

Analysis of Impediments to Fair Housing Choice

Baltimore Metropolitan Region

Harford County

November 2011



BALTIMORE METRO AREA ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

1.	HARFORD COUNTY	1
A.	Background	1
B.	Demographic Profile	2
i.	Population Trends	2
ii.	Areas of Racial and Ethnic Minority Concentration	3
iii.	Residential Segregation Patterns	6
C.	The Relationship between Protected Class Status and Income	9
i.	Race/Ethnicity and Income	9
ii.	Concentrations of LMI Persons	10
iii.	Disability and Income	13
iv.	Familial Status and Income	13
v.	Ancestry and Income	15
vi.	Protected Class Status and Unemployment	17
D.	The Housing Market	18
i.	Housing Inventory	18
ii.	Types of Housing Units	20
iii.	Protected Class Status and Homeownership	22
iv.	The Tendency of the Protected Classes to Live in Larger Households	24
v.	Cost of Housing	25
vi.	Foreclosure Status	28
vii.	Protected Class Status and Housing Problems	30
2.	EVALUATION OF CURRENT FAIR HOUSING PROFILE	31
A.	Existence of Fair Housing Complaints	31
i.	U.S. Department of Housing and Urban Development	31
ii.	Maryland Commission on Human Relations	33
B.	Patterns and Trends in Fair Housing Complaints	34
i.	Testing	34
C.	Existence of Fair Housing Discrimination Suit	35
D.	Determination of Unlawful Segregation	35
3.	EVALUATION OF PUBLIC AND PRIVATE SECTOR POLICIES	37
A.	Public Sector	37
i.	Federal Entitlement Programs	37
ii.	Appointed Citizen Boards and Commissions	43
iii.	Accessibility of Residential Dwelling Units	45
iv.	Language Access Plan for Persons with Limited English Proficiency	46
v.	Comprehensive Plan	47
vi.	Zoning	55
vii.	Public Housing	61
B.	Private Sector	70
i.	Real Estate Practices	70
ii.	Home Mortgage Financing	71
iii.	High-Cost Lending	79
4.	ASSESSMENT OF CURRENT FAIR HOUSING POLICY, PROGRAMS AND ACTIVITIES	82
A.	Current Fair Housing Policy	82
i.	Harford County Anti-Discriminatory Practices Law	82
B.	Progress since the Previous AI	83

C.	Current Fair Housing Programs and Activities.....	85
i.	Harford County Human Relations Commission	85
ii.	“Harford in Harmony” Program	85
D.	Fair Housing Advocacy Organizations.....	86
i.	Harford County Office of Human Relations / Human Relations Commission	86
5.	GENERAL FAIR HOUSING OBSERVATIONS	88
6.	POTENTIAL IMPEDIMENTS TO FAIR HOUSING CHOICE	91
i.	Public Sector – Administrative	91
ii.	Public Sector – Programmatic	92
iii.	Private Sector	100
7.	FAIR HOUSING IMPLEMENTATION PLAN	101
8.	SIGNATURE PAGE FOR THE URBAN COUNTY OF HARFORD COUNTY	103
9.	APPENDIX A: SUMMARY OF ZONING ORDINANCES REVIEWED.....	104

Index of Tables and Figures

Figure 1-1 Population Trends, 1980-2008	2
Figure 1-2 Trends in Racial and Ethnic Characteristics, 1980-2008.....	3
Figure 1-3 Areas of Racial and Ethnic Concentration in Harford County, 2009.....	4
Figure 1-4 Harford County Dissimilarity Indices, 1990 and 2000.....	7
Figure 1-5 Maryland Dissimilarity Index Rankings, 2000	7
Figure 1-6 Median Household Income and Poverty Rates by Race/Ethnicity, 2008	9
Figure 1-7 Household Income Distribution by Race/Ethnicity, 2008.....	10
Figure 1-8 Household Income Distribution by Race/Ethnicity, 2008.....	10
Figure 1-9 LMI Block Groups, 2009	11
Figure 1-10 Households by Type and Presence of Children, 1990-2008.....	14
Figure 1-11 Households by Type and Presence of Children, 1990-2008.....	15
Figure 1-12 Language Spoken at Home by Ability to Speak English in Harford County, 2008.....	16
Figure 1-13 Civilian Labor Force, 2008.....	17
Figure 1-14 Trends in Housing Inventory, 1990-2009.....	19
Figure 1-15 Housing Units in Structures, 2000	21
Figure 1-16 Housing Tenure by Race/Ethnicity, 2000	23
Figure 1-17 Families with Three or More Persons, 2000	24
Figure 1-18 Housing Units by Number of Bedrooms, 2000	24
Figure 1-19 Trends in Median Housing Value, Rent and Income, 1990-2008.....	25
Figure 1-20 Loss of Affordable Rental Housing Units, 2000-2008.....	26
Figure 1-21 Residential Foreclosure Rankings by Municipality, January 2007 – June 2008	29
Figure 1-22 Lower Income Households with Housing Problems, 2000	30
Figure 2-1 HUD Complaints by Basis of Discrimination, 1996-2009	32
Figure 2-2 Resolution of Complaints, 1996-2009.....	33
Figure 3-1 Composition of Citizen Boards and Commissions in Harford County, 2010	45
Figure 3-2 Planning Areas in Harford County	48
Figure 3-3 Harford County Land Use Classification Acreage	51
Figure 3-4 Planned Residential Units/ Vacant Land Capacity by Community in Development Envelope.....	52
Figure 3-5 Vacant Land Inventory/ Capacity in Development Envelope by Community Planning Area	54
Figure 3-6 Characteristics of HCHA Section 8 Waiting List Applicants, 2010	62
Figure 3-7 Subsidized Units by Type, 2000 and 2008	67
Figure 3-8 Characteristics of HDGHA Public Housing Waiting List Applicants, 2010	68
Figure 3-9 Summary of Mortgage Loan Activity in Harford County, 2006-2008	72
Figure 3-10 Summary Report Based on Action Taken Mortgage Data, 2008	73
Figure 3-11 Reasons for Denial, 2008	75
Figure 3-12 Denials by Race and Ethnicity, 2008	75
Figure 3-13 Denial Rates by Race and Ethnicity, 2006-2008	76
Figure 3-14 Denial Rate Trends by Race and Ethnicity, 2006-2008.....	76
Figure 3-15 Denials by Income, 2008	76
Figure 3-16 Denials for Lower-Income Applicants, 2008	77

Figure 3-17 Denials for Upper-Income Applicants, 2008	77
Figure 3-18 Distribution of High-Cost Mortgage Loans by Race/Ethnicity & Income, 2006–2008	80
Figure 9-1 Zoning Ordinance Review – Town of Aberdeen	105
Figure 9-2 Zoning Ordinance Review – Town of Bel Air	106
Figure 9-3 Zoning Ordinance Review – City of Havre de Grace.....	108
Figure 9-4 Zoning Ordinance Review – Harford County	109

List of Maps

- Map 1: Concentration of Black Residents in Harford County, 2009
- Map 2: Concentration of Hispanic Residents in Harford County, 2009
- Map 3: Concentration of Black Residents in Harford County, 1980-2000
- Map 4: Low and Moderate Income Areas and Areas of Minority Concentration, 2009
- Map 5: Change in Total Housing Units by Census Tract in Harford County, 1990-2009
- Map 6: Percentage Multi-Family Units by Census Tract in Harford County, 2000
- Map 7: CDBG & HOME Affordable Housing Investments in Harford County, 2005-2009
- Map 8: Location of Section 8 Voucher Holders in Harford County, 2009
- Map 9: Comparison of Assisted Housing and Racial Distribution in Harford County, 2008
- Map 10: Comparison of Public Housing and Racial Distribution in Harford County, 2009
- Map 11: Mortgage Denial Rate by Census Tract in Harford County, 2008
- Map 12: High-Cost Loans by Census Tract in Harford County, 2008

1. HARFORD COUNTY

A. Background

Harford County is located in northeastern Maryland along the I-95 corridor and is part of the Greater Baltimore Region. It sits at the headwaters of the Chesapeake Bay along the Susquehanna River and is home to the Aberdeen Proving Ground, a large U.S. Army military installation, which has begun to grow much larger as result of the Base Realignment and Closure (BRAC) Act of 2005.

There are three incorporated municipalities in the County. *Havre de Grace*, located at the top of the Chesapeake Bay, which once was under consideration to be the capital of the U.S. rather than Washington, D.C. *Aberdeen* is located on the Route 40 corridor in the eastern end of the county and is home to the Aberdeen Proving Ground, which was established during World War I when the need first arose to develop chemical weapons research. *Bel Air*, the county seat, is located in central Harford County. The Bel Air zip code is home to both the largest number of people in the County and the greatest population density.

The population and demographics of Harford County have changed dramatically since 1970, when the County made the decision to create a development envelope to manage the demand for more housing and business opportunities in the area. From 1970 to 2010, the population more than doubled from 115,000 to 248,000.

The five Harford County areas/zip codes with the largest number of residents, comprising 57% of the County's total population, are Bel Air (21014 and 21015), Abingdon, Edgewood, and Aberdeen.

Since 1970, the County has become much more racially and ethnically diverse. In 1970, the non-White population of the County was 8.8% of the total. By 2010, the percentage of non-Whites doubled to 16.8% of the County's population.

Similarly, the percentage of Harford County residents of Hispanic decent almost doubled from 1.5% in 1990 to a projected 2.7% in 2010. The five areas/zip codes with the largest number of Hispanic or Latino residents include Belcamp, Aberdeen, Edgewood, Abingdon, and Havre de Grace.

The highest percentages of minorities in Harford County are located on the Route 40 corridor. The five areas/zip codes with the highest concentrations of minorities are Edgewood, Aberdeen, Belcamp, Havre de Grace, and Joppa.

The Black community comprises the largest minority population cohort in the County and accounts for 73% of the total minority population. The Harford County areas/zip codes with the largest Black communities are located along Route 40 and include Edgewood, Aberdeen, Belcamp, Havre de Grace, and Joppa.

B. Demographic Profile

i. Population Trends

The population of Harford County, similar to surrounding counties in the region, has changed significantly over the last 30 years. Total population has increased 64.7% to 240,351 in 2008 from 145,930 in 1980. Increases have occurred among all races with the number of minorities increasing at a much faster pace than the number of Whites.

In 1980, Whites accounted for 90% of the population; by 2008, this segment comprised 83.1% of all residents despite a 52% increase in the number of White residents. This decrease in the percentage of Whites occurred as a result of substantial growth in the number of minority residents. The number of Blacks, which comprised 8.3% of the 1980 population, increased over 150% from 12,167 to 30,424 residents. Asian/Pacific Islanders increased more than three-fold from 1,307 to 5,715. A comparable increase was also noted among All Other Races combined. Hispanics grew from 1.2% of the population to 2.7% by 2008.

**Figure 1-1
Population Trends, 1980-2008**

	1980		1990		2000		2008		% Change 1980-2008
	#	%	#	%	#	%	#	%	
Harford County	145,930	100.0%	182,892	100.0%	218,590	100.0%	240,351	100.0%	64.7%
White Population	131,347	90.0%	160,988	88.0%	187,590	85.8%	199,619	83.1%	52.0%
Non-White Population	14,583	10.0%	21,904	12.0%	31,006	14.2%	40,732	16.9%	179.3%
Black	12,167	8.3%	15,530	8.5%	19,837	9.1%	30,424	12.7%	150.1%
Asian/Pacific Islander	1,307	0.9%	2,503	1.4%	3,306	1.5%	5,715	2.4%	337.3%
All Other Races	1,109	0.8%	1,050	0.6%	4,138	1.9%	4,593	1.9%	314.2%
Hispanic	1,751	1.2%	2,821	1.5%	3,725	1.7%	6,587	2.7%	276.2%

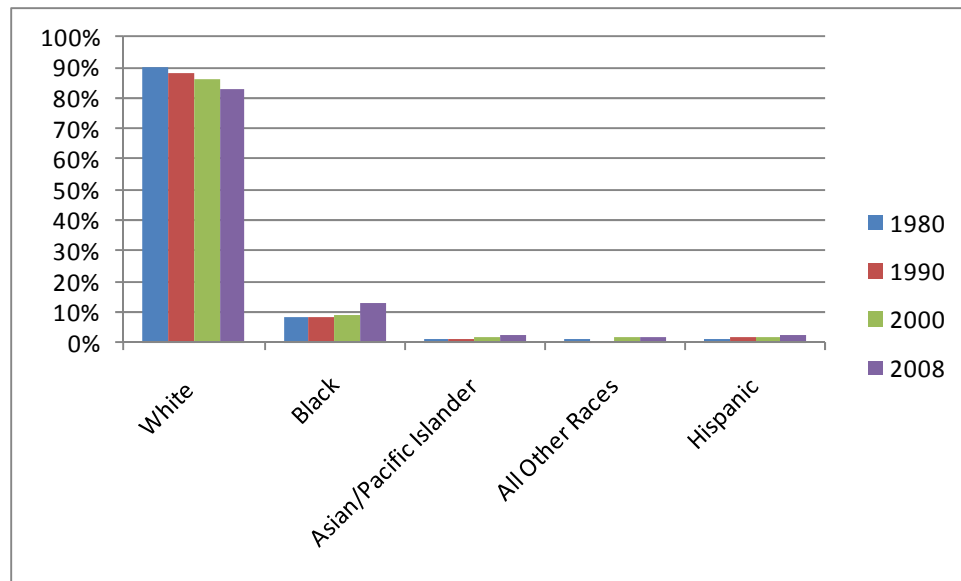
Source: U.S. Census Bureau, 1980 Census (Table DP-1), 1990 Census (STF-1, P008), Census 2000 (SF3, P7), 2008 American Community Survey (B02001, B03002)

Diversity among minorities also increased during this period. In 1980 Black residents were the most populous minority, representing 83.4% of all minorities. By 2008, however, Blacks accounted for 74.7% of all minorities as a result of an influx of persons of various other races as well as Hispanics.

OBSERVATION: Harford County has experienced significant growth between 1980 and 2008. Such growth has resulted in a continuous demand for housing units to accommodate an increasing population.

For the purposes of this report, detailed analysis is provided for the primary races in Harford County, which include Whites, Blacks, and in some cases, Asian/Pacific Islanders. Hispanics are also included as an ethnic minority. In all other cases, the sample size of the population of an individual race was identified by the Census Bureau as being too small to analyze.

Figure 1-2
Trends in Racial and Ethnic Characteristics, 1980-2008



OBSERVATION: Since 1990, minorities have increased from 12% to almost 17% of the total population in Harford County.

ii. Areas of Racial and Ethnic Minority Concentration

HUD defines areas of racial or ethnic minority concentration as geographical areas where the percentage of a specific minority or ethnic group is 10 percentage points higher than the County overall. In Harford, Blacks comprised 11.9% of the population according to 2009 estimates.¹ Therefore, an area of racial concentration would include any census tract where the percentage of Black residents is 21.9% or higher. There are nine census tracts that meet this criterion, all of which are illustrated on the following pages. These areas include Belcamp, Perryman, Abingdon, Magnolia, Aberdeen, and Havre de Grace. No other racial minority group meets this criterion for an area of concentration.

Hispanic residents represent 2.7% of the total population. An area of ethnic concentration would include any census tract where the percentage of Hispanics is 12.7% or higher. Two census tracts meet this criterion, both of which are illustrated on the following pages. These areas are located south of Perryman and south of Magnolia, and are also areas of concentration of Black residents.

¹ Data obtained from DemographicsNow for 2009 was used to identify areas of racial and ethnic concentration and to determine the dissimilarity index for a city or county.

The following chart provides a summary of the percent of White and minority residents by census tract in Harford County. All impacted areas are highlighted in light blue.

