# ASSESSMENT OF FAIR HOUSING: ST. LAWRENCE COUNTY, NY 2017





# **Project Sponsors**

The preparation of this report was made possible with generous support from the following persons and organizations who provided a financial contribution, gave their time, or both (listed in alphabetical order):

Dylan Arpey '17, Sociology Major at St. Lawrence University

City of Ogdensburg

**CNY Fair Housing** 

Members of the St. Lawrence County Fair Housing Task Force

North Country Housing Council, Inc.

North Country Savings Bank

St. Lawrence County

St. Lawrence University GIS Program

Village of Canton

Village of Gouverneur

Village of Massena

Village of Potsdam

#### May 7, 2018

Operations Committee: 4-9-2018

RESOLUTION NO. 173-2018

# ADOPTING THE "ASSESSMENT OF FAIR HOUSING: ST. LAWRENCE COUNTY 2017"

By Mr. Hooper, Chair, Operations Committee

**WHEREAS,** St. Lawrence County regularly applies for and is awarded Community Development Block Grant funding to administer a variety of community and economic development projects that principally benefit low to moderate income households throughout the County, and

WHEREAS, as a condition of receiving Federal funds, the US Department of Housing and Urban Development (HUD) requires local communities to certify that they affirmatively further fair housing, and this obligation requires the grantee to conduct an assessment of fair housing in the community, take appropriate actions to overcome the effects of identified impediments, and maintain records concerning the local analysis and activities, and

**WHEREAS**, the last Analysis of Impediments was conducted in 2010, which relied on 2000 Census Data and no longer accurately reflects current population demographics or housing conditions in the County, and

**WHEREAS**, the Fair Housing Task Force of the County responded to the need to assess progress on fair housing issues, raised funds from outside donors, contracted with CNY Fair Housing in 2016 to do an independent assessment, worked on data collection and analysis, conducted meetings with stakeholders, reviewed and revised the draft "Assessment" report prepared by CNY Fair Housing staff,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators adopts the "Assessment of Fair Housing: St. Lawrence County 2017", and

**BE IT FURTHER RESOLVED** the Assessment of Fair Housing: St. Lawrence County, 2017, identifies short and long term strategies to educate the public about housing discrimination, and short and long term strategies to improve the quality of affordable housing in the County, and

**BE IT FURTHER RESOLVED** that the Board of Legislators designates the Fair Housing Task Force to further fair housing in St. Lawrence County, and maintain records concerning these activities.

STATE OF NEW YORK	)
	) ss:
COUNTY OF ST. LAWRENCE	)

I, Kelly S. Pearson, Deputy Clerk of the St. Lawrence County Board of Legislators, **DO HEREBY CERTIFY** that I have compared this Resolution No. 173-2018 entitled "Adopting the "Assessment of Fair Housing: St. Lawrence County 2017", adopted May 7, 2018, with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

Kelly S. Pearson

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### **INTRODUCTION**

The 2017 Assessment of Fair Housing for St. Lawrence County, New York was conducted by CNY Fair Housing, Inc., a private, non-profit organization which is a qualified fair housing enforcement agency. The Assessment was prepared on behalf of St. Lawrence County, and the villages of Canton, Gouverneur, Massena, Ogdensburg and Potsdam.

#### **BASIS OF THIS STUDY**

Under the Fair Housing Act, the US Department of Housing and Urban Development (HUD) is obligated to administer its programs in such a way as to "affirmatively further fair housing" (AFFH), a requirement that extends to grantees of HUD programs as well as sub-recipients. The Community Development Block Grant (CDBG) program specifically contains a regulatory requirement that entitlement jurisdictions certify that they will affirmatively further fair housing as a condition of the receipt of that funding.

In July, 2015, HUD instituted a new regulatory rule regarding the obligation to AFFH. The goal of the new rule is to help program participants better understand the actions they need to take to meet their AFFH obligation and to assist participants with assessing fair housing issues in their communities to help them make informed policy decisions.

As explained in the new rule, affirmatively furthering fair housing "means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." This obligation extends not only to HUD funded programs, but to all of a participant's activities and programs relating to housing and urban development.

Specifically, a participant must take meaningful actions that work towards the following objectives:

- Address significant disparities in housing needs and in access to opportunity,
- Replace segregated living patterns with integrated and balanced living patterns;
- Transform racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Foster and maintain compliance with civil rights and fair housing laws.

Prior to the new rule, the AFFH obligation required the grantees to undertake the following activities to further fair housing:

- 1. Conduct an Assessment of Fair Housing to identify impediments to fair housing choice within the jurisdiction.
- 2. Take appropriate actions to overcome the effects of any impediments identified through the analysis, specifically by working in recommendations into a Comprehensive Plan.
- 3. Maintain records reflecting the analysis and actions in this regard.

Under the new rule, the Analysis of Impediments (AI) that communities were required to complete is replaced by an Assessment of Fair Housing (AFH) which requires a broader look at factors affecting

housing choice and access to opportunity. The change to an Assessment of Fair Housing applies for the first time to jurisdictions that have Consolidated Plans due in 2017.

#### **DEFINING THE ANALYSIS**

Under the new AFFH rule, an Assessment of Fair Housing should seek to use data and community input to do the following:

- Identify integration and segregation patterns and trends across protected classes within the jurisdiction and region;
- Identify racially or ethnically concentrated areas of poverty within the jurisdiction and region;
- Identify whether significant disparities in access to community assets exist across protected classes within the jurisdiction and region; and
- Identify whether disproportionate housing needs exist across protected classes within the jurisdiction or region.

HUD lays out four parts to the new Assessment of Fair Housing Process. The first is provision of data by HUD using the AFH Assessment tool. However, St. Lawrence County is not an Entitlement Community and HUD does not provide data for non-entitlement communities in the AFH Tool. Attempts to contact HUD for the data tables were not returned. Instead, this analysis uses data from other sources, namely Census data, to replicate the HUD AFH data. Part two is analysis, based on the data as well as local knowledge provided in the community outreach process. Part three is review and response by HUD, who have 60 days after receipt to determine whether the Analysis has met the requirements for providing the analysis, assessment, and goal setting. The final part is incorporating the goals identified into the AFH into jurisdiction planning, including in the Consolidated Plan, the Annual Action Plan, the PHA Plan, and the Capital Fund plan.

Based on this review, an assessment should seek to identify and prioritize fair housing issues, identify the most significant determinants related to these issues, and establish goals for addressing the determinants.

#### **METHODOLOGY**

To evaluate the barriers to housing choice in St. Lawrence County, CNY Fair Housing conducted several research activities:

- Data analysis and mapping
- Review of documents and existing studies
- Interviews and focus groups

The Analysis follows HUD's recently developed AFFH Assessment Tool to the best extent possible. However, HUD's AFFH Data Tool does not provide data and maps for the county because it is not a CDBG entitlement community. Accordingly, this analysis uses other sources to provide the data found in the AFFH Assessment Tool.

## **DATA ANALYSES**

In conducting this analysis, data were utilized from numerous sources. Data tables that are required to be part of the new Assessment format were created following HUD guidelines. Maps included in this report were created by St. Lawrence University graduating senior Dylan Arpey, the St. Lawrence County Planning Office, and by CNY Fair Housing using Policy Map software from the Community Reinvestment Fund. The primary data source for the original maps and charts created by CNY Fair Housing were the 2010-2015 ACS 5-year estimates from the US Census Bureau. Secondary sources include the NYS Department of Education data, Home Mortgage Disclosure Act data and HUD data. Additional data is derived from public documents for St. Lawrence County, its population centers, and from online sources that are specified at the bottom of their respective figures.

#### **Document and Study Review**

A number of documents and studies were reviewed to inform this analysis including the following:

- St. Lawrence County, "County Policy Guide 2011"
- Development Authority of the North Country, "2016-2020 Action Plan"
- Development Authority of the North Country, "HUD Program Year 4 Action Plan 2014"
- Development Authority of the North Country, "Housing Development Policies"
- St. Lawrence County "2013 Comprehensive Economic Development Guide"
- St. Lawrence County "Hazard Mitigation Guide"
- St. Lawrence County "Analysis of Impediments to Fair Housing Workshop Ogdensburg, November 8, 2010"
- St. Lawrence County, "Fair Housing 1999"
- City of Ogdensburg, "2015 Housing Needs Assessment"
- City of Ogdensburg, "2016 Downtown Waterfront Core BOA Plan Nomination Study"
- Town of Canton, "Community Action Plan 2011"
- Village of Potsdam, "2012-2022 Plan"
- Town of Hammond, "Town and Village Comprehensive Plan April 2013"

# **OVERVIEW OF FAIR HOUSING LAWS**

A combination of federal and state fair housing laws apply in St Lawrence County.

The first housing discrimination protections were established with the Civil Rights Act of 1866, which

held that "all citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property." While by statute, the Act bans discrimination on the basis of race or color, through case law, it has been determined to prohibit discrimination on the basis of national origin and religion as well.

For almost a century, the 1866 Act went largely unenforced. To

The first housing discrimination protections were established with the Civil Rights Act of 1866

address the continuing unequal access to housing, particularly for racial minorities, Congress passed Title VIII of the Civil Rights Act of 1968, the Fair Housing Act, which prohibits discrimination in housing based on race, color, religion, and national origin. The Fair Housing Act was amended in 1974 to included sex as a protected class, and in 1988, to include disability and familial status.

In addition to these federal laws, additional protected classes have been established under law. New York State Executive Law §296 prohibits discrimination on the basis of race, color, creed, national origin, sex, familial status, disability, age, marital status, military status, and sexual orientation. There are no additional protections established by local law in St. Lawrence County.

Fair housing laws apply to all housing-related transactions including real estate sales, rentals, mortgage lending, homeowners' insurance, zoning and housing-related harassment.

The Fair Housing Act specifically identifies prohibited practices in Sections 3604, 3605, 3606 and 3617. These prohibited practices include:

- To refuse to sell or rent, to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of their membership in a protected class.
- To discriminate against any person in the terms, condition, or privileges of sale or rental of a
  dwelling, or in the provision of services or facilities in connection therewith, because of their
  membership in a protected class.
- To make, print, or publish, any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on membership in a protected class.
- To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that a unit is not available for inspection, sale, or rental when such dwelling is in fact so available.
- To refuse to permit a reasonable accommodation or modification for a person with a disability when such an accommodation or modification is necessary to afford such person equal opportunity to use and enjoy a dwelling.
- A failure to design and construct multi-family housing to meet accessibility standards.

While discrimination can occur overtly, such as a landlord stating that they will not rent to a family with children, the law also covers practices that are less direct. One such area is differential treatment. For example, a landlord cannot apply a more stringent application process to members of a protected class. Another category of practices covered under the law is disparate impact. These are practices that are seemingly neutral, yet have a disproportionate negative impact on members of a protected class. For example, a landlord may institute a policy that they will only accept income from work to verify that someone is qualified to rent a unit, however this practice could have a disproportionate effect on people with disabilities or women with children who receive child support. Regardless of the landlord's intent, the discriminatory effect of these practices would constitute a violation of fair housing laws.

Under these provisions, a range of historical practices that have the effect of limiting access to housing for members of protected classes have been interpreted to be illegal under the Fair Housing Act. These

include racial steering, exclusionary zoning, blockbusting, discriminatory advertising, and redlining in mortgage, insurance and appraisals.

Both the Fair Housing Act and New York State Human Rights Law provide an administrative process to investigate complaints and pursue legal action on behalf of victims of discrimination. Individuals may file administrative complaints with HUD or the New York State Division of Human Rights which is considered a substantially equivalent agency. Complaints filed with HUD are referred to the Division of Human Rights for investigation. If violations are proven, victims are eligible for monetary compensation and affirmative relief. Injured parties, including organizations, may also file civil cases on their own in state or federal court.

#### Assessment of Past Goals and Actions

The County has shown a consistent commitment to furthering fair housing principles and taking actions to affirmatively further fair housing, despite working with limited resources. The St. Lawrence County Fair Housing Task Force was founded in 1991 and has been continually active since. The participants are often involved in many issues of housing and human services in the county, and oftentimes function as a panel of experts on several county issues.

