

Clayton County, GA
Community Development Department
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Assessment of Fair Housing (AFH)
Executive Summary

Clayton County, Georgia is a suburban county just south of Atlanta. It has a population of 279,472 as of the 2016 Population Estimates based on the 2010 Census. It is a relatively small county by Georgia standards; being the third smallest in the state and covering 144 square miles. It was incorporated in 1858, and is governed by a Board of Commissioners serving staggered four-year terms and serving each of the four county districts. Residents also elect one full-time chairman. It is considered part of the Atlanta-Sandy Springs-Roswell, GA Metropolitan Statistical Area. The County seat is Jonesboro.

The County is increasingly becoming more diverse in its racial and ethnic makeup. Thirty years ago, the racial and ethnic composition closely mirrored the rest of the region. Today, Clayton County's population has shifted significantly and is increasingly diverse. The biggest changes have been a decline in the white, non-Hispanic population (14.24%), accompanied by a marked increase in the Black, non-Hispanic population (64.91%) as well as in the Hispanic (13.72%) and Asian (over 5%) populations. With the growth in more diverse groups making the County their home, it is imperative that the County increase its efforts at outreach to Limited English Proficiency (LEP) to ensure fair housing choice.

Clayton County is home to Hartsfield-Jackson International Airport. While the airport is a major economic driver in the region, many of the benefits have not filtered significantly into the County. Given its location in the northern part of the County, much of the economic activity tends to have deeper connections and flows north to the City of Atlanta. While the County has been increasingly involved in regional economic development goal-setting and planning, it will endeavor to become even more active as the work of the Community Improvement Districts (CID), and more specifically, the Aerotropolis CID serving the area around the airport. Increasing the economic activity that flows from these efforts to the County, and positioning Clayton County as a welcoming partner to businesses and industry serving the airport will be a vitally important part of increasing access to opportunity for Clayton County residents.

The economic downturn in 2008-2009 took a particularly hard toll on the Clayton County. Due to recession and subsequent housing market turmoil, Clayton County was at one point one of the places in the U.S. with the highest foreclosure rates in housing. Housing prices plummeted, leaving many residents with underwater mortgages, and the general economic climate left many finding it difficult to afford any type of suitable housing. This situation left the door open for outside investors to capitalize on low housing prices and buy properties in bulk; then turning them into rentals often with little investment in upgrades or maintenance. Rents were not significantly less than the mortgages that many people had previously, and in many cases, rose. So, while housing in Clayton County is inexpensive relative to the region as a whole, the economic impacts

of job loss and low wages have left many residents housing burdened, thus necessitating more access to affordable housing options. This is not an usual story, but for Clayton County, the after-effects have lingered longer than most communities, with the County just now gaining its footing again and recovering economically.

To add to the difficult situation, Clayton County public schools lost their accreditation in 2008. This was a blow to the efforts to attract new residents and businesses to the County. A new administration was subsequently put in place and the district regained full accreditation in 2012. The repercussions of the school system's troubles have continued to reverberate, and there is an all-out push by the County to rebrand the schools and disseminate the positive direction the system is now headed.

In addition to the housing and schools setbacks, in 2010, the public transportation that served Clayton County, called C-Tran, ceased operations. By 2014 and through a referendum, the County voted to join MARTA and public bus service resumed. The impacts of the cut to public transportation was particularly acute for the many Clayton County residents that rely on the service to go about their daily activities. Access to jobs, education, and services suffered. With the resumption of service, the burden has been eased, but there is room for improvement.

For Clayton County, the period between 2008 and 2014 felt like a perfect storm that brought any forward progress on housing, economic development, and transportation to a halt. In the intervening years, progress has been made. The goals and implementation strategies that are identified in this report will serve to push progress further and with more urgency. There is an understanding among County staff that to be successful in this endeavor, it will take an interdisciplinary team of staff from various County departments committed to tackling the contributing factors that impede fair housing choice. These departments include but not limited to: Community Development, Economic Development, Planning and Zoning, Police, School Board, and Transportation to name a few. With a concerted effort and common goals, the County can address the most pressing issues facing fair housing.

Affirmatively Furthering Fair Housing

Fair housing has long been an important issue in American urban policy – a problem born in discrimination and fueled by growing civil unrest that reached a boiling point in the Civil Rights Movement. The passing of the Fair Housing Act in 1968 was a critical step towards addressing this complex problem – but it was far from a solution. Since the passing of the Act community groups, private business, concerned citizens, and government agencies at all levels have worked earnestly at battling housing discrimination. The Fair Housing Act mandates that the Department of Housing and Urban Development (HUD) ‘affirmatively further fair housing’ through its programs. Towards this end HUD requires funding recipients to undertake fair housing planning (FHP) in order to proactively take steps that will lead to less discriminatory housing markets and better living conditions for minority groups and vulnerable populations. Until recently the Analysis of Impediments to Fair Housing Choice was the primary component of HUD’s fair housing efforts.

On July 16, 2015 HUD published its final rule on affirmatively furthering fair housing (AFFH). Three weeks earlier the U.S. Supreme Court upheld the distinct but related concept of disparate

impact liability (*Texas Department of Housing and Community Affairs v. Inclusive Communities Project*).