Figure 1-3
Areas of Racial and Ethnic Concentration in Harford County, 2009

Census Tract	Total Population	White %	Minority Residents		
			Black %	Asian/Pacific Islander %	Hispanic %
Harford County	237,097	81.4%	11.9%	2.2%	2.7%
3011.02	3,278	91.1%	4.9%	1.5%	1.0%
3011.03	8,043	87.8%	5.6%	2.9%	2.2%
3011.04	6,551	77.4%	11.1%	4.7%	4.4%
3012.01	1,944	90.8%	4.7%	0.8%	1.2%
3012.02	5,438	86.5%	6.3%	3.7%	2.2%
3012.03	8,445	83.3%	9.2%	2.9%	3.5%
3013.01	4,249	84.8%	9.5%	1.3%	1.2%
3013.02	6,956	51.6%	37.9%	2.7%	4.9%
3014.01	7,163	80.0%	12.2%	2.1%	3.5%
3014.02	2,449	79.8%	14.2%	1.3%	2.3%
3015	150	48.0%	34.7%	4.0%	12.7%
3016.01	6,110	54.9%	34.7%	1.5%	5.7%
3016.02	7,283	69.9%	21.0%	1.7%	4.2%
3017.01	8,918	78.3%	14.9%	1.9%	3.3%
3017.02	7,156	74.8%	17.6%	1.9%	3.6%
3021	2,063	92.1%	4.3%	1.7%	0.9%
3022	2,399	87.5%	8.1%	1.1%	0.8%
3024	2,882	67.8%	25.5%	1.4%	3.6%
3025	3,024	40.7%	40.1%	3.7%	14.1%
3028.01	3,162	72.4%	16.2%	5.0%	2.8%
3028.02	4,807	52.7%	34.5%	2.6%	6.4%
3029.01	2,332	56.2%	33.2%	1.5%	4.6%
3029.02	4,461	53.6%	34.9%	3.0%	4.9%
3031	7,887	90.2%	5.4%	2.0%	2.4%
3032.01	5,087	91.6%	5.5%	0.9%	1.4%
3032.02	12,677	91.2%	4.3%	1.9%	1.5%
3033	5,716	93.3%	3.2%	1.6%	1.6%
3034	3,804	91.9%	3.5%	1.8%	1.4%
3035	9,503	89.5%	4.5%	2.7%	1.8%
3036.02	3,814	90.4%	4.6%	2.5%	1.2%
3036.03	6,744	87.8%	5.6%	3.7%	2.0%
3036.04	8,569	87.1%	5.8%	3.4%	2.8%
3037	3,813	89.3%	6.8%	0.9%	1.5%
3038	9,534	87.1%	7.6%	1.8%	1.7%
3039	2,594	91.1%	5.1%	1.6%	2.0%
3041	7,727	93.3%	3.3%	0.8%	1.1%
3042.01	6,039	93.0%	3.3%	1.5%	0.8%
3042.02	6,389	91.6%	4.4%	1.1%	0.9%
3051	6,909	92.7%	3.3%	0.9%	1.3%
3052	2,908	89.8%	6.7%	0.7%	1.0%
3053	2,130	85.5%	9.9%	0.6%	1.5%
3061	4,853	63.2%	28.4%	1.7%	4.0%
3062	3,059	80.1%	12.9%	1.4%	2.5%
3063	2,385	75.8%	15.7%	2.0%	1.3%
3064	5,693	80.2%	12.2%	2.2%	2.6%

Source: Demographics Now

OBSERVATION: There are nine areas of racial and/or ethnic concentration (Black and/or Hispanic) in Harford County. These areas are located in Belcamp, Perryman, Abingdon, Magnolia, Aberdeen, and Havre de Grace.

Maps 1 and 2 on the following pages depict the geographic location of areas of racial and ethnic concentration. In Harford County, the census tracts outlined in *red* are areas of concentration of Black residents, which are also referred to as impacted areas. The census tracts denoted with a *green* cross-hatch pattern are areas of concentration of Hispanic residents, similarly referred to as impacted areas. It is within these impacted areas that other demographic characteristics—such as income and housing—will be analyzed.

iii. Residential Segregation Patterns

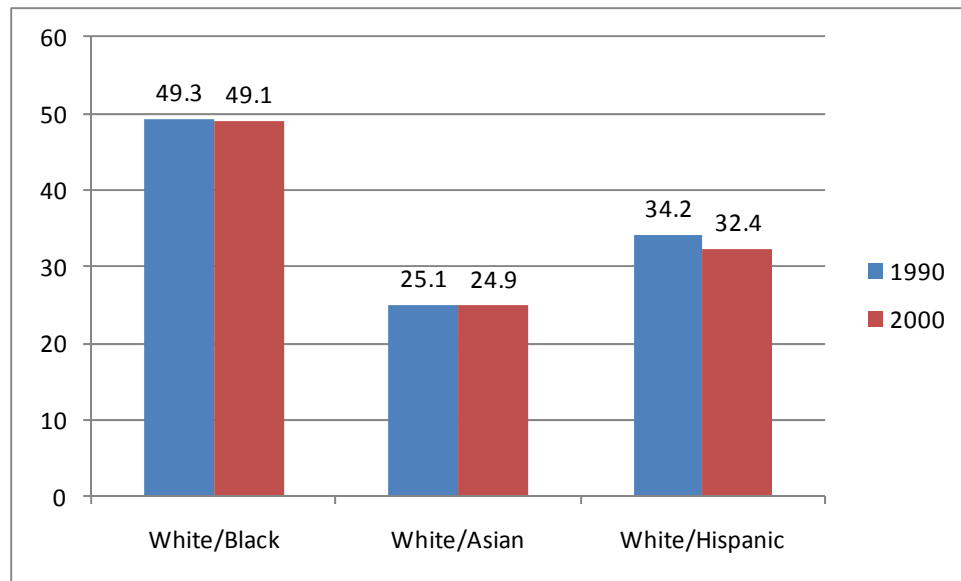
Residential segregation is a measure of the degree of separation of racial or ethnic groups living in a neighborhood or community. Typically, the pattern of residential segregation involves the existence of predominantly homogenous, White suburban communities and lower income minority inner-city neighborhoods. A potential impediment to fair housing is created where either latent factors, such as attitudes, or overt factors, such as real estate practices, limit the range of housing opportunities for minorities. A lack of racial or ethnic integration in a community creates other problems, such as reinforcing prejudicial attitudes and behaviors, narrowing opportunities for interaction, and reducing the degree to which community life is considered harmonious. Areas of extreme minority isolation often experience poverty and social problems at rates that are disproportionately high. Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates and increased homicide rates.

The distribution of racial or ethnic groups across a geographic area can be analyzed using an index of dissimilarity. This method allows for comparisons between subpopulations, indicating how much one group is spatially separated from another within a community. The index of dissimilarity is rated on a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation.² The index is typically interpreted as the percentage of the minority population that would have to move in order for a community or neighborhood to achieve full integration.

In 1990, Harford County had a White/Black dissimilarity index of 49.3 as illustrated in Figure 1-4. This number remained virtually the same in 2000 when CensusScope reported that the index had decreased only slightly to 49.1. A similar trend was noted among Whites and Asians as well, with the dissimilarity index decreasing from 25.1 to 24.9. Among Whites and Hispanics, the decrease was slightly more with the index falling from 34.2 to 32.4.

² The index of dissimilarity is a commonly used demographic tool for measuring inequality. For a given geographic area, the index is equal to $1/2 \sum \text{ABS} [(b/B)-(a/A)]$, where b is the subgroup population of a census tract, B is the total subgroup population in a city, a is the majority population of a census tract, and A is the total majority population in the city. ABS refers to the absolute value of the calculation that follows.

Figure 1-4
Harford County Dissimilarity Indices, 1990 and 2000



Of the 11 cities (with populations exceeding 25,000) and the counties in Maryland for which dissimilarity indices were determined, Harford County ranks just above mid-range in segregation of the Black population. The County's 2000 dissimilarity index of 49.1 for White persons and Black persons ranked seventh out of 11, and indicated that White persons and Black persons in Harford were segregated on a level comparable to the City of Baltimore.

Figure 1-5
Maryland Dissimilarity Index Rankings, 2000

Rank	City	Black Population	White Population	Total Population	Dissimilarity Index
1	Frederick city	7,641	39,568	52,767	32.3
2	Hagerstown city	3,661	31,244	36,687	34.9
3	Howard County	35,412	183,886	247,842	36.2
4	Gaithersburg city	7,457	25,818	52,613	39.6
5	Rockville city	4,200	29,342	47,388	43.6
6	Anne Arundel County	65,280	397,893	489,656	47.6
7	Harford County	19,831	189,489	218,590	49.1
8	Bowie city	15,339	30,709	50,269	49.2
9	Baltimore city	417,231	206,445	651,154	49.3
10	Annapolis city	11,205	21,137	35,838	56.2
11	Baltimore County	149,943	561,524	754,292	64.9

Source: CensusScope & U.S. Census 2000

OBSERVATION: Harford County is moderately segregated with a dissimilarity index of 49.1 for Whites/ Blacks. The dissimilarity index for Whites/ Hispanics is significantly lower at 32.4. The index for Whites/ Asians in the County is the lowest at 24.9.

Map 3 on the following page illustrates the geographic migration of Black residents by census tract in Harford County between 1980 and 2000. The map shows that Blacks have migrated into the southern portions of the County over the last two decades.

C. The Relationship between Protected Class Status and Income

i. Race/Ethnicity and Income

Household income is one of several factors used to determine a household's eligibility for a home mortgage loan. A review of median household income reveals a stark contrast between Whites and minorities in Harford. The median household income in 2008 for Blacks was \$62,763, equivalent to only 79% of the median income for Whites. The situation was even worse for Hispanics with a median income of \$45,942, equivalent to only 58% of the median income for Whites. By comparison, Asians had a significantly higher median income at \$82,448.

A higher poverty rate among Blacks coincided with a lower median income. In 2008, the poverty rate among Blacks was more than triple the rate for White residents. Sample sizes of the Asian and Hispanic populations in Harford were too small for poverty rates to be calculated by the Census Bureau.

Figure 1-6
Median Household Income and Poverty Rates by Race/Ethnicity, 2008

	Median Household Income	Poverty Rate
Harford County	\$77,085	5.6%
Whites	\$79,524	4.4%
Blacks	\$62,763	13.0%
Asians	\$82,448	---
Hispanics	\$45,942	---

Note: The sample sizes of the Asian and Hispanic populations were too small and not provided by the Census.

Source: U.S. Census Bureau, 2008 American Community Survey (B19013, B19013A, B19013B, B19013D, B19013I & B17001, B17001A, B17001B, B17001D, B17001I)

A review of the distribution of household income across the races does not reveal any consistent trend. Almost 20% of Black households had incomes below \$25,000 compared to 10.9% of White households. In the \$25,000 to \$49,999 bracket, the rates were comparable between the races. Notably, the percentage of Blacks in the \$50,000 to \$74,999 bracket (27.5%) was significantly higher than the percentage of Whites (16.3%). Overall, however, Whites fared better than Blacks with more than half of all White households (54.2%) earning \$75,000 or higher. By comparison, slightly more than one-third of all Black households (34.7%) had comparable higher incomes.

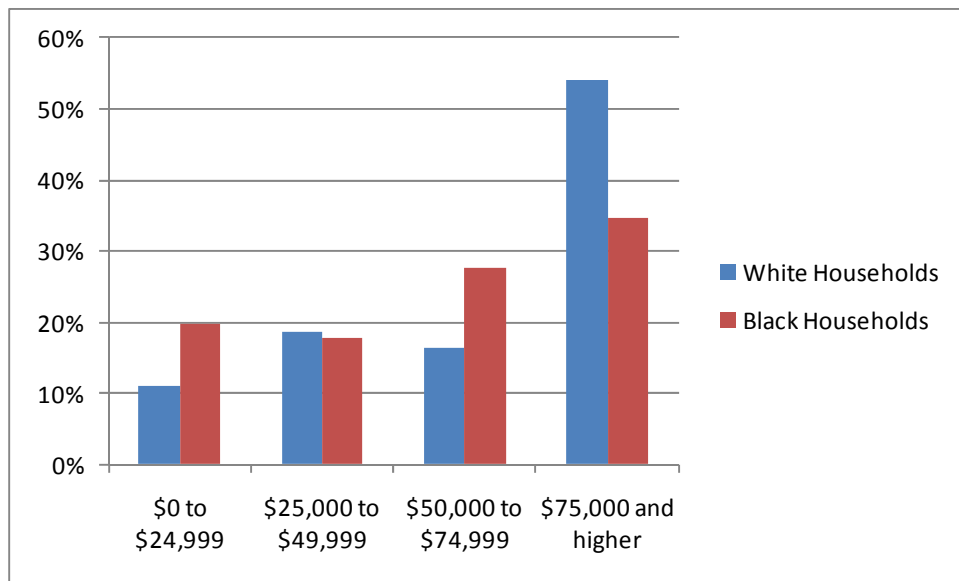
Figure 1-7
Household Income Distribution by Race/Ethnicity, 2008

	Total	\$0 to \$24,999		\$25,000 to \$49,999		\$50,000 to \$74,999		\$75,000 and higher	
		#	%	#	%	#	%	#	%
Harford County	90,780	10,704	11.8%	17,026	18.8%	15,905	17.5%	47,145	51.9%
White Households	77,172	8,437	10.9%	14,347	18.6%	12,577	16.3%	41,811	54.2%
Black Households	11,129	2,214	19.9%	1,987	17.9%	3,066	27.5%	3,862	34.7%

Note: The sample sizes of the Asian and Hispanic populations were too small to calculate and not provided by the Census.

Source: U.S. Census Bureau, 2008 American Community Survey (C19001, B19001A, B19001B, B19001D, B19001I)

Figure 1-8
Household Income Distribution by Race/Ethnicity, 2008



OBSERVATION: Median household incomes among Black and Hispanic households in Harford County are significantly less than among White and Asian households.

ii. Concentrations of LMI Persons

The CDBG program includes a statutory requirement that 70% of the funds invested benefit low and moderate income persons. As a result, HUD provides the percentage of low and moderate income persons in each census block group for entitlements such as Harford County.

HUD data reveals that there are 46 census block groups where at least 41.8% of residents (for whom this rate is determined) meet the criterion for low and moderate income status.³ These areas include Havre de Grace, Aberdeen, Perryman, Magnolia, Joppa, Cardiff, Dublin, Carsins, and Bel Air. As a

³ The 41.8% threshold is determined by HUD and represents the upper quartile of census block groups having the highest concentration of low and moderate income persons in Harford County.

result, areas of racial and ethnic concentration are more likely to be also areas of concentration of low and moderate persons. The following table lists the LMI block groups in Harford County.

Figure 1-9
LMI Block Groups, 2009

Census Tract	Block Group	Low/Moderate Income Persons		
		#	Universe	%
301104	2	1,313	3,048	43.1%
301201	1	141	195	72.3%
301301	1	812	1,499	54.2%
301301	2	336	728	46.2%
301301	3	248	593	41.8%
301302	2	1,680	2,981	56.4%
301302	3	1,315	2,302	57.1%
301500	1	515	958	53.8%
301601	2	755	1,189	63.5%
301601	3	368	529	69.6%
301601	4	1,720	2,195	78.4%
301702	2	18	18	100.0%
302200	1	43	55	78.2%
302200	3	195	412	47.3%
302400	1	238	383	62.1%
302400	2	697	945	73.8%
302400	2	69	94	73.4%
302500	1	1,774	2,798	63.4%
302801	1	376	457	82.3%
302802	1	320	609	52.5%
302802	3	1,897	3,040	62.4%
302901	1	515	749	68.8%
302901	2	943	1,313	71.8%
302901	3	39	44	88.6%
302902	1	512	851	60.2%
302902	2	817	1,295	63.1%
303100	2	541	1,197	45.2%
303500	2	34	34	100.0%
303500	3	340	511	66.5%
303700	2	242	455	53.2%
303700	3	272	794	34.3%
303800	1	107	185	57.8%
303800	2	623	1,441	43.2%
303800	3	388	911	42.6%
303800	4	798	1,276	62.5%
305100	2	831	1,866	44.5%
305200	1	337	718	46.9%
305200	2	718	1,457	49.3%
306100	1	340	624	54.5%
306100	2	371	797	46.5%
306100	3	1,166	1,995	58.4%
306100	4	553	697	79.3%
306200	1	535	959	55.8%
306200	2	598	782	76.5%
306200	3	631	1,074	58.8%
306300	1	21	35	60.0%

Source: U.S. Department of Housing & Urban Development

Of the 46 census block groups that qualify as LMI areas, 21 block groups are located within previously identified areas of racial or ethnic concentration. These areas are located in Aberdeen, Havre de Grace, Perryman, Joppa, Magnolia, and Bel Air and include block groups in census tracts 3013.02, 3015, 3016.01, 3024, 3025, 3028.02, 3029.01, 3029.02, and 3061. Map 4 on the following page highlights the LMI block groups in Harford County.

iii. Disability and Income

The Census Bureau reports disability status for non-institutionalized disabled persons age 5 and over. As defined by the Census Bureau, a disability is a long-lasting physical, mental, or emotional condition that can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

The Fair Housing Act prohibits discrimination based on physical, mental or emotional handicap, provided “reasonable accommodation” can be made. Reasonable accommodation may include changes to address the needs of disabled persons, including adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal).