Despite the Task Force's efforts, fair housing knowledge seems to be still limited, and localities have run into problems involving fair housing allegation in recent years. In August, 2016, the City of Ogdensburg settled a fair housing lawsuit with Step-by-Step, an organization which provides mental health services. The complaint alleged that the City had violated the Fair Housing Act by rejecting a zoning change to repurpose an old school into a mental health treatment facility.

Since the Task Force was founded, two Impediments of Analysis processes have been undertaken, the first in 1999 and the second in 2010. The resulting products were not full reports, but rather summaries of roundtable discussions held to discuss the state of fair housing in the county.

The 1999 AI process identified four key areas for improvement:

- Education, outreach, and discrimination Addressed the idea that further education and evaluation of fair housing issues are needed in the county, including the need to find increased funding for housing for protected classes.
- Housing condition and access Addresses the need to make physical improvements to housing stock to better serve those who have special needs, and to improve living conditions in low-income housing.
- Specialized housing programs Many participants described the need for more specialized housing programs, yet cited significant barriers in zoning and codes issues, as well as lending and insurance restrictions.
- Transportation issues In a rural county, it was noted that decent and affordable housing is often inaccessible to persons in need due to a lack of personal and public transportation.

The Breakout Group focusing on solutions came up with the following goals:

A large focus was placed on outreach and education, especially with churches and service providers, as well as creating an informational clearinghouse (which included a suggestion of a website).

An increase in funding, with incentives to increase landlord investment of their own money, was also suggested as a way to improve housing stock, as was an increase in the quality of codes enforcement.

There was also a suggestion to provide facilities that provide 24-hour access to housing for mentally ill persons. However, there is an unfortunate allusion to the negative stigma of this type of housing, the impact it may have on the existing tax base in the neighborhood and the reactions that it may bring.

Moving forward, the group hoped to include their ideas on fair housing in their consolidated plan.

In 2010, the county held an Analysis of Impediments to Fair Housing Workshop. The group focused on similar themes, but had a more focused approach in building short- and long-term strategies to overcome impediments to fair housing. These were broken into the following two categories:

Educating the Public about Housing Discrimination: Building from a consensus that knowledge on fair housing in the county was still widely lacking, the participants recommended a variety of strategies to increase knowledge. In the short term, the groups focused on providing information on the county website, distributing fair housing materials to relevant parties such as landlords, insurance agencies and more, airing public service announcements about housing discrimination, and delivering presentations to groups like landlord associations. Longer term strategies include requiring landlords with codes violations to attend education courses that incorporate Fair Housing, as well as including Fair Housing in education programs for young adults.

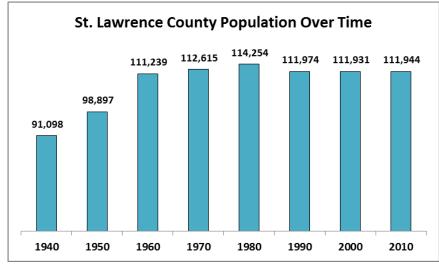
Improving the Quality of Affordable Housing: Participants in the roundtable noted that many fair housing impediments are tied to a lack of income, as St. Lawrence County is one of the poorest counties in the state. The first short term strategy is focused on providing tax relief, through New York State's 421-f program, to incentivize landlords to repair rental units and provide affordable rent. The other strategy includes improving landlord conduct by providing a standardized rental application for tenants to use as well as an online database of rental units which allow tenants to rate landlords. A longer term strategy to improve rental units is to expand rental unit inspection and certification programs, which exist only in two of the county's population centers. Additionally, participants identified several funding sources that the County should help landlords utilize to improve rental unit homes, including funds from CDBG, HOME, AHC, NYSERDA, and Restore, as well as a special focus on leveraging Weatherization Assistance Program funds.

## **FAIR HOUSING ANALYSIS**

#### **Demographics**

Like many New York rural counties, the population of St. Lawrence County has mostly been in decline

Figure 1: St. Lawrence County Total Population



since the later portion of the 20<sup>th</sup> century. Following a brief surge in the early 90's, the population peaked at a total of 114,867 in 1993. Since then, the population has been in a slow decline, with the 2016 estimate of 110,038 being the lowest yet. The Cornell Project on Applied Demographics predicts the population to continue declining at an even faster rate, dipping to 99,887 by 2040.

Correspondingly, the population of the county has been slowly growing older. The share of population over 65 reached 16.8% in 2010, and is expected to grow to 19.3% by 2020. As the population ages, their housing needs will change. Aging individuals will need to move into housing that is more accessible and choose to move out of homeownership.

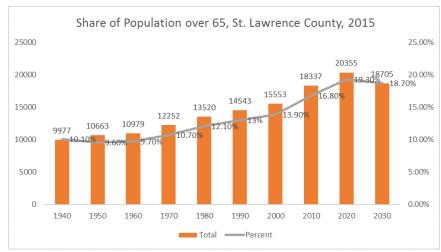


Figure 2: Share of Population over 65, St. Lawrence County, 2015

Figure 3: Population Change of Selected Towns

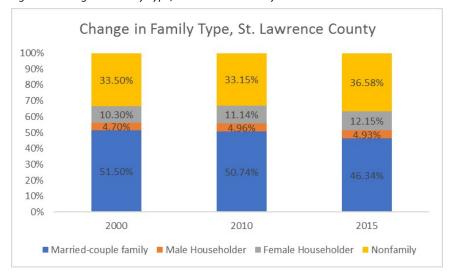
Population Change Over Time for Select Towns in SLC									
Year	Canton	Gouverneur	Massena	Ogdenburg	Potsdam				
1970	10,348	6,710	16,021	14,554	16,382				
1980	11,568	6,629	14,856	12,375	17,411				
1990	11,120	6,985	13,826	13,521	16,822				
2000	10,369	7,418	13,121	12,460	15,963				
2010	10,995	7,085	12,883	11,128	16,041				
Change	6%	6%	-20%	-24%	-2%				

shown by **Figure** 3, population differ trends among the county's five largest communities. The "blue collar" belt of Ogdensburg and Massena are seeing their populations decline quickly as they face regional small-town

challenges with de-industrialization, while the "white collar" belt of Potsdam and Canton are seeing their population, fueled by colleges, remain stable or even grow. Interestingly, Gouverneur has seen its population grow, most likely due to the presence of a state prison and the increase of military population from nearby Fort Drum in Jefferson County.

There are also changes in the family composition of the population in the county that largely reflect national demographic trends. The county is seeing a slow decrease in the amount of married-couple families, and small growth in female headed households as well as a larger increase in the amount of nonfamily households. As will be shown later, single-parent female-headed households face a much higher poverty rate, and are thus more vulnerable to housing instability and poor living conditions.

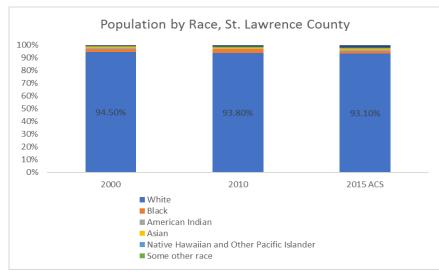
Figure 4: Change ion Family Type, St. Lawrence County



The racial makeup of the county's population remained largely white, it has slowly grown more diverse over that past few decades. This is largely driven by the University towns of Potsdam and Canton (home to Clarkson St. University, Lawrence University, SUNY Canton and SUNY Potsdam), which have grown more diverse at a faster pace than the County as a whole.

The Census data, displayed on Figures 5, 6, and 7 does not accurately take into account the entire population picture in terms of the housing market, as many students at the four universities are counted in census data as living in their home towns. The population of these universities has been consistently growing more diverse.

Figure 5: Population by Race, St. Lawrence County

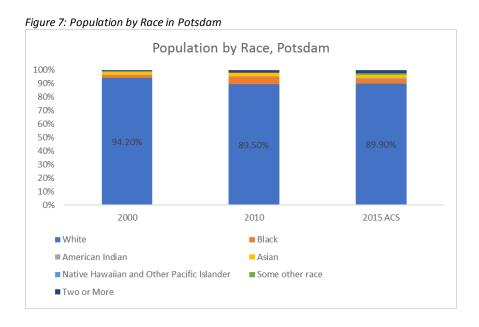


As shown in Figure 6 below, enrollment totals at area universities are significantly more diverse than the surrounding towns. **SUNY** Potsdam and SUNY Canton are the most diverse schools, with 62.4% and 66.3% of students that are white, respectively for enrollment. This is compared to 93.1% of the county population that was white in 2015.

Figure 6: Enrollment Totals at Area Universities

									Hawaiian/		Two or		Non-Resident
Name	Total	Undergraduate	Men	Women	Native	Asian	Black	Latino	Pacific	White	More	Unknown	Alien
<b>SUNY Potsdam</b>	3,696	92%	43%	58%	2%	2%	11%	14%	0.1%	62%	3%	5%	1%
Clarkson	4,384	75%	70%	30%	0.3%	3%	2%	5%	0.0%	82%	3%	2%	4%
SLU	2,464	96%	45%	55%	0.2%	2%	3%	4%	0.0%	78%	2%	2%	9%
SUNY Canton	3,205	100%	42%	58%	2%	1%	13%	11%	0.2%	66%	2%	3%	2%

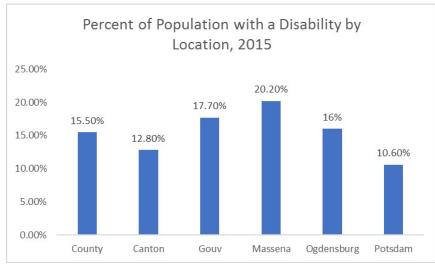
Source: Institute of Education Sciences, National Center for Education Statistics, Search for Schools and Colleges https://nces.ed.gov/globallocator/



Population by Race, Canton 100% 90% 80% 70% 60% 50% 40% 30% 20% 10% 0% 2000 2010 2015 ACS ■ White Black ■ American Indian Asian ■ Native Hawaiian and Other Pacific Islander ■ Some other race

Figure 8: Population by Race in Canton

Figure 9: Percent of Population with a Disability, by Location in 2015



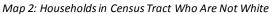
St. Lawrence County has a disproportionate share of the population that is disabled. 15.5% of the population of the county has a disability, compared with 12.2% of the population of the United States and 11.1% of the population of New York State total. The share of population with disabilities will likely grow as population of the county continues to grow older.

Geographically, the percentage of the population that is disabled varies widely, with 20.2% of the population in Massena having a disability compared to 10.6% of the population of Potsdam.

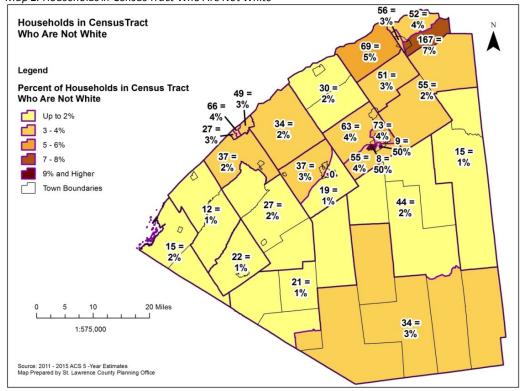
#### Segregation/Integration

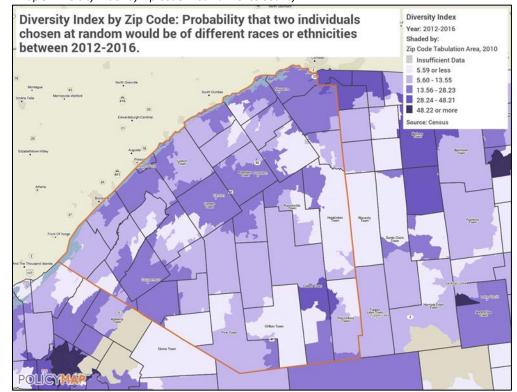
While the diversity of the county is slowly growing, the population is still overwhelmingly white. The most diverse areas are found in the college towns of Canton and Potsdam, and in the Town of Massena, which is immediately proximate to the Akwesasne Mohawk Reservation. However, since the minority population for the whole county is so small, the patterns of racial segregation that often develop in more populated, diverse areas are largely absent.

