more on their mortgage than their home is worth. The Making Home Affordable Program includes several options for homeowners in need of assistance:

- The Home Affordable Modification Program (HAMP) reduces a homeowner's monthly mortgage payment to 31% of their verified gross (pre-tax) income to make their payments more affordable.
- The Second Lien Modification Program (2MP) offers homeowners a way to lower payments on their second mortgage.
- The Home Affordable Refinance Program (HARP) assists homeowners whose mortgages are current and held by the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac) refinance into a more affordable mortgage.
- An Unemployment Program provides eligible homeowners a forbearance period during which their monthly mortgage payments are reduced or suspended while they seek re-employment. The minimum forbearance period is three months, although a mortgage servicer may extend the term depending on applicable investor and regulatory guidelines.
- The Principal Reduction Program offers homeowners who are underwater the opportunity to earn principal reductions over a three-year period by successfully making payments in accordance with their modified loan terms.
- For homeowners who can no longer afford their homes, but do not want to go into foreclosure, the Home Affordable Foreclosure Alternatives Program (HAFA) offers homeowners, their mortgage servicers, and investors incentives for completing a short sale or deed-in-lieu of foreclosure. HAFA enables homeowners to transition to more affordable housing while being released from their

mortgage debt. The program also includes a component where a homeowner receives financial assistance to help with relocation costs in return for vacating their property in good condition.

Helping Families Save Their Homes Act

The Helping Families Save Their Homes Act was passed by Congress in May 2009 and expands the Making Home Affordable Program. This Act includes provisions to make mortgage assistance and foreclosure prevention services more accessible to homeowners and increases protections for renters living in foreclosed homes. It also establishes the right of a homeowner to know who owns their mortgage and provides over two billion dollars in funds to address homelessness.

The Act targets underwater borrowers by easing restrictions on refinance and requiring principal write-downs to help these homeowners increase the equity in their homes. The new law also provides FHA loans as part of the Making Homes Affordable Program. In addition to expanding the Making Homes Affordable Program, the Act extends the temporary increase in deposit insurance, increases the borrowing authority of the FDIC and National Credit Union Administration (NCUA), and creates a Stabilization Fund to address problems in the corporate credit union sector.

Under this bill, tenants also have the right to stay in their homes after foreclosure for 90 days or through the term of their lease. Prior to this bill, tenants were only guaranteed 60 days of notice before eviction and any current lease was considered terminated in the event of a foreclosure. This Act extends the 60-day notification period to 90 days and requires banks to honor any existing lease on a property in foreclosure.

Fraud Enforcement and Recovery Act

The Fraud Enforcement and Recovery Act (FERA) enhances the enforcement of federal fraud laws by strengthening the capacity of federal prosecutors and regulators to hold accountable those who have committed fraud. FERA amends the definition of a financial institution to include private mortgage brokers and non-bank lenders that are not directly regulated or insured by the federal government, making them liable under federal bank fraud criminal statutes. The new law also makes it illegal to make a materially false statement or to willfully overvalue a property in order to manipulate the mortgage lending business. In addition, FERA includes provisions to protect funds expended under Troubled Asset Relief Program (TARP) and the FERA and amends the Federal securities statutes to cover fraud schemes involving commodity futures and options. Additional funds were also made available under FERA to a number of enforcement agencies in order to investigate and prosecute fraud.

The NJ HomeKeeper Program

The HomeKeeper Program is designed to offer financial assistance to New Jersey homeowners who were in danger of losing their homes as a direct result of unemployment or underemployment. The program offers up to \$48,000 in forgivable mortgage assistance is funded through a federal grant from the US Treasury's Hardest Hit Fund

The New Jersey Home Ownership Security Act

The New Jersey Home Ownership Security Act, which became law in 2003, is designed to stop predatory lending practices and keep homeowners from unfairly losing their homes and assets. Amendments enacted in July 2004 confirmed the law's central provisions which provide homeowners with strong protections from predatory lenders while ensuring access to credit.

2. Overall Lending Patterns Data and Methodology

The availability of financing affects a person's ability to purchase or improve a home. Under the HMDA, lending institutions are required to disclose information on the disposition of loan applications by the income, gender, and race of the applicants. This applies to all loan applications for home purchases, improvements, and refinancing, whether financed at market rate or with government assistance.

Aside from income, the major impediment to securing a home loan is insufficient understanding of the home buying and lending processes. About 13% of all applications countywide were withdrawn by the applicants or deemed incomplete by the financial institution in 2013. Withdrawn or closed applications can be indicative of a lack of knowledge about the home buying and lending process.

A. Home Purchase Loans

In 2013, a total of 10,988 households applied for conventional loans to purchase homes in Essex County. The approval rate countywide in 2013 for conventional home purchase loans was 69.6%, while the denial rate was 11.51%. When the housing market began to show signs of collapse and foreclosures were on the rise in 2007, many financial institutions instituted stricter approval criteria for potential borrowers, which caused approval rates to drop. However, as time passed, the applicant pool for mortgage lending became smaller and increasingly selective. Applicants from recent years have generally been in much better shape financially than pre-2010 applicants, which has led to increased approval rates.

As an alternative to conventional home loans, potential homeowners can choose to apply for government-backed home purchase loans when buying their homes. In a conventional loan, the lender takes on the risk of losing money in the event a borrower defaults on a mortgage. For government-backed loans, the loan is insured, either completely or partially, by the government. The government does not provide the loan itself, but instead promises to repay some or all of the money in the event a borrower defaults. This reduces the risk for the lender when making a loan. Government-backed loans generally have more lenient credit score requirements, lower down-payment requirements, and are available to those with recent bankruptcies. However, these loans may also carry higher interest rates and most require homebuyers to purchase mortgage insurance. Furthermore, government-backed loans have strict limits on the amount a homebuyer can borrow for the purchase of a home. In competitive and high-end housing markets, many of the homes available for purchase exceed the maximum allowable loan amount.

B. Home Improvement Loans

Reinvestment in the form of home improvement is critical to maintaining the supply of safe and adequate housing. Historically, home improvement loan applications have a higher rate of denial when compared to home purchase loans. Part of the reason is that an applicant's debt-to-income ratio may exceed underwriting criteria when the first mortgage is considered with consumer credit balances. Another reason is that many lenders use the home improvement category to report both second mortgages and equity-based lines of credit, even if the applicant's intent is to do something other than improve the home. Loans that will not be used to improve the home are viewed less favorably since the owner is divesting in the property by withdrawing accumulated wealth. From a lender's point of view, the reduction in owner's equity represents a higher risk.

C. Refinancing

Homebuyers will often refinance existing home loans for a number of reasons. Refinancing can allow homebuyers to take advantage of better interest rates, consolidate multiple debts into one loan, reduce monthly payments, alter risk (i.e. by switching from variable rate to fixed rate loans), or free up cash and capital.

3. Lending Patterns by Race/Ethnicity and Income Level

The federal Fair Housing Act prohibits discrimination in mortgage lending based on race, color, national origin, religion, sex, familial status or handicap (disability). It is, therefore, important to look not just at overall approval and denial rates for a jurisdiction, but also whether or not these rates vary by other factors, such as race/ethnicity.

A. Loan Applicant Representation

In a perfect environment, the applicant pool for mortgage lending should be reflective of the demographics of a community. When one racial/ethnic group is overrepresented or underrepresented in the total applicant pool, it could be an indicator of unequal access to housing opportunities. Such a finding may be a sign that access to mortgage lending is not equal for all individuals.

B. Income Level

In addition to looking at whether access to lending is equal, it is important to analyze lending outcomes for any signs of potential discrimination by race/ethnicity. Approval rates for loans tend to increase as household income increases; however, lending outcomes should not vary significantly by race/ethnicity among applicants of the same income level.

White applicants at all income levels generally had the highest approval rates. Similarly high approval rates were recorded for Asian applicants. Approval rates for Black and Hispanic applicants, however, were well below the approval rates for White and Asian applicants in the same income groups in 2013. More specifically, Black applicants consistently had the lowest approval rates compared to other racial/ethnic groups in the same income groups.

While this analysis provides a more in-depth look at lending patterns, it does not conclusively explain any of the discrepancies observed. Aside from income, many other factors can contribute to the availability of financing, including credit history, the availability and amount of a down payment, and knowledge of the home buying process. HMDA data does not provide insight into these other factors.

4. Sub-Prime Lending Market

According to the Federal Reserve, “prime” mortgages are offered to persons with excellent credit and employment history and income adequate to support the loan amount. “Subprime” loans are loans to borrowers who have less-than-perfect credit history, poor employment history, or other factors such as limited income. By providing loans to those who do not meet the standards for borrowers in the prime market, subprime lending can and does serve a critical role in increasing levels of homeownership. Households that are interested in buying a home but have credit issues may be unable to purchase a home. The subprime loan market offers these borrowers opportunities to obtain loans that they would be unable to realize in the prime loan market.

Subprime lenders generally offer interest rates that are higher than those in the prime market and often lack the regulatory oversight required for prime lenders because they are not owned by regulated financial institutions. Recently, many large and well-known banks became involved in the subprime market either through acquisitions of other firms or by initiating subprime loans directly. Though the subprime market usually follows the same guiding principles as the prime market, a number of specific risk factors are associated with this market. Subprime lending generally has the following characteristics:

- **Higher Risk:** Lenders experience higher loan defaults and losses by subprime borrowers than by prime borrowers.

- **Lower Loan Amounts:** On average, loans in the subprime mortgage market are smaller than loans in the prime market.
- **Higher Costs to Originate:** Subprime loans may be more costly to originate than prime loans since they often require additional review of credit history, a higher rate of rejected or withdrawn applications and fixed costs such as appraisals, that represent a higher percentage of a smaller loan.
- **Faster Prepayments:** Subprime mortgages tend to be prepaid at a much faster rate than prime mortgages.
- **Higher Fees:** Subprime loans tend to have significantly higher fees due to the factors listed above.

Subprime lending can both impede and extend fair housing choice. On one hand, subprime loans extend credit to borrowers who potentially could not otherwise finance housing. The increased access to credit by previously underserved consumers and communities contributed to record high levels of homeownership among minorities and lower income groups. On the other hand, these loans left many lower income and minority borrowers exposed to default and foreclosure risk. Since foreclosures destabilize neighborhoods and subprime borrowers are often from lower income and minority areas, mounting evidence suggests that classes protected by fair housing faced the brunt of the recent subprime and mortgage lending market collapse.

Since 2008, not only has there been a decline in the number of subprime loans issued, there has also been a decrease in the magnitude of interest rate spread reported on these loans. An interest rate spread refers to the difference between two related interest rates. For HMDA data, spread specifically refers to the difference between the annual percentage rate (APR) for a loan and the yield on a comparable-maturity Treasury security. Generally, the higher the reported spread on a loan, the worse that loan is compared to a standard prime loan. There was no identifiable difference in the reported magnitude of spread for subprime loans by race/ethnicity of the applicant.

5. Predatory Lending

With an active housing market, potential predatory lending practices by financial institutions do occur. Predatory lending involves abusive loan practices usually targeting minority applicants or those with less-than-perfect credit histories. The predatory practices typically include higher fees, hidden costs, and unnecessary insurance and larger repayments due in later years. One of the most common predatory lending practices is placing borrowers into higher interest rate loans than called for by their credit status. Although the borrowers may be eligible for a loan in the “prime” market, they are directed into more expensive and higher fee loans in the “subprime” market. In other cases, fraudulent appraisal data is used to mislead homebuyers into purchasing over-valued homes, and/or misrepresented financial data is used to encourage homebuyers into assuming a larger loan than can be afforded. Both cases almost inevitably result in foreclosure.

In recent years, predatory lending has also penetrated the home improvement financing market. Seniors and minority homeowners are typically the targets of this type of lending. In general, home improvement financing is more difficult to obtain than home purchase financing. Many homeowners have a debt-to-income ratio that is too high to qualify for home improvement loans in the prime market and become targets of predatory lending in the subprime market.

Predatory lending is a growing fair housing issue. Predatory lenders who discriminate get some scrutiny under the Fair Housing Act of 1968 which requires equal treatment in terms and conditions of housing opportunities and credit regardless of race, religion, color, national origin, family status, or disability. This applies to loan originators as well as the secondary market. The Equal Credit Opportunity Act of 1972

requires equal treatment in loan terms and availability of credit for all of the above categories, as well as age, sex, and marital status.

Lenders that engage in predatory lending would violate these Acts if they target minority or elderly households to buy at higher prices and unequal loan products, treat loans for protected classes differently than those of comparably credit-worthy White applicants, or have policies or practices that have a disproportionate effect on the protected classes.

The State of New Jersey has enacted additional measures designed to stem the tide of predatory lending practices. Known as the New Jersey Homeowners Security Act, the law was signed and took effect in 2003 provided a mechanism to investigate and hold liable those involved in fraudulent real estate transactions.

Predatory lending and unsound investment practices, central to the current home foreclosure crisis, led to a credit crunch that spread well beyond the housing market and impacted the cost of credit for local government borrowing and local property tax revenues. In response, the U.S. House of Representatives passed legislation H.R.3915 in 2007, which would prohibit certain predatory lending practices and make it easier for consumers to renegotiate predatory mortgage loans. The U.S. Senate introduced similar legislation in late 2007 (S.2454). The Mortgage Reform and Anti-Predatory Lending Act (H.R.1728) was passed in the House in May 2009 and amends the Truth in Lending Act to specify duty of care standards for originators of residential mortgages. The law also prescribed minimum standards for residential mortgage loans and directs HUD to establish a grants program to provide legal assistance to lower and moderate income homeowners and tenants and prohibits specified practices, including:

- Certain prepayment penalties;
- Single premium credit insurance;
- Mandatory arbitration (except reverse mortgages);
- Mortgage loan provisions that waive a statutory cause of action by the consumer; and
- Mortgages with negative amortization.

In addition to anti-predatory lending laws, the Mortgage Forgiveness Debt Relief Act was enacted in 2007 and allows for the exclusion of income realized as a result of modification of the terms of a mortgage or foreclosure on a taxpayer's principal residence.

While subprime lending cannot in and of itself be described as "predatory," studies have shown a high incidence of predatory lending in the subprime market. Unlike in the prime lending market, overly high approval rates in the subprime market is a potential cause for concern when the target clients are considered high risk. High approval rates may indicate aggressive lending practices.

6. Purchased Loans

Secondary mortgage marketing is the term used for pricing, buying, selling and trading residential mortgages. The secondary market is an informal process of different financial institutions buying and selling home mortgages. The secondary market exists to provide a venue for lending institutions to raise the capital required to make additional loans.

A. History

In the 1960s, as interest rates became unstable, housing starts declined and the nation faced capital shortages as many States, including New Jersey, had more demand for mortgage credit than the lenders could fund. The need for new sources of capital promoted Congress to reorganize the Federal National Mortgage Association (FNMA) into two entities: a private corporation (today's FNMA) and a government

agency, the Government National Mortgage Association (GNMA). In 1970, Congress chartered the Federal Home Loan Mortgage Corporation (FHLMC) to purchase conventional loans. Both FHLMC and FNMA have the same goals: to increase the liquidity of the mortgage market and make homeownership more widely available to the average citizen. The two organizations work to standardize the documentation, underwriting and financing of home loans nationwide. They purchase loans from originators, hold them and issue their own debt to replenish the cash. They are, essentially, very large savings and loan organizations. These two organizations set the standards for the purchase of home loans by private lenders in the U.S.

B. Fair Housing Concerns

During the peak of the housing market, the practice of selling mortgage loans by the originators to other lenders and investors was rampant. Predatory lending was popular, with lenders utilizing liberal underwriting criteria or falsified documents to push loan sales to people who could not afford the loans. The originating lenders were able to minimize their financial risk by immediately selling the loans to other lenders or investors on the secondary market.

7. Foreclosures

Foreclosure occurs when homeowners fall behind on one or more scheduled mortgage payments but not without following certain specified procedures. In New Jersey the lender must go to court in order to repossess your home. The NJ Fair Foreclosure Act provides the rules that lenders must follow before and during foreclosure.

According to the Federal Reserve Bank of NY, 5.8% of the County's mortgaged properties are delinquent compared to 4.2% for NJ. Essex County has the third highest rate of delinquencies in the State. Additionally, 11.3% of the County's outstanding mortgages were in foreclosure. This ranks number 1 in the State amongst counties. The National percentage is 2.5% and NJ as a whole is 7%.

Chapter V - Public Policies

Public policies established at the County and local levels can affect housing development and therefore, may have an impact on the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment and active community participation.

An assessment of public policies and practices enacted within the County can help determine potential impediments to fair housing opportunity. This section presents an overview of government regulations, policies, and practices enacted in the County that may impact fair housing choice.

1. Policies and Programs Affecting Housing Development

NJ is a strong “home rule” state, which means that NJ laws provide broad powers to municipalities to protect public health, safety and welfare through local planning and ordinances. The New Jersey Municipal Land Use Law (MLUL) defines the responsibilities of the local Planning and Zoning Boards, and provide municipalities the right to zone and enact ordinances if a current Master Plan is prepared.

A. Master Plan

The Master Plan, which may be prepared, adopted or amended by local Planning Boards, is written to guide land use within a municipality and should protect public health and safety and promote the general welfare. The Master Plan comprises a report or statement and land use and development proposals, with maps, diagrams and text, presenting, at least the following elements (1), (2) and, where appropriate, the elements (3) through (16), listed below:

1. A statement of objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based.
2. Land Use Plan Element, detailed below
3. Housing Plan Element, detailed below
4. Circulation Plan Element
5. Utility Service Plan Element
6. Community Facilities Plan Element
7. Recreation Plan Element
8. Conservation Plan Element
9. Economic Plan Element
10. Historic Preservation Plan Element
11. Appendices
12. Recycling Plan Element
13. Farmland Preservation Plan Element,
14. Development Transfer Plan Element
15. Education Facilities Plan Element
16. Green Buildings and Environmental Sustainability Plan Element

The master plan also should include a specific policy statement relating to the relationship of the Master Plan to:

- a. Master Plans of contiguous Municipalities
- b. Master Plan of the County in which the Municipality is located
- c. State Development and Redevelopment Plan adopted pursuant to the "State Planning Act,"
- d. District Solid Waste Management Plan of the County in which the Municipality is located.

This has a direct impact on the local housing market in terms of the amount and range of housing choice.

B. Land Use Plan Element

The Land Use Plan element establishes long-range goals for land use in terms of types of land uses and densities throughout a municipality. The Land Use Plan serves as the basis for the zoning ordinance, which in accordance with the MLUL, should be substantially consistent with an adopted Land Use Plan.

According to the MLUL 40:55D-28b.(2) the land use plan element should (a) take into account the statement of objectives, principles, policies and standards and the other Master Plan elements as well as natural conditions, including, but not necessarily limited to topography, soil conditions, water supply, drainage, floodplain areas, marshes, and woodlands, (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed zone plan and zoning ordinance; and (c) showing the existing and proposed location of any airports and the boundaries of any airport hazard areas and (d) including a statement of the standards of population density and development intensity recommended for the municipality.

C. Housing Element

As one of the State-mandated elements of the local Master Plan, municipalities must adopt a housing element that addresses the municipal present and prospective housing need, with particular attention to low and moderate income housing. The law acknowledges that for the private market to adequately address housing needs and demand, local governments must adopt land use plans and have in place regulatory systems that provide opportunities for and do not unduly constrain housing development. Specifically, the Housing Element must:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics and type including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next 10 years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; and
- A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

D. Zoning Ordinance

Planning and zoning in New Jersey are regulated on the local level, with municipalities responsible for adopting zoning regulations. Development standards and permitted uses are specified to govern the density, type, and design of different land uses for the protection of public health, safety, and welfare. More specifically, a zoning ordinance provides what may be built in each municipality and includes but is not limited to the following:

- Permitted uses (including conditional uses – such as a place of worship in a residential zone)
- Permitted lot size and dimensions
- Allowable building area
- Allowable building height
- Required yard setbacks (the distances that a building must be situated away from a lot line)
- Parking requirements

The Fair Housing Act does not pre-empt local zoning laws. However, it does apply to municipalities and other local government entities and prohibits them from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons, including individuals with disabilities.

Another way that discrimination in zoning may occur is when a seemingly mundane ordinance causes disproportional harm, to a protected group. Land use policies such as density or design requirements that make residential development prohibitively expensive, limitations on multi-family housing, or a household occupancy standard may be considered discriminatory if it can be proven that these policies have a disproportionate impact on minorities, families with children, or people with disabilities.