In Harford, 9.5% of the population 5 years and older reported at least one type of disability in 2000.

According to the National Organization on Disabilities, a significant income gap exists for persons with a disability, given their lower rate of employment. In Harford County, persons with a disability are more likely to live in poverty than persons without a disability. In 2000, among all persons with a disability, 9.1% lived below the level of poverty. However, among all persons without a disability, only 4% were living below poverty.⁴

OBSERVATION: Persons with disabilities were over two times more likely to live in poverty than persons without disabilities. In Harford County, 9.1% of persons with a disability were living in poverty in 2000, compared to 4% of persons without a disability.

iv. Familial Status and Income

The Census Bureau divides households into family and non-family households. Family households are married couple families with or without children, single-parent families and other families made up of related persons. Non-family households are either single persons living alone, or two or more non-related persons living together.

Women have protection under Title VIII of the Civil Rights Act of 1968 against discrimination in housing. Protection for families with children was added in the 1988 amendments to Title VIII. Except in limited circumstances involving elderly housing and owner-occupied buildings of one to four units, it is unlawful to refuse to rent or sell to families with children.

⁴ U.S. Census Bureau, Census 2000 (SF 3, PCT34)

Female-headed households have steadily increased to 10.9% of total households since 1990. In addition, female-headed households *with children* have increased steadily from 4.7% in 1990 to 6.2% in 2008. Male-headed households with children also grew from 1.1% of all households to 2.3%. In contrast, married couple family households with children declined from 35% to 25.7%.

Female-headed households with children often experience difficulty in obtaining housing, primarily as a result of lower incomes and the unwillingness of landlords to rent their units to families with children. In Harford, female-headed households with children accounted for 67% of all families living in poverty in 2000, compared to only 11% of all families who were living above the level of poverty.⁵

Figure 1-10
Households by Type and Presence of Children, 1990-2008

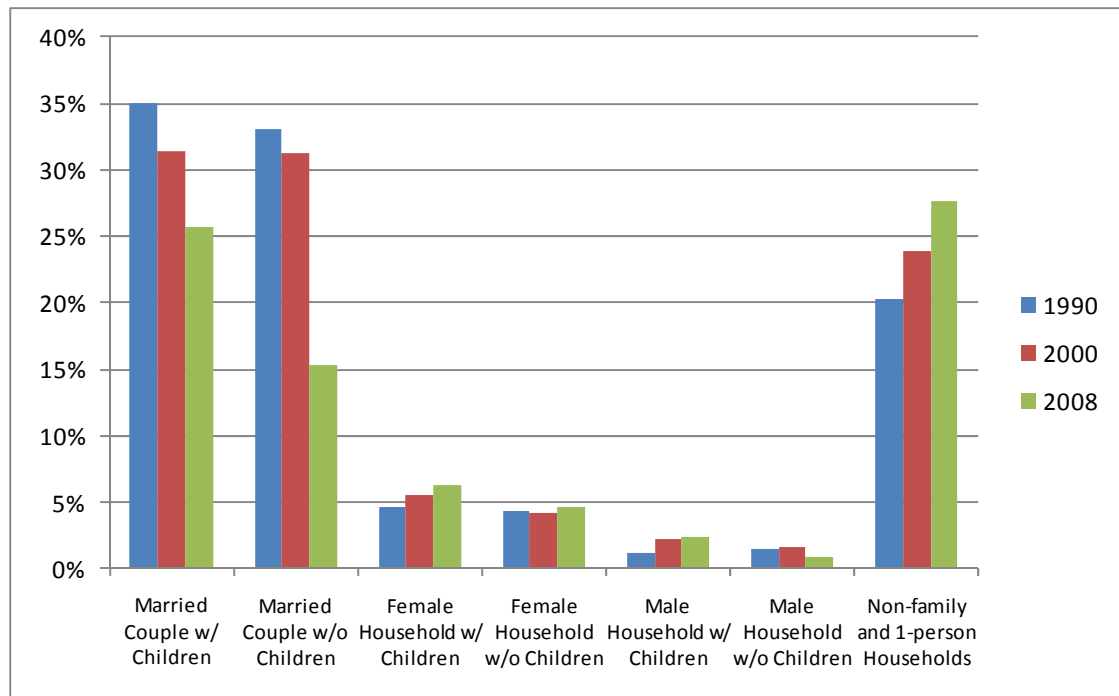
	1990		2000		2008	
	#	%	#	%	#	%
Harford County	63,094	100.0%	79,748	100.0%	90,780	100.0%
Family Households	50,340	79.8%	60,722	76.1%	65,678	72.3%
Married-couple family	42,963	68.1%	49,976	62.7%	53,104	58.5%
With Children	22,093	35.0%	25,024	31.4%	23,333	25.7%
Without Children	20,870	33.1%	24,952	31.3%	13,949	15.4%
Female-Headed Households	5,711	9.1%	7,703	9.7%	9,864	10.9%
With Children	2,966	4.7%	4,414	5.5%	5,662	6.2%
Without Children	2,745	4.4%	3,289	4.1%	4,202	4.6%
Male-Headed Household	1,666	2.6%	3,043	3.8%	2,910	3.2%
With Children	724	1.1%	1,792	2.2%	2,120	2.3%
Without Children	942	1.5%	1,251	1.6%	790	0.9%
Non-family and 1-person Households	12,754	20.2%	19,026	23.9%	25,102	27.7%

Sources: U.S. Census Bureau, 1990 (SF3-P019); Census 2000 (SF3-P10); 2008 American Community Survey (B11001 & B11003)

OBSERVATION: Female-headed households with children accounted for 67% of all families living in poverty in Harford County.

⁵ U.S. Census Bureau, Census 2000 (SF 4, PCT150)

Figure 1-11
Households by Type and Presence of Children, 1990-2008



v. Ancestry and Income

It is illegal to refuse the right to housing based on place of birth or ancestry. Census data on native and foreign-born populations in Harford revealed that 6.2% of residents in 2007 were foreign-born or born outside of the U.S. in Puerto Rico or on U.S. island areas.⁶

Among families with children who were living with foreign-born parents, 8.9% were living in households with incomes *below* 200% of the poverty level compared to only 3% who were living *above* 200% of the poverty level.⁷

Persons with limited English proficiency (LEP) are defined by the federal government as persons who have a limited ability to read, write, speak or understand English. HUD issued its guidelines on how to address the needs of persons with LEP in January 2007. HUD uses the prevalence of persons with LEP to identify the potential for impediments to fair housing choice due to their inability to comprehend English. Persons with LEP may encounter obstacles to fair housing by virtue of language and cultural barriers within their new environment. To assist these individuals, it is important that a community recognizes their presence and the potential for discrimination, whether intentional or inadvertent, and establishes policies to eliminate barriers.

⁶ U.S. Census Bureau, 2008 American Community Survey (C05002)

⁷ U.S. Census Bureau, 2008 American Community Survey (C05010)

American Community Survey (ACS) data reports on the non-English language spoken at home for the population five years and older. According to the 2006-2008 reports, the language group with the highest number of persons who speak English less than “very well” in Harford County are native Spanish speakers. In addition, those speaking other Indo-European languages also had a high number of persons who speak English less than very well. To determine whether translation of vital documents is required, a HUD entitlement community must calculate the number of LEP persons in a single language group who are likely to qualify for and be served by the Urban County’s programs.

Figure 1-12
Language Spoken at Home by Ability to Speak English in Harford County, 2008

Language Group	Number of LEP Persons (% of total population)
Spanish	1,921 (0.8%)
Other Indo-European Languages	1,595 (0.7%)
Asian/ Pacific Island Languages	938 (0.4%)

Source: U.S. Census Bureau, 2006-2008 American Community Survey Three-Year Estimates (C160004)

In Harford County, Census data revealed that there is a significant number of native Spanish-speakers who speak English less than “very well.” Within this language group, the number of LEP persons exceeds 1,000. The County should perform a four-factor analysis to determine the extent to which the translation of vital documents is warranted, particularly among the Spanish-speaking population.⁸ (The term vital document refers generally to any publication that is needed to gain access to the benefits of a program or service.) Although there is no requirement to develop a Language Access Plan, HUD entitlement communities are responsible for serving LEP persons in accordance with Title VI of the Civil Rights Act of 1964. The best way to comply with this mandate is to prepare a Language Access Plan. The obligation to translate vital documents would also extend to the Harford County Housing Agency and all sub-recipients of the County. Harford County should revisit this issue when data from the 2010 Census is released, as more information will become available on the specific languages having most difficulty with English among the other Indo-European language speakers.

⁸ The four-factor analysis is detailed in the *Federal Register* dated January 22, 2007.

OBSERVATION: Harford County should perform a four-factor analysis to determine the extent to which the translation of vital documents is needed, particularly among the Spanish-speaking population in the County.

vi. Protected Class Status and Unemployment

Total unemployment in Harford County in 2008 was 4.6%, which was lower than Maryland's overall unemployment of 5.4%, as indicated in Figure 1-13. Unlike in Baltimore and the surrounding counties, however, the unemployment rate was comparable across gender and racial (Whites and Blacks) groups in Harford County.

Figure 1-13
Civilian Labor Force, 2008

	Maryland Total	%	Harford County Total	%
Total Civilian Labor Force (CLF)	3,118,499	100.0%	137,508	100.0%
Employed	2,951,517	94.6%	131,181	95.4%
Unemployed	166,982	5.4%	6,327	4.6%
Male CLF	1,583,022	100.0%	72,079	52.4%
Employed	1,495,322	94.5%	68,868	95.5%
Unemployed	87,700	5.5%	3,211	4.5%
Female CLF	1,535,477	100.0%	65,429	47.6%
Employed	1,456,195	94.8%	62,313	95.2%
Unemployed	79,282	5.2%	3,116	4.8%
White CLF	1,920,280	100.0%	115,725	84.2%
Employed	1,844,199	96.0%	110,581	95.6%
Unemployed	76,081	4.0%	5,144	4.4%
Black CLF	902,248	100.0%	16,183	11.8%
Employed	826,754	91.6%	15,420	95.3%
Unemployed	75,494	8.4%	763	4.7%
Asian CLF	163,472	5.2%	---	---
Employed	157,535	96.4%	---	---
Unemployed	5,937	3.6%	---	---
Hispanic CLF	203,296	6.5%	---	---
Employed	189,879	93.4%	---	---
Unemployed	13,417	6.6%	---	---

Note: The sample sizes of the Asian and Hispanic populations were too small to calculate and not provided by the Census.

Source: U.S. Census Bureau, 2008 American Community Survey (C23001, C23002A, C23002B, C23002D, C23002I)

OBSERVATION: Unemployment was comparable among gender and racial groups (Whites and Blacks) in Harford County in 2008.

D. The Housing Market

i. Housing Inventory

Like its neighboring counties in the Baltimore metro area, Harford County has experienced significant new development since 1990. The County's housing inventory increased by a net of 31,743 units between 1990 and 2009, equivalent to an annual average increase of 1,670 units over the last 19 years. High rates of increases in residential units were noted in Forest Hill, Ady, Hickory, Fountain Creek, Creswell, Emmorton, Abingdon, Belcamp, and Aberdeen. By far, more residential growth was noted outside of impacted areas of minority and low and moderate income concentrations.

Overall, 3.7% of the County's growth in housing stock occurred in areas of racial and/or ethnic concentration. Three of these areas even lost units between 1990 and 2009.

The following chart highlights the trends in housing inventory by census tract in Harford County. Map 5 on the following page illustrates the net change in housing inventory from 1990 to 2009.

Figure 1-14
Trends in Housing Inventory, 1990-2009

Census Tract	1990		2000		2009		Change 1990-2009	
	#	% of Total Housing Units	#	% of Total Housing Units	#	% of Total Housing Units	#	%
Harford County	66,446	100.0%	83,146	100.0%	98,189	100.0%	31,743	47.8%
3011.02	698	1.1%	958	1.2%	1,290	1.3%	592	84.8%
3011.03	2,107	3.2%	2,747	3.3%	2,997	3.1%	890	42.2%
3011.04	1,533	2.3%	2,620	3.2%	2,898	3.0%	1,365	89.0%
3012.01	838	1.3%	814	1.0%	849	0.9%	11	1.3%
3012.02	767	1.2%	1,745	2.1%	2,446	2.5%	1,679	218.9%
3012.03	1,106	1.7%	2,753	3.3%	3,685	3.8%	2,579	233.2%
3013.01	1,334	2.0%	1,372	1.7%	2,051	2.1%	717	53.7%
3013.02	2,489	3.7%	2,817	3.4%	3,045	3.1%	556	22.3%
3014.01	2,605	3.9%	3,024	3.6%	3,257	3.3%	652	25.0%
3014.02	821	1.2%	883	1.1%	927	0.9%	106	12.9%
3015	327	0.5%	255	0.3%	46	0.0%	-281	-85.9%
3016.01	2,701	4.1%	2,375	2.9%	2,554	2.6%	-147	-5.4%
3016.02	1,930	2.9%	2,182	2.6%	2,800	2.9%	870	45.1%
3017.01	1,115	1.7%	2,670	3.2%	3,586	3.7%	2,471	221.6%
3017.02	1,336	2.0%	2,008	2.4%	3,214	3.3%	1,878	140.6%
3021	677	1.0%	759	0.9%	835	0.9%	158	23.3%
3022	1,002	1.5%	1,017	1.2%	1,075	1.1%	73	7.3%
3024	1,049	1.6%	1,152	1.4%	1,300	1.3%	251	23.9%
3025	987	1.5%	902	1.1%	676	0.7%	-311	-31.5%
3028.01	1,026	1.5%	1,290	1.6%	1,373	1.4%	347	33.8%
3028.02	1,664	2.5%	1,932	2.3%	2,391	2.4%	727	43.7%
3029.01	981	1.5%	1,043	1.3%	1,063	1.1%	82	8.4%
3029.02	2,031	3.1%	1,985	2.4%	2,048	2.1%	17	0.8%
3031	2,117	3.2%	2,746	3.3%	3,076	3.1%	959	45.3%
3032.01	950	1.4%	1,539	1.9%	1,939	2.0%	989	104.1%
3032.02	2,304	3.5%	4,047	4.9%	5,041	5.1%	2,737	118.8%
3033	1,864	2.8%	2,003	2.4%	2,204	2.2%	340	18.2%
3034	1,238	1.9%	1,334	1.6%	1,559	1.6%	321	25.9%
3035	2,413	3.6%	3,322	4.0%	3,941	4.0%	1,528	63.3%
3036.02	1,209	1.8%	1,385	1.7%	1,509	1.5%	300	24.8%
3036.03	739	1.1%	1,825	2.2%	2,349	2.4%	1,610	217.9%
3036.04	1,937	2.9%	2,539	3.1%	3,731	3.8%	1,794	92.6%
3037	1,314	2.0%	1,503	1.8%	1,601	1.6%	287	21.8%
3038	3,224	4.9%	3,676	4.4%	3,975	4.0%	751	23.3%
3039	1,030	1.6%	1,013	1.2%	1,043	1.1%	13	1.3%
3041	2,427	3.7%	2,762	3.3%	2,977	3.0%	550	22.7%
3042.01	2,069	3.1%	2,103	2.5%	2,353	2.4%	284	13.7%
3042.02	1,913	2.9%	2,135	2.6%	2,371	2.4%	458	23.9%
3051	2,108	3.2%	2,434	2.9%	2,646	2.7%	538	25.5%
3052	1,120	1.7%	1,115	1.3%	1,253	1.3%	133	11.9%
3053	835	1.3%	841	1.0%	936	1.0%	101	12.1%
3061	1,952	2.9%	2,056	2.5%	2,225	2.3%	273	14.0%
3062	1,379	2.1%	1,352	1.6%	1,610	1.6%	231	16.8%
3063	453	0.7%	407	0.5%	1,135	1.2%	682	150.6%
3064	727	1.1%	1,706	2.1%	2,309	2.4%	1,582	217.6%

Source: DemographicsNow

ii. Types of Housing Units

Of the 83,146 housing structures in 2000, 79.7% were single-family units. Most of the remaining units were in multi-family properties of all sizes. Notably the distribution of housing types is uneven among Harford's census tracts. Higher concentrations of multi-family units were found in impacted areas where concentrations of minorities and low and moderate income persons were residing. Specifically, almost 36% of the multi-family housing units in Harford County were located in the County's areas of racial and/or ethnic concentration. The following chart provides an overview of housing units in structures by census tract in the County. Map 6 on the following page illustrates the percentage of multi-family units by census tract.