Map 1: Households in Census Tract Who Are White 1,592 = 1,430 = Households in CensusTract 97% Who Are White 2,256 = 1,311 = 193% 95% 1,757= 97% Legend 2,341= 1,379 = 1,532= 98% Percent of Houseolds in 98% 1,662 = **Census Tract Who Are White** 96% 1,724= 1,595= Up to 92% 912 = 1,567= 93 - 94% 97% 98% 97% 1,055= 99% 95 - 96% 1,497= 50% 1,368= 98% 97 - 98% 96% 50% 1,434= 0 99 - 100% 98% 1,913≡ 99% Town Boundaries 2,689= 98% 1,494**=** 1,156= 99% 881= 98% 2,401= 99% 2,296= 20 Miles 10 99% 1,043= 97% 1:575,000



Source: 2011 - 2015 ACS 5 -Year Estimates Map Prepared by St. Lawrence County Planning Office





Map 3: Diversity Index by Zip Code in St. Lawrence County

#### Racially/Ethnically Concentrated Areas of Poverty

HUD guidelines recommend that Assessments of Fair Housing identify racially and ethnically concentrated areas of poverty (R/ECAPS) within the jurisdiction. Racially and ethnically concentrated areas of poverty are defined as census tracts with a non-white population of 50 percent or more and where 40 percent or more of individuals are living below the poverty line. According to this standard, St. Lawrence County has no census tract, or any other geographic measurement, that meets the qualifications of being more than 50% minority or has a poverty rate over 40%.

#### Disparities in Access to Opportunity

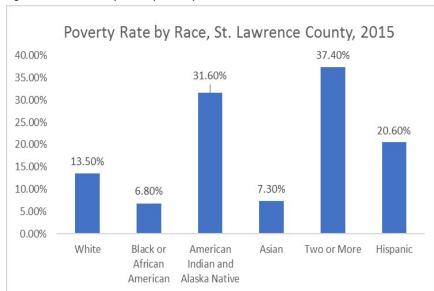
In guidelines set forward by HUD, a fair housing analysis should seek to identify disparities in access to opportunity for protected classes. Given the small population of St. Lawrence County, these disparities are tempered. The smallest unit of measurement for most of the data collected to analyze disparities in access to opportunity is the census tract or town boundaries. Especially in the more rural areas of the district, census tracts and towns are both typically geographically expansive and don't show disparities distinctly. Further, with a small number of minorities, there is little racial and ethnic segregation. While the population of those with disabilities is more concentrated in certain areas of the county than others, the lack of distinct segregation means access to jobs and transportation, or exposure to environmental toxins are not going to vary significantly by protected status. For this reason, it is necessary to not only discuss measures of access, but also disparities in outcomes by race, ethnicity, and other protected status.

To measure disparities in access to opportunity, HUD has developed a set of seven indices within five areas identified as opportunity indicators: poverty, education, employment, transportation, and health. Each of the indices seeks to measure the extent to which a neighborhood offers assets related to the opportunity indicators and then compares these indicators among particular racial and economic subgroups.

#### **Poverty**

Countywide, there are differences in the level of poverty by both race and familial type. It is important to note that due to the small sample size for racial minorities in the county, data on these groups is problematic and of limited value for drawing conclusions. However, combined with local knowledge, it

Figure 10: 2015 County Poverty Rate by Race



can be used to begin to obtain a picture of the current situation in the county on this issue.

most notable disparities in poverty rates are found in the population people identifying Native American and Two or More Races, with the poverty rate reaching over 30% in both demographic groups. In addition, the poverty rate for 20%. Hispanics is over However, again, it important to note that the

sample size for these populations (as well as for all non-white populations) is extremely small, with large margins of error.

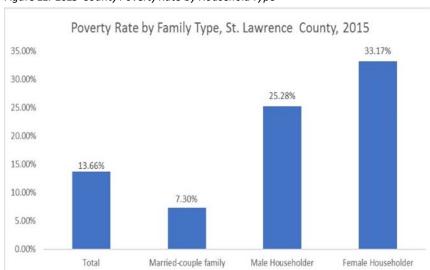
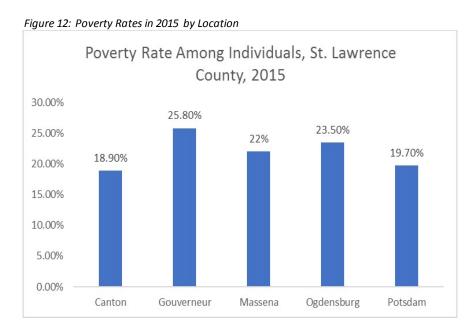


Figure 11: 2015 County Poverty Rate by Household Type

Significant disparities are also found in the poverty rate among family types. As the following figure shows, the poverty rate for married families is only 7.3%, while the poverty rate for female headed households 33.17%. In addition, female headed households experience greater levels of poverty than male headed households.

There are small yet significant differences in the poverty rates in different geographic locations. Of the most populous towns in the county, the town of Gouverneur has the highest percentage of individuals in poverty at 25.8%, followed closely by Ogdensburg and Massena. Slightly lower are Potsdam and Canton, at 19.7% and 18.9% respectively.



As shown by Map 4, there are high rates of poverty in the rural areas outside of these population centers, particularly in the Town of Oswegatchie, and in towns located in the Adirondack Park.

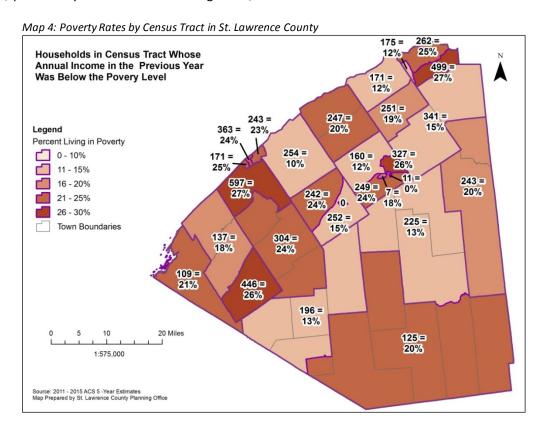
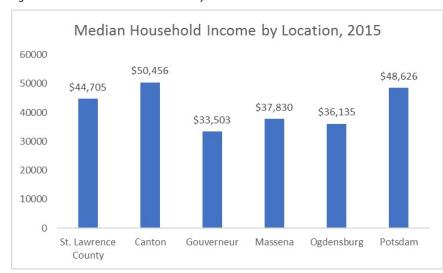


Figure 13: Median Household Income by Location in 2015



Not surprisingly, median household income follows similar trends as poverty rates. As shown in Figure 13, the college towns of Canton and Potsdam have a median household income that is significantly higher than in the communities of Gouverneur, Massena, and Ogdensburg.

The median income by family type is also reflective of the

trends related to poverty rate with female headed households having less than half the income of married couple families and notably less than male headed households. With these disparities in poverty rates and income, female headed households are particularly more limited in the resources they can commit to housing and makes them more vulnerable to discrimination based on gender, familial status or domestic violence status.

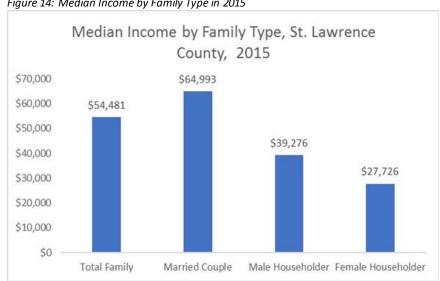
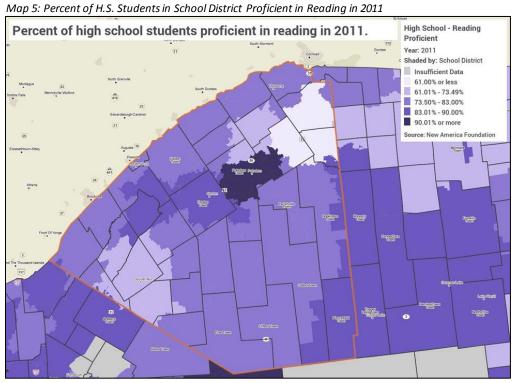


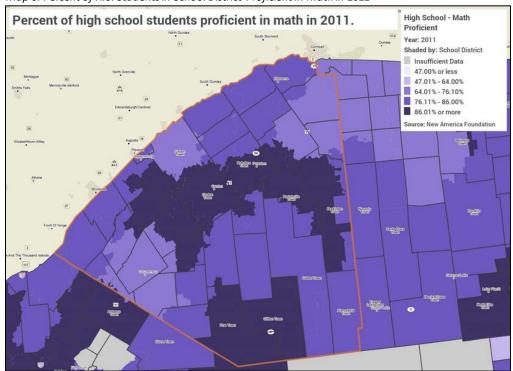
Figure 14: Median Income by Family Type in 2015

#### **Education**

St. Lawrence County is served by seventeen separate school districts that serve approximately 14,000 students. The districts range in student enrollment considerably with a number of districts containing less than 300 students and the largest, Massena, with about 2,600 students. Geographically there are distinct differences in educational outcomes. As Maps 5 and 6 below show, scores for Math and ELA proficiency among high school students are noticeably higher in Canton, Potsdam, and some of the more rural areas than in Ogdensburg, Massena and Gouverneur. These proficiency rates fit the geographic patterns of poverty; in areas of higher poverty there is lower educational attainment.







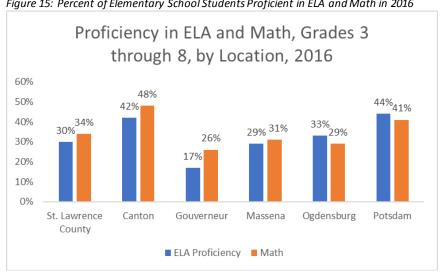


Figure 15: Percent of Elementary School Students Proficient in ELA and Math in 2016

There are notable racial disparities in English Language Arts and Math 2016 proficiency rates for students in grades 3-8 as shown in the following figures.

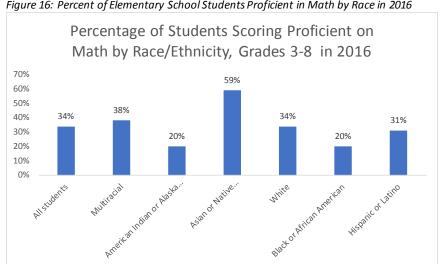


Figure 16: Percent of Elementary School Students Proficient in Math by Race in 2016

Black and American Indian students scored noticeably lower than white students, while Asian or Native Hawaiian Islander students have much higher scores than the other racial and ethnic groups. Again, due to the small size of these populations, it is difficult to draw conclusions regarding these disparities.

Figure 18: Percent of Elementary School Students Proficient in ELA by Race in 2016

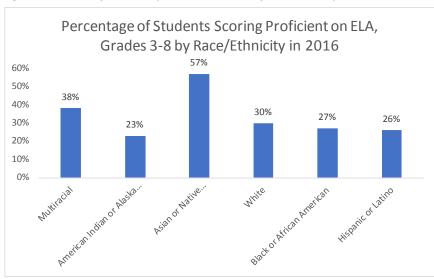


Figure 17: Pct of Elementary Students Proficient in Math by Various Categories in 2016

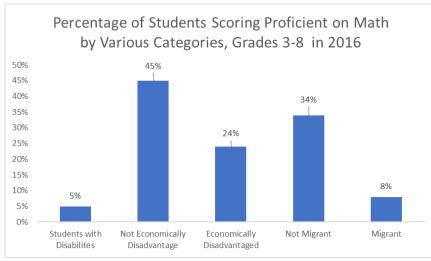
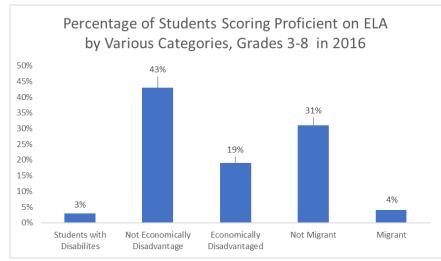


Figure 19: Pct of Elementary Students Proficient in ELA by Various Categories in 2016

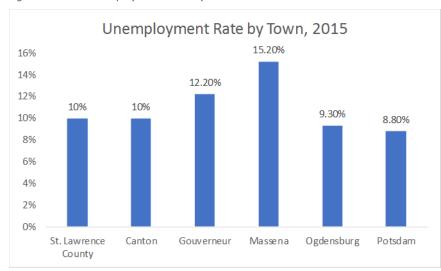


A significant and interesting disparity is between the proficiency levels of students are who and are economically disadvantaged. Economically disadvantaged students had rates of 19% proficiency on ELA and 24% proficiency on math, while their non-economically disadvantaged counterparts had proficiency rates of 43% and 45% on the same topics. Given the wealth and poverty disparities rate between family types, it is reasonable to conclude that children coming from single parent households, especially led single family female households, are more likely to underperform in schools.