2. Building, Health and Safety Codes

A. Building Codes

The Department of Community Affairs is responsible for the adoption of the Uniform Construction Code of the State of New Jersey (UCC). The UCC is the standard that is to be followed for the issuance of construction permits in every municipality in the state.

The UCC, N.J.A.C. 5:23-1 et seq. provides administrative rules to be followed, adopts and amends other model codes for technical standards for building, electrical, plumbing and other types of permits. It also establishes the criteria for licensing of code officials and inspectors, as well as rules for creating local enforcing agencies (often thought of as building departments).

B. Residential Site Improvement Standards

The Residential Site Improvement Standards establish requirements for improvements made in connection with residential development. This includes streets and parking, water supply, sanitary sewers and storm water management. The Site Improvement Advisory Board, a board created in but not of the Dept. of Community Affairs, is charged by statute with performing an annual review of the Residential Site Improvement Standards to determine whether changes are warranted.

C. Occupancy Standards

Disputes over occupancy standards are typical tenant/landlord and fair housing issues. Families with children and large households are often discriminated in the housing market, particularly in the rental housing market, because landlords are reluctant to rent to such households. Establishing a strict occupancy standard either by a municipality or landlord on a rental agreements may be a violation of fair housing practices.

Chapter 28 of the NJ Housing Code establishes standards in determining the fitness of a building for human habitation, use, or occupancy. The rules governing the use and occupancy of space are as follows:

- Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the base of total habitable room area.
- Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant thereof.
- At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet. The floor area of that part of any room where the ceiling is less than five feet shall not be considered as part of the floor area in computing the total floor area in the room for the purpose of determining the maximum permissible occupancy thereof.
- A room located in whole or in part below the level of the ground may be used for sleeping provided that the walls and floors thereof in contact with the earth have been damp-proofed in accordance with a method approved by the Administrative Authority; and provided that all requirements otherwise applicable to habitable rooms generally are satisfied.

Other issues such as lack of parking, gender of the children occupying one bedroom, should not be factors considered by the landlord when renting to a household.

3. Affordable Housing Development

In general, many minority and special needs households are disproportionately affected by a lack of adequate and affordable housing. While affordability issues are not directly fair housing issues, expanding access to housing choices for these groups cannot ignore the affordability factor. If rent restricted or low cost housing is concentrated in certain geographic locations, access to housing by lower income and minority groups is limited and can therefore be an indirect impediment to fair housing choice.

Additionally, various permit and development fees charged by local government results in increased housing costs and can be a barrier to the development of affordable housing. Other policies and programs, such as inclusionary housing and growth management programs, can either facilitate or inhibit the production of affordable housing. These issues are examined in the subsections below.

A. Location of Affordable Housing

Essex County has a large inventory of affordable housing units. The distribution of these units, however, is uneven throughout the County, with dense clusters of affordable housing located near the cities. About 70% of the County's affordable housing stock is concentrated in just four cities – Newark, East Orange, Irvington and Orange.

B. Development Fees

Housing construction imposes certain short- and long-term costs upon municipalities, such as the cost of planning services and inspections. As a result, Essex County municipalities rely upon fees to recoup costs and ensure that essential services and infrastructure are available when needed. Municipalities can also charge a variety of impact fees to offset the cost of providing infrastructure and public facilities that are required to serve new development.

4. Policies Causing Displacement or Affect Housing Choice of Minorities and Persons with Disabilities

Local government policies could result in displacement or affect representation of minorities for the disabled.

A. Redevelopment Agencies

Until recently, redevelopment activity facilitated by policies and programs implemented by redevelopment agencies could have impacted protected classes either through direct displacement or by limiting housing options in redevelopment project areas. Redevelopment can be used as a tool to remove blighted conditions, provide economic opportunities, create housing for lower- and moderate-income residents, renovate or replace deteriorated or dilapidated structures, develop vacant infill and under-used properties, and provide public infrastructure and other improvements to support private investment in deteriorated areas of Essex County. Implementation of redevelopment plans provides a means for increasing housing choices for lower and moderate-income residents and those with special needs.

B. Reasonable Accommodation

Under State and federal law, local governments are required to “reasonably accommodate” housing for persons with disabilities when exercising planning and zoning powers. Municipalities must grant variances and zoning changes if necessary to make new construction or rehabilitation of housing for persons with disabilities feasible, but are not required to fundamentally alter their Zoning Ordinance. The failure to allow for reasonable accommodations in policies to allow persons with disabilities to live in the community will violate the Fair Housing Act regardless of whether or not there is discriminatory intent. Although most local governments are aware of State and federal requirements to allow reasonable accommodations, if specific policies or procedures are not adopted by a municipality, residents with disabilities may be unintentionally displaced or discriminated against.

A municipality’s definition of a disabled person can be considered an impediment to fair housing if it is not consistent with the definition of disability provided under the Fair Housing Act. The Act defines disabled person as “those individuals with mental or physical impairments that substantially limit one or more major life activities.”

5. Local Housing Authorities

In the Essex County consortium, the HUD Housing Choice Voucher program is administered by four different local housing authorities, only one of which also oversee a public housing program. The Orange Housing Authority provides Housing Choice Vouchers and owns and manages public housing units, while the housing authorities for the cities of Montclair, West Orange, and Bloomfield only offer the Housing Choice Vouchers. The availability and use of Housing Choice Vouchers and public housing units must also adhere to fair housing laws.

These housing authorities have adopted priorities or preferences for Housing Choice Vouchers and/or public housing. Typically, local residents (or those who work locally), seniors, persons with disabilities, working families, homeless and those at risk of homelessness, lower-income families, and veterans are given preferences.

Section 16(a)(3)(B) of the United States Housing Act mandates that public housing authorities adopt an admissions policy that promotes the de-concentration of poverty in public housing. HUD emphasizes that the goal of de-concentration is to foster the development of mixed-income communities within public housing. In mixed-income settings, lower-income residents are provided with working-family role models and greater access to employment and information networks. This goal is accomplished through the policy’s income-targeting and de-concentration.

For Housing Choice Vouchers, the Housing Act mandates that not less than 75% of new admissions must have incomes at or below 30% of the AMI. The remaining balance of 25% may have incomes up to 50% of the AMI. For public housing, the Housing Act mandates that not less than 40% of new admissions must

have incomes at or below 30% of the AMI. The balance of 60% of new admissions may have incomes up to 50% of the AMI.

6. New Jersey Department of Environmental Protection

The NJ Department of Environmental Protection is a critical component in the responsible management of New Jersey's overall environmental protection strategy. Due to the intimate tie between land use and the health and quality of our eco-system, the NJDEP has been charged, by New Jersey legislature, with regulating land use activities.

The Department's Division of Land Use Regulation fulfills this obligation by regulating land use activities through a permit process in accordance with the rules promulgated in support of the following statutes: Freshwater Wetlands Protection Act, Flood Hazard Area Control Act, Wetlands Act of 1970, Coastal Area Facility Review Act, Waterfront Development Law, Tidelands Act, NJ Water Pollution Control Act, and the Highlands Water Protection and Planning Act.

These environmental laws apply to all discretionary projects proposed to be conducted or approved by a public agency, including private projects that require government approval. The primary purpose is to disclose to the public the significant environmental effects of proposed project.

7. Community Participation

Adequate community involvement and representation are important to overcoming and identifying impediments to fair housing or other factors that may restrict access to housing. Decisions regarding housing development in a community are typically made by the Town Council and Planning Board. The Council members are elected officials and answer to the constituents. Planning Board members are residents often appointed by the Council and serve an advisory role to the elected officials. In addition to the Town Council and Planning Board, most municipalities have appointed committees, and task forces to address specific issues. Seniors commissions are most typical; however, some municipalities also have committees that deal with the needs of the disabled or families with children, or have a housing task force that oversees housing-related matters. Community participation can be limited or enhanced by actions or inaction by a public agency.

A greater number of residents may feel more comfortable approaching an agency with concerns or suggestions if that agency offers sensitivity or diversity training to its staff members that typically interface with the public. In addition, if there is a mismatch between the linguistic capabilities of staff members and the native languages of local residents, non-English speaking residents may be unintentionally excluded from the decision-making process. Another factor that may affect community participation is the inadequacy of an agency or public facility to accommodate residents with various disabilities.

While providing fair housing education for the public and housing professionals is critical, ensuring that staff understand fair housing laws and are sensitive to the discrimination issues is equally important. Sensitivity training is a form of education that attempts to make a person more aware of oneself and others. Such training often incorporates principles of non-discrimination and cultural diversity.

Chapter VI – Current Fair Housing Profile

This chapter provides an overview of the institutional structure of the housing industry with regard to fair housing practices. In addition, this chapter discusses the fair housing services available to residents in Essex County, as well as the fair housing complaints received by various fair housing providers. Typically, fair housing services encompass the investigation and resolution of housing discrimination complaints, discrimination auditing/testing, and education and outreach, including the dissemination of fair housing information. Tenant/landlord counseling services are usually offered by fair housing service providers but are not considered fair housing services.

1. Fair Housing Practices in the Homeownership Market

Owning a home in the neighborhood of one's choice has long been considered the American dream. Homeownership is a primary way to accumulate wealth, and is believed to strengthen neighborhoods, because residents with a greater stake in their community will be more active in decisions affecting the future of their community. Not everyone, has always enjoyed equal access to homeownership due to credit market distortions, "redlining," steering, and predatory lending practices. This section analyzes potential impediments to fair housing in the home loan lending industry.

In 1996, HUD and the National Association of Realtors (NAR) entered into a Fair Housing Partnership. Article VII of the HUD/NAR Fair Housing Partnership Resolution provides that HUD and NAR develop a Model Affirmative Fair Housing Marketing Plan for use by members of the NAR to satisfy HUD's Affirmative Fair Housing Marketing regulations.

A. The Homeownership Process

The following sections describe the process of buying a home and likely discriminatory situations that may be encountered. Much of this process occurs in the private housing market over which local municipalities have little control or authority to govern. The recourse lies in the ability of the contracted fair housing service providers to monitor these activities, identify the perpetrators and taking appropriate actions.

The first thing a potential buyer is likely to do when they consider buying a home is search advertisements either in magazines, newspapers, or the Internet to get a feel for what the market offers. Advertisements cannot include discriminatory references such as the use of words describing:

- Current or potential residents;
- Neighbors or the neighborhood in racial or ethnic terms;
- Adults preferred;
- Perfect for empty nesters;
- Conveniently located by a place of worship; or
- Ideal for married couples without kids.

Advertising has become a sensitive area in real estate and in some instances advertisements published in non-English languages may make those who speak English uncomfortable, yet when ads are only placed in English they place non-English speaking residents at a disadvantage. While real estate advertising can be published in other languages, by law an English version of the ad must also be published. However, monitoring this requirement is difficult, if not impossible.

Even if an agent does not intend to discriminate in an ad, it would still be considered a violation to suggest to a reader whether or not a particular group is preferred. Litigation has also set precedence for violations in

advertisements that hold publishers, newspapers, Multiple Listing Services, real estate agents, and brokers accountable for discriminatory ads.

Initially, buyers must find a lender that will qualify them for a loan. This part of the process entails an application, credit check, ability to repay, amount eligible for, choosing the type and terms of the loan. Applicants are requested to provide a sensitive information including their gender, ethnicity, income level, age, and familial status. Most of this information is used for reporting purposes required of lenders by the Community Reinvestment Act (CRA) and the Home Mortgage Disclosure Act (HMDA). However, the recent mortgage lending crisis has demonstrated widespread misuse of the information, where lower income households and minorities have been targeted for predatory lending.

Lending discrimination can occur during advertising/outreach, pre-application inquiries, loan approval/denial and terms/conditions, and loan administration. Further areas of potential discrimination include: differences in the level of encouragement, financial assistance, types of loans recommended, amount of down payment required, and level of customer service provided.

Banks order appraisal reports to determine whether or not a property is worth the amount of the loan they will be giving. Appraisals are generally based on the comparable sales of properties within the neighborhood of the property being appraised. Other factors taken into consideration include the age of the structure, improvements made, location and general economic influences. In recent years, during the mortgage lending and refinancing frenzy, there have been reports of inflated home values in order to entice refinancing.

Real estate agents may act as agents of discrimination. Some unintentionally, or possibly intentionally, may steer a potential buyer to particular neighborhoods by encouraging the buyer to look into certain areas; others may choose not to show the buyer all choices available. Agents may also discriminate by who they agree to represent, who they turn away, and the comments they make about their clients.

The New Jersey Association of Realtors includes language on many standard forms disclosing fair housing laws to those involved. Many realtor associations also hold or participate in fair housing seminars to educate members and potential homebuyers on the provisions and liabilities of fair housing laws.

Banks and other financial institutions view insurance is the cornerstone of credit and without it lend less. Fewer loans leads to fewer new homes constructed and more existing homeowners will forgo repairs leaving buildings to deteriorate faster. Many traditional industry underwriting practices which may have some legitimate business purpose also adversely affect lower income and minority households and neighborhoods. For example, if a company excludes older homes from coverage, lower income and minority households who can only afford to buy in older neighborhoods may be disproportionately affected. Another example includes private mortgage insurance (PMI). PMI obtained by applicants from Community Reinvestment Act (CRA) protected neighborhoods is known to reduce lender risk. Redlining of lower income and minority neighborhoods can occur if otherwise qualified applicants are denied or encouraged to obtain PMI. Underwriting guidelines are not public information; however, consumers have begun to seek access to these underwriting guidelines to learn if certain companies have discriminatory policies.

The New Jersey Insurance Underwriting Association (NJIUA), is an Association created by the Legislature of New Jersey in 1968 to provide essential property insurance to any person unable to obtain insurance from a voluntary company. The original name of the NJIUA was FAIR Plan, which stands for Fair Access to Insurance Requirements. Today NJIUA is the Administrator of the Property FAIR Plan and the Crime Indemnity Plan.

FAIR Plans were established in 29 states and were created by the insurance industry to make property insurance more readily available to people who have difficulty obtaining coverage from voluntary market insurers because their property is deemed high risk.

Neighborhood area, location, or environmental hazards beyond the control of the property owner or applicant will not be considered in determining insurability.

Credit history is one of the most important factors in obtaining a home purchase loan. Credit scores determine loan approval, interest rates associated with the loan, as well as the type of loan an applicant will be given. Applicants with high credit scores are generally given conventional loans, while lower and moderate range scores revert to FHA or other government-backed loans. Applicants with lower scores also receive higher interest rates on the loans as a result of being perceived as a higher risk to the lender, and may even be required to pay points depending on the type of lending institution used.

Fair Isaac and Company (FICO), which is the company used to calculate credit scores, has set the standard for the scoring of credit history. Trans-Union and Equifax are two other credit bureaus that also provide credit scores, though they are typically used to a lesser degree. Credit scores are based on points which awarded or deducted based on certain items such as how long one has had credit cards, whether one makes payments on time, if credit balances are near maximum, etc. Typically, the scores range from the 300s to around 850, with higher scores demonstrating lower risk. Lower credit scores require a more thorough review than higher scores and mortgage lenders will often not even consider a score below 600.

FICO scores became more heavily relied on by lenders when studies conducted show that borrowers with scores above 680 almost always make payments on time, while borrowers with scores below 600 seemed certain to develop problems. Some of the factors that affect a FICO score are:

- Delinquencies
- New accounts (opened within the last twelve months)
- Length of credit history (a longer history of established credit is better than a short history)
- Balances on revolving credit accounts
- Public records, such as tax liens, judgments, or bankruptcies
- Credit card balances
- Number of inquiries
- Number and types of revolving accounts

However, the recent mortgage lending crisis was in part a result of lenders providing mortgage financing to borrowers who are not credit worthy, or steering borrowers who can qualify for lower cost loans to the subprime market.

B. National Association of Realtors (NAR)

The National Association of Realtors (NAR) has developed a Fair Housing Program to provide resources and guidance to realtors that will provide equal services for all people.

The NAR Code of Ethics provides that realtors shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. realtors shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. Each realtor pledges to conduct business in keeping with the spirit and letter of the Code of Ethics.

Article 10 of the NAR Code of Ethics imposes obligations upon realtors and is also a firm statement of support for equal opportunity in housing. A realtor who suspects discrimination is instructed to call the local Board of Realtors. Local Boards will accept complaints alleging violations of the Code of Ethics filed by a potential homebuyer who alleges discriminatory treatment in the availability, purchase or rental of housing. Local Boards have a responsibility to enforce the Code of Ethics through professional standards procedures and corrective action in cases where a violation of the Code of Ethics is proven to have occurred.

Additionally, in Article 10, Standard of Practice 10-1 indicates that when a realtor is involved in the sale or lease of a residence, they shall not volunteer information regarding the racial, religious or ethnic composition of any neighborhood nor should they engage in any activity which may result in panic selling. They may, however, provide other demographic information. Article 10, Standard of Practice 10-3 additionally indicates that realtors should not print, display or circulate any statement or advertisement with respect to selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity.

The NAR also has created a diversity certification, At Home with Diversity: One America, which is given to licensed real estate professionals who meet eligibility requirements and complete the required course. The certification lets customers that the real estate agent has been trained on working with diversity in today's real estate markets. The course provides valuable business planning tools to assist in reaching out and marketing to a diverse housing market. The course focuses on diversity awareness, building cross-cultural skills, and developing a business diversity plan.

C. New Jersey Real Estate Commission (REC)

Established in 1921, the New Jersey Real Estate Commission (REC) is a division of the New Jersey Department of Banking and Insurance, was created to administer and enforce New Jersey's real estate licensing law, N.J.S.A. 45:15-1 et seq.

The REC is the licensing authority for estate brokers and salespersons, real estate schools, and course instructors, as well as establishes standards of practice for the real estate brokerage profession. It also regulates and registers out-of-state sales through New Jersey brokers.

The REC also offers a variety of continuing education classes needed to maintain a real estate license. In order to qualify for license renewal each licensee is required to complete twelve hours of continuing education, including at least six of the twelve hours in one of core topics:

1. Agency
2. Disclosure
3. Legal Issues (i.e. listing agreements, contracts, leases, attorney review)
4. Ethics (2 Ethics credits mandatory)
5. Fair Housing and New Jersey Law Against Discrimination
6. New Jersey Real Estate Broker and Salesperson Statues and Regulations
7. State and Federal Environmental Laws/Regulations Pertaining to Real Estate
8. Legal Requirements regarding Escrow Monies and Financial Recordkeeping

The following elective topics may be utilized to meet the balance of the required continued education requirements:

1. Commercial Real Estate
2. Property Management
3. Seasonal Rentals
4. Real Estate Sales Full Disclosure Act and Real Estate Timeshare Act

5. Financing
6. Land Use
7. Real Estate Valuation
8. Foreclosure and Short-Sale Transactions
9. Specific Aspects of Residential Real Estate Transactions

D. New Jersey Association of Realtors (NJAR)

New Jersey Association for Realtors (NJAR) provides a voice for real estate throughout New Jersey and serves as a leading advocate for the real estate industry and private property owners. NJAR provides programs and services for local realtors, which includes government affairs, continuing education and market statistics. Also, NJAR provides resources for consumers related to the real estate industry and the process of buying and selling a home.

The NJAR is comprised of twenty local boards and has more than 43,000 members who are involved in all aspects of the residential and commercial real estate industries.

Additionally, the NJAR is the state arm of the National Association of Realtors (NAR), which with more than one million members, is the largest trade association and one of the most powerful groups in North America.

The Mission Statement of the NJAR is to support all segments of its membership, in concert with the local boards and associations and the NAR, by developing and delivering programs, services and related products which enhances the ability to conduct business successfully and ethically, and to promote the extension and preservation of the right to own, transfer and use real property.

Realtor Associations are generally the first line of contact for real estate agents who need continuing education courses, legal forms, career development, and other daily work necessities. The frequency and availability of courses varies amongst these associations, and local association membership is generally determined by the location of the broker for which an agent works. Complaints involving agents or brokers may be filed with these associations.

The West Essex Board of Realtors (WEBOR), located in Montclair, provides educational training, conduct guidelines and enforcement of the Realtors Code of Ethics. This WEBOR web site provides consumers with information about our specific members, as well as Essex County communities.

The North Central Jersey Association of Realtors (NCJAR), has four offices throughout the State, with one being located in Essex County in Bloomfield. The NCJAR provides advocacy for the residential and commercial practitioners in Morris, Essex, Somerset, Sussex, & Union Counties. They provide services and benefits that enhance a realtors ability to conduct business. Membership in the NCJAR provides each participating realtors with membership in the National Association of Realtors, and the New Jersey Association of Realtors.