OBSERVATION: Eighteen census tracts, all in non-impacted areas within Harford County, were noted to have fewer than 50 multi-family housing units each. Without an adequate supply of rental housing available for various household types and income levels, neighborhoods such as these may not be providing sufficient housing choice for members of the protected classes.

Figure 1-15
Housing Units in Structures, 2000

	Total Units	Single-family units (detached & attached)	Multi-family units					Mobile home	Boat, RV, van, etc.
			2 to 4	5 to 9	10 to 19	20 or more	Total		
Harford County	83,146	66,294	2,600	3,498	5,592	1,926	13,616	3,218	18
3011.02	927	860	11	0	0	0	11	56	0
3011.03	2,743	2,601	0	8	134	0	142	0	0
3011.04	2,620	1,785	177	75	403	163	818	17	0
3012.01	818	818	0	0	0	0	0	0	0
3012.02	1,745	1,206	7	143	359	24	533	6	0
3012.03	2,753	2,309	10	49	376	9	444	0	0
3013.01	1,328	713	36	9	0	10	55	560	0
3013.02	2,817	1,731	191	307	554	25	1,077	9	0
3014.01	3,068	2,483	30	305	163	87	585	0	0
3014.02	883	875	0	0	0	0	0	8	0
3015	286	187	80	0	10	0	90	9	0
3016.01	2,375	1,615	66	324	189	72	651	109	0
3016.02	2,182	1,983	19	76	27	16	138	61	0
3017.01	2,670	2,046	48	54	315	33	450	174	0
3017.02	1,998	1,615	54	68	209	0	331	52	0
3021	758	706	14	0	0	0	14	38	0
3022	1,018	940	13	0	0	0	13	65	0
3024	1,162	621	34	27	142	7	210	331	0
3025	902	317	350	144	0	9	503	82	0
3028.01	1,290	1,057	18	5	0	0	23	210	0
3028.02	1,932	1,143	47	161	301	274	783	6	0
3029.01	1,042	321	67	221	104	47	439	282	0
3029.02	1,986	1,622	90	105	130	39	364	0	0
3031	2,746	2,683	23	22	0	0	45	18	0
3032.01	1,539	1,423	14	0	0	0	14	102	0
3032.02	4,047	3,168	47	229	473	130	879	0	0
3033	2,003	1,968	16	9	0	0	25	10	0
3034	1,334	1,255	31	7	0	0	38	41	0
3035	3,322	2,824	74	97	96	221	488	10	0
3036.02	1,385	1,380	5	0	0	0	5	0	0
3036.03	1,825	1,825	0	0	0	0	0	0	0
3036.04	2,539	1,663	30	78	683	85	876	0	0
3037	1,503	1,377	34	0	6	0	40	86	0
3038	3,670	2,344	88	507	551	180	1,326	0	0
3039	1,019	646	15	60	167	131	373	0	0
3041	2,762	2,656	46	0	0	0	46	60	0
3042.01	2,103	2,052	23	0	12	0	35	16	0
3042.02	2,135	2,076	20	0	0	0	20	39	0
3051	2,434	2,050	65	0	0	46	111	273	0
3052	1,092	785	0	0	0	0	0	307	0
3053	864	679	59	5	5	0	69	116	0
3061	2,056	1,197	433	223	51	131	838	9	12
3062	1,352	856	162	159	45	124	490	6	0
3063	401	332	13	0	0	0	13	50	6
3064	1,712	1,501	40	21	87	63	211	0	0

Source: U.S. Census Bureau, Census 2000 (SF3-H30)

iii. Protected Class Status and Homeownership

The value in home ownership lies in the accumulation of wealth as the owner's share of equity increases with the property's value. Paying a monthly mortgage instead of rent is an investment in an asset that is likely to appreciate. According to one study, "a family that puts 5 percent down to buy a house will earn a 100 percent return on the investment every time the house appreciates 5 percent."⁹

Historically, minorities tend to have lower home ownership rates than Whites. In 2000, the overall homeownership rate in Harford County was 78%. White households were far more likely than Blacks and Hispanics to own their homes. Homeownership among Whites was 81% compared to 53.6% for Blacks and only 50.3% for Hispanics. Asians fared better with a rate of 72.5%. Ownership was significantly lower among Black and Hispanic homeowners even in the census tracts identified as impacted areas where concentrations of both minority groups resided.

As previously discussed, median household income is generally lower among minority groups in Harford County than among White households. This is one among several factors that contributes to the relatively low rates of home ownership among minorities in the County.

The following chart provides information on the number of Black, Asian, Hispanic, and White homeowners by census tract throughout Harford County.

OBSERVATION: Minority households are less likely to own homes than White households in Harford County.

⁹ Kathleen C. Engel and Patricia A. McCoy, "From Credit Denial to Predatory Lending: The Challenge of Sustaining Minority Homeownership," in Segregation: The Rising Costs for America, edited by James H. Carr and Nandinee K. Kutty (New York: Routledge 2008) p. 82.

Figure 1-16
Housing Tenure by Race/Ethnicity, 2000

Census Tract	White homeowners		Black homeowners		Asian homeowners		Hispanic homeowners	
	#	%	#	%	#	%	#	%
Harford County	56,974	81.0%	3,778	53.6%	529	72.5%	588	50.3%
3011.02	806	93.8%	11	47.8%	0	0.0%	10	100.0%
3011.03	2,401	94.2%	74	100.0%	42	79.2%	46	100.0%
3011.04	1,447	68.4%	138	48.9%	25	53.2%	10	23.8%
3012.01	692	93.1%	13	100.0%	0	0.0%	0	0.0%
3012.02	1,237	77.9%	47	73.4%	24	100.0%	11	55.0%
3012.03	2,088	85.6%	151	84.3%	25	100.0%	14	53.8%
3013.01	1,037	87.4%	57	86.4%	10	100.0%	25	71.4%
3013.02	1,127	66.2%	332	40.7%	45	73.8%	46	60.5%
3014.01	1,869	72.4%	191	72.6%	29	100.0%	10	18.5%
3014.02	686	90.9%	91	90.1%	0	0.0%	0	0.0%
3015	19	11.2%	0	0.0%	0	0.0%	9	47.4%
3016.01	896	62.7%	189	31.3%	8	44.4%	26	37.1%
3016.02	1,455	88.9%	223	69.5%	37	100.0%	27	73.0%
3017.01	1,736	80.4%	223	86.1%	20	100.0%	32	39.0%
3017.02	1,237	77.6%	151	67.7%	5	35.7%	13	52.0%
3021	594	84.4%	33	100.0%	0	0.0%	0	0.0%
3022	796	88.5%	31	70.5%	9	100.0%	0	0.0%
3024	622	78.6%	105	40.1%	5	0.0%	6	28.6%
3025	49	10.7%	6	2.4%	0	19.4%	10	11.8%
3028.01	956	93.5%	149	100.0%	23	82.1%	24	100.0%
3028.02	613	52.8%	218	42.3%	7	53.8%	28	41.2%
3029.01	332	53.8%	52	16.5%	5	35.7%	17	45.9%
3029.02	803	64.6%	240	48.6%	7	53.8%	19	38.8%
3031	2,334	90.9%	75	100.0%	18	100.0%	24	100.0%
3032.01	1,326	92.0%	46	100.0%	8	100.0%	0	0.0%
3032.02	3,271	86.3%	46	71.9%	35	100.0%	0	0.0%
3033	1,839	94.8%	18	100.0%	22	100.0%	5	100.0%
3034	1,165	93.2%	25	100.0%	15	100.0%	8	53.3%
3035	2,611	83.7%	95	100.0%	0	0.0%	25	100.0%
3036.02	1,271	96.4%	18	78.3%	18	100.0%	18	100.0%
3036.03	1,588	95.0%	38	100.0%	43	100.0%	7	100.0%
3036.04	1,564	68.1%	23	31.9%	0	0.0%	35	41.7%
3037	1,226	88.7%	48	100.0%	0	0.0%	13	68.4%
3038	2,509	75.7%	52	40.0%	0	0.0%	14	43.8%
3039	566	59.4%	13	65.0%	0	0.0%	0	0.0%
3041	2,412	90.9%	29	82.9%	10	0.0%	17	100.0%
3042.01	1,889	94.5%	7	17.5%	0	0.0%	0	0.0%
3042.02	1,899	93.8%	55	100.0%	0	0.0%	8	100.0%
3051	2,018	87.7%	20	100.0%	0	0.0%	11	100.0%
3052	823	82.9%	34	74.0%	0	0.0%	8	100.0%
3053	537	75.2%	40	100.0%	7	100.0%	0	0.0%
3061	591	43.6%	145	36.1%	11	34.4%	6	12.5%
3062	454	41.0%	32	26.7%	0	0.0%	6	26.1%
3063	264	100.0%	63	100.0%	7	100.0%	0	0.0%
3064	1,319	91.4%	131	77.1%	9	42.9%	0	0.0%

Source: U.S. Census Bureau, Census 2000 (SF3-H11, H12)

iv. The Tendency of the Protected Classes to Live in Larger Households

Larger families may be at risk for housing discrimination on the basis of race and the presence of children (familial status). A larger household, whether or not children are present, can raise fair housing concerns. If there are policies or programs that restrict the number of persons that can live together in a single housing unit, and members of the protected classes need more bedrooms to accommodate their larger household, there is a fair housing concern because the restriction on the size of the unit will have a negative impact on the members of the protected classes.

In Harford County, Hispanics were most likely to live in larger families. More than 81% of Hispanic families consisted of three or more persons compared to 61.2% of White families. Blacks and Asians were also more likely to live in larger families with rates of 67.3% and 69.5%, respectively.

Figure 1-17
Families with Three or More Persons, 2000

Race	Families with Three or More Persons	
	#	% *
Harford County	37,717	62.1%
White	32,947	61.2%
Black	3,429	67.3%
Asian	471	69.5%
Hispanic	767	81.6%

* Of total family households in each respective racial and ethnic category.

Source: U.S. Census Bureau, Census 2000 (SF4-PCT17)

To adequately house larger families, a sufficient supply of larger dwelling units consisting of three or more bedrooms is necessary. In Harford County, about one-third of the rental housing stock contained three or more bedrooms in 2000 compared to more than 85% of the owner housing stock.

Figure 1-18
Housing Units by Number of Bedrooms, 2000

Size of Housing Units	Renter-Occupied Housing Stock		Owner-Occupied Housing Stock	
	Number of Units	% of Total Housing Units	Number of Units	% of Total Housing Units
0-1 bedroom	4,432	25.3%	706	1.1%
2 bedrooms	7,352	41.9%	8,471	13.6%
3 or more bedrooms	5,764	32.8%	52,942	85.2%
Harford County	17,548	100.0%	62,119	100.0%

Source: U.S. Census Bureau, Census 2000 (SF3-H42)

OBSERVATION: A lack of larger dwelling units consisting of three or more bedrooms has a disproportionately greater impact on minority families who tend to live in larger households. An inadequate inventory of larger units causes overcrowding, increased wear and tear, and substandard living conditions for these families.

v. Cost of Housing

Increasing housing costs are often not a direct form of housing discrimination. However, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods because of a lack of affordable housing in those areas.

The median housing value in Harford County increased more than 57% since 1990, after adjusting for inflation.¹⁰ This was in stark contrast to the median gross rent, which increased only 21.4% during the same period. By comparison, real household income grew only 6.5%.

Figure 1-19
Trends in Median Housing Value, Rent and Income, 1990-2008

Harford County	1990	2000	2008	% Change 1990-2008
Median Owner-Occupied Housing Value				
Actual Dollars	\$115,100	\$149,800	\$314,800	173.5%
2008 Inflation-Adjusted Dollars	\$199,850	\$193,592	\$314,800	57.5%
Median Gross Rent				
Actual Dollars	\$481	\$648	\$1,014	110.8%
2008 Inflation-Adjusted Dollars	\$835	\$837	\$1,014	21.4%
Median Household Income				
Actual Dollars	\$41,680	\$57,234	\$77,085	84.9%
2008 Inflation-Adjusted Dollars	\$72,370	\$73,966	\$77,085	6.5%

Sources: U.S. Census Bureau, 1990 Census (SF3-P080A, H043A, H061A), Census 2000 (SF3-P53, H63, H76), 2008 American Community Survey (B19013, B25064, B25077); Calculations by Mullin & Loneragan Associates, Inc.

OBSERVATION: Median housing value in the County increased almost 58% while real household income grew only 6.5%.

a. Rental Housing

In addition to rental rates outpacing gains in income, Harford County experienced a loss of affordable rental housing units between 2000 and 2008. The number of units renting for less than \$500/month declined by almost 2,200 (59.6%). Units renting for \$500 to \$699/month decreased by more than 4,100 (71.7%). By comparison, units renting for \$1,000/month or more increased by over 7,600 units (559.8%).

¹⁰ Housing value is the Census correspondent's estimate of how much the property (house and lot, mobile home and lot, or condominium unit) would sell for if it were for sale. This differs from the housing sales price, which is the actual price that the house sold for.

Figure 1-20
Loss of Affordable Rental Housing Units, 2000-2008

Units Renting for:	2000	2008	Change 2000-2008	
			#	%
Less than \$500	3,675	1,484	-2,191	-59.6%
\$500 to \$699	5,801	1,639	-4,162	-71.7%
\$700 to \$999	4,874	5,343	469	9.6%
\$1,000 or more	1,361	8,980	7,619	559.8%
Harford County	15,711	17,446	1,735	11.0%

Sources: U.S. Census Bureau, Census 2000 (SF3-H62), 2008 American Community Survey (B25063)

OBSERVATION: The magnitude of the loss of units renting for less than \$500 in Harford County severely restricts housing choice for Black and Hispanic households, who have significantly lower incomes than Whites.

The National Low Income Housing Coalition provides annual information on the Fair Market Rent (FMR) and affordability of rental housing in each county in the U.S. for 2009. In Harford County, the FMR for a two-bedroom apartment is \$1,037. In order to afford this level of rent and utilities, without paying more than 30% of income on housing, a household must earn \$3,457 monthly or \$41,480 annually. Assuming a 40-hour workweek, 52 weeks per year, this level of income translates into a Housing Wage of \$19.94.

In Harford County and across Maryland, a minimum wage worker earns an hourly wage of \$7.25. In order to afford the FMR for a two-bedroom apartment, a minimum wage earner must work 110 hours per week, 52 weeks per year. Or, a household must include 2.75 minimum wage earners working 40 hours per week year-round in order to make the two-bedroom FMR affordable.

In Harford County, the estimated average wage for a renter is \$10.76 an hour. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 74 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 3.0 workers earning the average renter wage in order to make the two-bedroom FMR affordable.

OBSERVATION: Minimum wage earners and single-wage earning households cannot afford a housing unit renting for the HUD fair market rent in Harford County. This situation forces these individuals and households to double-up with others, or lease inexpensive, substandard units from unscrupulous landlords. Minorities and female-headed households will be disproportionately impacted due to their lower incomes.

Monthly Supplemental Security Income (SSI) payments for an individual are \$674 in Harford County and across Maryland. If SSI represents an individual's sole source of income, \$202 in monthly rent is affordable, while the FMR for a one-bedroom is \$868.

OBSERVATION: Individuals whose sole source of income is a \$674 monthly SSI check cannot afford to rent a one-bedroom unit in Harford County at the HUD fair market rent of \$868. This situation disproportionately impacts the elderly, persons with disabilities, and other individuals who have little or no income.

b. Sales Housing

In April 2008, HUD completed a Comprehensive Housing Market Analysis for the Baltimore MSA. This analysis explored the housing market, including both the rental and owner housing markets, for the City of Baltimore and its surrounding northern and southern suburban submarkets.

The Northern Suburbs submarket includes Baltimore, Harford, and Carroll counties. Overall, the sales market in the Northern Suburbs submarket as of April 2008 was balanced, with a vacancy rate of only 1%. However, sales activity has slowed in recent years. As of the 12-month period ending in March 2008, the average price of a home was \$310,500 in the northern suburbs. During this same period, sales decreased to 11,800, which was 21% less than during the previous 12-month period.

Due to the recent slowdown in the sales market, the volume of homebuilding has been reduced. Since 2000, construction activity, as measured by the number of building permits issued, has averaged 4,300 units per year. This was down from 5,300 units permitted annually in the 1990s. Demand forecasts estimate a need for 12,000 new single-family homes and condominiums in the Northern Suburbs submarket of Baltimore. Home prices are expected to start at \$200,000. Historically, 40% of production in this submarket has occurred in Baltimore County, 40% in Harford County, and 20% in Carroll County.

The County has recognized the need to expand the availability of affordable housing, especially in light of the ongoing Base Realignment and Closure (BRAC) process, which will continue to significantly affect housing market dynamics across the state through the next several years.