#### **Employment**

Like communities many across the Northeastern United States, St. Lawrence County's employment base endured decades decline as jobs have moved overseas or to other parts of the US. This trend has had a particularly devastating impact on communities that had a large manufacturing sector who are now coping with unemployment that are substantially higher and national than state averages. Of the population centers, the unemployment rate in 2015 was highest in Massena and lowest in effect Potsdam. The of

Figure 20: 2015 Unemployment Rates by Location



manufacturing loss was a major topic in roundtable discussions. As plants in Massena and to a lesser degree, Ogdensburg, continue to downsize or close completely, unemployment may continue to especially as spin-off jobs are also lost. This is especially concerning given the high share of disabled population in these communities. As the economic situation in the

towns continues to decline, it will likely cause the housing stock to continue to deteriorate, reducing the amount of opportunity for this protected class.

#### **Transportation**

As one of the largest counties (in geographic area) in the State, most transportation in St. Lawrence County relies on personal car travel. For residents who own a vehicle, commute times in the county can be lengthy. Towns with the highest commute times include Clare, Russell, Hermon and Edwards as they primarily serve as bedroom communities to the county's population centers.

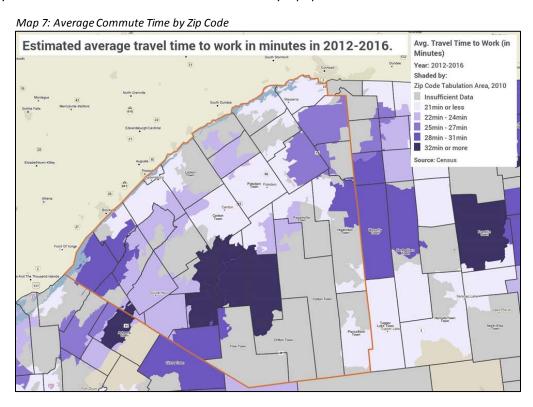
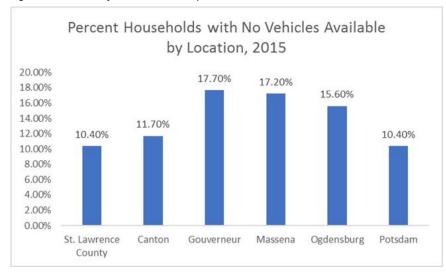


Figure 21: Percent of Households in Population Centers without a Vehicle

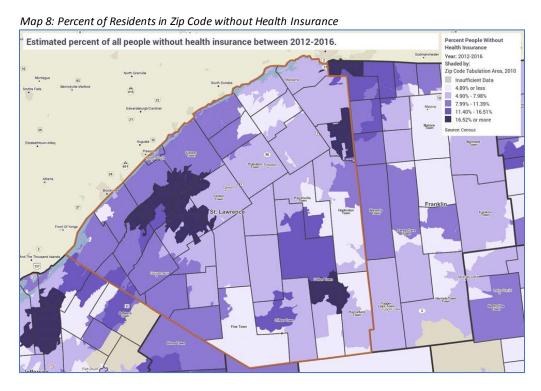


There is a significantly higher rate of those without cars in Gouverneur, Massena, and Ogdensburg than in the rest of the county, suggesting those are the areas where people struggle most with accessing adequate transportation. There is a series of bus routes that connect select towns in the county, but at the breakout sessions, several service providers said existing public

transportation options offer limited pickup times and locations.

#### Health

There are five hospitals in the county: Gouverneur Hospital, Massena Memorial Hospital, Claxton-Hepburn Medical Center in Ogdensburg, Canton-Potsdam Hospital in Potsdam, and Clifton-Fine Hospital in Star Lake. Residents in the eastern portions of the county can also access hospital care in the Franklin County towns of Tupper Lake and Malone.



As a whole, 93.4% of adults in St. Lawrence County have health insurance, compared to the State average of 91.5%. The map above reveals zip codes in the county with the highest percentage of uninsured residents are in the towns of Dekalb, Lawrence, DePeyster, Macomb and Colton.

According to the New York Department of Health, St. Lawrence County had .6 % or 6 per 1,000 incidence of elevated blood levels of lead for children in 2012, which is the latest year for which data is available.

#### Housing Cost Burden

There are large discrepancies in the depth of housing needs by location and type of occupant. Renters, in every geographic location, are much more likely to be cost burdened, defined as paying over 30% of monthly income on rent, as well as severely cost burdened, defined as paying over 50% of monthly income on rent.

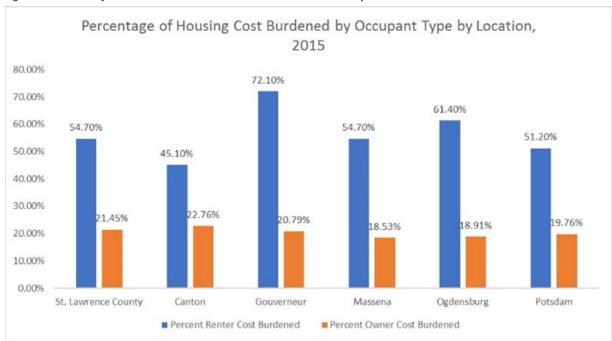
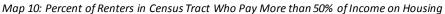


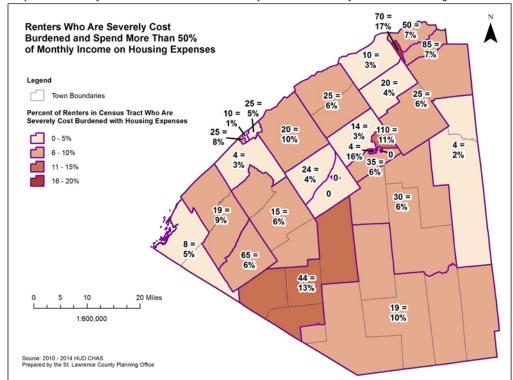
Figure 21: Percent of Renters and Homeowners Who Are Cost Burdened by Location

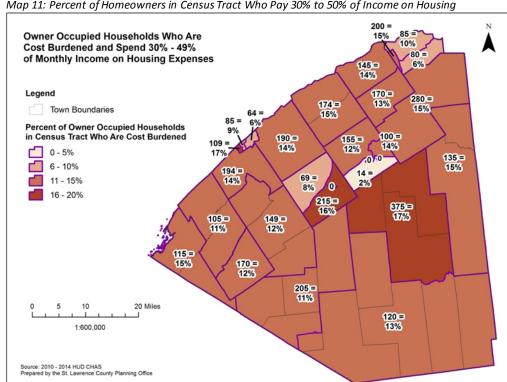
While the town of Canton has the highest share of home owners who are cost burdened at 22.76%, there are no large differences across the county's population centers in the amount of homeowners who are cost burdened. At 72.1%, Gouverneur has by far the largest share of renters who are cost burdened, followed by Ogdensburg with 61.4%. The town of Potsdam, which has a 51.2% cost burdened rate for renters, has the largest share of their population renting their housing.

Renters Who Are Cost Burdened 10% and Spend Between 30% - 50% 11% 275= of Monthly Income on Housing Expenses 22% 35% Legend 58 = 14% 62 = Town Boundaries 14% 100 = 16% 255 = 21% Percent of Renters in Census 32% Tract Who Are Cost Burdened 25 = 205 = 75 = 69 = 0 - 10% 20% 25% 14% 89 = 10 = 35 = 21% 11 - 20% 21 - 30% 120 = 14% 40% /·O» 31 - 40% 55 = 8% 43 = 20% 11% 365= 36% 50 = 15% 20 Miles 10 1:600,000 Source: 2010 - 2014 HUD CHAS Prepared by the St. Lawrence County Planning Office

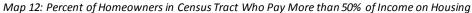
Map 9: Percent of Renters in Census Tract Who Pay 30% to 50% of Income on Housing

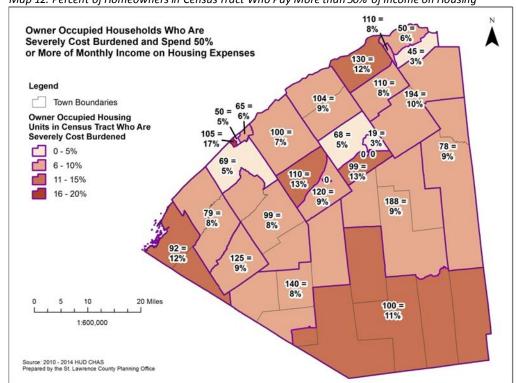


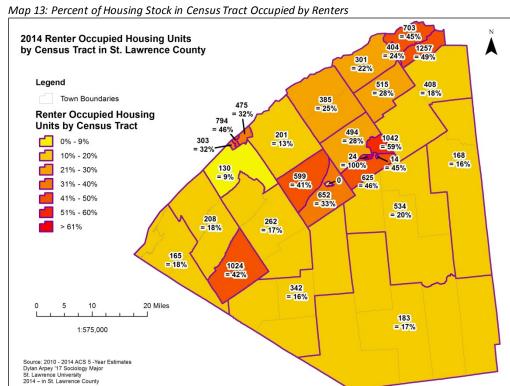


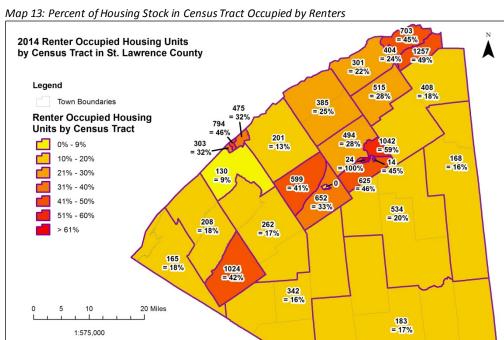


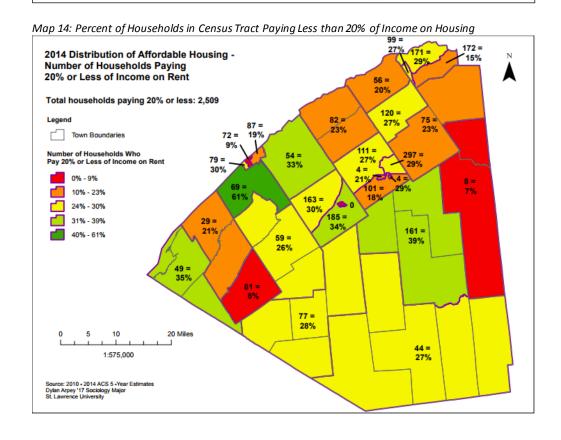
Map 11: Percent of Homeowners in Census Tract Who Pay 30% to 50% of Income on Housing







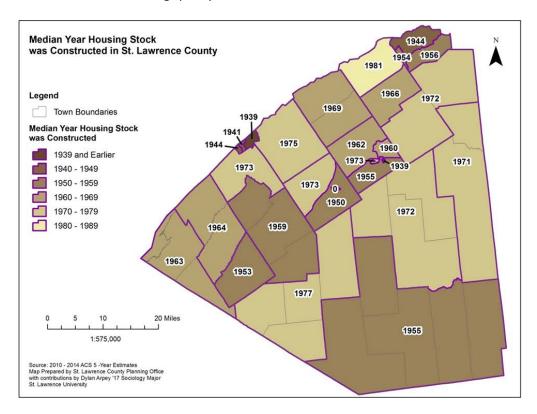




# **Housing Conditions**

#### Median Age of Housing Stock

The median housing stock age is relatively older in Ogdensburg and Massena than the rest of the county, as these two towns largely developed with the manufacturing boom of the early 21<sup>st</sup> century. There are also census tracts in rural areas which have relatively older housing stock, which suggests there could be trouble with housing quality in those areas.