2. Fair Housing Practices in the Rental Housing Market

A. Rental Process

Essex County, like many parts of New Jersey, is facing a rental housing shortage to the extent that many rental properties have low vacancy rates and don't need to advertise. Often, vacancies are announced either through word of mouth or for-rent sign outside the property. Unless a person happens to drive by a specific property or have friends or family living at the property, they may not have access to vacancy

information. Furthermore, this practice tends to intensify segregation of neighborhoods and properties that already have a high concentration of a racial/ethnic group. When advertising is done, no checks-and-balances mechanism exists to ensure English advertising is provided.

A large number of rental listings in Essex County contain potentially discriminatory language, such as encouraging or discouraging family living, or potentially discouraging persons with disabilities by emphasizing a no-pet policy without clarifications that service/companion animals are allowed. Similar to ad listings for for-sale homes, rental advertisements cannot include discriminatory references. Problematic language typically involved references schools or children and pets.

Under New Jersey's Law Against Discrimination (LAD), discrimination based upon source of income is prohibited. Therefore, it is considered unlawful to prefer, limit, or discriminate against a specific income source for a potential homebuyer. Section 8 is not included as a part of this protected class, however, and rental advertisements that specifically state Section 8 vouchers are not accepted are considered legal. However, this language tends to give the impression of discrimination.

Rental advertisements with references to pets are a significant issue in the listings surveyed. Persons with disabilities are one of the protected classes under fair housing law, and apartments must allow "service animals" and "companion animals," under certain conditions. Service animals are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals should not be considered a pet. Companion animals, also referred to as assistive or therapeutic animals, can assist individuals with disabilities in their daily living and as with service animals, help disabled persons overcome the limitations of their disabilities and the barriers in their environment.

Persons with disabilities have the right to ask their housing provider to make a reasonable accommodation in a "no pets" policy in order to allow for the use of a companion or service animal. However, in the case of rental ads that specifically state "no pets," some disabled persons may not be aware of their right to ask for an exception to this rule. A person with a disability may see themselves as limited in their housing options and a "no pets" policy could be interpreted as potentially discriminatory.

Differential treatment of those responding to advertisements is also a growing fair housing concern. Online audits to test for racial discrimination in the rental housing market have been particularly useful. Studies have proven that by responding to online rental listings using names associated with a particular racial/ethnic group and varying their conversation grammatically to indicate differing levels of education and/or income Blacks continued to experience statistically higher levels of discrimination in the rental housing market. This discrimination was even greater when the inquiry was made to look like it originated from a Black individual of a lower social class.

Viewing the unit is the most obvious place where the potential renters may encounter discrimination because landlords or managers may discriminate based on race or disability, or judge on appearance whether a potential renter is reliable or may violate any of the rules.

Studies have also been conducted to test for subtle discrimination, which is defined as unequal treatment between groups that occurs but is difficult to quantify, and may not always be identifiable through common measures such as price differences. These studies proved that in general, landlords replied faster and with longer messages to inquiries made from white names. The study also found that landlords were more likely to use descriptive language, extend invitations to view a unit, invite further correspondence, use polite language, and make a formal greeting when replying to e-mail inquiries from a white home seeker.

Landlords may ask potential renters to provide credit references, lists of previous addresses and landlords, and employment history/salary. The criteria for tenant selection, if any, are typically not known to those seeking to rent. Many landlords often use credit history as an excuse when trying to exclude certain groups. Legislation provides for applicants to receive a copy of the report used to evaluate applications.

Most apartments are rented under either a lease or a month-to-month rental agreement. From a tenant's standpoint a lease should be more favorable because the tenant is assured the right to live there for a specific period of time with a specified monthly rent. Most other provisions of a lease protect the landlord. Other items that may be included in a lease or rental agreement are the rate, the amount of deposit, the term, specific rules and termination requirements.

The lease or rental agreement is a standard form completed for all units within the same building. However, the enforcement of the rules contained in the lease or agreement may not be standard for all tenants. A landlord may choose to strictly enforce the rules for certain tenants based on conditions such as race, presence of children or disability.

The Security Deposit Law applies to most residential rental properties, including mobile homes. The exception being an owner-occupied two or three family home. A tenant in an owner-occupied two or three family home may, however, make this provision applicable to his or her tenancy 30 days after sending a written request to the landlord that the landlord fulfill the requirements of the Security Deposit Law.

The security deposit cannot be more than one and one-half times one month's rent. However, it can be less. Any additional yearly security deposit increase may not exceed 10% of the current security deposit and a landlord may not charge a pet security deposit if it exceeds one and one-half times one month's rent when combined with the regular security deposit.

Security deposits are typically required and to deter less than desirable tenants, a landlord may ask for a security deposit higher than for others. Tenants may also face discriminatory treatment when vacating the units. The landlord may choose to return a smaller portion of the security deposit to some tenants, claiming excessive wear and tear. A landlord may also require that persons with disabilities pay an additional pet rent for their service animals or a monthly surcharge for pets, which is also a discriminatory act.

B. New Jersey Apartment Association (NJAA)

The New Jersey Apartment Association (NJAA) is a non-profit association representing owners, developers and managers of rental housing throughout the State as well as suppliers to the multi-family housing industry. The association was incorporated in 1977 as the Multi-Housing Industry, an affiliate of the New Jersey Builders Association, and in 1986 separated from the Builders Association to become the NJAA.

NJAA provides continuing education in areas that include maintenance, leasing, fair housing, environmental issues and management. Members can earn Continuing Education Credits (CECs) towards National Apartment Association (NAA) and various National Affordable Housing Management Association (NAHMA) certifications at each session they attend. CECs are also earned by attending the sessions at the annual association conference.

C. The National Affordable Housing Management Association (NAHMA)

The National Affordable Housing Management Association (NAHMA) is a voice affordable housing, advocating on behalf of multifamily property managers and owners whose goal is to provide quality affordable housing. Founded in 1990, NAHMA advocates for professional standards for affordable housing

providers. Membership includes the multifamily managers, owners, and industry stakeholders. Available certification programs for affordable housing professionals are listed below.

- National Affordable Housing Professional Certification (NAHP)
- Certified Professional of Occupancy (CPO)
- Advanced Issues in HUD Occupancy
- Fair Housing Compliance – Section 504 (FHC)
- Specialist in Housing Credit Management (SHCM)
- NAHMA Maintenance Professional Credentials (NAHMT and NAHMS)
- Credential for Green Property Management (CGPM)

D. The National Association of Residential Property Managers (NARPM)

The National Association of Residential Property Managers is an association that was designed to assist real estate professionals handle the challenges of managing single-family and small residential properties.

Members of the association adhere to a strict Code of Ethics which assists companies and individuals build relationships of trust with their customers, employees, suppliers, owners and the communities in which they work.

In addition to promoting high ethical standards the Association also certifies its members in the standards and practices of the residential property management industry and continued education.

3. Fair Housing Services

Fair housing services include the investigation and resolution of housing discrimination complaints, discrimination auditing and testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. Landlord/tenant counseling is another fair housing service that involves informing landlords and tenants of their rights and responsibilities under fair housing law and other consumer protection legislations as well as mediating disputes between tenants and landlords. This section reviews the fair housing services available in the County of Essex and the nature and extent of fair housing complaint.

A. NJ Division on Civil Rights

In 1945, New Jersey became the first state since the Reconstruction era to pass comprehensive anti-discrimination legislation with the passage of the Law Against Discrimination (LAD). The legislation called for the creation of a Division on Civil Rights (DCR) to enforce the LAD and have as its goal, ending discrimination.

The DCR protects the rights of our neighbors and family members who, have been denied a promotion because of their age or gender, excluded from public accommodations because of their sexual orientation or disability, harassed in the workplace because of their nationality or religious beliefs, or denied housing opportunities because of their race or family status. The LAD is regarded as one of the most comprehensive anti-discrimination laws in the country. The DCR also enforces the New Jersey Family Leave Act, which provides job-protected time off for eligible employees, when they need to care for family members in certain situations.

The DCR is a part of the New Jersey Office of the Attorney General /Department of Law and Public Safety and is the agency responsible for investigating discrimination complaints and eradicating illegal discrimination in New Jersey. The DCR, which is made up of investigators, attorneys, and support staff, serves as a fair and impartial forum for addressing violations of the LAD or the Family Leave Act. Its main focus is to investigate claims of discrimination in employment, housing, and places of public

accommodation. Seminars and other outreach activities designed to educate the public on anti-discrimination laws are also offered. The Division is made up of three bureaus and the responsibilities of each bureau is as follows:

The **Enforcement Bureau** is the investigative arm of the Division on Civil Rights. Investigators meet with members of the public to discuss potential cases. In addition to receiving complaints from members of the public, this bureau also receives cases through agreements with the U.S. Equal Employment Opportunity Commission and U.S. Department of Housing & Urban Development.

The **Policy Bureau** monitors all legal matters involving the LAD and the New Jersey Family Leave Act and provides technical guidance and training to DCR employees and the general public. Attorneys in the Policy Bureau assist the Director in preparing Director's Orders and other legal determinations. This bureau also prepares and promulgates regulatory initiatives to maintain and update the DCR's administrative rules and regulations, reviews employment advertisements for LAD compliance when employers or publications request approval based on a bona fide occupational qualification, and responds to various motions filed by parties.

The **Bureau of Public Outreach and Public Education** is responsible for conducting all DCR outreach initiatives, trainings, and distributing agency publications. POPE works closely with the Policy Bureau in preparing publications, responding to inquires, and developing programs designed to educate the public as to the requirements and parameters LAD and the New Jersey Family Leave Act. Members of POPE also serve as liaisons to outside agencies such as the New Jersey Commission on Civil Rights and New Jersey Human Relations Council.

B. Commission on Civil Rights

The New Jersey Law Against Discrimination (LAD) created the Commission on Civil Rights to consult with and advise the Attorney General with respect to the work of the Division on Civil Rights. The LAD states that the Commission shall report to the Governor and the Legislature with respect to such matters relating to the work of the DCR and at such times as it may deem in the public interest. The Commission is made up of seven members who are appointed by the Governor with the advice and consent of the State Senate. Each member is appointed to a 5-year term and does not receive any compensation for their service. The Commission meets on a regular basis with the Director of the DCR and the Division's chief counsel so that members can be kept abreast of agency activities and initiatives. Individual Commissioners also support DCR events, such as community roundtables and conferences, and serve as liaisons to various communities including public and private entities committed to ending discrimination and fostering public awareness of compliance to civil rights laws.

C. New Jersey Citizen Action (NJCA)

New Jersey Citizen Action (NJCA) works to promote and expand the rights of individuals and families, and to ensure that government officials respond to the needs of people rather than the interests of those with money. NJCA also works to increase the knowledge and understanding of community leaders about predatory lending in NJ so they may recognize and inform clients how to identify, screen, and report fair lending complaints. NJCA will works to educate people about their rights and obligations under the Fair Housing Act and to increase access to affordable housing through fair and equal access to credit, capital, and banking services for traditionally underserved populations, specifically low and moderate income minorities and non-English or limited English speaking adults, seniors and people with disabilities living in New Jersey's urban areas.

D. Fair Housing Council of Northern New Jersey (FHCNNJ)

The Fair Housing Council of Northern New Jersey is an inter-racial, non-profit organization, which offers housing and financial counseling. The FHCNNJ handles discrimination cases relating to housing on behalf of all minorities and other residents covered under Title VIII of the Federal and State Fair Housing laws. Other funding sources include the United Way, private donations, and Federal Fair Housing grants.

The FHCNNJ assists both elderly and non-elderly owners and renters, first-time homebuyers, the homeless, and persons with special needs. The FHCNNJ also ensures that all who seek housing have an equal opportunity to rent, purchase, finance or insure the property they choose. They have successfully handled thousands of complaints and works closely with all levels of government and private attorneys to ensure that fair housing laws are vigorously enforced.

Some of the services provided include comprehensive sale and rental housing counseling to residents before and after a sale or rental; a Homeless Program offering counseling and assessing the needs of clients who are homeless or about to be homeless; direct contact with agencies that can assist clients with food, temporary and permanent housing, a housing search, and rental assistance, in addition to follow-up with the client. The Council also provides consultation with a Fair Housing attorney who offers legal housing counseling and legal representation in State and Federal courts. The agency receives complaints of discrimination in housing based upon race, religion, creed, color, national origin, sex, age, or handicap, and investigates these complaints.

Assistance is also provided to minority employees of new and existing firms seeking housing. Education and outreach to community groups and the real estate industry are also offered to encourage the public to practice fairness and justice in the housing marketplace.

E. Essex County Division of Community Action - Tenant Resource Center

The Tenant Resource Center, an office of the Essex County Division of Training and Employment, provides counseling and training to landlords and tenants with regards to NJ Housing Laws. Assistance is provided in the areas of eviction, security, maintenance, leases, etc. as well as the provision of counseling for landlords and tenants in the areas of fair housing, code enforcement, legal counseling, educational services and training. In 2014 over 2,500 families were served through this agency

4. Fair Housing Complaints

As part of the enforcement and tracking services provided by fair housing service providers, intake and documentation of all complaints and inquiries result in the compilation of statistics provided in the form of quarterly and annual reports. These records provide a picture of the types and magnitude of fair housing problems.

The National Fair Housing Alliance (NFHA), founded in 1988, is a group of private, non-profit fair housing organizations, state and local civil rights agencies, and individuals from throughout the United States. Through comprehensive education, advocacy and enforcement programs, NFHA protects and promotes equal access to apartments, houses, mortgage loans and insurance policies for all residents of the nation.

NFHA works to eliminate housing discrimination and to ensure equal housing opportunity for all people through leadership, education and outreach, membership services, public policy initiatives, advocacy and enforcement. This organization has been active in compiling data and conducting studies relating to fair housing and associated problems.

Annually, the NFHA collects data from private fair housing groups, HUD, state and local agencies and the DOJ with the purpose of documenting for advocates, academics, government officials and the general public the nature and extent of housing discrimination, the importance of effective fair housing enforcement

and recommendations for how to move forward with achieving the promise of equal housing opportunity. This information is published in a report entitled “Fair Housing Trends Report”.

The chart below shows the number of fair housing complaints filed across the country since 2008. This data is gathered from 91 private fair housing groups, 88 local or state civil and human rights government agencies and regional HUD offices.

Table 37: Housing Discrimination Complaints 2008-2018

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
NFHA Members	20,173	19,924	18,665	17,701	19,680	18,932	19,026	19,645	19,740	20,595	23,407
HUD	2,123	2,091	1,943	1,799	1,817	1,881	1,710	1,274	1,371	1,311	1,784
FHAP Agencies	8,429	8,153	8,214	7,551	6,986	6,496	6,758	6,972	7,030	6,896	5,987
DOJ	33	45	30	41	36	43	34	46	40	41	24
Total	30,758	30,213	28,852	27,092	28,519	27,352	27,528	27,937	28,181	28,843	31,202

Source: National Fair Housing Alliance (NFHA) 2019 Fair Housing Trends Report

In 2018, there were 31,202 complaints of housing discrimination, an increase of 2,359 since FY17. This is the sixth highest total number of complaints taken during this time period. Private fair housing groups continue to process the highest number of complaints – 23,407, or 75%, of the total complaint load.

The following table shows the proportions of complaints/claims in fiscal year 2018 for each protected class. The trend for complaints continues this year alleging discrimination on the basis of disability to rank as the highest among all protected classes. Disability complaints remain high for several reasons. First, many apartment owners make direct comments refusing to make reasonable accommodations for people with disabilities. Second, HUD has an office devoted solely to disability issues. Finally, builders continue to design and construct apartment complexes that violate the Accessibility Guidelines in despite HUD's efforts through the Fair Housing Accessibility FIRST program.

Table 38: Discrimination by Protected Class 2018

Basis	NFHA Members	HUD	FHAP	DOJ
Race	16.28%	20.68%	27.89%	0%
Disability	55.02%	64.35%	59.18%	28.57%
Family Status	8.29%	11.15%	9.7%	0%
Sex	4.86%	10.15%	10.54%	33.33%
National Origin	4.88 %	14.69%	15.78%	4.76%
Color	1.42 %	1.23%	4.03%	0.0%
Religion	.76%	2.02%	3.19%	4.76%
Other*	8.48%	8.07%	14.23%	28.57%

Source: National Fair Housing Alliance (NFHA) 2018 Fair Housing Trends Report

Of all complaints to various agencies, “race/color” and “disability” classes had the most problems across the board in the most recent year. According to NFHA, discrimination in the rental of housing continues to represent the largest number of complaints.

HUD also publishes a report detailing the effect of housing discrimination entitled “The Annual Report on Fair Housing”. This report is prepared in accordance with Sections 808(e)(2) and (6) of the Fair Housing Act and Section 561(j) of the Housing and Community Development Act of 1987. These statutory mandates require the Secretary of Housing and Urban Development to report annually to Congress on several aspects of HUD’s work in fair housing.

This report, which was released in November 2018, provides information on the foregoing activities for the period beginning 2015 and ending 2018. Specific complaints reported by HUD in the “Report” are detailed in the tables which follow:

Table 39: Basis of HUD and FHAP Complaints (FY 2014-FY 2017)

Basis	FY 2014		FY 2015		FY 2016		FY 2017	
	Number of Complaints	% of Total						
Disability	4,621	54.4%	4,605	55.8%	4,908	58.5%	4,865	59.4%
Race	2,383	28.1%	2,291	27.8%	2,154	25.7%	2,132	26%
Familial Status	1,051	12.4%	1,031	12.5%	882	10.5%	871	10.6%
National Origin	1,067	12.6%	898	10.9%	917	10.9%	826	10.1%
Sex	879	10.4%	915	11.1%	800	9.5%	800	9.8%
Retaliation	867	10.2%	832	10.1%	785	9.4%	232	2.8%
Religion	223	2.6%	225	2.7%	204	2.4%	192	2.3%
Color	146	1.7%	151	1.8%	143	1.7%	170	2%
Number of Complaints Filed	10,155		8,246		8,385		8,186	
Source: The State of Fair Housing: FY2014-17 Annual Report on Fair Housing								

Table 40: Issues in HUD Complaints (FY 2015-FY 2017)

Issue	FY 2015		FY 2016		FY 2017	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Discriminatory Terms, Conditions, Privileges, Services, and Facilities in the Rental or Sales of Property	5,353	64.9%	5,859	69.9%	5,640	68.9%

Failure to Make a Reasonable Accommodation	2,836	34.4%	3,376	40.3%	3,366	41.1%
Discriminatory acts under Section 818 (coercion)	1,606	19.5%	1,424	17%	1,456	17.8%
Refusal to Rent	2,317	28.1%	2,343	27.9%	2,414	29.5%
Discriminatory Notices, Statements, or Advertisements	920	11.2%	877	10.5%	829	10.1%
Otherwise deny or make housing unavailable	745	9.0%	798	9.5%	813	9.9%
Other discriminatory acts	413	5.0%	475	5.7%	608	7.4%
Discriminatory Financing	237	2.9%	253	3%	183	2.2%
False Denial or Representation of Availability	187	2.3%	177	2.1%	181	2.2%
Refusal to Sell	32	2%	162	1.9%	148	1.8%
Non-Compliance with Design and Construction Requirements	77	.9%	67	.8%	98	1.2%
Failure to Permit a Reasonable Modification	179	2.2%	3,376	40.3%	212	2.6%
Steering	60	.7%	74	.9%	74	.9%
Discriminatory brokerage service	55	.7%	61	.7%	49	.6%
Using ordinances to discriminate in zoning and land use	39	.5%	24	.3%	35	.4%
Redlining	13	.2%	9	.1%	6	0.1%
Blockbusting	11	.1%	8	.1%	7	0.1%
Refusal to Provide Insurance	2	0%	4	0%	1	0%
Number of Complaints Filed	8,246		8,385		8,183	

As indicated by the National Fair Housing Association, HUD's data reveals that the two largest bases for complaints are disability and race. While refusal to rent is a large share of the complaints, the biggest complaint relates to "terms, conditions, facilities and services in rental and sales of property.