To date, 1,600 jobs have been relocated to the Aberdeen Proving Ground (APG). By the end of 2010, another 1,400 jobs are scheduled to be relocated, leaving an additional 5,500 jobs to be relocated by the BRAC deadline of September 15, 2011. When completed, the regional BRAC office projects 60,000 new residents in Harford County through direct

positions at APG, indirect jobs for area contractors and spin-offs, and direct and indirect new positions in the region. The influx of new residents and a growing job market results in an even greater demand for affordable for-sale and rental housing in the County.

OBSERVATION: Due to a growing job market and the relocation of jobs to the Aberdeen Proving Ground, there is a projected demand for more affordable housing throughout Harford County over the next few years.

vi. Foreclosure Status

According to the 2010 midyear report from RealtyTrac, an aggregator of nationwide residential foreclosure, loan and property sales data, the State of Maryland had the 10th highest foreclosure rate among all states in June 2010 with 6,304 foreclosure filings, one for every 370 housing units. Filings include default notices, auction sale notices and bank repossessions. This represents a 7.7% increase from May 2010 and a 103% increase from June 2009. Maryland's recently rising rates are contrary to national patterns, as filings across the U.S. fell by 3% between May 2010 and June 2010 and by nearly 7% from June 2009.¹¹

RealtyTrac detected two trends in the national data: Fewer properties entered foreclosure proceedings as lenders exercised more aggressive short sale and loan modification actions, and more properties completed the foreclosure process as lenders worked to clear a backlog of delinquent properties.¹²

In general, rates in Maryland are comparatively low due to the survival of a competitive housing market in which those who default on mortgages can still sell properties before foreclosure. The recent surge in Maryland foreclosures follows a lull from 2008 to mid-2009 that can be attributed largely to state law changes intended to delay or prevent foreclosures. The recent increase, which is projected to continue into 2011, reflects a rising number of owners becoming unable to meet housing costs due to such factors as unemployment or interest increases on adjustable-rate mortgages.

HUD provides foreclosure data on more granular levels. The agency estimated the incidence of foreclosure across 18 months (January 2007 to June 2008) for counties, cities, and census tracts across the country. The data is not an exact count, but distributes the results of a national survey across geographic areas according to a model considering rates of metropolitan area home value decline, unemployment, and high-cost mortgages.

¹¹ "1.65 Million Properties Receive Foreclosure Filings in First Half of 2010," RealtyTrac press release, July 15, 2010

¹² *ibid*

According to HUD foreclosure data, Harford County's foreclosure rate during the study period ranked 9th of 24 Maryland counties. There were an estimated 1,385 foreclosure filings for 57,211 mortgages, a rate of 2.4%.

Within the County, Edgewood was estimated to have the highest number of foreclosure filings (301) during the study period, but Aberdeen Proving Ground CDP had the highest estimated rate at 14.3%. High-cost loan rates were a strong factor in this determination, as HUD reported that 80% of mortgages originated in Aberdeen Proving Ground CDP between 2004 and 2006 had burdensome interest rates. Similarly, Edgewood CDP, Aberdeen City, and Perryman CDP had high-cost lending rates of 42.2%, 36.5%, and 28.4%, respectively. Jarrettsville CDP, which had the lowest foreclosure rate among communities with more than 500 mortgages during the study period, had a high-cost lending rate of 10.5%.

Figure 1-21
Residential Foreclosure Rankings by Municipality, January 2007 – June 2008

	Foreclosure Filings	Total Mortgages	Foreclosure Rate
Aberdeen Proving Ground CDP	1	7	14.3%
Edgewood CDP	301	6,317	4.8%
Aberdeen City	111	2,707	4.1%
Riverside CDP	101	3,050	3.3%
Perryman CDP	12	372	3.2%
Joppatowne CDP	82	2,932	2.8%
Havre de Grace City	64	2,580	2.5%
Bel Air South CDP	268	13,598	2.0%
Bel Air Town	38	2,394	1.6%
Bel Air North CDP	105	7,086	1.5%
Pleasant Hills CDP	9	646	1.4%
Fallston CDP	19	1,529	1.2%
Jarrettsville CDP	5	513	1.0%
Howard County	1,385	57,211	2.4%

Source: HUD NSP Foreclosure Estimates, released October 2008

In July 2010 alone, RealtyTrac reported 55 new foreclosure filings in Bel Air, 53 in Edgewood, 47 in Abingdon, 28 in Aberdeen, and 101 in other communities throughout the County.

Foreclosure activity is related to fair housing to the extent that it is disproportionately dispersed, both geographically and among members of the protected classes. Concentrated foreclosures and residential vacancy threaten the viability of neighborhoods as well as the ability of families to maintain housing and build wealth. As further explained in the private mortgage lending section of the AI, the propensity of lenders to target high-risk borrowers for expensive loans has had a larger impact on minority

households than on White households in Harford County. Households carrying heavy cost burdens are prime candidates for mortgage delinquency and foreclosure.

vii. Protected Class Status and Housing Problems

Lower-income minority households tend to experience housing problems at a higher rate than lower-income White households.¹³ In Harford County, Hispanic renters reported housing problems at higher rates than White and Black households in the same income category and household type. Among renters, 55.6% of all low-income Hispanic households experienced housing problems compared to 47.9% of Whites and 46.6% of Black households.

Among owners, Blacks were more likely to experience housing problems than Whites and Hispanics with the exception of elderly and small households. Overall, 61% of all low income Black homeowners reported housing problems in 2000 compared to 48% among White and Hispanic homeowners.

Figure 1-22
Lower Income Households with Housing Problems, 2000

Harford County	Total Households 0-80% of MFI		Elderly 1 & 2 Person Households 0-80% of MFI			Family Households 0-80% of MFI			All Other Households 0-80% of MFI		
	Total	% with a Housing Problem	Total	# with a Housing Problem	% with a Housing Problem	Total	# with a Housing Problem	% with a Housing Problem	Total	# with a Housing Problem	% with a Housing Problem
Renters											
White Non-Hispanic	7,505	47.9%	1,940	1,060	54.6%	3,335	1,540	46.2%	2,230	995	44.6%
Black Non-Hispanic	2,220	46.6%	245	120	49.0%	1,335	590	44.2%	640	325	50.8%
Hispanic	358	55.6%	23	19	82.6%	245	130	53.1%	90	50	55.6%
Harford County	10,083	47.9%	2,208	1,199	54.5%	4,915	2,260	46.1%	2,960	1,370	46.5%
Owners											
White Non-Hispanic	13,375	48.0%	5,720	1,899	33.2%	5,815	3,436	59.1%	1,840	1,091	59.3%
Black Non-Hispanic	998	61.0%	340	140	41.2%	555	415	74.8%	103	54	52.4%
Hispanic	154	48.0%	14	14	100.0%	105	60	57.2%	35	0	0.0%
Harford County	14,527	48.9%	6,074	2,053	34.2%	6,475	3,911	60.7%	1,978	1,145	58.9%

Source: HUD Comprehensive Housing Affordability Strategy data

OBSERVATION: Hispanic renters and Black homeowners are more likely to experience housing problems than White households.

¹³ HUD defines housing problems as (1) cost burden of 30% or more (i.e. paying more than 30% of gross income on monthly housing expenses), and/or (2) lacking complete kitchen or plumbing facilities, and/or (3) overcrowding of more than 1.01 persons per room.

2. EVALUATION OF CURRENT FAIR HOUSING PROFILE

This section provides a review of the past and current fair housing planning initiatives, and the existence of fair housing complaints or compliance reviews where a charge of a finding of discrimination has been made. Additionally, this section will review the existence of any fair housing discrimination suits filed by the United States Department of Justice or private plaintiffs in addition to the identification of other fair housing concerns or problems.

Citizens of Harford County receive fair housing services from a variety of organizations, including but not limited to the Human Relations Division of the Harford County Department of Community Services, the Harford County Human Relations Commission, Baltimore Neighborhoods, Inc., the Maryland Commission on Human Relations, and the Greater Baltimore Community Housing Resource Board. These groups provide education and outreach, sponsor community events, process fair housing complaints, and in some cases investigate complaints through testing, and/or work to promote a mutual understanding of diversity among residents. While some offer only referral and educational programs to the community, others concentrate their efforts in tenant/landlord issues and real estate testing.

A. Existence of Fair Housing Complaints

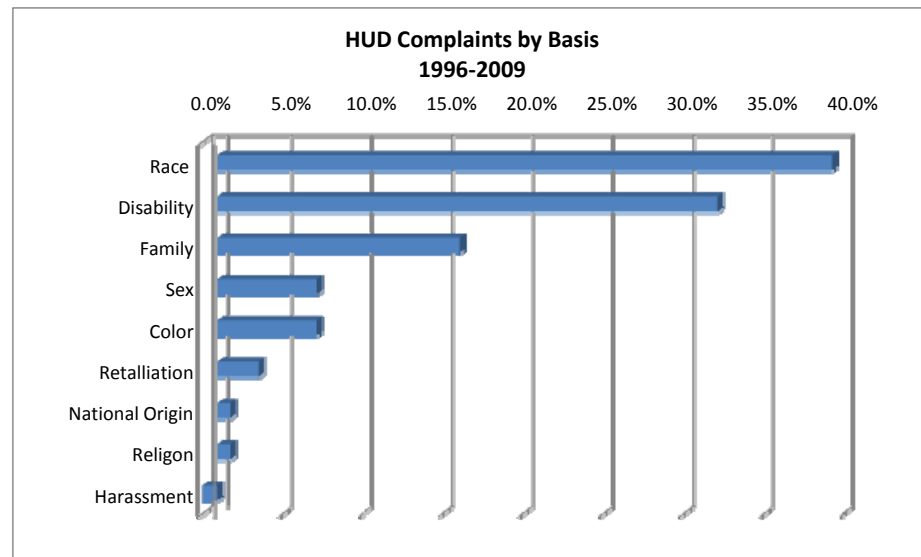
A lack of filed complaints does not necessarily indicate a lack of a problem. Some persons may not file complaints because they are not aware of how to file a complaint or where to go to file a complaint. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Also, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. According to the Urban Institute, 83% of those who experience housing discrimination do not report it because they feel nothing will be done. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

i. U.S. Department of Housing and Urban Development

The Office of Fair Housing and Equal Opportunity (FHEO) at HUD receives complaints from persons regarding alleged violations of the federal Fair Housing Act. Fair housing complaints originating in Harford County were obtained and analyzed for 1996 – 2009. As of September 2009, there were two open cases. In total, 56 complaints originating in the County were filed with HUD since 1996, an average of four per year. The volume of cases has been steady throughout the years.

Race was the most common basis for complaint, followed by disability and familial status. A summary appears in the following chart. Many complaints were filed on multiple bases, so the chart reflects the percentage of all complaints that involved each basis.

Figure 2-1
HUD Complaints by Basis of Discrimination, 1996-2009



OBSERVATION: Race was the most common basis for alleging housing discrimination between 1996 and 2009, followed by disability and familial status.

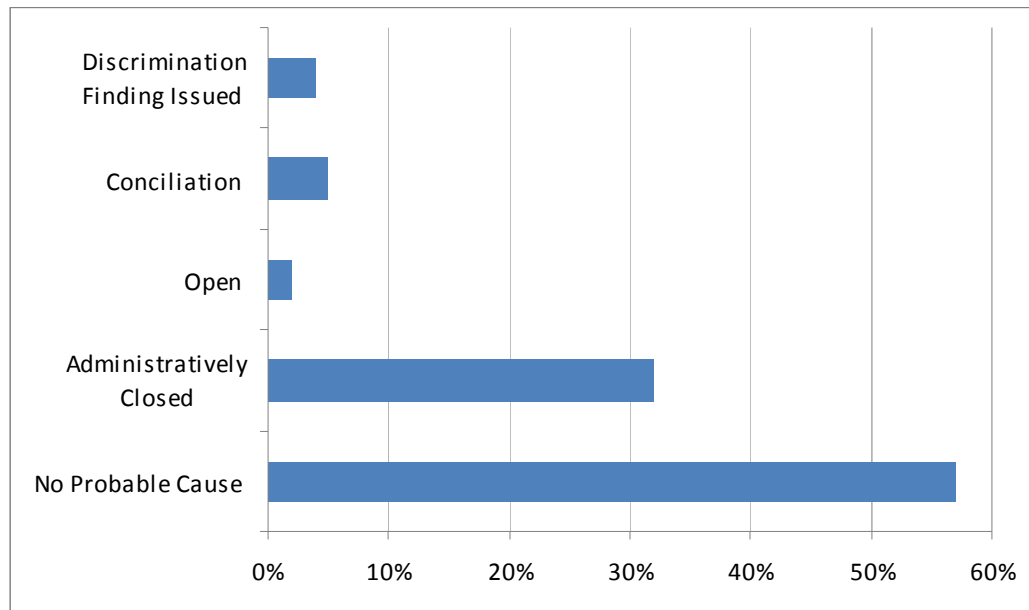
Of the 56 complaints filed since 1996, three (5.4%) were conciliated with a successful settlement. All three cases involved disability. Of the settled complaints, the most common issue was discrimination in the terms, conditions, and privileges relating to rental housing. There were two such complaints. One of the cases claimed discriminatory terms, conditions, privileges, or services and failure to make reasonable accommodation.

Discrimination findings were issued in two cases. In 2001, an administrative hearing resulted in a finding of discrimination in the failure to make reasonable accommodation on the basis of disability. Additionally, a case in 2004 on the basis of retaliation, alleging discriminatory terms, conditions, and privileges relating to rental, resulted in a FHAP judicial consent order.

Of all complaints filed, 32 (57.1%) were found to be without probable cause. This occurs when the preponderance of evidence obtained during the course of the investigation is insufficient to substantiate the charge of discrimination. The remaining 18 cases (32.1%) were administratively closed, often due to complaint withdrawal before or after resolution, judicial dismissal, or the complainant's refusal to cooperate. The following chart provides a summary

of the resolutions of complaints filed in Harford County between 1996 and 2009.

Figure 2-2
Resolution of Complaints, 1996-2009



ii. Maryland Commission on Human Relations

The Maryland Commission on Human Relations is a state agency empowered to enforce Maryland's laws against discrimination in employment, housing, and public accommodations. Additionally, the agency provides related educational and outreach services, though this role has been diminished in recent years due to budgetary restrictions. According to its 2009 Annual Report, the Commission relies on more than 130 trained volunteer mediators to resolve cases before they reach the process of investigation and litigation. However, the agency continues to receive and resolve a substantial number of housing discrimination complaints.

In November 2009, a formal request was made to the Commission for data on the number and nature of fair housing complaints in Harford County. In addition to details on all complaints filed since September 1996, the letter requested fair housing complaints where the Commission or its staff had made a finding of discrimination or probable cause, findings of noncompliance by HUD or the Commission, the number of administrative releases issued for complaints, and any other information relevant to the AI.

In response, the Commission declined to provide the data requested, citing "confidentiality restrictions." The only information available for review were general statistics provided in recent Annual Reports published publicly by the Commission. According to the latest report, the agency received a total of 834 individual discrimination complaints across the state in FY 2009,

10% of which (82) were related to housing. Of these, three originated in Harford County.

OBSERVATION: Because the Maryland Commission on Human Relations withholds detailed information about the housing discrimination complaints it receives, entitlement communities and fair housing advocates do not have a critical resource upon which to base testing, education, and outreach efforts.

B. Patterns and Trends in Fair Housing Complaints

Race continues to be the primary basis of discriminatory complaints, followed by disability and familial status. HUD data indicates that more complaints are being filed on the basis of disability. The prevalence of disability complaints, especially in recent years, is evidence that education, information and referral regarding fair housing issues for persons with disabilities is increasingly critical.

The number of HUD filings has been steady during the 13-year study period, from none in 1996, one in 1997 and six in 1998 to four in 2007, five in 2008, and two through September 2009.

i. Testing

Baltimore Neighborhoods, Inc. (BNI) is a nonprofit corporation committed to fighting housing discrimination, supporting integrated communities, improving relations between tenants and landlords, providing community education, and advocating for persons with disabilities on housing accessibility issues.

As part of its mission to fight housing discrimination, BNI contracts with the City of Baltimore, Baltimore County, and Harford County to conduct discrimination testing. In Harford County, BNI typically conducts 20-25 tests annually on apartment complexes and some for-sale housing developments. BNI also provides educational outreach efforts, including advertisements in the newspaper, the *Aegis*, and educational workshops for apartment managers, landlords, maintenance staff, etc. BNI also operates the tenant-landlord hotline and fair housing hotline for the County. BNI's contract in Harford County is managed through the Community Development Division of the Department of Community Services.