#### Vacancy Rates

The data for vacancy rates in the county as a whole is skewed by census data counting seasonal homes that are not occupied for the entire year as technically "vacant". There are several towns, such as Hammond, which have a vacancy rate well over 30% due to the presence of vacation homes on the St. Lawrence River. This skews the overall vacancy rate for the county as a whole to over 20.2%, which is likely to be much lower if seasonal homes were not counted as vacant.

Housing conditions and access to opportunity are likely to be much worse in areas of high poverty. Also, as discussed in the demographic breakdown, female headed households are in poverty at rates higher than other household types, and are therefore more likely to lack access to quality, affordable housing.

Vacancy Rate by Location, 2015 25.0% 20.6% 20.0% 15.0% 12.6% 10.7% 10.0% 8.2% 7.7% 5.2% 5.0% 0.0% St. Lawrence Canton Ogdensburg Potsdam Gouverneur Massena County

Figure 22: 2015 Vacancy Rates by Location

#### Kitchen or Plumbing Problems

The following map and chart show areas where there are significant shares of housing that lack complete plumbing or kitchen facilities, a useful measure in determining the most extreme cases of a



Map 15: Percent of Houses without Complete Plumbing Facilities

the village. In addition, the less populated, rural areas of the county also have a high prevalence of housing needs.

housing. Interestingly, Canton has a high rate of housing lacks that complete plumbing kitchen facilities. the As map shows, and corroborating data with on vacancy rate and discussions at the roundtable, this suggests there significant are housing needs in Canton outside of

lack of quality

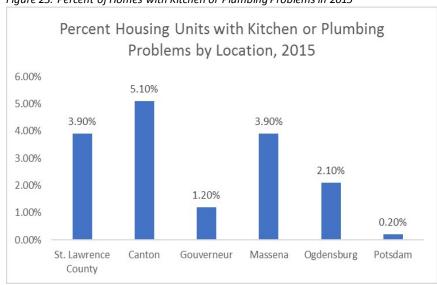
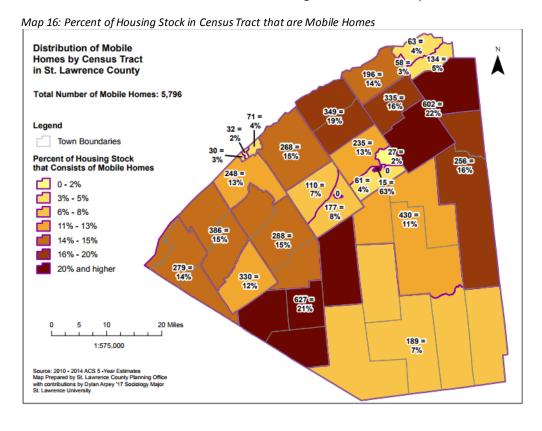


Figure 23: Percent of Homes with Kitchen or Plumbing Problems in 2015

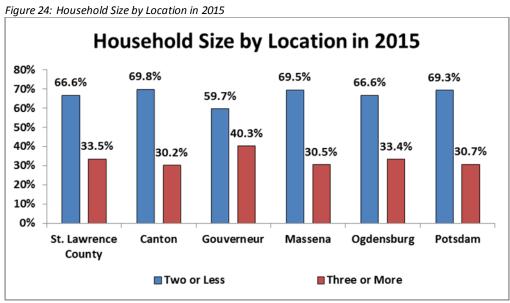
#### **Mobile Homes**

Mobile homes were particularly cited as areas that suffered from a combination of a lack of investment and a lack of codes enforcement. Mobile homes are eligible for home improvement grants run through the Weatherization Assistance Program. However, there was again feeling that the knowledge of and ability to access these funds was much too low considering the amount of improvement needed.

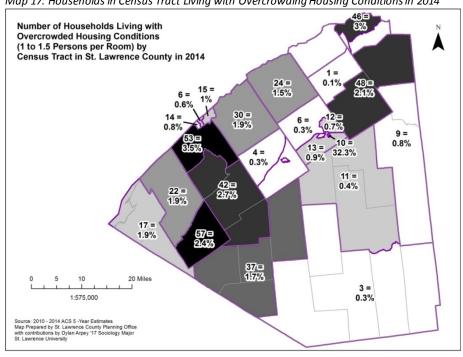


#### Overcrowding

Household size throughout the county is relatively uniform, except for Gouverneur, which has slightly more houses with 3 or more occupants.



A useful piece of data to examine the extent of unmet housing needs is the distribution of overcrowded housing conditions (defined as more than 1.5 people living in each room). As shown in the following map, there are higher rates of overcrowding in many areas outside the county's population centers.



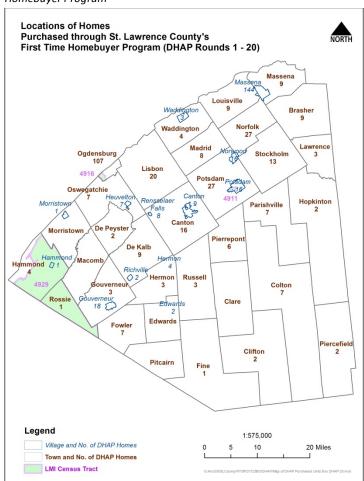
Map 17: Households in Census Tract Living with Overcrowding Housing Conditions in 2014

#### **Enforcing Habitability Codes**

A factor that may contribute to poor housing conditions is the perceived lack of power for code enforcement officers, as well as gaps in rental registry processes. There was consensus among roundtable attendees that very little code enforcement on housing conditions exists outside of the county's the population centers. Sentiments were also expressed that code enforcement officers may not know that they have the authority to enforce code violations, but instead believe they are responsible only for issuing building permits. There was also the sentiment that there was little recourse for codes officers who come upon the worst of conditions. Buildings are often deemed to be condemnable, but codes officials are reluctant to act because of those living in the building are likely to become homeless if their building is condemned. Owner-occupied property was basically considered untouchable for codes, with participants saying the idea of "rugged individualism," in which people can choose how they live, is influential in the area.

There was also a suggestion that a lack of code enforcement especially has an impact on the elderly and disabled people who cannot escape their situations. One pertinent example discussed was of a building with many rental apartments that was owned by an elderly gentleman who was a hoarder, and refused to have anyone help him keep the building up. Instead, he continuously lowered the rent until he found

Map 18: Locations of Homes Purchased through the First Time Homebuyer Program



new tenants, who were mostly disabled or elderly and could not find rent for that price elsewhere, and did not have the resources to get help with the conditions in the building.

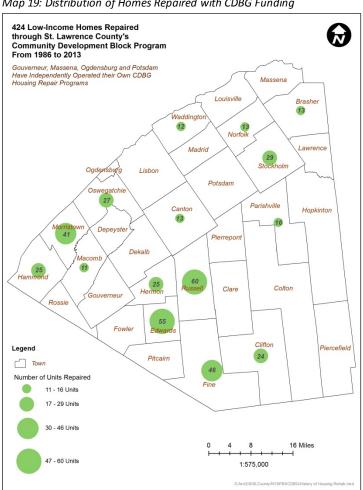
However, in the larger population centers, there was agreement that things have improved over the last 30 years. In Gouverneur, especially, buildings have come a long way since tenement buildings in terrible condition were a standard of the past. It was acknowledged that enforcement certainly wasn't perfect, but was improving.

# **Access to Housing Resources**

# Home Repair and First Time Homebuyer Assistance

The roundtable discussion often centered on the topic of a widespread lack of quality affordable housing, and addressed a lack of access to funds as one of the most important factors in the failure to maintain housing stock. The County has secured and administered several sources

of federal and state funds designated for home improvement (e.g. CDBG, HOME, LIHTC, etc.). However, in the roundtables, there was a feeling that these funds are difficult for vulnerable populations to access due to complex application procedures. One of the most vulnerable segments of the population is the elderly, who struggle to adequately complete applications, especially if they are online. Many programs also require a matching contribution from landlords to access funds, which often serves as a barrier. Both barriers can hinder renters and senior citizens from accessing resources to improve housing conditions.



Map 19: Distribution of Homes Repaired with CDBG Funding

Maps 20 and 21 show uneven utilization home improvement and ownership program funding administered by the County, which reveals a greater need for a process that engages all people in all locations so that they are able to access resources to acquire and improve homes. The number of low-to-moderate income houses that utilize CDBG funds is wildly uneven, with a large number of units receiving assistance in the towns of Russell, Edwards, Morristown and Fine. Meanwhile, Canton, which has shown a relatively large population and significant amount of housing needs, but a smaller number of units that have received assistance. It is important to note that Gouverneur, Massena, Ogdensburg and Potsdam have traditionally administered their own CDBG programs, which are not reflected in these maps. Moreover, Ogdensburg has administered their own first-time homebuyer program, and its housing stock has benefitted from the city and county-administered programs more than any other municipality in the county.

#### **Publicly Supported Housing**

Publicly supported housing projects are relatively spread throughout the county. This includes traditional publicly run housing facilities, as well as housing built using tax credits. There are traditional public housing complexes administered by local public housing authorities in the population centers of Canton, Massena, Potsdam, and Ogdensburg. HUD provided data on the demographics of these tenants in the following table show broad similarities between the different PHAs. However, the profile of Massena (the largest PHA) shows more occupants per unit, lower incomes per person, a lower family contribution to rent, and more low and extremely low income residents.

The roundtable sessions provided a wealth of valuable information on public housing in the county. In Massena, public housing officials face a unique challenge. There was a feeling that the average market rate rent at these housing projects is set too high, given the rapidly decreasing demand for housing due to manufacturing plant closures. This leads to private landlords undercutting the pricing for public housing. This is also exacerbated by decreasing family-age population. Several family units are permanently vacant and have been taken offline.

Public Housing Authority Statistics for St. Lawrence County

Public Housing Authority Statistics for St. Lawrence County										
	St.		Massena							
	Lawrence		Village	Canton	Potsdam					
Location	County	Ogdensburg	(part)	Village	Village					
Subsidized Units Available	2,079	359	429	211	417					
0-1 Bedrooms	63%	75%	52%	66%	76%					
2 Bedrooms	20%	18%	24%	12%	15%					
3+ Bedrooms	17%	7%	25%	22%	9%					
Occupancy Rate	94%	98%	93%	89%	92%					
Average Months on Waiting List	20	16	21	19	12					
Total Number of Tenants	3,319	466	778	317	598					
White, Non-Hispanic	97%	97%	98%	96%	97%					
Number of People per Unit	1.7	1.3	1.9	1.7	1.5					
Overhoused	9%	8%	12%	6%	3%					
Avg Family Expenditure/Month	\$325	\$327	\$317	\$328	\$344					
Avg HUD Expenditure/Month	\$564	\$435	\$503	\$378	\$642					
Household Income/Year	\$14,294	\$14,266	\$14,073	\$15,688	\$15,619					
Household Income/Person/Year	\$8,506	\$10,807	\$7,235	\$9,304	\$10,369					
Local Median Household Income	32%	33%	30%	35%	36%					
Very Low Income	88%	88%	91%	85%	81%					
Extremely Low Income	58%	53%	66%	48%	47%					
In Poverty (Census Tract)	23%	23%	25%	24%	25%					

Multiple service providers stated that many landlords are too intrusive in attempting to determine whether elderly tenants are able to live on their own. Often this is well intentioned, with property managers truly believing that people need more help. Other times, this is a thinly veiled attempt to remove a tenant from the premises.

#### Housing Choice Voucher (Section 8) Program

County representatives reported that the number of assigned Section 8 vouchers for the County to administer was 717 at the end of March 2017, however the Section 8 office was told they had a few months to whittle this number down to 689 (a reduction of 4%). The waiting time to receive Section 8 assistance is currently two to five years. Attrition happens mostly through death, with most of those receiving vouchers staying on the program for a long time.