Table 41: Basis of FHAP Complaints (FY 2012 - FY 2015)

Basis	FY 2012		FY 2013		FY 2014		FY 2015	
	Number of Complaints	% of Total						
Disability	4,379	50%	4,429	46%	4,621	54.4%	4,605	55.8%
Race	2,597	29%	2,337	33%	2,383	28.1%	2,291	27.8%
Familial Status	1,301	15%	1,149	16%	1,051	12.4%	1,031	12.5%
National Origin	1,114	13%	1,040	13%	1,067	12.6%	898	10.9%
Sex	1,067	12%	985	11%	879	10.4%	915	11.1%
Religion	970	11%	928	3%	223	2.6%	225	2.7%
Color	229	3%	220	2%	146	1.7%	151	1.8%
Retaliation	155	2%	170	10%	867	10.2%	832	10.1%
Number of Complaints Filed	8,127		7,739		8,489		8,246	

Source: U.S. Department of Housing and Urban Development: "The State of Fair Housing: FY2012-15 Annual Report on Fair Housing"

Note: The numbers and percents do not add to totals and 100% because some complaints had multiple bases

Table 42: Issues in FHAP Complaints (FY 2012-FY 2014)

Issue	FY 2012		FY 2013		FY 2014	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Discriminatory Terms, Conditions, Privileges, Services, and Facilities in the Rental or Sales of Property	4,328	62%	4,365	67%	5,869	69.1%
Failure to Make a Reasonable Accommodation	1,886	27%	1,943	30%	2,676	31.5%
Refusal to Rent	1,855	27%	1,830	28%	2,268	26.7%
Coercion or Intimidation, Threats, Interference, and Retaliation	1,371	20%	1,298	20%	1,820	21.4%
Discriminatory Notices, Statements, or Advertisements	632	9%	646	10%	983	11.6%
False Denial or Representation of Availability	164	2%	177	3%	220	2.6%
Discriminatory Financing	205	3%	175	3%	399	4.7%
Failure to Permit a Reasonable Modification	158	2%	154	2%	181	2.1%

Refusal to Sell	121	2%	118	2%	154	1.8%
Non-Compliance with Design and Construction Requirements	54	1%	71	1%	109	1.3%
Steering	46	1%	53	1%	80	.9%
Refusal to Provide Insurance	2	<0.5%	1	<0.5%	2	0%
Redlining	7	<0.5%	0	0%	3	0%
Number of Complaints Filed	6,961		6,519		8,489	

In New Jersey the number of fair housing complaints decreased from 10,155 in 2014 to 8,186 in 2017 as reported by the DCR in the most recent published “NJ Fair Housing Report”. The factors influencing the increased number of housing complaints received have also affected the bases of the housing discrimination complaints received by the Division. While prior to 2012, the predominant alleged bases of housing complaints had been race and national origin, the past several years have seen an increase in the number of complaints alleging discrimination based on disability, source of income and familial status.

In the past three years, the number of disability related cases have grown to represent more than 40% of the Division’s housing cases. This mirrors the trend at HUD, which now also reports disability discrimination as the most frequent basis for its housing discrimination complaints under the Fair Housing Act.

In New Jersey, lawful source of income cases, which were not covered under the LAD prior to 2002, now account for approximately 22% of the housing cases under investigation. This increase in source of income cases has occurred despite the fact that this is not a basis of unlawful discrimination under the provisions of the Fair Housing Act, which in part, govern the HUD work-sharing agreement. The increase in cases alleging discrimination on the basis of familial status, however, can be attributed to cases referred by HUD to the Division for investigation.

Table 43: Basis of Housing Complaints - NJ Division of Civil Rights

Year	Total	Disability	Disability %	Race	Race %	Income	Income %	Familial Status	Familial Status %	National Origin	National Origin %
2002	23	7	30.40%	8	34.80%	1	4.30%	2	8.70%	3	13.00%
2003	54	9	16.70%	15	27.80%	32	59.30%	5	9.30%	4	47.40%
2004	73	13	17.80%	19	26.00%	29	39.70%	7	9.60%	6	8.20%
2005	84	43	43.50%	49	25.40%	46	23.80%	30	15.50%	26	13.50%
2006	178	75	41.60%	57	32.00%	31	17.40%	27	15.20%	33	18.50%
2007	186	77	41.40%	69	37.10%	41	22.00%	26	14.00%	22	11.80%
Total	707	264	37.30%	217	30.70%	180	25.50%	97	13.7	94	13.30%

Source - 2007 NEW JERSEY FAIR HOUSING REPORT

In Essex County the complaint data is broken down by basis and type and is reported for the period of 2004 through February 2010. Over the six plus year period Essex County had 155 fair housing recorded complaints. A rough comparison between the complaints issued in NJ and the County complaint data reveals that Essex County had approximately 11.67% of statewide fair housing complaints.

Table 44: Essex County - Cases filed 2004 - Feb 2010

City	Race/Color	National Origin	Familial status	Disability	Sex	Religion	Retaliation	Sexual Harassment	Total
Belleville	2	2	1	2	0	0	0	0	7
Bloomfield	6	1	2	3	1	0	0	0	13
Cedar Grove	1	0	0	0	0	0	0	0	1
East Orange	8	3	1	9	2	0	1	0	24
Glen Ridge	1	0	0	0	0	0	0	0	1
Irvington	3	2	1	3	1	0	0	0	10
Livingston	1	0	0	0	0	0	0	0	1
Maplewood	0	0	0	0	1	0	0	0	1
Montclair	4	0	4	2	0	0	0	0	10
Newark	16	12	4	30	3	1	0	1	67
Nutley	0	0	0	2	0	0	0	0	2
Orange	5	0	0	3	0	0	0	0	8
Roseland	0	0	0	1	0	0	0	0	1
Short Hills	0	0	0	1	0	0	0	0	1
South Orange	1	0	1	0	0	0	0	0	2
Verona	0	0	0	2	0	0	0	0	2
West Orange	0	0	1	1	2	0	0	0	4
Total	48	20	15	59	10	1	1	1	155

5. Bias Offenses

Biased crimes are crimes that are committed because of a bias against race, religion, disability, ethnicity, or sexual orientation. In an attempt to determine the scope and nature of these crimes, the New Jersey State Police Uniform Crime Reporting Unit collects statistics on these incidents.

To a certain degree, bias crimes are an indicator of the environmental context of discrimination. These crimes should be reported to the Police or Sheriff's department. On the other hand, a bias incident is an action or behavior that is motivated by a bias but is protected by the First Amendment right to freedom of expression. Examples of bias incidents can include name calling, epithets, distribution of biased material in public places, and the display of offensive biased material on one's property. Only when these incidents escalate can they be considered an actual crime.

Statistics compiled by the NJ State Police found that a total of 25 bias offenses were committed in Essex County in 2013. Criminal Mischief based bias offenses were the most common (40%), followed biased harassment (32%). Overall, this represents a 14% decrease from 2012.

During this same time period, the bias offenses reported in the County was less than one per 1,000 people. Hate crime statistics varied somewhat from jurisdiction to jurisdiction—with the towns of Bloomfield, Fairfield, Cedar Grove, Essex Fells, Maplewood, Millburn, North Caldwell, Orange, Roseland and west Orange having no reported offenses, while the towns of Montclair, Newark and Nutley had 6, 3 and 3 reported offenses respectively.

6. Not In My Back Yard (NIMBY)

Not in My Back Yard (NIMBY) is common misconception that affordable housing, including residential care facilities and supportive housing will lower neighboring property values. However, numerous studies

conducted over a period of many years and in various locations find that this widely held opinion is incorrect.

Property values are primarily determined by the condition of the particular property for sale and other more complex factors, such as overall area development and prosperity. The location of affordable housing has no significant impact on these other conditions that determine property values.

Chapter VII - Previous Report Assessment

This chapter summarizes and compares key findings from previous version of the AI in order to evaluate the progress toward addressing impediments to fair housing choice.

Continued Impediments and Recommendations from Previous AIs

The following is a list of impediments and key recommendations carried over from previous AI documents.

A. Public Sector

Impediment 1: Zoning Policies

When a municipality adopts mandatory Inclusive Zoning regulations, it requires new developments - sometimes with exceptions - to have a certain percentage of affordable units. The term "inclusive zoning" was meant as a response to suburban zoning policies that have come to be collectively known as "exclusionary zoning". As many middle-to-upper class white families fled the urban core of U.S. cities after World War II, they formed suburbs that were economically and racially homogenous. Many of these suburbs adopted exclusionary zoning policies, such as not allowing multi-family apartment buildings or requiring that homes, or even the lots in front of them, be of a certain size, which was cost-prohibitive.

One of the positive aspects of Inclusive Zoning is that it does not require any local subsidy. This is unlike private housing vouchers or subsidized housing, where local governments spend taxpayer dollars to pay developers to provide at least some affordable housing.

There are many aspects of an Inclusive Zoning policy that can be tailored to fit the needs of the local community, although each of these variations introduces its own set of concerns. Inclusive zoning can be either voluntary or mandatory. However, research has shown that mandatory inclusive zoning has been much more effective than the voluntary option at producing affordable units.

One of the most common challenges to specific planning and zoning ordinances comes in the area of exclusionary zoning. The first lawsuit involved an exclusionary zoning policy that only allowed single-family detached homes in the town of Mt. Laurel, NJ. The court found that "Mt. Laurel had exhibited economic discrimination in that the poor had been deprived of adequate housing and opportunity..." A second Mt. Laurel case led to the creation of COAH.

In March 2015, the state Supreme Court ruled that judges will take over, from COAH, the regulation of affordable housing after the State failed to obey an order to establish a new set of guidelines. Lower courts are now charged with deciding, on a case-by-case basis, how many homes should be made available to low- and moderate-income residents. COAH had failed to pass new and expanded quotas, as directed, due to the fact that their affordable housing guidelines had expired. The move could be temporary, as the court indicated that COAH can regain control if it passes new rules. The state Legislature may also come up with a new affordable housing law.

The ruling will not take effect for 90 days to allow the courts to set up a system for the cases. For 30 days after that, judges will take applications only from towns seeking protection from lawsuits by saying they have tried to comply with COAH's guidelines. After that, judges can begin hearing lawsuits from developers seeking to build at higher densities than normally allowed to provide for more affordable housing.

When analyzing the multi layered governmental functions throughout New Jersey, it is apparent that stringent guidelines do exist and have been designed to deal with the development of affordable housing

on available parcels of land. While the functionality of each agency may vary slightly the specific tasks they are required to perform and the means by which they conduct them are consistent.

Impediment 2: Building Codes and Enforcement

The regulation of building construction in the United States is the responsibility of government, and with very few exceptions, it is legislated at the local or state government levels. It traditionally has been accomplished by means of a set of inter-related codes, each addressing a specific building system or a specific building attribute.

Because of the complexity of these codes, the time and money needed to keep them updated and the desire for uniformity, most state and local governments have abandoned the development and maintenance of their own codes, and rely on adoption (with or without amendment) of a model code. All of these codes make use of extensive references to voluntary consensus standards on design methods, test methods, materials, and systems. By reference, these standards become part of the building regulatory system. These codes typically are enforced at the local level in a process that begins with the application for a building or construction permit, and followed by plan review, permit issuance, inspections, and certificate of occupancy issuance.

A related but different set of regulations that sometimes are packaged together with the above-described measures are those that control the use and maintenance of existing buildings. Parts of these codes sometimes may overlap with the plumbing, mechanical, or electrical codes, such that some aspects of operation and maintenance are included therein.

These codes are generally enforced at the municipal level by means of periodic inspections and citation of violations. An existing property that is rehabilitated typically will have to satisfy building, plumbing, mechanical, and sister codes as well as the fire, housing, property, and hazard codes.

Municipalities rely upon specific codes which relate to density and affordable housing set-aside standards. The purpose is to ensure the efficient use of land through compact forms of development and to create realistic opportunities for the construction of affordable housing. These codes would also provide for minimum gross density requirements and any affordable housing set-asides.

Impediment 3: Public Housing and Hope VI

Public housing is an essential resource for low-income persons. The need to renovate or replace significant portions of this inventory represents an opportunity to give families in public housing more choices.

The federal HOPE VI program was designed as a means of transforming poverty concentrated, high density public housing into mixed income housing; and at the same time giving public housing residents more housing choice, including the opportunity to live in a new mixed income community. Unfortunately, the program as implemented did not achieve these goals with many public housing residents were not allowed to return to the original development after it was rebuilt, and many others were simply moved into other segregated neighborhoods, rather than into low poverty and racially integrated areas.

Public housing redevelopment and other public housing reform initiatives must open up new choices for residents. Re-segregation of public housing residents in low opportunity communities because funds are available to renovate dilapidated housing is not the answer. A balance must be struck between residents' right to return to a revitalized mixed income community, and the rights of other residents to move to new, less segregated areas of higher opportunity. There must be a balance to promote racially and economically integrated housing.

Impediment 4: The Effect of Governmental Consolidation

In 2011, the NJ Department of Community Affairs (DCA), Division of Local Government Services published a reference guide to Joint Service Delivery. This guide provided details concerning the Uniform Shared Services and Consolidation Act, which was written to shared services, regionalization, joint meetings, and municipal consolidation.

Additionally, in 2012 the legislature passed the "Common Sense Shared Services Act" that was designed to effectuate agreements between governmental entities for services and intended to provide local property tax relief. Amongst other things it dealt with tenure as a deterrent to consolidation and required filing with the Division of Local Government Services in the Department of Community Affairs

Studies have indicated that municipalities that are geographically larger or capable of expanding to include suburban areas are less segregated by race and income and thus provide greater potential for beneficial results from housing choice. While cost savings may be realized through shared services or consolidation they may be difficult to document without the establishment of a performance measurements system. Additionally, home rule could be effected and differing opinions on affordable housing may impede housing choice efforts.

Impediment 5: Neighborhood Revitalization

Fair housing choice is reduced when neighborhoods deteriorate both socially and physically. Increased crime makes neighborhoods less attractive and home values stagnate or decline. Apartment owners put off repairs and maintenance. For some groups, the crime potential is intolerable, and housing choice is particularly diminished.

The County continues to direct public policies toward the revitalization of neighborhoods. From the time of urban renewal in the 1950's and 1960's to the current block grant programs of HUD, the government has targeted specific neighborhoods for housing and public works improvement.

After the "community development" program replaced the urban renewal program in 1974, neighborhoods were targeted for assistance based on a triage system. The neighborhoods designated for assistance were selected based on deterioration and risk. The policy was to make select housing and public works enhancements to sustain the identified neighborhoods.

Impediment 6: The Davis-Bacon Act

Davis Bacon Act and Prevailing Wage Requirements of 1939 increase the cost of a project along with the regulatory burden for contractors has hindered affordable housing development. Additionally, with the lack of uniformity between the HOME program and the CDBG program it becomes increasingly difficult to administer these funds. Many contractors refuse to bid on jobs when CDBG and HOME funds are used. In many cases these stringent requirements effect minority and women owned businesses ability to submit bids. To help address any deficiencies, the County completed a Analysis of Procurement and Contracting to determine if there were any discriminatory disparities between the availability and utilization of qualified business firms doing business with the County.

Impediment 7: NJ Housing and Mortgage Finance Authority's Policies

The New Jersey Housing and Mortgage Finance Agency (NJHMFA) has a strong urban bias which does not encourage state financing of affordable housing units in suburban municipalities. Further, the New Jersey Balanced Housing Fund is limited to municipalities that meet one of the following criteria:

1. The municipality has petitioned the Council on Affordable Housing for substantive certification of its housing element;

2. The municipality has received substantive certification of its housing element from the Council on Affordable Housing;
3. The municipality is subject to a judicially-approved compliance agreement to settle its fair share housing obligation;
4. The municipality is subjected to a court-ordered builder's remedy; or
5. The municipality has been designated as a receiving municipality under a regional contribution agreement and a project plan has been approved by the Council on Affordable Housing;
6. The municipality is eligible for State aid pursuant to P.L. 1978, c. 14 (N.J.S.A. 52:27D-178 et seq.) ; or
7. Any other municipalities provided that:
 - i. The Department has invoked its authority pursuant to N.J.S.A. 52:27D- 320(c); and
 - ii. The municipality meets all conditions established by the Council in accordance with
 - (a) 7i above.
 - (b) Programs and projects in any municipality shall be funded only after receipt by the Commissioner of a written statement in support of the program or project from the municipal governing body.
 - (c) Applicants that are eligible in accordance with (a)1 above only shall not be eligible to receive program funding until the municipality's Fair Share Plan has received substantive certification from the Council on Affordable Housing.
 - (d) Applicants that are eligible in accordance with (a)4 above, shall not be eligible to receive a funding commitment or program funding until the municipality's Fair Share Plan has been judicially approved by the issuance of a judgment of repose

Many consider this policy an incentive for certification. However, it also limits the potential funding a non-profit can seek if they have a proposal in a community without COAH certification or judicial approval.

Impediment 8: NIMBYism

Property values are primarily determined by the condition of the particular property for sale and other broader, more complex forces, such as overall area development and prosperity. The location of affordable housing has no significant impact on these other conditions that determine property values.

NIMBYism can serve as one of the most significant constraint to the development of affordable or even market-rate multi-family housing. NIMBYism describes opposition by residents and public officials alike to additional or different kinds of housing units in their neighborhoods and communities. The NIMBY syndrome often is widespread, deeply ingrained, easily translatable into political actions, and intentionally exclusionary and growth inhibiting. NIMBY sentiment can reflect concerns about property values, service levels, the environment, or public health and safety. It can also reflect racial or ethnic prejudice masquerading under the guise of a legitimate concern.

Community opposition to high-density housing, affordable housing, and housing for persons with special needs is linked to the lack of such housing options for residents in need. In particular, community opposition is typically strongest against high-density affordable housing and group homes for persons with mental disabilities.

Community residents who are especially concerned about the influx of members of racial and ethnic minority groups sometimes justify their objections on the basis of perceived impacts like lowered property values and increased service costs. Racial and ethnic prejudice often is one root of NIMBYism, although concerns still exist where racial or ethnic differences are not involved.

Impediment 9: Public Subsidy of Housing

There are currently four Housing Authorities that administer the Housing Choice Voucher Program within the Essex County CDBG HOME consortium and one that provides both public housing and Housing Choice Vouchers. The location of housing units vouchers are scattered throughout these municipalities. This allows for a decentralization of low income households and helps break down isolation from community services and facilities. The buildup of some Section 8 housing in a few census tracts are transforming neighborhoods and may create some instability.

The limited availability of new Housing Choice (Section 8) certificates and vouchers, which have been consolidated into the New Housing Choice Voucher, has been cited repeatedly by social service providers as a major obstacle. Since many new vouchers are targeted as 'Welfare-to-Work vouchers' and 'Family Self-Sufficiency vouchers', many people such as the mentally ill do not qualify.

Housing voucher recipients are much less likely than public housing families to live in high-poverty neighborhoods, and when vouchers are accompanied by effective housing search assistance and counseling, they allow very low-income families to move to low-poverty neighborhoods. Voucher programs, however, have not focused explicitly on the quality of schools serving the neighborhoods where recipients live, and evidence indicates that low-income children moving to low-poverty neighborhoods do not necessarily experience improved educational outcomes. In communities with high performing schools, moderately priced rental housing is in short supply. Therefore, expanding access to these communities requires that local agencies build or buy housing units that can be made available to low and moderate-income families.

Unfortunately, building affordable housing in non-poverty neighborhoods often generates community opposition, fueled by prejudice and by fears about crime and declining property values. Statistics indicate that these fears are misplaced. When affordable housing is widely scattered and properly managed, it has no adverse effects on otherwise healthy neighborhoods.

Some communities have directly addressed concerns about affordable housing by requiring the developer to provide supplemental funding to school districts to offset the costs of additional students generated by new housing construction.

The Federal Government should create strong incentives for local jurisdictions to expand affordable housing opportunities in non-poverty communities, and it should more explicitly target these incentives to communities served by high-performing schools with very low rates of poverty.

Although concentrated poverty creates serious challenges for teaching and learning there are examples of high-performing schools that demonstrate that it is possible to provide quality education even when many students are poor and the surrounding neighborhood is distressed.

B. Private Sector

Impediment 10: Lending Policies and Practices

Many of the banks and mortgage companies operating in the County offer favorable home loans to low and moderate income households. The Essex County Division of Housing and Community Development, as part of its First-Time homebuyer Program, has compiled a list of lending institutions which offer affordable mortgage products to assist low and moderate income households.

In July 2014, RealtyTrac, Inc. issued its Midyear 2014 Metropolitan Foreclosure Market Report. The report ranked the top 100 largest metropolitan areas and New Jersey was one of only nine State that experienced

an increase in foreclosure activity in the first half of 2014 compared to a year ago. Additionally, New Jersey experienced a 70% increase in foreclosure starts from the previous month.

While this data does not track the foreclosure rate at the municipal level it provides a solid basis by which to interpret foreclosure trends.