BNI outlined its accomplishments and outcomes in Harford County in its year-end CDBG report for FY 2009, including the following:

- Published four fair housing educational advertisements in the *Aegis*, including in September 2008, January 2009, March 2009, and June 2009.
- Conducted 27 tests for housing discrimination.

- Received and tracked 373 calls from Harford County residents in the tenant and landlord department.
- Provided fair housing training to all property maintenance staff members of the Woodsdale Apartment community.
- Hosted a Fair Housing Symposium, entitled “Why Fair Housing: the Modern Face of Discrimination.”

Of the 27 tests for housing discrimination conducted in Harford County by BNI, 48% were analyzed and either found no evidence of discrimination or balanced treatment of each tester. In addition, 22% of the total tests found minor discrimination or minor differences in treatment between the control and protected class testers. All of those tests fell into one of two protected classes, either race or familial status.

At least 11%, or three of the total tests, were found to show blatant discrimination or extreme differences in treatment. Of those three-paired tests, two of the tests were for race. In each of the cases, a White tester acted as the control tester and the protected class tester was Black.

BNI concluded in its FY 2009 year-end report that no trends or patterns of discrimination are apparent from testing. However, some confusion exists regarding familial status discrimination. BNI stated that continued training in fair housing law for property management staff is necessary in the County.

BNI’s tenant and landlord department received 373 phone calls from Harford County residents in FY 2009. Of these calls, 54% were from tenants and almost 40% were minorities. Approximately 70% of the calls were from women. Of the 373 callers to BNI’s Tenant Landlord Hotline, callers mostly had questions concerning their rights and responsibilities regarding failure to pay rent, receiving, or giving proper vacate notices, and their rights regarding receiving security deposit refunds.

OBSERVATION: Based on the results of BNI’s testing in FY 2009 and calls received via the Tenant Landlord Hotline, additional testing and educational outreach is needed in Harford County to continue to education residents and property managers of their fair housing rights and responsibilities.

C. Existence of Fair Housing Discrimination Suit

There is no pending fair housing discrimination suit involving Harford County.

D. Determination of Unlawful Segregation

There is no pending unlawful segregation order involving Harford County.

3. EVALUATION OF PUBLIC AND PRIVATE SECTOR POLICIES

The analysis of impediments is a review of barriers to fair housing choice in the public and private sector. Impediments to fair housing choice are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices, or any actions, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin. Policies, practices or procedures that appear neutral on their face but which operate to deny or adversely affect the provision of housing to persons of a particular race, color, religion, sex, disability, familial status, or national origin may constitute such impediments. In Maryland, protection is also extended to persons based on sexual orientation and marital status.

A. Public Sector

An important element of the analysis includes an examination of public policy in terms of its impact on housing choice. This section evaluates the public policies in Anne Arundel County to determine opportunities for furthering the expansion of fair housing choice.

i. Federal Entitlement Programs

From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. Disruptions in the private tax credit equity markets and the decline in federal funding opportunities for affordable housing for lower income households has shifted much of the challenge of affordable housing production to state, county, and local government decision makers.

The recent Westchester County, NY settlement also reinforces the concept of creating housing choice in non-impacted areas (i.e., areas outside of concentration of minority and LMI persons) of urban county entitlements. Westchester County violated its cooperation agreements with local units of government which prohibit expenditures of CDBG funds for activities in communities that do not affirmatively further fair housing within their jurisdiction or otherwise impede the Urban County's action to comply with its fair housing certifications.

The Community Development Block Grant and HOME programs are the two primary HUD entitlement funds through which eligible communities can create new affordable housing opportunities in non-impacted areas. CDBG funds are used for a variety of public services, planning, street improvements, clearance, housing rehabilitation, code enforcement, and economic development initiatives. The CDBG program serves to benefit primarily low and moderate income persons in accordance with the statutory requirements of the program. In terms of housing activities, rehabilitation is most commonly financed with CDBG funds.

The HOME program provides federal funds for the development and rehabilitation of affordable rental and ownership housing for low and moderate income households. HOME funds can be used for activities that promote affordable rental housing and homeownership by low and moderate income households, including new construction, rehabilitation, homebuyer assistance, and tenant-based rental assistance.

a. Allocation of Funds

Each year, CDBG and HOME funds are awarded through a competitive funding process in Harford County. In addition, funds may also be awarded at any time throughout the year based on funding availability and community need.

Notice of funding availability for the competitive round is posted in the *Aegis* and on the Harford County web site. Application submission requirements are also posted on the County's web site and distributed to all interested persons via mail and/or email. Projects or programs that meet the County's threshold criteria are considered for funding.

Funding applications are accepted and reviewed during scheduled, competitive rounds, which typically run in late fall through early winter. The funding announcement provides the application deadline dates. Only complete applications which meet the requirements and applications submitted no later than the deadline dates are accepted for review.

There are two levels of review – threshold review and project/program selection review. The threshold review is a screening process intended to eliminate projects and programs that do not meet basic guidelines. Staff and management from the Harford County Department of Community Services, Division of Community Development, review the applications and supporting documentation to determine compliance with federal objectives and regulations, alignment with the County's Five-Year Consolidated Plan objectives, and any applicable state and/or local requirements.

The project/program selection review involves the review of the application and supporting documentation. In some cases, this level of review also involves additional communication with the applicant and site visits by staff from the Department of Community Services. Recommendations for approval are based on the relevance of projects/programs, the capacity of the organization, and the availability of resources.

Projects and programs that are not approved for funding are withdrawn from processing. The application sponsor is notified of the deficiencies so that applications can be strengthened and potentially resubmitted in future funding rounds.

All projects that are approved are outlined in Harford County's Annual Action Plan. If additional funds are awarded throughout the year, any

changes or additions to funding listed in the County's Annual Plan are documented through HUD's substantial amendment process.

b. Annual Plans and CAPERs

Entitlement communities are required to prepare Annual Action Plans in which each entity describes the activities to be undertaken with CDBG and HOME funds. At the end of each fiscal year, a Consolidated Annual Performance and Evaluation Report (CAPER) is then developed to report on the progress achieved by each entitlement in its efforts to invest CDBG and HOME funds, and affirmatively further fair housing. The following narrative includes an analysis of how Harford County furthered fair housing through their investment of these federal funds.

1) Annual Plan (2010)

The Annual Plan for 2010 included the priorities and objectives planned by Harford County in various HUD categories such as housing, homeless prevention, community development, and others. In terms of affirmatively furthering fair housing, the best indication of this policy being implemented is the creation of *new* affordable rental and sales housing units for families that are located outside of impacted areas. By creating new affordable family units outside of impacted areas, the County would be providing housing choice for LMI minorities in non-impacted areas, sometimes referred to "communities of opportunity."

Harford County's affordable housing objectives outlined in its FFY 2010 Annual Action Plan included the following:

- Preservation and rehabilitation of existing housing stock
- Homeownership assistance
- Expansion of affordable rental housing
- Continued support of the County's public and assisted housing programs
- Affirmatively furthering fair housing on a regional level through various County programs.

Specifically, the housing activities aimed at the creation of new housing outlined in the 2010 Annual Plan included the following:

- One purchase and rehabilitation homebuyer project by Inner County Outreach,
- Purchase of a townhouse to be used as rental housing for families coming from transitional housing by Harford Family House,
- Acquisition of a property to build 22 affordable, multi-family housing units by Shelter Development, and
- Set-aside of HOME funds for a future affordable housing project that is to be determined.

OBSERVATION: Within its Annual Plan, the County should specifically state the location of proposed activities to emphasize the importance of creating new affordable housing opportunities for members of the protected classes outside of impacted areas.

2) CAPER (2008)

In its CAPER for FFY 2008 (July 1, 2008 through June 30, 2009), Harford County reported on the activities completed and objectives met for the previous year. In terms of affirmatively furthering fair housing, the following activities were noted:

- Creation of six affordable homes by area CHDOs. These homes were sold to eligible first-time homebuyers with incomes at or below 50% of AMI. Four homes were built by Harford Habitat for Humanity and two were constructed by Inner County Outreach.
- Purchase, rehabilitation, and resale of three foreclosed homes to first time homebuyers making 50% or less AMI. These homes were rehabbed and sold by Harford Habitat for Humanity.
- Started construction on Perryman Station, an 80-unit affordable senior housing facility in Aberdeen.
- Assisted 28 households through the Settlement Expenses Loan Program (SELP).

To demonstrate its commitment to affirmatively furthering fair housing, Harford County's policies should include requirements that a specific number or percentage of housing units acquired for rehabilitation and resale or rent to LMI households, which are financed with CDBG or HOME funds, be located outside of impacted areas. To achieve this in a higher-cost area such as Harford County, the County may need to increase the subsidies provided to affordable housing providers so they can acquire housing units outside of impacted areas.

OBSERVATION: When preparing future CAPERs, the addresses of all new affordable housing opportunities financed with CDBG or HOME funds should be mapped to illustrate their location relative to impacted areas in the County.

Map 7 on the following page shows the geographic distribution of the County's affordable housing investments using CDBG and HOME funds in FY 2009. Most of the County's affordable housing investments occurred in impacted areas such as Havre de Grace and Aberdeen. These areas are both areas of Black concentration and LMI areas.

c. Affirmative Marketing Policy

As a recipient of federal entitlement funding, Harford County is required to adopt affirmative procedures and requirements for all CDBG- and HOME-assisted housing with five or more units. Such a plan should include:

- Methods of informing the public, owners, and potential tenants about fair housing laws and the County's policies
- A description of what the owners and/or the County will do to affirmatively market housing assisted with CDBG or HOME funds
- A description of what the owners and/or the County will do to inform persons of the new housing units who are not likely to apply for housing without special outreach
- Maintenance of records to document actions taken to affirmatively market CDBG- and HOME-assisted units and to assess marketing effectiveness
- A description of how efforts will be assessed and what corrective actions will be taken where requirements are not met.

Harford County's affirmative marketing policy appears to be comprehensive, addressing most of the HUD requirements. The policy applies to any rental or ownership project containing five or more assisted housing units funded with CDBG, HOME, or County funds.

The County requires that all participants (housing provider, developer, public agencies, etc.) comprehensively detail their efforts to meet and maintain affirmative marketing standards in the following areas:

- Development of advertising/marketing campaign for publicizing the availability of housing units to the public with appropriate focus on minorities and special needs populations.
- Establishment of a process to evaluate the success/failure of the marketing program regarding the use of media, number of placements, budget, and timetable.
- Designation of staff having oversight responsibility for the marketing campaign and for the evaluation process of the marketing program.

The owner (housing provider, developer, builder, etc.) must submit their Affirmative Marketing Plan to the County Department of Community Services for review and approval prior to occupancy. The County's policy specifically details the extensive list of plan requirements that must be included for approval.

The description of what the owner will do to affirmatively market the project to the public and prospective tenants must include the use of commercial media, such as published advertising and a notice of

availability of housing on a nondiscriminatory basis in local print media. This includes but is not limited to the Aegis, use of community contacts, display of fair housing posters, and use of the official HUD FHEO logo in a prominent and visible position in all descriptive literature, all forms of advertising, and in visible locations in all places of business.

The policy states that the Department of Community Services will assess, at its discretion, the success of affirmative marketing actions by the owner and will require corrective actions for any non-compliance with the procedures and requirements. Specific information on how the efforts will be assessed and what corrective actions will be taken are not stated in the policy.

The County's policy does not contain any information pertaining to persons with limited English proficiency (LEP) and how LEP persons will be assisted in various outreach and marketing efforts.

OBSERVATION: The County's affirmative marketing policy should be updated to provide information on how LEP persons will be assisted in various outreach and marketing efforts. Also, the County should monitor every project to determine the adequacy of the owner's affirmative marketing initiatives.

(any monitoring report available to describe how well the policy is being adhered to?)

d. Site and Neighborhood Selection Policy

Recipients of HOME funds are required to administer their program in compliance with the regulations found at 24 CFR 983.6(b), known as the Site and Neighborhood Standards. These standards address the site location requirements for both rehabilitated and newly constructed rental units financed with HOME funds.

Site selection for HOME-assisted rehabilitated units must comply with several standards, including among other things, promoting greater choice of housing opportunities and avoiding undue concentration of assisted persons in areas containing a high concentration of LMI persons. For new construction, an additional standard is added. With few exceptions, site selection must include a location that is not in an area of minority concentration.

Harford County should prepare a written policy that encompasses these standards and that can be incorporated as part of the application review and approval process for all applicable HOME-assisted projects. Such a policy will facilitate the County's goals toward affirmatively furthering fair housing.

ii. Appointed Citizen Boards and Commissions

A community's sensitivity to housing issues is often determined by people in positions of public leadership. The perception of housing needs and the intensity of a community's commitment to housing related goals and objectives are often measured by board members, directorships and the extent to which these individuals relate within an organized framework of agencies, groups, and individuals involved in housing matters. The expansion of fair housing choice requires a team effort. Public leadership and commitment is a prerequisite to strategic action.

Housing and housing-related issues in Harford County are addressed by a variety of appointed citizen volunteer boards, as described as follows.

a. Harford County Commission on Disabilities

The Commission on Disabilities monitors services and activities of government agencies that provide services to individuals with disabilities. Some of the Commission's duties include reviewing legislation that impacts persons with disabilities, advising and promoting the development of an information and referral service for all services and programs available for individuals with disabilities, advising the County Executive on the implementation of the Americans with Disabilities Act, and submitting annual reports to the County Executive and County Council.

The Commission also reviews overall services and activities for collecting data regarding the needs of persons with disabilities and reviews reports and publications of existing governmental agencies providing services to the disabled population. For the purpose of identifying areas of unmet needs in services and programs, the Commission identifies and reviews specific and overall programs and services for all individuals in the County with a disability.

Currently, the County Commission on Disabilities is composed of 15 members and there is one vacant position. Of the 15 members, 13 are White and two are minorities. There are seven males and eight females. Seven of the members indicated they had a disability and five members live in households with children. The ethnicity of the members was not provided.

b. Harford County Human Relations Commission

Members of the Human Relations Commission (HRC) work closely with the Human Relations Office on a diverse set of issues within Harford County's communities. Some of HRC's duties include studying the nature and causes of social friction in the community and making recommendations to the County Executive and County Council with a view toward alleviating social problems and promoting equality,

understanding, and harmonious relations among citizens of the County. The Commission also works closely with the County's Human Relations Office in achieving their goals and objectives.

The HRC consists of 15 members who are all appointed by the County Executive and confirmed by the County Council. Of the 15 members, three are White, nine are Black, one is Hispanic, and two are Asian (including one of Indian ethnicity). There are seven males and eight females. In addition, five members live in households with children. No members indicated a disability.

c. Planning Advisory Board

The Planning Advisory Board consists of five members. Members are appointed by the County Executive and confirmed by the County Council. The Board makes recommendations to the Director of Planning and the County Council relating to master plans, zoning maps, and rules and regulations relating to planning and zoning. In addition, at least every eight years, the Board must prepare general guidelines for use by the Department of Planning and Zoning in preparation or revision of master plans.

Of the five Planning Advisory Board members, all are White. Three are male and two are female. No members indicated they had a disability and three members live in households with children. The ethnicity of the members was not provided.

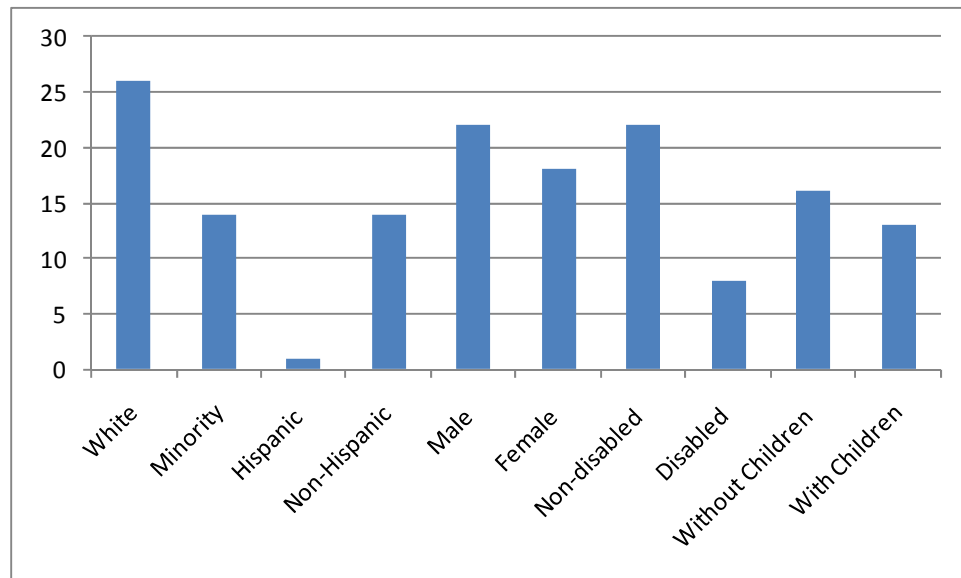
d. Building Code – Board of Appeals

The Building Code Board of Appeals is made up of five members who are all appointed to five-year, staggered terms. Each member must possess knowledge in one of the following areas: architecture or construction, structural engineering, mechanical or plumbing engineering, electrical engineering or electrical contracting, and fire protection engineering.