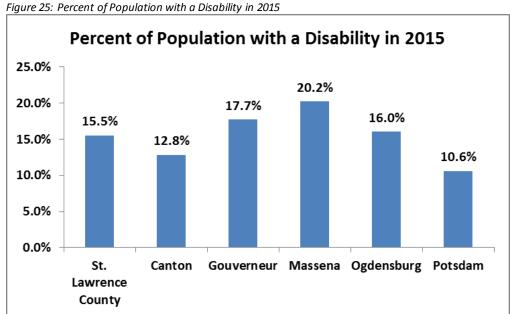
There were few reports of landlords refusing to take section 8 vouchers, given the low demand in the rental market. However, there can be problems with finding housing that will pass Section 8 inspections. A positive development reported around Section 8 was an increase in pay standard because of rent

increases in Canton and Potsdam due to student housing, and in Gouverneur due to increased members of the military looking for housing. The Section 8 administrators expressed some confusion about how exactly to work with the New York State Division of Housing and Community Renewal on establishing preferences for those on the wait list, such as those for veterans and victims of domestic violence. However, they were interested in working to set those up in the future.

There was discussion about the technical definition of homelessness being too narrow, and preventing those in need from accessing publicly supported services. These are often individuals or families who are sleeping on couches of relatives or friends, constantly bouncing around place to place. However, because they are not technically without a place to stay, they cannot access services that would help them find stable housing.

### Housing for Persons with Disabilities

While not quite rising to a pattern of entrenched segregation, the percent of the population with a disability varies in each community. For example, in Massena, 20.2% of the population has one or more disabilities, compared to 10.6% in Potsdam, a college town. This pattern largely holds true for the county as a whole, with a higher concentration of people with disabilities in more industry-based and rural areas when compared to "white-collar" areas.

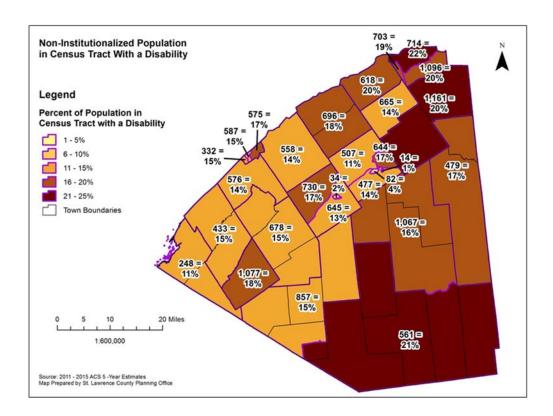


This trend was brought up frequently in roundtables, with the specific phrase that "Massena feels dumped on" used often. The overall sentiment was that Massena and Ogdensburg are required to provide for service-dependent populations, while communities like Potsdam and Canton - which have higher monthly rents - do not have the same obligation even though more service organizations are located there.

There are troubling instances of a lack of fair housing knowledge leading to discrimination against people with disabilities. In May 2015, the Ogdensburg City Council rejected a zoning change that would allow Step by Step, a mental health service provider, to build a facility in a former middle school

purchased by the organization. In the decision, the City Council specifically cited comments from residents who expressed concern with a mental health center in their residential neighborhood. In April 2016, a U.S. District Court Judge ruled the City must permit the use of the former school. Later in August, the City and Step by Step settled for \$150,000. This example highlights the need for further fair housing education and enforcement, especially among those who are responsible for planning and implementing zoning regulations.

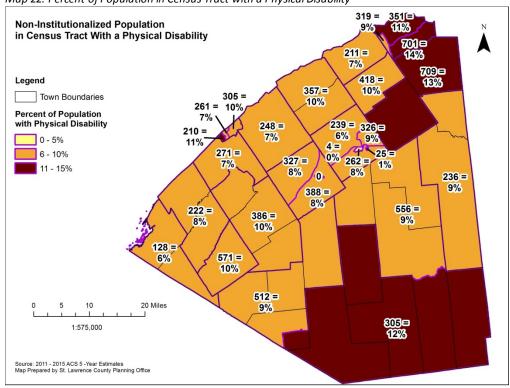
Map 20: Percent of Population in Census Tract with a Disability



270 = 9% 297 = Non-Institutionalized Population 9% in Census Tract With a Cognitive Disability 323≡ 267≡ 9% 6% 4111= Legend 179 = 8% Percent of Population in 207 = 274= 4% Census Tract with Cognitive Disability 220 = 7% 8% 6% 1 - 2% 90 = 186= 172= 159 = 3 - 4% 5% 4% 5% 23= 5 - 6% 131 = 183 = 1% 220= 5% 7 - 8% 5% 851≡ 9% 10= 7% 18 = 9 - 10% 1% Town Boundaries 258 = 1% 328 = 6% 152 = 5% 270= 7% 59 = 468≡ 8% 3% 285 = 5% 20 Miles 10 163= 1:575,000 7% Source: 2011 - 2015 ACS 5 -Year Estimates Map Prepared by St. Lawrence County Planning Office

Map 21: Percent of Population in Census Tract with a Cognitive Disability





### Fair Housing Enforcement, Outreach Capacity, and Resources Analysis

When prompted at the first roundtable session held for this report, there was some disagreement among a group of private landlords, realtors, codes enforcement officers, and a local judge on whether there was adequate fair housing knowledge among housing providers. At first there was agreement among respondents that there was a general lack of knowledge on fair housing rules. However, it was then stated that there was a split between the type of landlord. Larger property owners that hired property managers generally provided training for those managers and made their best efforts to learn and abide by fair housing rules. There was large agreement that smaller landlords who owned only a few properties were generally unaware of fair housing rules.

Service providers who were asked about the issue also felt there were problems with fair housing knowledge, and vulnerable tenants had limited ability to seek help even if they felt their rights were being violated. One provider explained that they knew discrimination is against the law, but if they push to get their clients housed in an unwelcoming environment it will lead to them being harassed. Similarly, their clients are often in desperate need of housing, and do not have the time or resources to fight the discrimination that they face. A key example of the housing challenges faced by vulnerable populations, and of a lack of fair housing knowledge, is the recent settlement between the City of Ogdensburg and Step by Step, Inc.

The County has a fair housing officer, and a Fair Housing Taskforce that was created and has been continually working since 1991. The taskforce's work is highly encouraging, as it has been explicitly dedicated to advancing fair housing throughout its existence. This can be rare with county taskforces, which often conjoin affordable or general housing policies in similar efforts.

The county is served by CNY Fair Housing, a non-profit that receives funding through the Fair Housing Initiatives Program. CNY Fair Housing is also the author of this report. CNY Fair Housing is a qualified fair housing enforcement organization which can investigate fair housing complaints, and work to resolve situations or take legal action if necessary. The county can refer cases to CNY Fair Housing if an investigation is needed.

In the 2016 Annual Community Survey of St. Lawrence County by the Center for Community Studies at Jefferson Community College, the following survey results show women, young people, people earning less than \$50,000 a year, and renters are more likely to report having faced housing discrimination in the past year. This suggests further education and outreach efforts should be focused on these groups, with encouragement for these people to report the discrimination they face.

Figure 26: Reported Incidents of Housing Discrimination in St. Lawrence County in 2016

		Frequency (weighted)	Percentage (weighted)
	Yes	11	3.3%
In the past 12 months have you experienced what you	No, and I have been involved in the process of buying or renting a home	77	22.2%
perceive to be housing discrimination when buying or renting a home in St. Lawrence County?	No, but I have not been involved in the process of buying or renting a home	249	72.1%
	Not Sure	8	2.4%
,	Totals	345	100.0%

Figure 27: Reported Incidents of Housing Discrimination by Education and Income in 2016

	Education Level			Annual Household Income				
	No	Some	4+ Year	Under	\$25,001 -	\$50,001 -	Over	
	College	College	Degree	\$25,000	\$50,000	\$75,000	\$75,000	
Yes	2.4%	6.9%	0.4%	2.6%	7.3%	3.2%	3.1%	
No, and I have been involved in the process of buying or renting a home	24.4%	16.3%	25.3%	17.3%	21.1%	21.1%	34.6%	
No, but I have not been involved in the process of buying or renting a home	69.8%	74.9%	73.4%	80.2%	70.6%	75.7%	61.7%	
Not Sure	3.4%	1.8%	0.9%	0.0%	0.9%	0.0%	0.6%	
Sample Size - Raw Sample Size -	96	119	132	54	74	67	92	
Weighted	168	102	75	73	69	67	75	

Figure 28: Reported Incidents of Housing Discrimination by Housing Tenure in 2016

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	Current Homeowner or Renter				
	Rent	Own			
Yes	6.1%	2.6%			
No, and I have been involved in the process of buying or renting a home	38.2%	18.4%			
No, but I have not been involved in the process of buying or renting a home	55.1%	76.6%			
Not Sure	0.6%	2.5%			
Sample Size - Raw	52	292			
Sample Size - Weighted	69	273			

Figure 29: Reported Incidents of Housing Discrimination by Gender and Age in 2016

	Gender		Age Group					
	Male	Female	18-29	30-39	40-49	50-59	60-69	70+
Yes	2.6%	4.0%	5.7%	3.8%	2.9%	3.8%	0.0%	0.6%
No, and I have been involved in the process of buying or renting a home	23.7%	20.8%	20.2%	45.6%	33.0%	17.5%	26.4%	7.4%
No, but I have not been involved in the process of buying or renting a home	70.4%	73.8%	68.6%	47.6%	62.7%	78.6%	69.6%	91.2%
	3.3%	1.5%	5.6%	2.9%	1.5%	0.0%	4.0%	0.8%
Sample Size - Raw	139	208	28	35	33	90	82	79
Sample Size - Weighted	172	173	84	36	32	105	42	47

CNY Fair Housing has received seven calls from residents of St. Lawrence County since 2014. The calls were on the following topics: One called seeking funding for a ramp, one involved lending, one involved a reasonable accommodation for an air conditioner unit, and four involved potential harassment from other tenants, property management, or both. None of the cases were elevated to a formal legal case. Given the level of housing discrimination recorded both nationally and locally in surveys, it is incumbent upon CNY Fair Housing and the County government to conduct more education surrounding fair housing.

### **Fair Housing Testing**

While a review of complaints filed with enforcement agencies provides some information on the extent to which housing discrimination occurs in St. Lawrence County, it is inherently limited. First, it only provides information on cases where a victim realizes they have been discriminated against and has the capacity and willingness to pursue a complaint. Nationally, it is estimated that up to 90% of

discrimination cases go unreported. Locally, the 2016 survey has shown there is a higher number of people responding that they have faced housing discrimination than the number of people who reported those instances. Second, the information available publicly is limited, so even a review of complaints reveals little about actual discrimination in the housing market.

To better assess the extent that housing discrimination occurs in the county, CNY Fair Housing conducted a series of undercover tests of the rental market. Testing is a recognized method of determining if discrimination is occurring, which generally involves the use of a pair of testers who are similarly matched except for the protected class that is being tested. A total of 30 tests were conducted to provide a snapshot of current fair housing conditions in St. Lawrence County. Three protected classes were examined – disability, familial status, and race. Twelve tests were performed over phone, and four were conducted on site. Properties were tested in the towns of Potsdam, Canton, Massena, Ogdensburg and Gouverneur.

The results of the tests are classified as: No findings of discrimination, inconclusive, or findings of discrimination. The definitions of these classifications are:

No findings of discrimination - No results in the test, and testers received similar treatment by the housing provider.

Inconclusive – There were results from the test, but we were unable to determine if it was based on the protected class or other factors (i.e. testers speaking to different agents, agents not forthcoming with information, or testers not asking enough questions).

Findings on discrimination – There were definitive results from the test. The protected tester was denied housing or received different treatment that can be attributed to the protected class.