Impediment 11: Redlining

The refusal of lenders or insurance companies to issue mortgage loans or insurance on property in certain neighborhoods regarded by them as deteriorating is defined as redlining. Fair housing activists continue to work to limit insurance companies from using risk-based methods for underwriting and pricing homeowners insurance. These methods reveal that insurers do indeed discriminate among their customers on the basis of risk through the application of a universal risk based insurance criteria. A consequence is that residents of predominantly minority neighborhoods often pay more for homeowners insurance, while receiving less coverage.

When insurance policies function to make insurance more expensive in urban areas with large minority populations, the impacts are felt not only by the individual homeowners. Lack of insurance hastens the deterioration neighborhoods because landlords cannot invest in their properties, nor can purchasers buy empty buildings, without insurance.

It can be argued that government intervention is needed to solve the problem. Unfortunately, this also could force participating lenders or insurance providers to leave the area or State all together. The real solution is to increase wages and eventually wealth. Increased job opportunities will provide for a greater capital investment and increase the quality of housing, reduce the threat of fire and theft and thus make these individuals more attractive customers.

Impediment 12: Mortgage Foreclosures and the Effect of Blighting on Housing Choice

Municipalities throughout the County are confronted with hundreds of vacant, foreclosed properties that decrease property values and threaten entire neighborhoods. Decreased property values have result in a loss of tax revenue, forcing local and state governments to cut valued social services programs that have provided programs for vulnerable families.

To address this complex problem, local strategies need to be developed that include, but are not limited to the following:

- Collaboration among governmental, for-profit and nonprofit organizations;
- Target neighborhoods in need and focus resources in those locations; and
- Develop financing solutions where public dollars leverage private investment.

Impediment 13: Racial Steering

Racial steering occurs when real estate agents show prospective buyers homes only in neighborhoods already dominated by that family's race. Steering distorts the spatial patterns of housing demands by white and minority homebuyers and has been prohibited by federal law since passage of the Fair Housing Act of 1968, and subsequently by numerous substantially equivalent state and local ordinances.

Specifically prohibited practices include directing people to a particular community or neighborhood because of their race or ethnicity, discouraging people from occupying any dwelling because of the race or ethnicity of the persons in the neighborhood, failing to inform people of desirable features of a dwelling or neighborhood in order to perpetuate such discouragement, and communicating to prospective purchasers that they would not be comfortable or compatible with existing residents of a neighborhood. Given these

clear and longstanding legal prohibitions against steering and the evidence linking it to segregation, there is still evidence that steering was widely practiced.

Segregation steering is the most conventional form. This form of steering holds the potential to limit the housing choices of both minority and white homebuyers in such ways that it undermines stable, racially diverse neighborhoods and perpetuates segregation.

Steering studies have been conducted throughout the Country and the results were overwhelmingly constant. There were incidences of steering, discrimination in mortgage lending, and the resistance by white families and white renters in very white neighborhoods when people of color were moving in. Minority families with the same familiar structure and income as whites are presented with very different housing options by lenders. They are shown different neighborhoods and have different access to credit.

Fair housing service providers should continue to monitor lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and any other fraudulent activity.

Impediment 14: Bias in Lending

Obtaining credit allows many individuals to eventually generate new wealth. The pricing decisions in mortgage lending have become increasingly sophisticated and complex with new loan products, that have various terms and features, continuously being invented. Pricing structures have more flexible fees and points are customized to an applicants' capabilities and needs. As a result, mortgage prices vary for different borrowers.

Sub-prime lenders are offering high home improvement loan amounts for extremely low-income homeowners. Studies suggest that members of certain protected classes (such as, racial and ethnic minorities) experience disparate treatment when applying for housing financing.

In regards to conventional mortgage applicants white applicants had the lowest denial rate. Hispanics and Native Hawaiian and Other Pacific Islanders are denied conventional mortgage financing at slightly higher rates than whites and Asians while African-Americans and Native Americans and Alaskan Natives were denied conventional financing at much higher rates than whites and Asians. Nationally and in the County, households of color are disproportionately likely to obtain sub-prime mortgage financing.

Fair housing service providers should continue to monitor biased lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and any other fraudulent activity. Additionally, continued pressure should be applied to lenders so that they modify their practices in ways that will reduce the frequency of mortgage denials and other adverse lending outcomes.

Impediment 15: Housing Discrimination

Recent National HUD studies have concluded that most blatant forms of housing discrimination (refusing to meet with a minority home buyer or provide information about any available units) have declined since the first national study in 1977. However, the forms of discrimination that remain raise the costs of housing search for minorities and restrict their housing options. In fact the study concluded that Black homebuyers are shown 17.7% less homes than white buyers

A local analysis of complaint data indicates that discriminatory behavior exists even though specific forms of discrimination are sometimes difficult to fully document. Housing discrimination primarily affects persons of color, the disabled, and families with children. While the number of people who have experienced discrimination and file a complaint may be decreasing discriminatory practices are still occurring.

One obvious conclusion is that the discriminatory practices are becoming less blatant and obvious to the typical home seeker but nevertheless are occurring at alarming rates. It is also suspected that complaints must represent a severe undercount of discriminatory practices.

National fair housing policies must continue to adapt to address the patterns of discrimination and disparity that persist today. Additionally, more locally targeted testing may be needed to determine exact neighborhoods, housing providers whose discriminatory practices are most prevalent.

Impediment 16: Lack of Decent Affordable Housing:

Currently, 25% of renter households are of extremely low-income. Thus the need for quality affordable housing remains high and it has been determined that housing costs restrict fair housing choice.

It seems the simple solution would be to build more affordable housing, but it's not that simple at all. The federal minimum wage is \$7.25 per hour, however when compounded with inflation is actually worth 20% less than the minimum wage in 1981. In New Jersey, a renter must work 121 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 2.9 workers earning the minimum wage in order to make the two-bedroom apartment affordable. Efforts to raise the minimum wage would benefit would help many families, but it would not solve the affordable housing crisis.

Research has proven that when families do not have enough income left over from their housing costs to cover the rest of their budget, children suffer. They experience poor health, lower levels of engagement in school and emotional or mental health problems.

Finally, affordable housing programs must be developed that addresses the needs of middle class families. Whenever possible the County should lobby the Federal government to increase eligibility requirements that currently preclude middle income residents from participating.

Impediment 17: Transportation and Employee Access

The proportion of household budget that goes towards paying for housing plus transportation has risen dramatically over the last decade, leaving less money for other necessities. When housing and transportation costs are considered together, only 40% of communities nationwide are affordable to families earning the local area median income (AMI).

The share of household budgets set-aside continues to rise and places pressure on families to reduce other expenses or increase debt. The Center for Housing Policy estimates that for every dollar that incomes have increased since 2000, combined housing and transportation costs have risen \$1.75, placing a greater need for affordable housing.

Families have to make difficult decisions when it comes to where they live. Because of limited housing options many families may face a longer commute as a trade-off to paying less for housing. The Center for Housing Policy found that for every dollar a working family saves on housing, \$0.77 more of its income goes towards transportation. Additionally, when housing and transit costs are considered together, 44.3% of working families spend more than half of their household expenses into these two categories.

The problem is that most cities lack well-planned transit access. This access links low-income communities and affordable housing with higher paying jobs needed to support their families. An analysis of 100 metropolitan areas by the Brookings Institution found that a typical worker can reach only 7% of the jobs in their area in a one-way, 45-minute commute.

Low and moderately skilled jobs tend not to exist in places where low to moderate income families reside. Brookings also determined that 3/4 of these types of jobs cannot be accessed even by a one-way, 90-minute commute. As the number of poor suburban residents grows, this problem becomes even more worrisome. Without a car, the average suburban resident can reach only 19% of middle- and low-skill industry jobs.⁶⁵

Efforts must focus on increasing transit oriented development which would benefit the entire labor market by connecting qualified workers with available jobs, as well as improve quality of life by reducing commute time and costs. Also efforts to preserve existing units of affordable housing, located near transit development, is crucial to maintaining housing access for low-income people and seniors.

C. Public and Private Sectors

Impediment 18: Fair Housing Enforcement

In 1945, New Jersey became the first state since the Reconstruction era to pass comprehensive anti-discrimination legislation with the passage of the Law Against Discrimination (LAD). The legislation called for the creation of a Division on Civil Rights (DCR) to enforce the LAD and have as its goal, ending discrimination.

The DCR is a part of the New Jersey Office of the Attorney General /Department of Law and Public Safety and is responsible for investigating discrimination complaints and addressing discrimination. Its main focus is to investigate claims of discrimination in employment, housing, and places of public accommodation. The Division is made up of three bureaus and the responsibilities of each bureau is as follows:

1. The Enforcement Bureau is the investigative arm of the Division on Civil Rights. Investigators meet with members of the public to discuss potential cases. In addition to receiving complaints from members of the public, this bureau also receives cases through agreements with the U.S. Equal Employment Opportunity Commission and U.S. Department of Housing & Urban Development.
2. The Policy Bureau monitors all legal matters involving the LAD and the New Jersey Family Leave Act and provides technical guidance and training to DCR employees and the general public. Attorneys in the Policy Bureau assist the Director in preparing Director's Orders and other legal determinations. This bureau also prepares and promulgates regulatory initiatives to maintain and update the DCR's administrative rules and regulations, reviews employment advertisements for LAD compliance when employers or publications request approval based on a bona fide occupational qualification, and responds to various motions filed by parties.
3. The Bureau of Public Outreach and Public Education is responsible for conducting all DCR outreach initiatives, trainings, and distributing agency publications. POPE works closely with the Policy Bureau in preparing publications, responding to inquires, and developing programs designed to educate the public as to the requirements and parameters LAD and the New Jersey Family Leave Act. Members of this Bureau also serve as liaisons to outside agencies such as the New Jersey Commission on Civil Rights and New Jersey Human Relations Council.

The DCR is the primary enforcement agency of housing discrimination law for the County. The DCR accepts complaints within 180 days after the alleged act of discrimination. Upon acceptance, the DCR will conduct an investigation and determine whether or not probable cause exists to believe that unlawful discrimination has occurred. If a finding of probable cause is issued, the case will be transmitted to the Office of Administrative Law where a full hearing will take place before an Administrative Law Judge. The case may be litigated by a state Deputy Attorney General on behalf of the Division or the complainant may choose to litigate the case personally or through private counsel. If a finding of no probable cause is issued,

the case is closed without further proceedings by the Division. If the Director has not made a probable cause determination within 180 days of the filing of the complaint, the complainant may request to litigate the case at the Office of Administrative Law either personally or through private counsel (but not by a Deputy Attorney General).

In many instances as complaints are reviewed they are referred to other entities. The potential referral entities are as follows:

U.S. Department of Housing and Urban Development

U.S. Department of Justice

There are additional local agencies certified by HUD as Approved Housing Counseling Agencies. Complaints in the County are not limited to these agencies and there are housing counseling agency not certified by HUD or certified agencies that are located outside Essex County that may be able to provide the necessary assistance.

Finally, the County will be meeting with the Fair Housing Council of Northern New Jersey (FHCNNJ). The FHCNNJ is an inter-racial, non-profit organization, which offers housing and financial counseling. The FHCNNJ handles discrimination cases relating to housing on behalf of all minorities and other residents covered under Title VIII of the Federal and State Fair Housing laws. We are confident that this additional collaborative resource will provide additional avenues to address discriminatory practices.

Impediment 19: Evaluation of Public and Private Fair Housing Programs and Activities

There are numerous agencies and organizations who are responsible for providing education, outreach, and enforcement of fair housing in the State and County. These are augmented by housing authorities, non-profits and community action agencies that service Municipalities within the County to promote fair housing awareness.

In spite of the number of agencies involved in fair housing, the County lacks adequate funding for fair housing testing, enforcement, and education. There is also an acknowledgment that a limited collaborative on statewide advocacy hampers fair housing efforts. It is imperative that a system is created to identify areas where affordable housing options are lacking. It should include the following:

- Examine existing affordable housing options and location
- Examine availability of Section 8 units in area
- Examine availability of accessible housing in area
- Examine availability of housing for homeless persons
- Availability of housing for persons with disabilities
- Supportive housing

The National Fair Housing Alliance provides a Guideline for Evaluating the Analysis of Impediments to Fair Housing. Whenever possible this guide should be referenced and utilized to assess the conditions of fair housing in the County.

Impediment 20: Public Awareness Program

The provision of education and distribution of information is a major component that can be used to increase public awareness of fair housing laws and rights. Residents, landlords, realtors, and the protected classes must be made aware of the Fair Housing Laws what to do if housing discrimination occurs.

Efforts are needed to educate rental property owners and tenants about fair housing laws, rights, and responsibilities. This can be accomplished through numerous activities such as newspaper articles, public seminars, continuing

education programs, brochures, speaking engagements and information booths at community fairs, etc. These efforts would assist the County increasing its quest to affirmatively market housing opportunities to people who are underrepresented in housing assistance programs.

The creation of a Housing Network would be a major coordinated resource for the distribution of pertinent information and provide a conduit for those seeking fair housing. The goal would be to create a comprehensive housing information center that deals with affirmative marketing, transportation needs, access to services and mobility counseling. This Network would also be beneficial to local officials so that they may inform their residents of the existing opportunities.

Impediment 21: Visitability

The ultimate goal of visitability is to make all new homes not covered by current ADA regulations “accessible enough” for a visitor with a disability. Visitability strives for single-family homes, not otherwise regulated for access, to have a level of accessibility so a wheelchair user can comfortably “visit” the home. One of the goals in addressing visitability, is that it has very few requirements in the hope it will become more widespread. The minimum requirements to achieve visitability are:

- At least one zero-step entrance
- Wider interior doors and hallways on the main floor
- Half bath/powder room on the main floor

Nationwide, there are currently 17 laws and programs at the State level and 39 at the local level, with many proposals currently being considered.

While the idea of visitability standards is catching on, there have been opponents. Much of the resistance has come from developers based upon the perception that cost would go up. The key to the successful implementation of a visitability program is planning and not retrofitting

Impediment 22: Location of Consumer Business

The segregation of low-income households, who are transit dependent, produces unfair housing because of the isolation from needed goods and services. A person's financial burden is significantly affected by the type of transportation available in an area.

Low-income residents of communities that are automobile dependent tend to spend much more of their income on transportation than residents of communities with more multiple transportation options. The dependence upon automobiles also prevalent when factoring in a access to supermarkets or big box retailers, which generally offers less expensive alternatives. Small stores generally have higher prices and limited choices, placing a greater strain on a person's wages.

Strategies that improve community accessibility, such as locating affordable housing, public services and jobs in more accessible locations provides direct benefits by reducing cost burdens on disadvantaged households.

Impediment 23: Creation of Illegal Apartments

For families struggling to make mortgage payments, converting their basement into a rentable unit is attractive option. While these units may fill a void for inexpensive housing they tend to be dangerous, with low ceiling height, poor wiring and lacking of accepted safety standards, such as means of egress and ventilation. This practice is more common in older suburban areas where housing prices and real estate taxes are high.

It's understood that during a housing crisis owners may be able to sustain homeownership through increased income. However these units negatively impact neighborhoods and place an undue strain on code enforcement. Recently, the decrease in ratables has given municipalities the impetus to strictly enforce their zoning, building, health and fire codes. The negative side of this public policy is affordable units are being taken off the market without public action to encourage suitable replacement housing.

To address this dilemma, workshops can be used to educate homebuyers on the negative effects of renting illegal dwellings and benefits of going through the conversion process. Outreach for such workshops could be further facilitated by the support of local area public schools, faith-based institutions, community boards, homeowner associations, and block associations.

Where applicable, financial assistance for owners to voluntarily go through the legalization process would encourage owners to comply and invest in bringing units up to code. A municipality can also look at ways to offer tax incentives to report and legalize units. In addition, the expansion of existing loan programs or the creation of new programs could facilitate development and encourage owners to maintain units at affordable rents.

Chapter VIII – Fair Housing Action Plan

The previous chapters evaluate conditions that may negatively effect housing choice. This chapter provides conclusions and recommendations to help address the impediments. When identifying recommendations, this AI focuses on actions that are directly related to fair housing issues and can be implemented within the resources and authority of the County or participating municipalities.

Continued and Updated Impediments

The following is a list of impediments and key recommendations, which includes several new impediments, that were identified based on the updated conditions.

A. Private Sector

Impediment 1: Housing Discrimination

Housing discrimination persists throughout the County, which is supported by general statistical data, and cases filed with HUD. Specifically, discriminatory practices based on disability (physical and mental), race, and familial status were among the top categories. Recent National HUD studies have concluded that most blatant forms of housing discrimination (refusing to meet with a minority home buyer or provide information about any available units) have declined since the first national study in 1977. However, the forms of discrimination that remain raise the costs of housing search for minorities and restrict their housing options. In fact the study concluded that Black homebuyers are shown 17.7% less homes than white buyers.

Recommendations:

- 1.1 National fair housing policies must continue to adapt to address the patterns of discrimination and disparity that persist today.
- 1.2 Pursue random testing on a regular basis to identify issues, trends, and problem properties and expand testing to cover other protected classes, especially those with emerging trends of suspected discriminatory practices.
- 1.3 Support enforcement activity by fair housing service providers and publicize outcomes of fair housing litigation as a means to deter discriminatory practices and to encourage reporting.
- 1.4 Expand education and outreach efforts, with specific efforts outreaching to small rental properties where the owners/managers may not be members of the local housing associations.

Impediment 2: Discrimination Based Upon Disability

Disability is the greatest cited basis for discrimination according to the U.S. Department of Housing and Urban Development (HUD), and the Department of Fair Housing and Employment (DFEH). Currently, universal design principles in new housing developments are not promoted throughout the County.

Recommendations:

- 1.1 The County should consider promoting universal design principles in new housing developments.

Impediment 3: Redlining

The refusal of lenders or insurance companies to issue mortgage loans or insurance on property in certain neighborhoods regarded by them as deteriorating is defined as redlining. Fair housing activists continue to work to limit insurance companies from using risk-based methods for underwriting and pricing homeowners insurance. These methods reveal that insurers do indeed discriminate among their customers on the basis of risk through the application of a universal risk based insurance criteria. A consequence is that residents of predominantly minority neighborhoods often pay more for homeowners insurance, while receiving less coverage.

Recommendations:

- 31.1 Consider lobbying for a increased minimum wage
- 3.2 A fair housing service agency should monitor lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and fraudulent activities.

Impediment 4: Racial Steering

Racial steering occurs when real estate agents show prospective buyers homes only in neighborhoods already dominated by that family's race. Steering distorts the spatial patterns of housing demands by white and minority homebuyers and has been prohibited by federal law since passage of the Fair Housing Act of 1968, and subsequently by numerous substantially equivalent state and local ordinances.

Recommendations:

- 4.1 A fair housing service agency should monitor lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and fraudulent activities.
- 4.2 Ensure the availability of a range of housing options that allow the greatest residential mobility.
- 4.3 Continue and expand fair housing services to promote equal housing opportunities and help reduce residential segregation.

Impediment 5: Bias in Lending

Obtaining credit allows many individuals to eventually generate new wealth. The pricing decisions in mortgage lending have become increasingly sophisticated and complex with new loan products, that have various terms and features, continuously being invented. Pricing structures have more flexible fees and points are customized to an applicants' capabilities and needs. As a result, mortgage prices vary for different borrowers.

Recommendations:

- 5.1 Fair housing service providers should continue to monitor biased lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and any other fraudulent activity.
- 5.2 Continued pressure should be applied to lenders so that they modify their practices in ways that will reduce the frequency of mortgage denials and other adverse lending outcomes.
- 5.3 Develop partnerships with reputable credit counseling agencies and financial literacy trainers to reach communities of color and create a pool of potential homebuyers who are ready and qualified to purchase a home.
- 5.4 Support local research effort in homeownership loan denial disparity by race that accounts for creditworthiness, as limited data is currently available.
- 5.5 Develop partnerships with local lending institutions, that encourages affirmative marketing and funding for homebuyer programs that reach communities of color and the disabled.

Impediment 6: Mortgage Foreclosures and the Effect of Blighting on Housing Choice

Municipalities throughout the County are confronted with hundreds of vacant, foreclosed properties that decrease property values and threaten entire neighborhoods. Decreased property values have result in a loss of tax revenue, forcing local and state governments to cut valued social services programs that have provided programs for vulnerable families.

Recommendations:

- 6.1 Develop local strategies that promote collaboration among governmental, for-profit and nonprofit organizations.
- 6.2 Target neighborhoods in need and focus resources in those locations.

- 6.3 Develop financing solutions where public dollars leverage private investment.
- 6.4 A fair housing service agency should monitor lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and fraudulent activities.