Of the five members on the Board of Appeals, all are White and all are male. No members have a disability and no members indicated their ethnicity and whether or not they were members of households with children.

The following chart illustrates the lower numbers of persons with disabilities and minorities, particularly Hispanics, on selected appointed boards and commissions in Harford County. The experiences and perspectives of members of the protected classes would enhance the decision-making processes in the County and offer the opportunity for advancing fair housing choice in all aspects of County government.

Figure 3-1
Composition of Citizen Boards and Commissions in Harford County, 2010



OBSERVATION: There is lower representation of minorities, Hispanics, and persons with disabilities on selected appointed boards and commissions in Harford County. The experiences and perspectives of members of the protected classes would enhance decision-making processes in the County and offer the opportunity to affirmatively further fair housing choice in all aspects of County government.

iii. Accessibility of Residential Dwelling Units

From a regulatory standpoint, local government measures to control land use (such as zoning regulations) define the range and density of housing resources that can be introduced in a community. Housing quality standards are enforced through the local building code and inspections procedures.

a. Private Housing Stock

The Maryland Accessibility Code requires accessibility for persons with disabilities in certain new and rehabilitated residential and commercial property.¹⁴ In 2004, the Department of Justice certified that Maryland's state code met or exceeded federal standards for accessible design. Harford County has adopted the state Accessibility Code as well as the 2009 International Building Code and the Maryland Building Rehabilitation Code. In its enforcement activity, the Department of Inspections, Licenses, and Permits ensures that ADA requirements described on approved building plans are constructed properly.

¹⁴ Department of Housing and Community Development: Building and Material Codes, Chapter 2. Article §2-111 and 3-103; Public Safety Article, §12-202; Annotated Code of Maryland

For new HOME-assisted units, Harford County requires compliance with 24 CFR Part 8 which implements Section 504 of the Rehabilitation Act of 1973. Multi-family development must comply with 24 CFR 100.204, which implements the Fair Housing Act construction requirements. To address the needs of persons with mobility impairments, a minimum of 5% of all units (or at least one unit, whichever is greater) must comply with the Uniform Federal Accessibility Standards (UFAS) required under Section 504. An additional 2% of units (or at least one unit) are required to be accessible for individuals with hearing or vision impairments. To ensure full compliance with these standards, a certification from a licensed architect stating that the design is in compliance with UFAS standards should be required of the developer at closing.

OBSERVATION: To ensure full compliance of the County's HOME program with the Uniform Federal Accessibility Standards, a certification from a licensed architect stating that the design and construction is in compliance with UFAS standards should be required of any housing developer at closing.

b. Public Housing Stock

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires that 5% of all public housing units be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. In addition, an Authority's administrative offices, application offices and other non-residential facilities must be accessible to persons with disabilities. The Uniform Federal Accessibility Standards (UFAS) is the standard against which residential and non-residential spaces are judged to be accessible.

The Harford County Housing Agency does not own any public housing units but does manage over 1,000 Section 8 Housing Choice Vouchers throughout the County. The Havre De Grace Housing Authority (HDGHA) manages 60 public housing units in the City of Havre De Grace. Since HDGHA did not provide a completed questionnaire, it is unknown if they have a Section 504 Transition Plan in place and if the number of accessible units owned by the Authority meets HUD's standards.

OBSERVATION: It is unknown if the HDGHA has complied with its Section 504 responsibilities since the PHA did not respond to a request for information.

iv. Language Access Plan for Persons with Limited English Proficiency

In order to accommodate persons with limited English proficiency (LEP) in the provision of information and services, Harford County generally uses a telephonic/document translation service on an as-needed basis. The County

does not have a Language Access Plan (LAP) to enhance access to services offered through the entitlement programs to persons with LEP. As stated previously, there are a high number of Spanish language speakers and other Indo-European language speakers in Harford County. As stated previously, the County should perform the four-factor analysis to determine if vital documents should be translated.

v. Comprehensive Plan

A community's comprehensive plan is a statement of the County's policies relative to new development and preservation of existing assets. In particular, the land use element of the comprehensive plan defines the location, type, and character of future development. The housing element of the comprehensive plan expresses the preferred density and intensity of residential neighborhoods within the county. Taken together, the land use and housing elements of the comprehensive plan define a vision of the type of community that Harford County wishes to become.

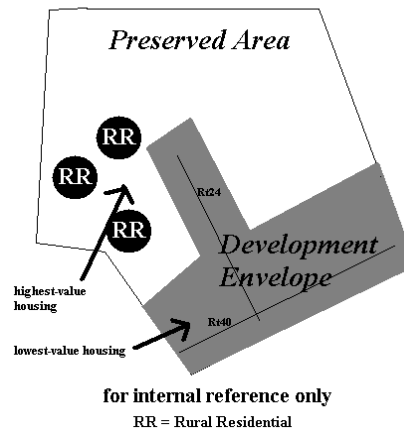
The County's pledge to affirmatively further fair housing applies not only to the use of federal funds but rather, extends to all aspects of county government, including land use planning and zoning. Land use plans and housing plans can be inclusive or exclusive in nature. A community that envisions a variety of housing types and densities in a variety of neighborhoods is one that encourages fair housing choice. On the other hand, a community that limits development to low density single family development is one that restricts fair housing choice. The purpose of this section of the AI is to determine if the official planning policies of Harford County encourage and promote fair housing choice.

a. Land Use Plan

Harford County updated its Master Plan and Land Use Element Plan most recently in 2004. The Land Use Element stresses growth management and resource preservation. The County has defined a geographic area (i.e., the "development envelope") in which it desires to contain all future development and redevelopment activities. The concept of the development envelope was initially introduced in the County's 1977 Master Plan. The 2004 update re-evaluated the concept of the development envelope within the context of Maryland's 1992 Economic Growth, Resource Conservation, and Planning Act.

The development envelope consists of the County's three incorporated municipalities (including the Town of Bel Air and the cities of Aberdeen and Havre de Grace) as well as the MD Route 24/924 and the I-95/U.S.Route 40 corridors that connect these municipalities with each other and the region.

Figure 3-2
Planning Areas in Harford County
Harford County



Source: Harford County Department of Planning & Zoning

Eighty percent of all development in Harford County is located within the development envelope, according to the County's Director of Planning and Zoning. Multi-family housing is permitted only in the development envelope.

Harford County has also defined Designated Growth Areas (DGAs) in its Master Plan. The County's DGAs include land within the Development Envelope, the three incorporated municipalities, nine designated rural villages, areas designated for economic development, as well as, the HEAT Center, and Harford Community College. The County created the U.S. 40 Commercial Revitalization District and the Edgewood Commercial Revitalization District in an effort to attract quality redevelopment on underutilized sites.

In its Master Plan, Harford County designated Priority Funding Areas which coincide with the DGAs. DGAs are given priority status for funding in support of roads, water and sewer, and other growth-related needs.

The County's 2004 Land Use Plan estimates that some 22,000 dwelling units can be developed within the development envelope. This includes platted but undeveloped properties, residential projects in the development pipeline, undeveloped land, municipal residential land, and mixed use development parcels. Aberdeen and Havre de Grace have identified adjacent land areas for possible annexation in their current comprehensive plans, which could add another 8,000 dwelling units.

Outside of the DGAs, the County's land use strategy is to preserve large tracts of agricultural land and to protect sensitive environmental areas such as non-tidal wetlands, forests, floodplains, steep slopes, and habitat areas for rare, threatened, and endangered species. Very limited development of land outside of DGAs is anticipated by the County.

The Master Plan addresses a variety of issues. The sections of the Plan that describe the County's vision for housing, revitalization, infill development, and transportation are particularly relevant to the AI.

In terms of affordable housing, it is the stated policy of Harford County to provide a variety of housing types with a full range of cost options along with rental assistance and homeownership incentives. The Master Plan goes on to state that "since demographic trends suggest a growing population base covering a relatively diverse age and income range in Harford County, it is imperative to meet the need for affordable housing at all income levels." The corresponding implementation measures identified in the Master Plan include the preparation of a housing element of the comprehensive plan, promotion of affordable homeownership, updating the zoning code to provide incentives for the construction of affordable housing and developing flexible design standards that encourage a mixture of housing types for residents at all income levels, including the rapidly growing senior population. The County also states its intention to maintain a sufficient inventory of residential land within the DGAs to meet projected housing needs and to encourage mixed-use and infill development.

The housing needs of seniors are mentioned specifically in the County's Master Plan. The Plan states that "affordable retirement communities and affordable senior housing in suitable areas is important and should be developed consistent with the Senior Housing Plan. These communities should be pedestrian friendly, offer viable transportation options, and present a mix of uses that will service the needs of the residents. Mixed-use communities foster social interaction and public safety."

A related goal is to provide transportation services to communities within the DGAs in order to connect residents to shopping and employment centers, including MARC train service with stops in Aberdeen and Edgewood.

Revitalization and infill development along major transportation corridors is a major theme in the County's Master Plan. It is the County's stated goal to encourage the reuse of vacant and underutilized sites and structures to prevent sprawl. The corresponding implementation measure stated within the Plan is to maintain, renovate, and enhance existing infrastructure to support redevelopment and revitalization.

The County's Land Use Map identifies various land use classifications, as follows:

- **Agricultural (AG)** - Areas where agriculture is the primary land use, but where development rights are available. Residential development is possible at a density of 1.0 dwelling unit for every 10 acres. The vast majority of land in the County falls within this land use classification.
- **Town** – Walkable communities with a mix of residential and commercial uses, including the towns of Forest Hill/Bel Air,

Churchville/Creswell, Aberdeen, Havre de Grace, Abingdon/Emmorton, Joppa/Joppatown in the development envelope and Darlington/Dublin, Fallston, Jarrettsville and Whiteford-Cardiff/Pylesville outside of the development envelope.

- **Rural Residential (RR)** - Areas of focused rural development within the agricultural area, which allow low intensity residential opportunities while maintaining the character of the surrounding countryside. Water and sewer services are not planned for these areas. Residential density is limited to 1.0 dwelling unit per 2 acres.
- **Low Intensity (LI)** - Areas within the development envelope where residential development is the primary land use. Density ranges from 1.0 to 3.5 dwelling units per acre. Neighborhood commercial uses such as convenience stores, doctors' offices, and banks are examples of some of the nonresidential uses associated with this designation.
- **Medium Intensity (MI)** - Areas within the development envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, variety stores, and other commercial uses are examples of some of the more intensive uses associated with this designation.
- **High Intensity (HI)** - Areas within the development envelope where residential development occurs at a density greater than 7.0 dwelling units per acre. Major retail commercial centers and highway related businesses, such as automobile dealerships and home improvement centers, are examples of some of the most intensive uses associated with this designation.
- **Industrial/Employment (IE)** – Areas suitable for commercial and industrial development.

The total land area of Harford County is 281,094 acres. Approximately 59% of the total land area is classified as agricultural land. Another 18% of the County's land area (49,545 acres) consists of Aberdeen Proving Ground, county parks and state parks. Total acreage within each land use classification is presented on the following chart.

Figure 3-3
Harford County Land Use Classification Acreage

Land Use Classification	Description	Acreage
AG	Agriculture	164,885
HI	High Intensity	3,377
IE	Industrial/Employment	6,903
LI	Light Intensity	17,577
MI	Medium Intensity	14,855
RR	Rural Residential	15,088
TOWN	Towns	8,863
APG	Aberdeen Proving Ground	38,140
PARKS	County Parks (2010)	4,641
PARKS	State Parks (2010)	6,764
TOTAL		281,094

Source: Harford County Department of Planning & Zoning

Harford County estimates that there is sufficient land to accommodate an additional 20,623 units of housing within the development envelope, as depicted on the following chart.

Figure 3-4
Planned Residential Units/ Vacant Land Capacity by Community in Development Envelope

Community Area by Reg. Transp. Zone	Total Units Planned	Net Planned Units Remaining	Planned Units in Process	Vacant Unit Capacity	Redevelop. Units	Town Net Units	Total Net Capacity
Fallston	221	221	0	0	350	0	571
0901	0	0	0	0	52	0	52
0904	221	221	0	0	242	0	463
0906	0	0	0	0	56	0	56
Forest Hill/ Bel Air	1,013	523	0	1,065	182	625	2,395
0887	0	0	0	0	117	0	117
0892	0	0	0	213	0	0	213
0893	25	25	0	0	0	0	25
0894	0	0	0	9	0	0	9
0895	0	0	0	0	12	0	12
0907	0	0	0	0	0	0	0
0908	104	13	0	15	14	0	42
0909	0	0	0	48	0	182	230
0911	166	132	0	328	0	0	460
0912	0	0	0	0	0	0	0
0913	0	0	0	0	0	0	0
0914	107	15	0	0	26	0	41
0915	0	0	0	0	0	0	0
0917	0	0	0	31	0	424	455
0918	0	0	0	0	13	6	19
0919	59	59	0	252	0	0	311
0920	300	143	0	0	0	0	143
0923	12	12	0	0	0	0	12
0924	0	0	0	0	0	13	13
0925	119	74	0	0	0	0	74
0972	121	50	0	169	0	0	219
Churchville/ Creswell	0	0	0	331	0	0	331
0896	0	0	0	91	0	0	91
0897	0	0	0	209	0	0	209
0926	0	0	0	31	0	0	31
Aberdeen/ Havre de Grace	876	865	0	2,805	517	3,527	7,714
0932	0	0	0	0	370	993	1,363
0934	0	0	0	0	0	32	32
0935	0	0	0	0	0	35	35
0936	0	0	0	0	0	40	40
0937	0	0	0	0	0	0	0
0939	0	0	0	0	0	0	0
0940	0	0	0	0	0	0	0
0941	0	0	0	161	41	1,035	1,237
0943	0	0	0	225	0	0	225
0944	0	0	0	10	0	1,175	1,185
0946	0	0	0	0	0	0	0
0947	0	0	0	754	0	132	886
0948	0	0	0	0	0	0	0
0945	0	0	0	20	0	0	20
0950	0	0	0	844	0	3	847
0951	0	0	0	0	0	82	82
0953	0	0	0	18	34	0	52
0958	746	746	0	200	0	0	946
0959	80	80	0	526	72	0	678
0960	50	39	0	47	0	0	86
Abingdon/ Emmorton	2,502	1,625	702	2,112	2,080	0	6,519
0961	591	485	311	587	0	0	1,383
0963	0	0	0	0	218	0	218
0967	0	0	0	190	0	0	190
0968	23	20	0	0	0	0	20
0969	0	0	0	16	0	0	16
0970	0	0	0	383	0	0	383
0971	8	8	0	6	550	0	564
0973	270	97	0	35	0	0	132
0974	0	0	0	0	423	0	423
0975	1,337	956	391	257	38	0	1,642
0976	0	0	0	308	63	0	371
0977	252	38	0	75	777	0	890
0978	21	21	0	255	11	0	287
Joppa/ Joppatowne	1,036	1,005	0	465	105	0	1,575
0980	0	0	0	136	86	0	222
0981	611	611	0	202	19	0	832
0983	0	0	0	0	0	0	0
0984	0	0	0	23	0	0	23
0985	0	0	0	0	0	0	0
0986	425	394	0	104	0	0	498
Edgewood	888	676	0	604	238	0	1,518
0988	71	26	0	375	125	0	526
0989	0	0	0	0	22	0	22
0990	0	0	0	0	74	0	74
0991	122	8	0	0	0	0	8
0992	12	6	0	0	0	0	6
0993	0	0	0	15	0	0	15
0995	14	14	0	0	0	0	14
0996	288	288	0	0	0	0	288
0997	181	134	0	0	0	0	134
0998	0	0	0	60	0	0	60
0999	200	200	0	0	17	0	217
1000	0	0	0	154	0	0	154
TOTAL	6,536	4,915	702	7,382	3,472	4,152	20,623

Source: Harford County Department of Planning & Zoning

In addition to the land use classifications included on the above chart, the Harford County zoning code allows residential uses on parcels of 5 acres and larger that are zoned B1, B2, B3, CI, LI or R4 using the Mixed Use Center provisions. The Mixed Use Center development option allows up to 75% of the floor area of these mixed use developments to be residential. There are 77 parcels (1,347 acres total) that are 5 acres and larger zoned B1, B2, B3 or CI. In addition, there are 111 parcels (4,400 acres total) that are 5 acres and larger zoned for mixed use development.