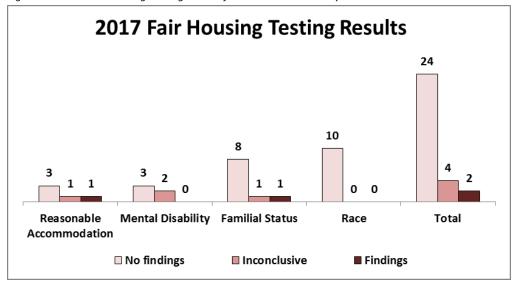


Figure 30: 2017 Fair Housing Testing Results for St. Lawrence County

#### Disability - Reasonable Accommodation

There were five phone tests designed to test the housing provider's response to a request for a reasonable accommodation. A reasonable accommodation is a change in the landlord's rules, policies or services that are necessary in order for the disabled person to have equal opportunity to use and enjoy a dwelling. The tester requested an accommodation to the "no pet policy" by allowing her to have her emotional support animal on the premises. **Results** – In one test there were findings of discrimination; in one test the unit was unavailable; and in three remaining tests there were no findings.

### Disability

There were five phone tests designed to test the housing provider's response to renting to a person with a mental disability. **Results** – In one test neither tester was able to make contact with the housing provider; in one test the unit was indicated unavailable to both the protected and control tester; and in the other three tests there were no findings.

#### Familial Status

There were ten phone tests designed to test the housing provider's response to a family interested in renting their unit. Several of these calls were in areas that students typically rent in. **Results** – One of the tests had a finding of differential treatment in which the agent said the unit was not for a family, but she would still rent to the tester for a higher price. One test resulted in inconclusive results while the eight other tests had no findings.

#### Race

Ten tests were conducted to test for discrimination based on race. We used female testers, in which the protected tester was African American and the control tester was Caucasian. **Results** – In all ten tests, there were no findings.

Overall, there were findings of discrimination in two out of thirty tests, or 7%, a small portion of the overall tests.

### **Summary of Stakeholder Meetings**

April 26 & 27, 2017

# St. Lawrence County Human Services Building 2<sup>nd</sup> Floor Conference Room

#### Stakeholder Session 1

The membership of this meeting constituted a cross-section of private landlords, realtors, codes enforcement officers, and a local judge.

Here are several of the key issues that were discussed during the roundtable session:

### **Knowledge of Fair Housing rules**

When asked whether there was adequate knowledge among housing providers, there was some disagreement among participants. At first it the response was in general a distinct lack of knowledge on fair housing rules, but it was then stated that there was a split between the type of landlord. Larger property owners that hired property managers generally provided training for those managers and made best efforts to learn and abide by fair housing rules. However, there was large agreement that smaller landlords who owned only a few properties were generally unaware of fair housing rules.

### **Inspections and Rental Registry**

There was extended discussion of how to best shape policy on inspections of rental properties. One participant commented that Ogdensburg's rental registration program was "the best thing in the world". It requires an inspection every 3 years for all rental properties, including single family and smaller-sized units, for a fee of \$75 a year. Some landlords felt that the inspection served as protection for them, as the inspection was confirmation that landlords were keeping their properties in quality condition.

However, there has been some backlash in other communities on proposals like this. In several communities, inspections are only mandatory for buildings that containing 3 or more units. However, in many locations, as noted by those from Canton, Potsdam, and Massena, single and double family homes make up the bulk of their rental properties and often have significant problems, and are essentially going uninspected. However, especially in Canton, when a rental registry or mandatory inspection is brought up, there is significant pushback from landlords and the community about overintrustion by the government. A good example of this attitude can be seen in this newspaper: <a href="http://www.watertowndailytimes.com/news05/canton-village-officials-get-mixed-input-on-rental-registration-law-20170404">http://www.watertowndailytimes.com/news05/canton-village-officials-get-mixed-input-on-rental-registration-law-20170404</a>

#### Out of town landlords

There is a general frustration expressed in many different towns about how to deal with out of town landlords. These landlords cause numerous problems, including who to contact in emergencies (carbon monoxide alarm is going off) and cause problems for codes enforcement offices to enforce violations.

#### **Codes Enforcement**

There was a lengthy discussion on the current successes and challenges of codes enforcements, and ways enforcement can be improved. Most code enforcement officials try to work with landlords to remedy codes problems before enforcing codes. However, in many locations there is a large contingent of landlords who do not seem to care about complying with

codes. They will often take fines or fees as a cost of doing business rather than directly dealing with problems. When asked about the heroin epidemic, many in the room felt that this contributed to the worsening of living conditions, and often times landlords don't care about the condition of their places as long as they are receiving money and do not have to deal with problems. For example, there was a feeling in Massena that lease agreements were a joke, and that when any tenant made a codes complaint, the landlord would evict them and be able to find a new tenant, leading to a constant churn of people.

There is also a large problem with following through to actually get codes enforced. The process is lengthy and complicated. Codes officers have to go to great lengths to document all of their actions with landlords, and then to get anything enforced they have to push their cases to courts. Once they get there, there were numerous complaints that the courts are not designed to handle codes enforcement, and do not understand the process. This process is extremely expensive and time consuming for municipalities.

Codes enforcement officers also spoke of challenging situations in which they are told to "put on blinders." For example, if a one family unit is being occupied by three families, it is difficult to take action, because that could lead to some of the people occupying this house to be homeless.

### Lack of participation in home improvement programs

The county received several sources of funding (such as LIHTC, CDBG, HOME, etc.) for home improvement that is not being adequately used due to the complex application process. Much of the population most in need of these funds are elderly, and struggle to adequately complete the application process, especially if it is online. Many programs also require a level of investment from the property owner, which is almost never contributed. This leads to a dangerous cycle: needed funds not being accessed, leading to less funds from the federal government, to even less funds being used.

### **Possible Solutions**

- -Rental registries were generally agreed as an effective way to improve pro-active inspections, although difficult to implement politically
- -Municipal ticketing, in which codes officers can issue fines directly for codes enforcement without having to go to court, was praised as a great solution
- -Tacking on unpaid/ignored fines by out of town landlords to annual tax bills
- A simplified, one-step process for several home-improvement funding programs, such as those worked on by GHHI at a national level, would help to get more homeowners to access needed funds. In addition, more support in the process, either from the county or non-profits -Landlord and tenant rights and responsibilities trainings, including materials such as a model lease, application, tenants rights and responsibilities codes, etc.

#### Stakeholder Session 2

This roundtable discussion was attended by a wide variety of service providers and lawyers, including those working with the homeless, elderly, economically disadvantaged, sick, and many others. The following is a summary of some key issues that were discussed:

### Lack of ability to fight for Fair Housing

There was an oft-repeated sentiment that even when fair housing violations were committed, there was a limited ability to fight back against the landlords carrying them out. One provider explained that they knew discrimination is against the law, but if they push to get their clients housed in an unwelcoming environment it will lead to them being harassed. Similarly, their clients are often in desperate need of housing, and do not have the time or resources to fight the discrimination that they face.

### Increasingly distressing behavior from Public Housing managers

There were several reports of inappropriate behavior increasing in recent years by those working at public housing authorities. For example, there was a story Public Housing Authority property manager in the county who deemed an apartment abandoned, even though they were told the tenant would be in Syracuse for an extended period of time to receive medical treatment. All of the tenant's belongings were taken from the apartment and thrown out. In addition, there is a lot more aggression by property managers in attempting to assert that certain elderly patients do not have the ability to live alone.

### Landlords overstepping their bounds

Multiple service providers stated that many landlords are too intrusive in attempting to determine whether elderly tenants are able to live on their own. Often this is well intentioned, with property managers truly believing that people need more help. Other times, this is a thinly veiled attempt to remove a tenant from the premises.

No matter what, several housing providers noted, it is not the place of these landlords to determine whether or not these tenants are able to live on their own, and these attempts could violate their fair housing rights. There was recognition that a lot of times people with severe mental health problems do wind up in subsidized housing due to the lack of other options, which was challenging for property managers, but this behavior is still unacceptable.

### **Codes Enforcement**

There was large agreement that the quality of codes enforcement varied widely throughout the county. Outside of the five major population centers, there was essentially no enforcement. Often times, the codes enforcement officer does not know that they have the power to enforce codes violations, and instead think that they are just there to issue building permits.

There is also little recourse for codes officers who come upon the worst of conditions. Buildings are often deemed to be condemnable, but codes officers are unlikely to take action because those living in the building are highly likely to become homeless if their building is condemned. Owner-occupied property was basically considered untouchable for codes, with participants

saying the idea of "rugged individualism", in which people can choose how they live, is influential in the area.

There was also a suggestion that this poor codes enforcement especially has an impact on elderly and disabled people who cannot escape their situations. One pertinent example was brought up of a building with many rental apartments that was owned by an elderly gentleman who was a hoarder, and refused to have anyone help him keep the building up. Instead, he continuously lowered the rent until he found new tenants, who were mostly disabled or elderly and could not find rent that cheap anywhere else, and did not have the resources to get help for the awful living conditions in the building.

However, in the larger population centers, there was agreement that things have improved over the last 30 years. In Gouverneur, especially, buildings have come a long way since tenement buildings in terrible condition. It was acknowledged that enforcement certainly wasn't perfect, but was at least improving.

### **Diversity, Shifting Dynamics, and College Towns**

Many participants commented on the shifting dynamics of the county, especially in regards to college towns. While there were not often cases of blatant discrimination, one participant thought it was "naive" to not believe that landlords both in Ogdensburg and Massena, and in the college towns of Canton and Potsdam, are refusing to rent to people based on race. However, most landlords know how to obfuscate that reason, and instead blame it on bad credit or landlord reports.

This observation was followed by a discussion of more general tensions in the county regarding race, away from the housing topic. One participant attended a town hall near Massena where she heard police officers discussing deliberately setting speed traps to pull over Native Americans. There is also the idea of people coming from "downstate" and causing tensions, with a strong racial dynamic. This is evident both with the colleges, where there is increasing diversity, and in the Ogdensburg/Massena area. There have been several flashpoint incidents at SUNY Potsdam, and comments on articles in local news websites. Many people believed these dynamics could also subtly apply in the housing market.

### The heroin epidemic and "the blacklist"

There was widespread agreement that it is difficult for those who had previously been arrested for drug crimes to find housing, even if they had received treatment and were actively working on staying sober. The communities in the county are small towns, and arrests and problems are typically public knowledge. The Department of Social Services often classifies those coming out of addiction treatment as homeless, and housing providers are often not notified that the tenant is coming out of treatment.

Somewhat connected, there are multiple reports of a "tenant blacklist" in Massena, and many service providers say that many of their clients report being on this list. This is especially troubling due to the potential for abuse of the "blacklist," with the potential for someone to be permanently stripped of the opportunity for housing due to calling codes or attempting to get the landlord to take care of their unit. However, it was also agreed upon that there were several good landlords in Massena that service providers enjoyed working with.

#### Stakeholder Session 3

This roundtable discussion was attended by a variety of city, county, and town planners, and subsidized and public housing providers.

Here are some of the key issues discussed in the meeting

### Challenges and successes for Section 8 and public housing

The number of assigned section 8 vouchers for the county to administer was 717 at the end of March, however the Section 8 office was told they had a few months to whittle this number down to 689. The waiting list time for Section 8 is currently 2-5 years. Attrition happens mostly through death, with most of those receiving vouchers staying on the program for a long time.

There is typically no problem with landlords refusing to take section 8 vouchers, given the housing market. However, there can be problems with finding housing that will pass Section 8 inspections.

A positive regarding Section 8 was an increase in pay standard because of rent increases in Canton and Potsdam due to student housing and in Gouverneur due to increased members of the military looking for housing.

The section 8 administrators expressed some confusion about how exactly to work with the Department of Housing and Community Renewal on how to set up preferences, such as those for veterans and victims of domestic violence.

In Massena, public housing faces a unique challenge. The given "market rate" rent is actually too high, given the rapidly decreasing demand for housing due to several factories and plants being closed. This allows private landlords to undercut the pricing for public housing, and several family units are permanently vacant, which is also exacerbated by decreasing familyage population.

#### Colleges influence on housing market

The presence of the colleges in Potsdam and Canton are changing both the housing market and social dynamics. In the housing market, students are increasingly moving into previously owner-occupied neighborhoods, driving up rental prices and forcing others out. There are very few rental options for middle-to-upper income individuals and families due to the presence of students, as landlords can make more money charging students per bed. In addition, as more luxury apartments are planned to built, there is concern about the current single and double family homes being rented being abandoned, as the quality of the housing stock will be lower after neglect from tenants and landlords.