Impediment 7: Linguistic Isolation

The Census Bureau defined linguistically isolated households as one in which no member 14 years and over (1) speaks English or (2) speaks a non-English language and speaks English very well. The ACS provides information on households with persons five years and over who speak English less than very well and also provides estimates of households that are linguistically isolated. In Essex County, 14.5% of residents indicated that they spoke English less than very well. Most of these residents were Spanish speakers.

Recommendations:

- 7.1 Continue bi-lingual efforts and consider expanding the number of languages offered.
- 7.2 In order to ensure it complies with its Limited English Proficiency Implementation Plan (LEP), the County should continue to regularly update its LEP for compliance.

Impediment 8: Lending Policies and Practices

Many of the banks and mortgage companies operating in the County offer favorable home loans to low and moderate income households. The Essex County Division of Housing and Community Development, as part of its First-Time homebuyer Program, has compiled a list of lending institutions which offer affordable mortgage products to assist low and moderate income households.

Recommendations:

- 8.1 Review the lending patterns of all financial institutions providing services in the County. Special attention should be directed to home purchase lending in lower income and minority concentration areas.
- 8.2 When selecting financial institutions to participate in housing programs, consider the lender's performance history with regard to home loans in low/moderate income areas and minority concentration areas
- 8.3 Municipalities should provide outreach to inform lower income households of special local, state, and federal homebuyer assistance programs
- 8.4 A fair housing service agency should monitor lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and fraudulent activities.

Impediment 9: Lack of Decent Affordable Housing:

Currently, 25% of renter households are of extremely low-income. Thus the need for quality affordable housing remains high and it has been determined that housing costs restrict fair housing choice.

Recommendations:

- 9.1 Affordable housing programs must be developed that addresses the needs of middle class families.
- 9.2 Continue to encourage the development of affordable housing through: (1) development fee waivers/reductions, (2) streamlined permit processing, (3) flexibility in applying design and development standards, (4) achievable density bonuses, (5) other general plan, administrative, and zoning efforts, and/or (6) public-private partnerships with developers of affordable housing.
- 9.3 Continue to support basic home improvements for homeowner households through the County's Home Improvement Program

Impediment 10: Transportation and Employee Access

The proportion of household budget that goes towards paying for housing plus transportation has risen dramatically over the last decade, leaving less money for other necessities. When housing and transportation costs are considered together, only 40% of communities nationwide are affordable to families earning the local area median income (AMI).

Recommendations:

- 10.1 Efforts must focus on increasing transit oriented development which would benefit the entire labor market by connecting qualified workers with available jobs, as well as improve quality of life by reducing commute time and costs.
- 10.2 Locate new affordable housing near commercial corridors and transit stations
- 10.3 Support transit-oriented development projects (TOD) so that lower-income persons have increased to access job opportunities outside their neighborhood

B. Public Sector

Impediment 11: Zoning Policies

When a municipality adopts mandatory Inclusive Zoning regulations, it requires new developments - sometimes with exceptions - to have a certain percentage of affordable units. The term "inclusive zoning" was meant as a response to suburban zoning policies that have come to be collectively known as "exclusionary zoning".

Recommendations:

- 11.1 Municipalities should pursue State certification of their Housing Element.
- 11.2 Municipalities should adopt formal Reasonable Accommodations Policies and Procedures. They also should adopt a definition of disability consistent with the Fair Housing Act.

Impediment 12: Building Codes and Enforcement

The regulation of building construction in the United States is the responsibility of government, and with very few exceptions, it is legislated at the local or state government levels. It traditionally has been accomplished by means of a set of inter-related codes, each addressing a specific building system or a specific building attribute.

Recommendations:

- 12.1 Continue operating housing rehabilitation programs and consider modifying their housing rehabilitation programs to make financial assistance for accessibility improvements available for renters, as well as homeowners.
- 12.2 Municipalities should adopt formal Reasonable Accommodations Policies and Procedures. They also should adopt a definition of disability consistent with the Fair Housing Act.

Impediment 13: Public Housing and Hope VI

Public housing is an essential resource for low-income persons. The need to renovate or replace significant portions of this inventory represents an opportunity to give families in public housing more choices. The federal HOPE VI program was designed as a means of transforming poverty concentrated, high density public housing into mixed income housing; and at the same time giving public housing residents more housing choice, including the opportunity to live in a new mixed income community.

Recommendations:

- 13.1 Promote mixed-income housing developments and a broad range of housing choice
- 13.2 Promote new affordable housing developments to strengthen existing neighborhood assets.

Impediment 14: Neighborhood Revitalization

Fair housing choice is reduced when neighborhoods deteriorate both socially and physically. Increased crime makes neighborhoods less attractive and home values stagnate or decline. Apartment owners put off repairs and maintenance. For some groups, the crime potential is intolerable, and housing choice is particularly diminished.

Recommendations:

14.1 Continue efforts to expand the variety of available housing types and sizes. In addition, to persons with disabilities, senior households can also benefit from a wider range of housing options.

Impediment 15: The Davis-Bacon Act

Davis Bacon Act and Prevailing Wage Requirements of 1939 increase the cost of a project along with the regulatory burden for contractors has hindered affordable housing development. Additionally, with the lack of uniformity between the HOME program and the CDBG program it becomes increasingly difficult to administer these funds.

Recommendations:

15.1 Review the County's Analysis of Procurement and Contracting to determine if there were any discriminatory disparities between the availability and utilization of qualified business firms doing business with the County.

15.2 Conform with findings and solutions identified in the Analysis.

Impediment 16: NIMBYism

Property values are primarily determined by the condition of the particular property for sale and other broader, more complex forces, such as overall area development and prosperity. The location of affordable housing has no significant impact on these other conditions that determine property values.

Recommendations:

16.1. Continue to promote the design and management of affordable housing so that it can overcome initial community opposition.

16.2. Analyze how existing deconcentration strategies and best practices related to housing and transportation including their impact fair housing protected classes.

Impediment 17: Public Subsidy of Housing

There are currently four Housing Authorities that administer the Housing Choice Voucher Program within the Essex County CDBG HOME consortium and one that provides both public housing and Housing Choice Vouchers. The location of housing units vouchers are scattered throughout these municipalities. This allows for a decentralization of low income households and helps break down isolation from community services and facilities. The buildup of some Section 8 housing in a few census tracts are transforming neighborhoods and may create some instability.

Recommendations:

17.1 Expand access to resources so that all local agencies building or buying housing units are required to make units available to low and moderate-income families.

17.2 Require developers to provide supplemental funding to school districts to offset the costs of additional students generated by new housing construction.

17.3 Create incentives for local jurisdictions to expand affordable housing opportunities in non-poverty communities.

Impediment 18: Public employees work closely with clients to determine access to certain programs and products. Sensitivity training, relating to discriminatory practices, either real or perceived, is not provided.

Recommendations:

18.1 Sensitivity training should be provided to staff that interacts with the public to ensure that they are familiar with fair housing laws and are sensitive to proper language and behavior when dealing with groups with special needs.

C. Public and Private Sectors

Impediment 19: Fair Housing Enforcement

In 1945, New Jersey became the first state since the Reconstruction era to pass comprehensive anti-discrimination legislation with the passage of the Law Against Discrimination (LAD). The legislation called for the creation of a Division on Civil Rights (DCR) to enforce the LAD and have as its goal, ending discrimination.

Recommendations:

19.1 The County should engage the Fair Housing Council of Northern New Jersey (FHCNNJ). to provide the County with additional avenues to address discriminatory practices.

Impediment 20: Evaluation of Public and Private Fair Housing Programs and Activities

There are numerous agencies and organizations who are responsible for providing education, outreach, and enforcement of fair housing in the State and County. These are augmented by housing authorities, non-profits and community action agencies that service Municipalities within the County to promote fair housing awareness.

Recommendations:

20.1 The National Fair Housing Alliance provides a Guideline for Evaluating the Analysis of Impediments to Fair Housing. Whenever possible this guide should be referenced and utilized to assess the conditions of fair housing in the County.

20.2 On an annual basis, the County Division of Housing and Community Development should review and modify, where applicable, its Analysis of Impediments to Fair Housing as well as other local, State and Federal Fair Housing laws, etc.

Impediment 21: Public Awareness Program

The provision of education and distribution of information is a major component that can be used to increase public awareness of fair housing laws and rights. Residents, landlords, realtors, and the protected classes must be made aware of the Fair Housing Laws what to do if housing discrimination occurs.

Recommendations:

21.1 Create a Housing Network that would be a coordinated resource for the distribution of pertinent information and provide a conduit for those seeking fair housing.

21.2 Promote and encourage expanded opportunities for housing counseling specifically directed at protected classes

21.3 Encourage increased municipal partnerships with agencies dedicated to expanding homeownership equity and reducing the homeownership gap.

Impediment 22: Visitability

The ultimate goal of visitability is to make all new homes not covered by current ADA regulations “accessible enough” for a visitor with a disability. Visitability strives for single-family homes, not otherwise regulated for access, to have a level of accessibility so a wheelchair user can comfortably “visit” the home. One of the goals is to addressing visitability, is that it has very few requirements in the hope it will become more widespread. The minimum requirements to achieve visitability are:

Recommendations:

22.1 Implement visitability guidelines that can be easily transferred amongst municipalities, being mindful of local issues and initiatives.

Impediment 23: Location of Consumer Business

The segregation of low-income households, who are transit dependent, produces unfair housing because of the isolation from needed goods and services. A person's financial burden is significantly affected by the type of transportation available in an area.

Recommendations:

23.1 Develop strategies that encourage community accessibility, such as locating affordable housing, public services and jobs in more accessible locations.

Impediment 24: Creation of Illegal Apartments

For families struggling to make mortgage payments, converting their basement into a rentable unit is attractive option. While these units may fill a void for inexpensive housing they tend to be dangerous, with low ceiling height, poor wiring and lacking of accepted safety standards, such as means of egress and ventilation. This practice is more common in older suburban areas where housing prices and real estate taxes are high.

Recommendations:

24.1 Hold workshops to educate homebuyers on the negative effects of renting illegal dwellings.

24.2 When applicable, provide financial assistance or tax incentives for owners to voluntarily go through the legalization process would encourage owners to comply and invest in bringing units up to code.

IX. Acronyms

ADA	Americans with Disabilities Act
AI	Analysis of Impediments to Fair Housing Choice
APR	Annual Percentage Rate
AMI	Area Median Income
CDC	Centers for Disease Control
CDBG	Community Development Block Grant Program
CGPM	Credential for Green Property Management
CHAS	Comprehensive Housing Affordability Strategy
CPO	Certified Professional of Occupancy
CRA	Community Reinvestment Act
DCA	NJ Department of Community Affairs
DCR	NJ Division on Civil Rights
DFEH	Department of Fair Housing and Employment
ESEA	Elementary and Secondary Education Act
FAIR Plan	Fair Access to Insurance Requirements
Fannie Mae	Federal National Mortgage Association
FDIC	Federal Deposit Insurance Corporation
FERA	Fraud Enforcement and Recovery Act
FFIEC	Federal Financial Institutions Examination Council
FHA	Federal Housing Administration
FHAP	Fair Housing Assistance Program
FHC	Fair Housing Compliance – Section 504
FHCNNJ	NJ Fair Housing Council of Northern New Jersey
FHEO	HUD’s Office of Fair Housing and Equal Opportunity
FHIP	Fair Housing Initiatives Program
FHLMC	Federal Home Loan Mortgage Corporation
FNMA	Federal National Mortgage Association
FRB	Federal Reserve Board
Freddie Mac	Federal Home Loan Mortgage Corporation
GNAM	Government National Mortgage Association
GRAPI	Gross Rent as a Percentage of Household Income
HAFA	Home Affordable Foreclosure Alternatives Program
HAMP	Home Affordable Modification Program
HARP	Home Affordable Refinance Program

HOME	Home Investment Partnerships Program
HDMA	Home Mortgage Disclosure Act
HUD	US Department of Housing & Urban Development
LAD	NJ Law Against Discrimination
LBP	Lead-Based Paint
LEP	Limited English Proficient
MLUL	NJ Municipal Land Use Law
MSA	Metropolitan Statistical Area
NAA	National Apartment Association
NAHMA	National Affordable Housing Management Association
NAHP	National Affordable Housing Professional Certification
NAR	National Association of Realtors
NARPM	National Association of Residential Property Managers
NCUA	National Credit Union Administration
NFHA	National Fair Housing Alliance
NIMBY	Not In My Back Yard
NJAA	NJ Apartment Association
NJAR	NJ Association of Realtors
NJCA	Citizen Action of New Jersey
NJHMFA	NJ Housing and Mortgage Finance Agency
NJIUA	NJ Insurance Underwriting Association
NJT	NJ Transit
OCC	Office of the Comptroller of the Currency
PIT	Point-In-Time Count of the Homeless
PMI	Private Mortgage Insurance
REC	NJ Real Estate Commission
Section 8	Housing Choice Voucher
SHCM	Specialist in Housing Credit Management
SPM	Supplemental Poverty Measure
TARP	Troubled Asset Relief Program
TOD	Transit Oriented Development
UCC	Uniform Construction Code of the State of NJ
WEBOR	West Essex Board of Realtors
VA	Department of Veterans Affairs
2MP	Second Lien Modification Program

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XI. Appendices

Fair Housing Act

Sec. 800. [42 U.S.C. 3601 note] Short Title

This title may be cited as the "Fair Housing Act".

Sec. 801. [42 U.S.C. 3601] Declaration of Policy

It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States.

Sec. 802. [42 U.S.C. 3602] Definitions

As used in this subchapter--

- (a) "Secretary" means the Secretary of Housing and Urban Development.
- (b) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.
- (c) "Family" includes a single individual.
- (d) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under title 11 [of the United States Code], receivers, and fiduciaries.
- (e) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.
- (f) "Discriminatory housing practice" means an act that is unlawful under section 804, 805, 806, or 818 of this title.
- (g) "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.
- (h) "Handicap" means, with respect to a person--
 - (1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
 - (2) a record of having such an impairment, or
 - (3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).
- (i) "Aggrieved person" includes any person who--
 - (1) claims to have been injured by a discriminatory housing practice; or
 - (2) believes that such person will be injured by a discriminatory housing practice that is about to occur.
- (j) "Complainant" means the person (including the Secretary) who files a complaint under section 810.
- (k) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with--
 - (1) a parent or another person having legal custody of such individual or individuals; or
 - (2) the designee of such parent or other person having such custody, with the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(l) "Conciliation" means the attempted resolution of issues raised by a complaint, or by the investigation of such complaint, through informal negotiations involving the aggrieved person, the respondent, and the Secretary.

(m) "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation.

(n) "Respondent" means--

- (1) the person or other entity accused in a complaint of an unfair housing practice; and
- (2) any other person or entity identified in the course of investigation and notified as required with respect to respondents so identified under section 810(a).

(o) "Prevailing party" has the same meaning as such term has in section 722 of the Revised Statutes of the United States (42 U.S.C. 1988).

[42 U.S.C. 3602 note] Neither the term "individual with handicaps" nor the term "handicap" shall apply to an individual solely because that individual is a transvestite.

Sec. 803. [42 U.S.C. 3603] Effective dates of certain prohibitions

(a) Subject to the provisions of subsection (b) of this section and section 807 of this title, the prohibitions against discrimination in the sale or rental of housing set forth in section 804 of this title shall apply:

(1) Upon enactment of this subchapter, to--

(A) dwellings owned or operated by the Federal Government;

(B) dwellings provided in whole or in part with the aid of loans, advances, grants, or contributions made by the Federal Government, under agreements entered into after November 20, 1962, unless payment due thereon has been made in full prior to April 11, 1968;

(C) dwellings provided in whole or in part by loans insured, guaranteed, or otherwise secured by the credit of the Federal Government, under agreements entered into after November 20, 1962, unless payment thereon has been made in full prior to April 11, 1968: **Provided**, That nothing contained in subparagraphs (B) and (C) of this subsection shall be applicable to dwellings solely by virtue of the fact that they are subject to mortgages held by an FDIC or FSLIC institution; and

(D) dwellings provided by the development or the redevelopment of real property purchased, rented, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under loan or grant contracts entered into after November 20, 1962.

(2) After December 31, 1968, to all dwellings covered by paragraph (1) and to all other dwellings except as exempted by subsection (b) of this section.

(b) Nothing in section 804 of this title (other than subsection (c)) shall apply to--

(1) any single-family house sold or rented by an owner: **Provided**, That such private individual owner does not own more than three such single-family houses at any one time: **Provided further**, That in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: **Provided further**, That such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time: **Provided further**, That after December 31, 1969, the sale or rental of any such single-family house shall be excepted from the application of this subchapter only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and (B) without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of section 804(c) of this title; but nothing in this proviso shall prohibit the use of attorneys,

escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, or

(2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b) of this section, a person shall be deemed to be in the business of selling or renting dwellings if--

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

Sec. 804. [42 U.S.C. 3604] Discrimination in sale or rental of housing and other prohibited practices

As made applicable by section 803 of this title and except as exempted by sections 803(b) and 807 of this title, it shall be unlawful--

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status, or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin.

(f)

(1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of--

(A) that buyer or renter,

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that buyer or renter.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of--

(A) that person; or

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(3) For purposes of this subsection, discrimination includes--

(A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such

person full enjoyment of the premises, except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(C) in connection with the design and construction of covered multifamily dwellings for first occupancy after the date that is 30 months after the date of enactment of the Fair Housing Amendments Act of 1988, a failure to design and construct those dwelling in such a manner that--

(i) the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within such dwellings contain the following features of adaptive design:

(I) an accessible route into and through the dwelling;

(II) light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(III) reinforcements in bathroom walls to allow later installation of grab bars; and

(IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(C)(iii).

(5)

(A) If a State or unit of general local government has incorporated into its laws the requirements set forth in paragraph (3)(C), compliance with such laws shall be deemed to satisfy the requirements of that paragraph.

(B) A State or unit of general local government may review and approve newly constructed covered multifamily dwellings for the purpose of making determinations as to whether the design and construction requirements of paragraph (3)(C) are met.

(C) The Secretary shall encourage, but may not require, States and units of local government to include in their existing procedures for the review and approval of newly constructed covered multifamily dwellings, determinations as to whether the design and construction of such dwellings are consistent with paragraph (3)(C), and shall provide technical assistance to States and units of local government and other persons to implement the requirements of paragraph (3)(C).

(D) Nothing in this title shall be construed to require the Secretary to review or approve the plans, designs or construction of all covered multifamily dwellings, to determine whether the design and construction of such dwellings are consistent with the requirements of paragraph 3(C).

(6)

(A) Nothing in paragraph (5) shall be construed to affect the authority and responsibility of the Secretary or a State or local public agency

certified pursuant to section 810(f)(3) of this Act to receive and process complaints or otherwise engage in enforcement activities under this title.

(B) Determinations by a State or a unit of general local government under paragraphs (5)(A) and (B) shall not be conclusive in enforcement proceedings under this title.

(7) As used in this subsection, the term "covered multifamily dwellings" means--
(A) buildings consisting of 4 or more units if such buildings have one or more elevators; and

(B) ground floor units in other buildings consisting of 4 or more units.

(8) Nothing in this title shall be construed to invalidate or limit any law of a State or political subdivision of a State, or other jurisdiction in which this title shall be effective, that requires dwellings to be designed and constructed in a manner that affords handicapped persons greater access than is required by this title.

(9) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

Sec. 805. [42 U.S.C. 3605] Discrimination in Residential Real Estate-Related Transactions

(a) In General.--It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) Definition.--As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance--

(A) for purchasing, constructing, improving, repairing, or maintaining a dwelling; or

(B) secured by residential real estate.

(2) The selling, brokering, or appraising of residential real property.

(c) Appraisal Exemption.--Nothing in this title prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

Sec. 806. [42 U.S.C. 3606] Discrimination in provision of brokerage services

After December 31, 1968, it shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status, or national origin.

Sec. 807. [42 U.S.C. 3607] Religious organization or private club exemption

(a) Nothing in this subchapter shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in this subchapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

(b)

(1) Nothing in this title limits the applicability of any reasonable local, State, or Federal restrictions regarding the maximum number of occupants permitted to

occupy a dwelling. Nor does any provision in this title regarding familial status apply with respect to housing for older persons.