The procedural aspects of the rule are new, but the fundamental concept is not: the requirement to affirmatively further fair housing is a key provision of the Fair Housing Act, as codified in Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3608). As a condition of accepting HOME Investment Partnerships Program funding, Community Development Block Grants, McKinney-Vento Homeless Assistance Grants and public housing subsidies, agencies must undertake “meaningful actions... that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”

The AFFH final rule replaces the existing requirement to conduct an analysis of impediments to fair housing (AI) with that of a new study, the Assessment of Fair Housing (AFH). The new AFH provides grantees with a uniform template, firmer guidance from HUD, and a host of data and mapping tools to assist them in their fair housing analysis.

The final rule states that a jurisdiction’s “meaningful actions” must:

- address significant disparities in housing needs and access to opportunity,
- replace segregation with truly integrated and balanced living patterns, and
- transform racially/ethnically concentrated areas of poverty into areas of opportunity.
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There is no federal expectation for specific outcomes. Instead, agencies have to carefully and thoughtfully carry out the new process.

To carry out the new approach to assessing fair housing issues, Clayton County has reviewed HUD provided data and mapping tools, has undertaken an extensive community outreach and input process, and has worked across County departments to identify the most pressing contributing factors to fair housing issues facing residents to develop a set of eight goals to address them.

In the new approach, the County was required to consider a set of fair housing issues along with pre-determined contributing factors that are detrimental to fair housing choice. The County was also required to use the data and analysis to prioritize the contributing factors most relevant to fair housing issues in Clayton County. The table below lists the priority factors and how they relate to fair housing issues.

Fair Housing Issue	Contributing Factors
Segregation	<ul style="list-style-type: none">• Location and type of public housing• Displacement of residents due to economic pressures• Loss of affordable housing• Lack of community revitalization strategy
R/ECAPs	<ul style="list-style-type: none">• Location and type of public housing

	<ul style="list-style-type: none"> • Displacement of residents due to economic pressures
Disparity in Access to Opportunity	<ul style="list-style-type: none"> • Location of Employers • Lack of public investment in specific neighborhoods • Location and type of affordable housing • Availability, type, frequency, and reliability of public transportation • Access to financial resources • Displacement of and/or lack of housing support for victims of domestic violence, dating violence, sexual assault, and stalking
Publicly Supported Housing Location and Occupancy	<ul style="list-style-type: none"> • Impediments to mobility • Lack of private investment in specific neighborhoods • Lack of meaningful language access • Quality of affordable housing information programs • Admission and occupancy policies and procedures, including preferences in publicly supported housing
Disability Access	<ul style="list-style-type: none"> • Lack of assistance for housing accessibility modifications • Access to publicly supported housing for persons with disabilities • Lack of affordable, integrated housing for individuals who need supportive services
Fair Housing Enforcement, Outreach Capacity, and Resources	<ul style="list-style-type: none"> • Lack of local private fair housing outreach and enforcement • Lack of local public fair housing enforcement • Lack of resources for fair housing agencies and organizations

To address fair housing issues and their contributing factors, Clayton County developed goals that reflect strategies to improve fair housing choice. The goals consider each fair housing issue and the prioritized contributing factors. The eight goals are listed below.

Methodology/Overview of Process

The Assessment of Fair Housing Tool is broken down into four parts:

1. The Community Participation Process
2. Assessment of Past Goals and Actions
3. Fair Housing Analysis, which includes a demographic summary, general issues, PHA analysis, disability access analysis and fair housing analysis
4. Fair Housing Goals and Priorities

Within these sections the Assessment consists of a comprehensive review of laws, regulations, policies and practices affecting housing affordability, accessibility, availability and choice within Clayton County. The assessment specifically includes an evaluation of:

- Existing socio-economic conditions and trends in the County;
- Public and private organizations that impact housing issues in the County and their practices, policies, regulations and insights relative to fair housing choice;
- The range of impediments to fair housing choice that exist within the County;
- Specific recommendations and activities for the County to address any real or perceived impediments that exist; and
- Effective measurement tools and reporting mechanisms to assess progress in meeting fair housing goals and eliminating barriers to fair housing choice in the County.

The planning process was launched with a comprehensive review of existing studies for information and data relevant to housing need and related issues. The documents consulted include local comprehensive plans and ordinances, the Consolidated Plan for Clayton County, and other policy documents. Reports from local fair housing organizations were reviewed and information included as well. Stakeholder interviews and community survey responses were used to provide additional data and observations.

The primary data used in this assessment were HUD-provided data specifically for the AFH, and additional data were obtained from sources including Census reports, American Community Survey data, GreatSchools, ACS/Census GIS maps via PolicyMap.

HUD provided data and maps are referenced as HUD Table and HUD Map and labeled with the corresponding number and title, and other supported data are labeled AFH Map, AFH Table and/or AFH Chart and can be found in the appendix along with the sources.

The efforts pertaining to analysis of relevant data and information resulted in the decision to create the following eight (8) goals to affirmatively further fair housing:

1. Increase public awareness of fair housing rights for all communities
2. Complete, approve, and implement rewrite of planning and zoning ordinances
3. Share progress reports and successes of school improvements across departments and potential investors
4. Continue progress on code enforcement
5. Educate landlords about HUD guidance regarding criminal records
6. Increase affordable rental housing options
7. Increase access to special needs housing
8. Strengthen Linkages between Transportation and Jobs