In addition, visiting professors often buy housing for when they are working in town, and then move, but keep the property as a rental, This contributes to the amount of out of town landlords who are difficult to track down with problems. In general, there is very little by way of programs to encourage local ownership of rental properties.

There was also talk of the shifting social dynamics based on increasing diversity. The group had heard of little in direct discrimination based on race in terms of finding market, largely due to the landlords need for money. However, there is often controversy in the broader community, with a key flash point being a march in town similar to a Black Lives Matter march, coverage of which can be found in this local news article:

http://www.watertowndailytimes.com/news05/suny-potsdam-student-group-power-marches-into-potsdam-village-to-protest-against-hate-blocking-traffic-video-20151205

### Difficulty with near homelessness

There was discussion about the technical definition of homelessness being too narrow, and preventing those in need from accessing services. These are often individuals or families who are sleeping on couches of relatives or friends, constantly bouncing around place to place. However, because they are not technically without a place to stay, they cannot access services that would help their predicament.

### How to improve home ownership programs

There was a thought that the section 8 homeownership transition program is successful for those who use it, but is overall significantly underutilized. There was a comment that many service providers did not know of these programs, and this would be a useful program to inform them of.

In addition there were suggestions of more resources for first time homeowners in general, with a focus on tenant/homeowners classes for high school seniors as a particularly good forum. Habitat for humanity runs a similar program, running homeownership classes in partnership with the North Country housing council that are mandatory for those participating in their programs.

### **Stakeholders Meeting**

Wednesday, April 26, 2017 9:30 am to 11:00 am 2<sup>nd</sup> Floor Conference Room, HSC 80 SH 310, Canton, NY

Name	Email Address	Signature
Camp, Robert	neamp@ Ny counts con	fallet Many
Evans, Lance	levans@slcmls.com	Agr En. E
Forbes, Bob	brasher code@nnymail.com	Nober Forbes
Hadfield, Deanna	pinegrove@coniferllc.com	Deanna Stedfield
Hardy, Aaron	aaron hardy @massenafd.org	Am 2
Hazelton, Avis	codeclerk@willagemasser	a.ny. US Kus Hasselle
Langdon, Sherri	Sherilangdon@cipdsdam	
Lawrence, Russell	Canton has By also	· con f
Petrosky, Dorothy	dottrealty1@gmail.com	a 1
Sanderson, Bobbi	bSanderson & CVPotsdam.com	, Bh
Stevens, Jennifer (Stevenson)		6
Tuttle, Tim	4 Oscode@nnymail.com	Carpen
Vieths, Jennie	jcvieths@gmail.com; cantonmanor@coniferllc.com	14/14/1/2
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Wolan, Tim	trolanacartonny, us	Fring Malay
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### **Stakeholders Meeting**



Thursday, April 27, 2017 9:30 am to 11:00 am 2<sup>nd</sup> Floor Conference Room, HSC 80 SH 310, Canton, NY

Name	Email Address	Signature
Colby, Lucy		
Hewitson, Sherri	sherri@cpnorthcountry.org	
Mikolay, John	jmikolay@tlsnny.com	
Montgomery, Andrea	AMontgomery@stlawco.org	
Patterson, Florence		
Wilson, Sherry	Swilson Quertealthor	a Shund of
TASONI PI-OTENHAM		
Ed Sachs	sachs ed @ amal, con	1
Nicole Kennedy	nmkennedy@heipers.org	Nicole Kennes
John Mikolay	imikolay C Hisnayicom	Jul My 0
Sherri Hewitson	[ · ]	orge Skeryl Hewitson
Florence Patterson	culture pice i organill	on Horence Fallerson
Pat Hand	40 a 523@ Stlawco.org	For Hand
Susan Gagnon	Sagnonelasnnxorg	Sun E. Hagnon
Hows Elliott	Letion e acreheater ou	Lle Ellite-
Christine Martin	cmartin@ Seche. org	Objective martin
Anute Bryman	abowman@siche.org	Gligtte Bornan
Micde Woods	herpdir Dsleedpoore	Micolo woods
Alexandra Beek	abeck @ co. jefferson. ny. us	alled
MICHAEL BOURCY	mbourcy & co. , etterson. NY.	is Muchant & Bours
William J.FASSinger	WSFASSING a 1221 of gmin .com	Williaftany
Kathenine Allott	Kallottone. twebc.com	n Xathlyne Myst
Fred Hans	Fhanssevi, potsom uz.	5 Had Jaus
Kenta Zimmalmo	Krimmerman C stlawco.org	M. F.
ANDREA SMITY.	ASMITH @ COGOENSBURG. O	of Cully

### GOAL #1: Make Code Violations Easier to Enforce via a Municipal Ticketing Process or Similar Mechanisms to Strengthen Code Enforcement

### • <u>Contributing Factors</u>:

- Town Court processes often are not set up for efficient handling of codes violations.
  - o It can be difficult to enforce penalties for code violations even when they are found, especially for out-of-town landlords who use LLCs.

### • Fair Housing Issues:

- Inefficient court procedures and codes enforcement leads to degradation of housing stock and poor living conditions for the most vulnerable residents of the County.
  - o Inefficient court procedures

### Metrics, Milestones and Actions:

- Meet with stakeholders including Code Enforcement Officers, municipal justices, and CDP staff who administer the Housing Choice Voucher Program to discuss how to effectively address building codes violations
  - Schedule a Property Maintenance Code presentation at the Magistrate's Association meeting by State code official Whitney Russell
  - o Coordinate justice court training on the State's Property Maintenance Code
  - Discuss how to address building code violations at a county code enforcement officer association meeting
  - Examine whether East Syracuse's Problem Tenant's Law can be replicated in the county when police respond to nuisance tenant problems (but include an exemption for victims of domestic violence)
  - o Quantify rental housing stock that is single, two and multi-family units.

- SLC Planning Office
- Rental Law Enforcement staff from Villages that have local regulations (Potsdam, Ogdensburg, etc.)
- County Code Enforcement Officers Association
- County Town/Village Justices Association
- NYS Dept. of State Division of Building Standards and Codes
- SLC Community Development Program

# GOAL #2: Improve Living Conditions via Inspections on Apartments

### • <u>Contributing Factors</u>:

- Current rental registry laws are in effect in only two of St. Lawrence County's population centers, which omit the inspection of apartments elsewhere in the county.
  - o Especially in rural areas, these rental units may constitute a significant sector of housing stock.

### • Fair Housing Issues:

- The absence of effective inspections, especially when paired with inefficient code enforcement, can exacerbate poor housing conditions for the most vulnerable populations.
  - o It can be difficult to enforce penalties for code violations even when they are found, especially for out-of-town landlords who use LLCs.

### • Metrics, Milestones and Actions:

- Meet with Code Enforcement Officers to discuss how to effectively address building code violations.
- Introduce Fair Housing as a workshop track at the Local Government Conference.
- Research local rental laws to determine gaps in coverage/enforcement.
- Develop a model inspection law that can be adopted by municipalities in the county.
- Count and locate the number of rental units in each community.
- When COEs must condemn rental units:
  - o Provide temporary accommodations for displaced tenants.
  - o Provide technical assistance to landlords to make needed repairs.
- Increase landlord participation in municipal housing rehabilitation programs.

- SLC Planning Office
- MILC ("Maximizing Independent Living Choices"; formerly known as "Massena Independent Living Center")
- Department of Social Services
- Community Development Block Grant program
  - Managed by North Country Housing Council (locally) and NYS HCR Office of Community Renewal (at the state level)
- Rural Housing Coalition
- Municipal Code Enforcement Officers Association

### GOAL #3: Increase Fair Housing Education for Local Government Officials

### • Contributing Factors:

 The Ogdensburg zoning controversy, and reactions made at FH roundtable sessions, make clear that there is more need for housing knowledge among local officials and service providers.

### • Fair Housing Issues:

 A lack of knowledge among those who need to make decisions can lead to a lack of housing opportunity for protected classes, and legal problems for municipalities.

### • Metrics, Milestones and Actions:

- Deliver frequent training sessions on Fair Housing topics to selected audiences
  - o e.g., Code Enforcement Officers
  - o Include Fair Housing training as a workshop at Local Government Conference
- Pursue funding to produce Public Service Announcements for local media (newspaper; radio; television; Internet).

- SLC Planning staff; Planning staff in Jefferson & Lewis Counties
- Community Development staff in municipalities.
- Town/Village Boards
- Legal Aid Society of Northeastern New York
- St. Lawrence County Bar Association
- Local lenders
- St. Lawrence County Board of Realtors
- Knowledgeable consultants (e.g., CNY Fair Housing, others)
- NYS HCR Fair and Equitable Housing Office
- HUD Fair Housing technical services

### GOAL #4: Increase Fair Housing Outreach for Tenants and Service Providers

### • <u>Contributing Factors</u>:

- Lack of knowledge among service providers and tenants is a contributing factor.

### • Fair Housing Issues:

- A lack of Fair Housing law enforcement contributes to an increased likelihood of Fair Housing law violations.
- At a time when the number of female-headed-households-in-poverty and other at-risk populations are increasing, at-risk tenants and service providers should be able to take advantage of available resources to enforce Fair Housing rights.

### • Metrics, Milestones and Actions:

- Deliver training sessions on Fair Housing topics to service providers (DSS; CDP; community/neighborhood service providers).
  - Include Fair Housing presentations as a workshop at Local Government Conference
- Pursue funding to produce Public Service Announcements for local media (newspaper; radio; television; Internet).

- SLC Planning staff
- Other County-level service providers (DSS; CDP; Renewal House; etc.)
- Community Development staff in municipalities.
- Community/neighborhood service providers
- Centers for Diversity at local college campuses
- Knowledgeable consultants (e.g., CNY Fair Housing; Volunteer Lawyers Project of Onondaga County; others)
- NYS HCR Fair and Equitable Housing Office
- HUD Fair Housing technical services

# GOAL #5: Make Applying for and Obtaining Funding for Home Improvements Easier

### • <u>Contributing Factors</u>:

- Lack of technical skills, a complex application process, matching funding requirements makes it difficult for many homeowners/landlords to obtain funds to bring their housing units to code.
- Federal and State housing resources to improve housing conditions for low to moderate income households and vulnerable populations are available to nonentitlement communities on a competitive basis, and the availability of funds continues to decrease over time.

### • Fair Housing Issues:

- Difficulties in accessing rehabilitation funding make it harder to improve housing quality for most vulnerable residents.

### • Metrics, Milestones and Actions:

- Continue to apply for state and federal housing resources to improve housing conditions in the county.
- Examine the possibility of using low income housing tax credits on a scattered site basis throughout the county to repurpose 'zombie properties' into affordable housing (Rural, single-site projects otherwise have a lower return on investment and cannot be financed on their own).
- Meet with service providers to create common application process for housing assistance.
- Deliver frequent training sessions on Fair Housing topics to service providers (DSS; CDP; community/neighborhood service providers).
- Deliver training sessions on Fair Housing topics to vulnerable populations.

- SLC Planning staff
- Other County-level service providers (CDP; Housing Council; USDA; etc.)
- Community Development staff in municipalities
- Development Authority of the North Country
- Community/neighborhood service providers
- Local lending institutions

# GOAL #6: Create a Preference of Housing Choice (Section 8) Waiver List for Victims of Domestic Violence, and for Veterans

### • Contributing Factors:

- There is a disproportionate need for housing for female-headed households (which are most likely to suffer from domestic violence).
- There is a disproportionate need for housing for discharged veterans.
- Many housing providers are not aware of the procedures to set up preferences for these populations.

### • Fair Housing Issues:

 Lack of preferences for these special populations delays the acquisition of safe, affordable, quality housing.

### • Metrics, Milestones and Actions:

 Work with legal representatives, regulatory agencies, agency staff, and landlords to acquaint them with this rental option and determine how to establish such preferences.

### • Project Partners (formerly "Responsible Program Participants"):

- SLC Planning staff
- Other County-level service providers (CDP; Housing Council; USDA; etc.)
- Legal Aid of Northeastern New York
- HUD staff
- County Office of the Aging
- Renewal House
- Department of Social Services

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