(2) As used in this section "housing for older persons" means housing --

(A) provided under any State or Federal program that the Secretary determines is specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or

(B) intended for, and solely occupied by, persons 62 years of age or older; or

(C) intended and operated for occupancy by persons 55 years of age or older, and--

(i) at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older;

(ii) the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subparagraph; and

(iii) the housing facility or community complies with rules issued by the Secretary for verification of occupancy, which shall--

(I) provide for verification by reliable surveys and affidavits; and

(II) include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

(3) Housing shall not fail to meet the requirements for housing for older persons by reason of:

(A) persons residing in such housing as of the date of enactment of this Act who do not meet the age requirements of subsections (2)(B) or (C): **Provided**, That new occupants of such housing meet the age requirements of sections (2)(B) or (C); or

(B) unoccupied units: **Provided**, that such units are reserved for occupancy by persons who meet the age requirements of subsections (2)(B) or (C).

(4) Nothing in this title prohibits conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(5)

(A) A person shall not be held personally liable for monetary damages for a violation of this title if such person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons.

(B) For the purposes of this paragraph, a person may only show good faith reliance on the application of the exemption by showing that--

(i) such person has no actual knowledge that the facility or community is not, or will not be, eligible for such exemption; and

(ii) the facility or community has stated formally, in writing, that the facility or community complies with the requirements for such exemption.

Sec. 808. [42 U.S.C. 3608] Administration

(a) Authority and responsibility

The authority and responsibility for administering this Act shall be in the Secretary of Housing and Urban Development.

(b) Assistant Secretary

The Department of Housing and Urban Development shall be provided an additional Assistant Secretary.

(c) Delegation of authority; appointment of administrative law judges; location of conciliation meetings; administrative review

The Secretary may delegate any of his functions, duties and power to employees of the Department of Housing and Urban Development or to boards of such employees, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter under this subchapter. The person to whom such delegations are made with respect to hearing functions, duties, and powers shall be appointed and shall serve in the Department of Housing and Urban Development in compliance with sections 3105, 3344, 5372, and 7521 of title 5 [of the United States Code]. Insofar as possible, conciliation meetings shall be held in the cities or other localities where the discriminatory housing practices allegedly occurred. The Secretary shall by rule prescribe such rights of appeal from the decisions of his administrative law judges to other administrative law judges or to other officers in the Department, to boards of officers or to himself, as shall be appropriate and in accordance with law.

(d) Cooperation of Secretary and executive departments and agencies in administration of housing and urban development programs and activities to further fair housing purposes

All executive departments and agencies shall administer their programs and activities relating to housing and urban development (including any Federal agency having regulatory or supervisory authority over financial institutions) in a manner affirmatively to further the purposes of this subchapter and shall cooperate with the Secretary to further such purposes.

(e) Functions of Secretary

The Secretary of Housing and Urban Development shall--

(1) make studies with respect to the nature and extent of discriminatory housing practices in representative communities, urban, suburban, and rural, throughout the United States;

(2) publish and disseminate reports, recommendations, and information derived from such studies, including an annual report to the Congress--

(A) specifying the nature and extent of progress made nationally in eliminating discriminatory housing practices and furthering the purposes of this title, obstacles remaining to achieving equal housing opportunity, and recommendations for further legislative or executive action; and

(B) containing tabulations of the number of instances (and the reasons therefore) in the preceding year in which--

(i) investigations are not completed as required by section 810(a)(1)(B);

(ii) determinations are not made within the time specified in section 810(g); and

(iii) hearings are not commenced or findings and conclusions are not made as required by section 812(g);

(3) cooperate with and render technical assistance to Federal, State, local, and other public or private agencies, organizations, and institutions which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices;

(4) cooperate with and render such technical and other assistance to the Community Relations Service as may be appropriate to further its activities in preventing or eliminating discriminatory housing practices;

(5) administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of this subchapter; and

(6) annually report to the Congress, and make available to the public, data on the race, color, religion, sex, national origin, age, handicap, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of, programs administered by the Department to the extent such

characteristics are within the coverage of the provisions of law and Executive orders referred to in subsection (f) which apply to such programs (and in order to develop the data to be included and made available to the public under this subsection, the Secretary shall, without regard to any other provision of law, collect such information relating to those characteristics as the Secretary determines to be necessary or appropriate).

(f) The provisions of law and Executive orders to which subsection (e)(6) applies are--

- (1) title VI of the Civil Rights Act of 1964;
- (2) title VIII of the Civil Rights Act of 1968;
- (3) section 504 of the Rehabilitation Act of 1973;
- (4) the Age Discrimination Act of 1975;
- (5) the Equal Credit Opportunity Act;
- (6) section 1978 of the Revised Statutes (42 U.S.C. 1982);
- (7) section 8(a) of the Small Business Act;
- (8) section 527 of the National Housing Act;
- (9) section 109 of the Housing and Community Development Act of 1974;
- (10) section 3 of the Housing and Urban Development Act of 1968;
- (11) Executive Orders 11063, 11246, 11625, 12250, 12259, and 12432; and
- (12) any other provision of law which the Secretary specifies by publication in the Federal Register for the purpose of this subsection.

Sec. 808a. [42 U.S.C. 3608a] Collection of certain data

(a) In general

To assess the extent of compliance with Federal fair housing requirements (including the requirements established under title VI of Public Law 88-352 [42 U.S.C.A. {2000d et seq.}] and title VIII of Public Law 90-284 [42 U.S.C.A. {3601 et seq.}], the Secretary of Housing and Urban Development and the Secretary of Agriculture shall each collect, not less than annually, data on the racial and ethnic characteristics of persons eligible for, assisted, or otherwise benefiting under each community development, housing assistance, and mortgage and loan insurance and guarantee program administered by such Secretary. Such data shall be collected on a building by building basis if the Secretary involved determines such collection to be appropriate.

(b) Reports to Congress

The Secretary of Housing and Urban Development and the Secretary of Agriculture shall each include in the annual report of such Secretary to the Congress a summary and evaluation of the data collected by such Secretary under subsection (a) of this section during the preceding year.

Sec. 809. [42 U.S.C. 3609] Education and conciliation; conferences and consultations; reports

Immediately after April 11, 1968, the Secretary shall commence such educational and conciliatory activities as in his judgment will further the purposes of this subchapter. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this subchapter and his suggested means of implementing it, and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement. He may pay per diem, travel, and transportation expenses for persons attending such conferences as provided in section 5703 of Title 5. He shall consult with State and local officials and other interested parties to learn the extent, if any, to which housing discrimination exists in their State or locality, and whether and how State or local enforcement programs might be utilized to combat such discrimination in connection with or in place of, the Secretary's enforcement of this subchapter. The Secretary shall issue reports on such conferences and consultations as he deems appropriate.

Sec. 810. [42 U.S.C. 3610] Administrative Enforcement; Preliminary Matters

(a) Complaints and Answers. --

(1)

(A)

(i) An aggrieved person may, not later than one year after an alleged discriminatory housing practice has occurred or terminated, file a complaint with the Secretary alleging such discriminatory housing practice. The Secretary, on the Secretary's own initiative, may also file such a complaint.

(ii) Such complaints shall be in writing and shall contain such information and be in such form as the Secretary requires.

(iii) The Secretary may also investigate housing practices to determine whether a complaint should be brought under this section.

(B) Upon the filing of such a complaint--

(i) the Secretary shall serve notice upon the aggrieved person acknowledging such filing and advising the aggrieved person of the time limits and choice of forums provided under this title;

(ii) the Secretary shall, not later than 10 days after such filing or the identification of an additional respondent under paragraph (2), serve on the respondent a notice identifying the alleged discriminatory housing practice and advising such respondent of the procedural rights and obligations of respondents under this title, together with a copy of the original complaint;

(iii) each respondent may file, not later than 10 days after receipt of notice from the Secretary, an answer to such complaint; and

(iv) the Secretary shall make an investigation of the alleged discriminatory housing practice and complete such investigation within 100 days after the filing of the complaint (or, when the Secretary takes further action under subsection (f)(2) with respect to a complaint, within 100 days after the commencement of such further action), unless it is impracticable to do so.

(C) If the Secretary is unable to complete the investigation within 100 days after the filing of the complaint (or, when the Secretary takes further action under subsection (f)(2) with respect to a complaint, within 100 days after the commencement of such further action), the Secretary shall notify the complainant and respondent in writing of the reasons for not doing so.

(D) Complaints and answers shall be under oath or affirmation, and may be reasonably and fairly amended at any time.

(2)

(A) A person who is not named as a respondent in a complaint, but who is identified as a respondent in the course of investigation, may be joined as an additional or substitute respondent upon written notice, under paragraph (1), to such person, from the Secretary.

(B) Such notice, in addition to meeting the requirements of paragraph (1), shall explain the basis for the Secretary's belief that the person to whom the notice is addressed is properly joined as a respondent.

(b) Investigative Report and Conciliation. --

(1) During the period beginning with the filing of such complaint and ending with the filing of a charge or a dismissal by the Secretary, the Secretary shall, to the extent feasible, engage in conciliation with respect to such complaint.

(2) A conciliation agreement arising out of such conciliation shall be an agreement between the respondent and the complainant, and shall be subject to approval by the Secretary.

(3) A conciliation agreement may provide for binding arbitration of the dispute arising from the complaint. Any such arbitration that results from a conciliation agreement may award appropriate relief, including monetary relief.

(4) Each conciliation agreement shall be made public unless the complainant and respondent otherwise agree and the Secretary determines that disclosure is not required to further the purposes of this title.

(5)

- (A) At the end of each investigation under this section, the Secretary shall prepare a final investigative report containing--
 - (i) the names and dates of contacts with witnesses;
 - (ii) a summary and the dates of correspondence and other contacts with the aggrieved person and the respondent;
 - (iii) a summary description of other pertinent records;
 - (iv) a summary of witness statements; and
 - (v) answers to interrogatories.
- (B) A final report under this paragraph may be amended if additional evidence is later discovered.
- (c) Failure to Comply With Conciliation Agreement. -- Whenever the Secretary has reasonable cause to believe that a respondent has breached a conciliation agreement, the Secretary shall refer the matter to the Attorney General with a recommendation that a civil action be filed under section 814 for the enforcement of such agreement.
- (d) Prohibitions and Requirements With Respect to Disclosure of Information. --
 - (1) Nothing said or done in the course of conciliation under this title may be made public or used as evidence in a subsequent proceeding under this title without the written consent of the persons concerned.
 - (2) Notwithstanding paragraph (1), the Secretary shall make available to the aggrieved person and the respondent, at any time, upon request following completion of the Secretary's investigation, information derived from an investigation and any final investigative report relating to that investigation.
- (e) Prompt Judicial Action. --
 - (1) If the Secretary concludes at any time following the filing of a complaint that prompt judicial action is necessary to carry out the purposes of this title, the Secretary may authorize a civil action for appropriate temporary or preliminary relief pending final disposition of the complaint under this section. Upon receipt of such authorization, the Attorney General shall promptly commence and maintain such an action. Any temporary restraining order or other order granting preliminary or temporary relief shall be issued in accordance with the Federal Rules of Civil Procedure. The commencement of a civil action under this subsection does not affect the initiation or continuation of administrative proceedings under this section and section 812 of this title.
 - (2) Whenever the Secretary has reason to believe that a basis may exist for the commencement of proceedings against any respondent under section 814(a) and 814(c) or for proceedings by any governmental licensing or supervisory authorities, the Secretary shall transmit the information upon which such belief is based to the Attorney General, or to such authorities, as the case may be.
- (f) Referral for State or Local Proceedings. --
 - (1) Whenever a complaint alleges a discriminatory housing practice--
 - (A) within the jurisdiction of a State or local public agency; and
 - (B) as to which such agency has been certified by the Secretary under this subsection; the Secretary shall refer such complaint to that certified agency before taking any action with respect to such complaint.
 - (2) Except with the consent of such certified agency, the Secretary, after that referral is made, shall take no further action with respect to such complaint unless--
 - (A) the certified agency has failed to commence proceedings with respect to the complaint before the end of the 30th day after the date of such referral;
 - (B) the certified agency, having so commenced such proceedings, fails to carry forward such proceedings with reasonable promptness; or

(C) the Secretary determines that the certified agency no longer qualifies for certification under this subsection with respect to the relevant jurisdiction.

(3)

(A) The Secretary may certify an agency under this subsection only if the Secretary determines that--

(i) the substantive rights protected by such agency in the jurisdiction with respect to which certification is to be made;

(ii) the procedures followed by such agency;

(iii) the remedies available to such agency; and

(iv) the availability of judicial review of such agency's action;

are substantially equivalent to those created by and under this title.

(B) Before making such certification, the Secretary shall take into account the current practices and past performance, if any, of such agency.

(4) During the period which begins on the date of the enactment of the Fair Housing Amendments Act of 1988 and ends 40 months after such date, each agency certified (including an agency certified for interim referrals pursuant to 24 CFR 115.11, unless such agency is subsequently denied recognition under 24 CFR 115.7) for the purposes of this title on the day before such date shall for the purposes of this subsection be considered certified under this subsection with respect to those matters for which such agency was certified on that date. If the Secretary determines in an individual case that an agency has not been able to meet the certification requirements within this 40-month period due to exceptional circumstances, such as the infrequency of legislative sessions in that jurisdiction, the Secretary may extend such period by not more than 8 months.

(5) Not less frequently than every 5 years, the Secretary shall determine whether each agency certified under this subsection continues to qualify for certification. The Secretary shall take appropriate action with respect to any agency not so qualifying.

(g) Reasonable Cause Determination and Effect. --

(1) The Secretary shall, within 100 days after the filing of the complaint (or, when the Secretary takes further action under subsection (f)(2) with respect to a complaint, within 100 days after the commencement of such further action), determine based on the facts whether reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, unless it is impracticable to do so, or unless the Secretary has approved a conciliation agreement with respect to the complaint. If the Secretary is unable to make the determination within 100 days after the filing of the complaint (or, when the Secretary takes further action under subsection (f)(2) with respect to a complaint, within 100 days after the commencement of such further action), the Secretary shall notify the complainant and respondent in writing of the reasons for not doing so.

(2)

(A) If the Secretary determines that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, the Secretary shall, except as provided in subparagraph (C), immediately issue a charge on behalf of the aggrieved person, for further proceedings under section 812.

(B) Such charge--

(i) shall consist of a short and plain statement of the facts upon which the Secretary has found reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur;

- (ii) shall be based on the final investigative report; and
- (iii) need not be limited to the facts or grounds alleged in the complaint filed under section 810(a).

(C) If the Secretary determines that the matter involves the legality of any State or local zoning or other land use law or ordinance, the Secretary shall immediately refer the matter to the Attorney General for appropriate action under section 814, instead of issuing such charge.

(3) If the Secretary determines that no reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, the Secretary shall promptly dismiss the complaint. The Secretary shall make public disclosure of each such dismissal.

(4) The Secretary may not issue a charge under this section regarding an alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved party under an Act of Congress or a State law, seeking relief with respect to that discriminatory housing practice.

(h) Service of Copies of Charge. -- After the Secretary issues a charge under this section, the Secretary shall cause a copy thereof, together with information as to how to make an election under section 812(a) and the effect of such an election, to be served--

(1) on each respondent named in such charge, together with a notice of opportunity for a hearing at a time and place specified in the notice, unless that election is made; and

(2) on each aggrieved person on whose behalf the complaint was filed.

Sec. 811. [42 U.S.C. 3611] Subpoenas; Giving of Evidence

(a) In General. -- The Secretary may, in accordance with this subsection, issue subpoenas and order discovery in aid of investigations and hearings under this title. Such subpoenas and discovery may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or discovery were ordered or served in aid of a civil action in the United States district court for the district in which the investigation is taking place.

(b) Witness Fees. -- Witnesses summoned by a subpoena under this title shall be entitled to same witness and mileage fees as witnesses in proceedings in United States district courts. Fees payable to a witness summoned by a subpoena issued at the request of a party shall be paid by that party or, where a party is unable to pay the fees, by the Secretary.

(c) Criminal Penalties. --

(1) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, if it is in such person's power to do so, in obedience to the subpoena or other lawful order under subsection (a), shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

(2) Any person who, with intent thereby to mislead another person in any proceeding under this title--

(A) makes or causes to be made any false entry or statement of fact in any report, account, record, or other document produced pursuant to subpoena or other lawful order under subsection (a);

(B) willfully neglects or fails to make or to cause to be made full, true, and correct entries in such reports, accounts, records, or other documents; or

(C) willfully mutilates, alters, or by any other means falsifies any documentary evidence;

shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

Sec. 812. [42 U.S.C. 3612] Enforcement by Secretary

(a) Election of Judicial Determination. -- When a charge is filed under section 810, a complainant, a respondent, or an aggrieved person on whose behalf the complaint was filed, may elect to have the claims asserted in that charge decided in a civil action under subsection (o) in

lieu of a hearing under subsection (b). The election must be made not later than 20 days after the receipt by the electing person of service under section 810(h) or, in the case of the Secretary, not later than 20 days after such service. The person making such election shall give notice of doing so to the Secretary and to all other complainants and respondents to whom the charge relates.

(b) Administrative Law Judge Hearing in Absence of Election. -- If an election is not made under subsection (a) with respect to a charge filed under section 810, the Secretary shall provide an opportunity for a hearing on the record with respect to a charge issued under section 810. The Secretary shall delegate the conduct of a hearing under this section to an administrative law judge appointed under section 3105 of title 5, United States Code. The administrative law judge shall conduct the hearing at a place in the vicinity in which the discriminatory housing practice is alleged to have occurred or to be about to occur.

(c) Rights of Parties. -- At a hearing under this section, each party may appear in person, be represented by counsel, present evidence, cross-examine witnesses, and obtain the issuance of subpoenas under section 811. Any aggrieved person may intervene as a party in the proceeding. The Federal Rules of Evidence apply to the presentation of evidence in such hearing as they would in a civil action in a United States district court.

(d) Expedited Discovery and Hearing. --

(1) Discovery in administrative proceedings under this section shall be conducted as expeditiously and inexpensively as possible, consistent with the need of all parties to obtain relevant evidence.

(2) A hearing under this section shall be conducted as expeditiously and inexpensively as possible, consistent with the needs and rights of the parties to obtain a fair hearing and a complete record.

(3) The Secretary shall, not later than 180 days after the date of enactment of this subsection, issue rules to implement this subsection.

(e) Resolution of Charge. -- Any resolution of a charge before a final order under this section shall require the consent of the aggrieved person on whose behalf the charge is issued.

(f) Effect of Trial of Civil Action on Administrative Proceedings. -- An administrative law judge may not continue administrative proceedings under this section regarding any alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved party under an Act of Congress or a State law, seeking relief with respect to that discriminatory housing practice.

(g) Hearings, Findings and Conclusions, and Order. -- (

(1) The administrative law judge shall commence the hearing under this section no later than 120 days following the issuance of the charge, unless it is impracticable to do so. If the administrative law judge is unable to commence the hearing within 120 days after the issuance of the charge, the administrative law judge shall notify the Secretary, the aggrieved person on whose behalf the charge was filed, and the respondent, in writing of the reasons for not doing so.

(2) The administrative law judge shall make findings of fact and conclusions of law within 60 days after the end of the hearing under this section, unless it is impracticable to do so. If the administrative law judge is unable to make findings of fact and conclusions of law within such period, or any succeeding 60-day period thereafter, the administrative law judge shall notify the Secretary, the aggrieved person on whose behalf the charge was filed, and the respondent, in writing of the reasons for not doing so.

(3) If the administrative law judge finds that a respondent has engaged or is about to engage in a discriminatory housing practice, such administrative law judge shall promptly issue an order for such relief as may be appropriate, which may include actual damages suffered by the aggrieved person and injunctive or other equitable relief. Such order may, to vindicate the public interest, assess a civil penalty against the respondent--

(A) in an amount not exceeding \$11,000 if the respondent has not been adjudged to have committed any prior discriminatory housing practice;

(B) in an amount not exceeding \$27,500 if the respondent has been adjudged to have committed one other discriminatory housing practice during the 5-year period ending on the date of the filing of this charge; and

(C) in an amount not exceeding \$55,000 if the respondent has been adjudged to have committed 2 or more discriminatory housing practices during the 7-year period ending on the date of the filing of this charge;

except that if the acts constituting the discriminatory housing practice that is the object of the charge are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory housing practice, then the civil penalties set forth in subparagraphs (B) and (C) may be imposed without regard to the period of time within which any subsequent discriminatory housing practice occurred.

(4) No such order shall affect any contract, sale, encumbrance, or lease consummated before the issuance of such order and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the charge filed under this title.

(5) In the case of an order with respect to a discriminatory housing practice that occurred in the course of a business subject to a licensing or regulation by a governmental agency, the Secretary shall, not later than 30 days after the date of the issuance of such order (or, if such order is judicially reviewed, 30 days after such order is in substance affirmed upon such review)--

(A) send copies of the findings of fact, conclusions of law, and the order, to that governmental agency; and

(B) recommend to that governmental agency appropriate disciplinary action (including, where appropriate, the suspension or revocation of the license of the respondent).

(6) In the case of an order against a respondent against whom another order was issued within the preceding 5 years under this section, the Secretary shall send a copy of each such order to the Attorney General.

(7) If the administrative law judge finds that the respondent has not engaged or is not about to engage in a discriminatory housing practice, as the case may be, such administrative law judge shall enter an order dismissing the charge. The Secretary shall make public disclosure of each such dismissal.

(h) Review by Secretary; Service of Final Order. --

(1) The Secretary may review any finding, conclusion, or order issued under subsection (g). Such review shall be completed not later than 30 days after the finding, conclusion, or order is so issued; otherwise the finding, conclusion, or order becomes final.

(2) The Secretary shall cause the findings of fact and conclusions of law made with respect to any final order for relief under this section, together with a copy of such order, to be served on each aggrieved person and each respondent in the proceeding.

(i) Judicial Review. --

(1) Any party aggrieved by a final order for relief under this section granting or denying in whole or in part the relief sought may obtain a review of such order under chapter 158 of title 28, United States Code.

(2) Notwithstanding such chapter, venue of the proceeding shall be in the judicial circuit in which the discriminatory housing practice is alleged to have occurred, and filing of the petition for review shall be not later than 30 days after the order is entered.

(j) Court Enforcement of Administrative Order Upon Petition by Secretary. --

(1) The Secretary may petition any United States court of appeals for the circuit in which the discriminatory housing practice is alleged to have occurred or in which any respondent resides or transacts business for the enforcement of the order of the administrative law judge and for appropriate temporary relief or restraining order, by filing in such court a written petition praying that such order be enforced and for appropriate temporary relief or restraining order.

- (2) The Secretary shall file in court with the petition the record in the proceeding. A copy of such petition shall be forthwith transmitted by the clerk of the court to the parties to the proceeding before the administrative law judge.
- (k) Relief Which May Be Granted. --
- (1) Upon the filing of a petition under subsection (i) or (j), the court may--
 - (A) grant to the petitioner, or any other party, such temporary relief, restraining order, or other order as the court deems just and proper;
 - (B) affirm, modify, or set aside, in whole or in part, the order, or remand the order for further proceedings; and
 - (C) enforce such order to the extent that such order is affirmed or modified.
 - (2) Any party to the proceeding before the administrative law judge may intervene in the court of appeals.
 - (3) No objection not made before the administrative law judge shall be considered by the court, unless the failure or neglect to urge such objection is excused because of extraordinary circumstances.
- (l) Enforcement Decree in Absence of Petition for Review. -- If no petition for review is filed under subsection (i) before the expiration of 45 days after the date the administrative law judge's order is entered, the administrative law judge's findings of fact and order shall be conclusive in connection with any petition for enforcement--
- (1) which is filed by the Secretary under subsection (j) after the end of such day; or
 - (2) under subsection (m).
- (m) Court Enforcement of Administrative Order Upon Petition of Any Person Entitled to Relief. -
- If before the expiration of 60 days after the date the administrative law judge's order is entered, no petition for review has been filed under subsection (i), and the Secretary has not sought enforcement of the order under subsection (j), any person entitled to relief under the order may petition for a decree enforcing the order in the United States court of appeals for the circuit in which the discriminatory housing practice is alleged to have occurred.
- (n) Entry of Decree. -- The clerk of the court of appeals in which a petition for enforcement is filed under subsection (1) or (m) shall forthwith enter a decree enforcing the order and shall transmit a copy of such decree to the Secretary, the respondent named in the petition, and to any other parties to the proceeding before the administrative law judge.
- (o) Civil Action for Enforcement When Election Is Made for Such Civil Action. --
- (1) If an election is made under subsection (a), the Secretary shall authorize, and not later than 30 days after the election is made the Attorney General shall commence and maintain, a civil action on behalf of the aggrieved person in a United States district court seeking relief under this subsection. Venue for such civil action shall be determined under chapter 87 of title 28, United States Code.
 - (2) Any aggrieved person with respect to the issues to be determined in a civil action under this subsection may intervene as of right in that civil action.
 - (3) In a civil action under this subsection, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may grant as relief any relief which a court could grant with respect to such discriminatory housing practice in a civil action under section 813. Any relief so granted that would accrue to an aggrieved person in a civil action commenced by that aggrieved person under section 813 shall also accrue to that aggrieved person in a civil action under this subsection. If monetary relief is sought for the benefit of an aggrieved person who does not intervene in the civil action, the court shall not award such relief if that aggrieved person has not complied with discovery orders entered by the court.
- (p) Attorney's Fees. -- In any administrative proceeding brought under this section, or any court proceeding arising there from, or any civil action under section 812, the administrative law judge or the court, as the case may be, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee and costs. The United States shall be liable for such fees and costs to the extent provided by section 504 of title 5, United States Code, or by section 2412 of title 28, United States Code.

Sec. 813. [42 U.S.C. 3613] Enforcement by Private Persons

(a) Civil Action. --

(1)

(A) An aggrieved person may commence a civil action in an appropriate United States district court or State court not later than 2 years after the occurrence or the termination of an alleged discriminatory housing practice, or the breach of a conciliation agreement entered into under this title, whichever occurs last, to obtain appropriate relief with respect to such discriminatory housing practice or breach.

(B) The computation of such 2-year period shall not include any time during which an administrative proceeding under this title was pending with respect to a complaint or charge under this title based upon such discriminatory housing practice. This subparagraph does not apply to actions arising from a breach of a conciliation agreement.

(2) An aggrieved person may commence a civil action under this subsection whether or not a complaint has been filed under section 810(a) and without regard to the status of any such complaint, but if the Secretary or a State or local agency has obtained a conciliation agreement with the consent of an aggrieved person, no action may be filed under this subsection by such aggrieved person with respect to the alleged discriminatory housing practice which forms the basis for such complaint except for the purpose of enforcing the terms of such an agreement.

(3) An aggrieved person may not commence a civil action under this subsection with respect to an alleged discriminatory housing practice which forms the basis of a charge issued by the Secretary if an administrative law judge has commenced a hearing on the record under this title with respect to such charge.

(b) Appointment of Attorney by Court. -- Upon application by a person alleging a discriminatory housing practice or a person against whom such a practice is alleged, the court may--

(1) appoint an attorney for such person; or

(2) authorize the commencement or continuation of a civil action under subsection (a) without the payment of fees, costs, or security, if in the opinion of the court such person is financially unable to bear the costs of such action.

(c) Relief Which May Be Granted. --

(1) In a civil action under subsection (a), if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may award to the plaintiff actual and punitive damages, and subject to subsection (d), may grant as relief, as the court deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order (including an order enjoining the defendant from engaging in such practice or ordering such affirmative action as may be appropriate).

(2) In a civil action under subsection (a), the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee and costs. The United States shall be liable for such fees and costs to the same extent as a private person.

(d) Effect on Certain Sales, Encumbrances, and Rentals. -- Relief granted under this section shall not affect any contract, sale, encumbrance, or lease consummated before the granting of such relief and involving a bona fide purchaser, encumbrancer, or tenant, without actual notice of the filing of a complaint with the Secretary or civil action under this title.

(e) Intervention by Attorney General. -- Upon timely application, the Attorney General may intervene in such civil action, if the Attorney General certifies that the case is of general public importance. Upon such intervention the Attorney General may obtain such relief as would be available to the Attorney General under section 814(e) in a civil action to which such section applies.

Sec. 814. [42 U.S.C. 3614] Enforcement by the Attorney General

(a) Pattern or Practice Cases. -- Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this title, or that any group of persons has been denied

any of the rights granted by this title and such denial raises an issue of general public importance, the Attorney General may commence a civil action in any appropriate United States district court.

(b) On Referral of Discriminatory Housing Practice or Conciliation Agreement for Enforcement.

--

(1)

(A) The Attorney General may commence a civil action in any appropriate United States district court for appropriate relief with respect to a discriminatory housing practice referred to the Attorney General by the Secretary under section 810(g).

(B) A civil action under this paragraph may be commenced not later than the expiration of 18 months after the date of the occurrence or the termination of the alleged discriminatory housing practice.

(2)

(A) The Attorney General may commence a civil action in any appropriate United States district court for appropriate relief with respect to breach of a conciliation agreement referred to the Attorney General by the Secretary under section 810(c).

(B) A civil action may be commenced under this paragraph not later than the expiration of 90 days after the referral of the alleged breach under section 810(c).

(c) Enforcement of Subpoenas. -- The Attorney General, on behalf of the Secretary, or other party at whose request a subpoena is issued, under this title, may enforce such subpoena in appropriate proceedings in the United States district court for the district in which the person to whom the subpoena was addressed resides, was served, or transacts business.

(d) Relief Which May Be Granted in Civil Actions Under Subsections (a) and (b). --

(1) In a civil action under subsection (a) or (b), the court--

(A) may award such preventive relief, including a permanent or temporary injunction, restraining order, or other order against the person responsible for a violation of this title as is necessary to assure the full enjoyment of the rights granted by this title;

(B) may award such other relief as the court deems appropriate, including monetary damages to persons aggrieved; and

(C) may, to vindicate the public interest, assess a civil penalty against the respondent--

(i) in an amount not exceeding \$55,000, for a first violation; and

(ii) in an amount not exceeding \$110,000, for any subsequent violation.

(2) In a civil action under this section, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee and costs. The United States shall be liable for such fees and costs to the extent provided by section 2412 of title 28, United States Code.

(e) Intervention in Civil Actions. -- Upon timely application, any person may intervene in a civil action commenced by the Attorney General under subsection (a) or (b) which involves an alleged discriminatory housing practice with respect to which such person is an aggrieved person or a conciliation agreement to which such person is a party. The court may grant such appropriate relief to any such intervening party as is authorized to be granted to a plaintiff in a civil action under section 813.

Sec. 814a. Incentives for Self-Testing and Self-Correction

(a) Privileged Information. --

(1) Conditions For Privilege. -- A report or result of a self-test (as that term is defined by regulation of the Secretary) shall be considered to be privileged under paragraph (2) if any person-

(A) conducts, or authorizes an independent third party to conduct, a self- test of any aspect of a residential real estate related lending transaction of that person, or any part of that transaction, in order to determine the level or effectiveness of compliance with this title by that person; and

- (B) has identified any possible violation of this title by that person and has taken, or is taking, appropriate corrective action to address any such possible violation.
- (2) Privileged Self-Test. -- If a person meets the conditions specified in subparagraphs (A) and (B) of paragraph (1) with respect to a self-test described in that paragraph, any report or results of that self-test-
 - (A) shall be privileged; and
 - (B) may not be obtained or used by any applicant, department, or agency in any -
 - (i) proceeding or civil action in which one or more violations of this title are alleged; or
 - (ii) examination or investigation relating to compliance with this title.
- (b) Results of Self-Testing. --
 - (1) In General. -- No provision of this section may be construed to prevent an aggrieved person, complainant, department, or agency from obtaining or using a report or results of any self-test in any proceeding or civil action in which a violation of this title is alleged, or in any examination or investigation of compliance with this title if --
 - (A) the person to whom the self-test relates or any person with lawful access to the report or the results --
 - (i) voluntarily releases or discloses all, or any part of, the report or results to the aggrieved person, complainant, department, or agency, or to the general public; or
 - (ii) refers to or describes the report or results as a defense to charges of violations of this title against the person to whom the self-test relates; or
 - (B) the report or results are sought in conjunction with an adjudication or admission of a violation of this title for the sole purpose of determining an appropriate penalty or remedy.
 - (2) Disclosure for Determination of Penalty or Remedy. -- Any report or results of a self-test that are disclosed for the purpose specified in paragraph (1)(B) --
 - (A) shall be used only for the particular proceeding in which the adjudication or admission referred to in paragraph (1)(B) is made; and
 - (B) may not be used in any other action or proceeding.
- (c) Adjudication. -- An aggrieved person, complainant, department, or agency that challenges a privilege asserted under this section may seek a determination of the existence and application of that privilege in --
 - (1) a court of competent jurisdiction; or
 - (2) an administrative law proceeding with appropriate jurisdiction.
- (2) Regulations. --
 - (A) In General. -- Not later than 6 months after the date of enactment of this Act, in consultation with the Board and after providing notice and an opportunity for public comment, the Secretary of Housing and Urban Development shall prescribe final regulations to implement section 814A of the Fair Housing Act, as added by this section.
 - (B) Self-Test. --
 - (i) Definition. -- The regulations prescribed by the Secretary under subparagraph (A) shall include a definition of the term "self-test" for purposes of section 814A of the Fair Housing Act, as added by this section.
 - (ii) Requirement for Self-Test. -- The regulations prescribed by the Secretary under subparagraph (A) shall specify that a self-test shall be sufficiently extensive to constitute a determination of the level and effectiveness of the compliance by a person engaged in residential real estate related lending activities with the Fair Housing Act.
 - (iii) Substantial Similarity to Certain Equal Credit Opportunity Act Regulations. -- The regulations prescribed under subparagraph (A) shall

be substantially similar to the regulations prescribed by the Board to carry out section 704A of the Equal Credit Opportunity Act, as added by this section.

(C) Applicability. --

(1) In General. -- Except as provided in paragraph (2), the privilege provided for in section 704a of the Equal Credit Opportunity Act or section 814a of the Fair Housing Act (as those sections are added by this section) shall apply to a self-test (as that term is defined pursuant to the regulations prescribed under subsection (a)(2) or (b)(2) of this section, as appropriate) conducted before, on, or after the effective date of the regulations prescribed under subsection (a)(2) or (b)(2), as appropriate.

(2) Exception. -- The privilege referred to in paragraph (1) does not apply to such a self-test conducted before the effective date of the regulations prescribed under subsection (a) or (b), as appropriate, if --

(A) before that effective date, a complaint against the creditor or person engaged in residential real estate related lending activities (as the case may be) was --

(i) formally filed in any court of competent jurisdiction; or

(ii) the subject of an ongoing administrative law proceeding;

(B) in the case of section 704a of the Equal Credit Opportunity Act, the creditor has waived the privilege pursuant to subsection (b)(1)(A)(i) of that section; or

(C) in the case of section 814a of the Fair Housing Act, the person engaged in residential real estate related lending activities has waived the privilege pursuant to subsection (b)(1)(A)(i) of that section.

Sec. 815. [42 U.S.C. 3614a] Rules to Implement Title

The Secretary may make rules (including rules for the collection, maintenance, and analysis of appropriate data) to carry out this title. The Secretary shall give public notice and opportunity for comment with respect to all rules made under this section.

Sec. 816. [42 U.S.C. 3615] Effect on State laws

Nothing in this subchapter shall be constructed to invalidate or limit any law of a State or political subdivision of a State, or of any other jurisdiction in which this subchapter shall be effective, that grants, guarantees, or protects the same rights as are granted by this subchapter; but any law of a State, a political subdivision, or other such jurisdiction that purports to require or permit any action that would be a discriminatory housing practice under this subchapter shall to that extent be invalid.

Sec. 817. [42 U.S.C. 3616] Cooperation with State and local agencies administering fair housing laws; utilization of services and personnel; reimbursement; written agreements; publication in Federal Register

The Secretary may cooperate with State and local agencies charged with the administration of State and local fair housing laws and, with the consent of such agencies, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist him in carrying out this subchapter. In furtherance of such cooperative efforts, the Secretary may enter into written agreements with such State or local agencies. All agreements and terminations thereof shall be published in the Federal Register.

Sec. 818. [42 U.S.C. 3617] Interference, coercion, or intimidation; enforcement by civil action

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided

or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section 803, 804, 805, or 806 of this title.

Sec. 819. [42 U.S.C. 3618] Authorization of appropriations

There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this subchapter.

Sec. 820. [42 U.S.C. 3619] Separability of provisions

If any provision of this subchapter or the application thereof to any person or circumstances is held invalid, the remainder of the subchapter and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

(Sec. 12 of 1988 Act). [42 U.S.C. 3601 note] Disclaimer of Preemptive Effect on Other Acts

Nothing in the Fair Housing Act as amended by this Act limits any right, procedure, or remedy available under the Constitution or any other Act of the Congress not so amended.

(Sec. 13 of 1988 Act). [42 U.S.C. 3601 note] Effective Date and Initial Rulemaking

(a) Effective Date. -- This Act and the amendments made by this Act shall take effect on the 180th day beginning after the date of the enactment of this Act.

(b) Initial Rulemaking. -- In consultation with other appropriate Federal agencies, the Secretary shall, not later than the 180th day after the date of the enactment of this Act, issue rules to implement title VIII as amended by this Act. The Secretary shall give public notice and opportunity for comment with respect to such rules.

(Sec. 14 of 1988 Act). [42 U.S.C. 3601 note] Separability of Provisions

If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Section 901. (Title IX As Amended) [42 U.S.C. 3631] Violations; bodily injury; death; penalties

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with--

(a) any person because of his race, color, religion, sex, handicap (as such term is defined in section 802 of this Act), familial status (as such term is defined in section 802 of this Act), or national origin and because he is or has been selling, purchasing, renting, financing occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from--

(1) participating, without discrimination on account of race, color, religion, sex, handicap (as such term is defined in section 802 of this Act), familial status (as such term is defined in section 802 of this Act), or national origin, in any of the activities, services, organizations or facilities described in subsection(a) of this section; or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap (as such term is defined in section 802 of this Act), familial status (as such term is defined in section 802 of this Act), or national origin, in any of the activities, services, organizations or facilities described in subsection (a) of this section, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate--

shall be fined not more than \$1,000, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

TITLE 28, UNITED STATES CODE, AS AMENDED

Section 2341. Definitions

As used in this chapter --

- (1) "clerk" means the clerk of the court in which the petition for the review of an order, reviewable under this chapter, is filed;
- (2) "petitioner" means the party or parties by whom a petition to review an order, reviewable under this chapter, is filed; and
- (3) "agency" means --
 - (A) the Commission, when the order sought to be reviewed was entered by the Federal Communications Commission, the Federal Maritime Commission, the Interstate Commerce Commission, or the Atomic Energy Commission, as the case may be;
 - (B) the Secretary, when the order was entered by the Secretary of Agriculture;
 - (C) the Administration, when the order was entered by the Maritime Administration; and
 - (D) the Secretary, when the order is under section 812 of the Fair Housing Act.

Section 2342. Jurisdiction of court of appeals

The court of appeals (other than the United States Court of Appeals for the Federal Circuit) has exclusive jurisdiction to enjoin, set aside, suspend (in whole or in part), or to determine the validity of-

- (1) all final orders of the Federal Communications Commission made reviewable by section 402(a) of title 47;
- (2) all final orders of the Secretary of Agriculture made under chapters 9 and 20A of title 7, except orders issued under section 210(e), 217a, and 499g(a) of title 7;
- (3) all rules, regulations, or final orders of-
 - (A) the Secretary of Transportation issued pursuant to section 2, 9, 37, 41, or 43 of the Shipping Act, 1916 (46 U.S.C. App. 802, 803, 808, 835, 839, and 841(a); and
 - (B) the Federal Maritime Commission issued pursuant to--
 - (i) section 23, 25, or 43 of the Shipping Act, 1916 (46 U.S.C. App. 822, 824, or 841a);
 - (ii) section 19 of the Merchant Marine Act, 1920 (46 U.S.C. App. 876);
 - (iii) section 2, 3, 4, or 5 of the Intercoastal Shipping Act, 1933 (46 U.S.C. App. 844, 845, 845a, or 845b);
 - (iv) section 14 or 17 of the Shipping Act of 1984 (46 U.S.C. App. 1713 or 1716); or
 - (v) section 2(d) or 3(d) of the Act of November 6, 1966 (46 U.S.C. App. 817d(d) or 817e(d);
- (4) all final orders of the Atomic Energy Commission made reviewable by section 2239 of title 42;
- (5) all rules, regulations, or final orders of the Interstate Commerce Commission made reviewable by section 2321 of this title and all final orders of such Commission made reviewable under section 11901(j)(2) of Title 49, United States Code; and
- (6) all final orders under section 812 of the Fair Housing Act.

Jurisdiction is invoked by filing a petition as provided by section 2344 of this title.

XII. Certification

Signature Page for the County of Essex

By my signature, I certify that the *Analysis of Impediments to Fair Housing Choice* for the County of Essex is in compliance with the intent and directives of the regulations of the Community Development Block Grant Program.

Joseph N. DiVincenzo, Jr.
Essex County Executive

Date

XIII. Public Hearing Notice