Mixed use development scenarios aside, there is a very limited supply of land that can be developed by-right for multi-family housing within the development envelope. The County estimates that 341 units could be developed in R3 areas and another 14 units could be developed in R4 areas. Residential development capacity for all land use classifications is presented in the following chart.

OBSERVATION: While the County's Master Plan acknowledges the need for affordable housing in proximity to public transit and employment opportunities and a stated policy of providing a variety of housing types, there is no mention of unmet lower income housing needs other than senior housing, rental assistance, or affordable sales housing. The Plan is silent on the extent of need for multi-family housing units that are affordable to lower-income families.

OBSERVATION: The County's Master Plan is also silent on implementation measures aimed at expanding the supply of affordable housing for lower-income families. The absence of specific policies and strategies to address the housing needs of lower income families limits fair housing choice for members of the protected classes.

Figure 3-5
Vacant Land Inventory/ Capacity in Development Envelope by Community Planning Area

Community Area/ RTZ	AG	R	R1	R2	R3	R4	RR	VR	Net Capacity (in units)
0892			91.56	29.50					213
0894				2.90					9
0896				29.12					91
0908				4.80					15
0909				15.40					48
0911			21.63	76.00	12.00				328
0912									0
0915				0.00					0
0917				10.00					31
0919			60.80	54.94					252
0972				53.97					169
FOREST HILL/ BEL AIR SUBTOTAL	0.00	0.00	173.99	276.63	12.00	0.00	0.00	0.00	1,158
0897			159.81						209
0926			13.7	4.2					31
CHURCHVILLE/ CRESWELL SUBTOTAL	0.00	0.00	173.51	4.20	0.00	0.00	0.00	0.00	240
0941			3.50		30.80				161
0943			172.00						225
0944	0.00			3.20					10
0945			15.00						20
0947			170.20	169.00					754
0950			303.09	142.50					844
0953			14.12						18
0958			114.46	16.00					200
0959			19.00	16.99	88.01				526
0960			36.00						47
ABERDEEN/ HAVRE DE GRACE SUBTOTAL	0.00	0.00	847.37	347.69	118.81	0.00	0.00	0.00	2,807
0961					115.30				587
0967				60.40					190
0969			12.40						16
0970	167.25		279.39						383
0971			4.20						6
0973			26.80						35
0975			52.20	60.00					257
0976			3.75	2.00	58.30				308
0977			57.00						75
0978			139.00	8.00	9.33				255
ABINGDON/ EMMORTON SUBTOTAL	167.25	0.00	574.74	130.40	182.93	0.00	0.00	0.00	2,110
0980			103.8						136
0981			151.6		0.6				202
0984					4.5				23
0986			3.7	31.6	0.00				104
JOPPA/ JOPPATOWNE SUBTOTAL	0	0	259.1	31.6	5.1	0.00	0.00	0.00	465
0988			155.3	14.93		13.70			375
0993					3				15
0998				19.2					60
1000				18.16	19.00				154
EDGEWOOD TOTAL	0	0	155.3	52.29	22.00	13.70	0.00	0.00	604
TOTAL	167	0	2184	843	341	14	0	0	7,382

Source: Harford County Department of Planning & Zoning

Note: Darlington/Dublin, Fallston, Jarrettsville, and Whiteford-Cardiff/Pylesville areas fall outside the development envelope.

This chart includes parcels that are 2 acres or larger.

vi. Zoning

The analysis of zoning regulations was based on the following five topics raised in HUD's *Fair Housing Planning Guide*, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities)
- The opportunity to develop alternative designs (such as cluster developments, accessory dwelling units, planned residential developments, inclusionary zoning and transit-oriented developments)
- Minimum lot size requirements
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e. group homes) in single family zoning districts
- Restrictions on the number of unrelated persons in dwelling units.

The Harford County zoning ordinance covers the unincorporated area in the County. Each of the three incorporated municipalities of Aberdeen, Bel Air and Havre de Grace administer their own respective zoning ordinances. All four ordinances were reviewed for the AI.

A summary of the reviews conducted of the four zoning ordinances is included in Appendix A.

a. Date of Ordinance

Generally speaking, the older a zoning ordinance, the less effective it will be. Older zoning ordinances have not evolved to address changing land uses, lifestyles, and demographics. However, the age of the zoning ordinance does not necessarily mean that the regulations impede housing choice by members of the protected classes.

In **Aberdeen**, zoning is addressed in Chapter 235 of the City Development Code. The ordinance was developed in 1990 and has been amended through 2006.

In **Bel Air**, the zoning ordinance was originally adopted in 1959 and has been amended through 2010. The zoning regulations are found in Article II of the Town's Development Code.

In **Havre de Grace**, the zoning regulations are found in Chapter 205 of the City Code. Zoning regulations date from 1982 and have been amended through 2010.

In **Harford County**, the zoning regulations are found in Chapter 267 of the County Code. The regulations have been amended through 2010.

b. Residential Zoning Districts, Permitted Dwelling Types & Minimum Lot Sizes

The number of residential zoning districts is not as significant as the characteristics of each district, including permitted land uses, minimum lot sizes, and the range of permitted housing types. However, the

number of residential zoning districts is indicative of the municipality's desire to promote and provide a diverse housing stock for different types of households at a wide range of income levels.

Because members of the protected classes are often also in low income households, a lack of affordable housing may impede housing choice by members of the protected classes. Excessively large lot sizes may deter development of affordable housing. A balance should be struck between areas with larger lots and those for smaller lots that will more easily support creation of affordable housing. Finally, the cost of land is an important factor in assessing affordable housing opportunities. Although small lot sizes of 10,000 square feet or less may be permitted, if the cost to acquire such a lot is prohibitively expensive, then new affordable housing opportunities may be severely limited, if not non-existent.

Similar to excessively large lots, restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, discourage the development of affordable housing. Allowing varied residential types reduces potential impediments to housing choice by members of the protected classes.

In **Aberdeen**, there are three residential zoning districts and three business districts that permit residential uses by-right. The lowest density residential district (R-1) requires a minimum lot size of 15,000 square feet, which is equivalent to about one-third of an acre. The majority of residential land within the City is zoned R-1. Lots as small as 2,500 square feet are permitted for townhouse units in the R-3, High Density Residential District. This range of minimum lot sizes, accompanied by a wider range of dwelling unit types, provides an array of housing options.

In **Bel Air**, residential dwelling units are permitted by-right in three residential districts, five commercial districts and one residential-office district. A good range of single family and multi-family options are permitted. The largest minimum lot size requirement is 10,000 in the R-1 district. Lots as small as 5,000 square feet are permitted for single family semi-detached units. For townhouses, 2,000 square feet per unit is allowable with a minimum 15,000 square-foot parcel. Density requirements are reasonable. For example, townhouses can be developed up to 10 du/acre in R-2, and up to 14 du/acre in R-3, R-O, and B-1 districts. Multi-family garden or mid-rise apartments can be developed up to 20 du/acre in R-3, R-O, and B-1 districts. Fifty-and-over housing can be developed up to 30 du/acre in R-3, R-O, and B-1 districts.

In **Havre de Grace**, only single family detached units, duplexes and townhouses are permitted by-right in the City. All other dwelling unit types, including multi-family, are allowed by conditional use. Minimum lot sizes are reasonable ranging from 3,000 square feet for a duplex unit

in RB districts to 15,000 square feet in the R districts. The maximum density permitted for townhouses is 16 du/acre.

OBSERVATION: Multi-family dwelling units are not permitted by-right in Havre de Grace. This housing type is an affordable option for lower income households who cannot afford home ownership. By not permitting multi-family housing by-right, the City is limiting housing choice for members of the protected classes.

In **Harford County**, there are a wide variety of residential districts as well as commercial districts where residential uses are permitted by-right. Multi-family dwelling unit types are permitted by-right only in R-4, RO and B-3 districts. Minimum lot sizes range from as small as 1,800 square feet for a townhouse unit in the B-3 district up to two acres in the A districts.

c. Alternative Design

Allowing alternative designs provides opportunities for affordable housing by reducing the cost of infrastructure spread out over a larger parcel of land. Alternative designs may also increase the economies of scale in site development, further supporting the development of lower cost housing. Alternative designs can promote other community development objectives, including agricultural preservation or protection of environmentally sensitive lands, while off-setting large lot zoning and supporting the development of varied residential types. However, in many communities, alternative design developments often include higher-priced homes. Consideration should be given to alternative design developments that seek to produce and preserve affordable housing options for working and lower income households.

In **Aberdeen**, an accessory dwelling is permitted as a second dwelling unit that is located within an owner-occupied, single-family detached dwelling. Zero-lot line development, whereby the dwelling unit is offset to one side of the lot, allows for residential development on smaller lots. Permitting conversion of single family dwellings to two-family and multi-family units encourages preservation of the existing housing stock and provides an opportunity for more affordable housing.

In **Bel Air**, a density bonus of up to 10% may be approved in the R-1, R-2, and R-3 districts if affordable housing is proposed. In this case, affordable housing is defined as “a sales price or rent within the means of a low and moderate income household, as defined by State of federal legislation.” Typically, this would translate to a dwelling unit affordable for a household earning up to 80% of the area median income.

In **Havre de Grace**, the only alternative design permitted is a Planned Adult Community in which multi-family housing (as well as other unit types) is permitted for mature adults only.

OBSERVATION: Multi-family dwelling units are permitted in Havre de Grace only as part of a Planned Adult Community for mature adults without children. Limiting multi-family housing only to mature adults without children discriminates against families with children.

In **Harford County**, a Starter Home Housing Bonus is offered to encourage the development of affordable units to low and moderate income households and larger households consisting of three or more persons. A 20% increase in the number of units may be provided if specified criteria are met.

d. Definition of Family

Restrictive definitions of family may impede unrelated individuals from sharing a dwelling unit. Defining family broadly advances non-traditional families and supports the blending of families who may be living together for economic purposes. Restrictions in the definition of family typically cap the number of unrelated individuals that can live together. These restrictions can impede the development of group homes, effectively impeding housing choice for the disabled.

In **Aberdeen**, family is defined as “an individual or group of individuals who live together as one economic unit.” This is an inclusive definition that emphasizes the people living together in a cohesive unit without limiting the number of persons, whether related or unrelated.

In **Bel Air**, family is defined, in part, “(A) Any number of persons related by blood, marriage or adoption; or (B) up to three adult persons maintaining a common household together with any adult dependents...or minor children...; or (C) no more than eight persons residing together in order to provide or obtain residential care and treatment to persons with developmental disabilities...; or (D) no more than eight persons who are or have been under treatment for a mental disorder...; or (E) no more than eight persons in recovery from drug, alcohol and/or similar addictions residing together in order to receive counseling and other rehabilitative services.” This definition restricts the number of unrelated persons who can live together, particularly as it relates to unrelated persons residing in a group home.

OBSERVATION: The definition of “family” in the Bel Air zoning regulations restricts the number of unrelated persons who can live together as a family and, potentially, in a group home.

In **Havre de Grace**, family is defined as “One or more individuals living independently as a single housekeeping unit and using cooking facilities and rooms in common. A family shall not be deemed to include the collective occupants of a boardinghouse, lodging house or hotel.” This is an inclusive definition that emphasizes the people living together in a cohesive unit without limiting the number of persons, whether related or unrelated.

In **Harford County**, family is defined simply as “A social unit living together.” This is a very inclusive definition that presents no limits or restrictions on the number of persons who can live together as a family.

e. Regulations for Group Homes for Persons with Disabilities

Group homes are residential uses that do not adversely impact a community. Efforts should be made to ensure group homes can be easily accommodated throughout the community under the same standards as any other residential use. Of particular concern are those that serve members of the protected classes such as the disabled. Because a group home for the disabled serves to provide a non-institutional experience for its occupants, imposing conditions are contrary to the purpose of a group home. More importantly, the restrictions, unless executed against all residential uses in the zoning district, are an impediment to the siting of group homes in violation of the Fair Housing Act.

Two primary purposes of a group home residence are normalization and community integration. By allowing group residences throughout the community in agreement with the same standards as applied to all other residential uses occupied by a family, the purposes of the use are not hindered and housing choice for the disabled is not impeded. Towards this end, municipalities may not impose distancing requirements on group homes for persons with disabilities.

In **Aberdeen**, a group home is defined as “A housing facility offering common, shared, or independent living, dining, kitchen, sanitary, and sleeping facilities. In addition, supportive services or supervisory personnel are provided to individuals with special housing needs when the individuals are not related to the group home sponsor.” This is an inclusive definition that focuses on the people living together as a cohesive unit, similar to a family. There is no limit on the number of unrelated persons who can live together.

In **Bel Air**, group homes are allowed by special exception only in the R-3 residential district. Group homes are also allowed by special exception in the commercial districts. Special exception uses require a public hearing before the Planning Commission and may be denied. Subjecting group homes, where persons with disabilities may reside, to the public hearing process can attract opposition from neighbors and surrounding property owners. This provision is in violation of the Fair Housing Act.

Group homes should be permitted by-right in the same residential districts as single family homes.

OBSERVATION: In Bel Air, group homes are permitted only by special exception in the R-3 district as well as commercial districts. By requiring group home applicants to submit to the special exception public hearing and review process, the Town is placing overly burdensome regulatory requirements on unrelated persons with disabilities than it requires of unrelated persons without disabilities. This provision in the zoning ordinance is discriminatory.

In **Havre de Grace**, group homes are defined as community residential facilities or community treatment facilities. A Community Residential Facility is defined as "any dwelling licensed, certified, or authorized by state, federal, or local authorities as a residence, for example, but not limited to, children or adults with physical, developmental or mental disabilities, dependent children or elderly individuals in need of supervision, support and/or independent living training. Does not include halfway house, crisis residential center, or secure community transition facility. May include specialized group home for the developmentally disabled, group care facility for children, and boarding home."

A Community Treatment Facility is defined as "any dwelling or place licensed, certified, or authorized by state, federal, or local authorities as a residence and treatment facility, for example, but not limited to, children or adults with mental disabilities, alcoholism, or drug abuse problems needing a supervised living arrangement and rehabilitation services on a short-term or long-term basis. Does not include detoxification centers, halfway house, crisis residential center or secure community transition facility. May include alcohol and/or drug abuse treatment facilities and adult treatment facilities."

Both of these definitions reflect the purpose of group homes. Both are defined as "any dwelling" certified and licensed "as a residence" for a specified group of individuals who would be defined as members of the protected classes. However, neither of these two land uses is listed as a permitted or conditional use in any zoning district in the City. As such, it could be construed that these two uses are permitted by-right wherever single family dwellings are permitted.

In **Harford County**, a group home is classified as either a Boarding Home for Sheltered Care or a Group Home for Sheltered Care. A Boarding Home for Sheltered Care is defined as "A nonprofit home for the sheltered care of more than 8 unrelated persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation. A Group Home for Sheltered Care is defined as "A home

for the sheltered care of more than 8 unrelated persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services and transportation."

Both uses are permitted by-right only in the B-3, CI and GI districts, all of which are commercial and/or industrial districts. Off-street parking requirements of 1 space per 2 beds plus 1 space per employee on the largest shift are imposed. This provision exceeds the off-street parking requirement for other single family homes where unrelated persons without disabilities may reside. These provisions regulating group homes violate the Fair Housing Act because they treat group homes for unrelated persons with disabilities less favorably than single family homes for unrelated persons without disabilities.

OBSERVATION: In Harford County, group homes are permitted by-right only in the B-3, CI and GI districts. In addition, additional parking spaces are required. These provisions regulating group homes violate the Fair Housing Act because they treat group homes for unrelated persons with disabilities less favorably than single family homes for unrelated persons without disabilities. Group homes should be permitted by-right where other single family homes are allowed without additional requirements such as parking or landscaping.

vii. Public Housing

There are two agencies that manage public housing in Harford County - the Harford County Housing Agency (HCHA) and the Havre de Grace Housing Authority (HDGHA).

a. Harford County Housing Agency

The Harford County Housing Agency assists low-income families by administering the Section 8 Housing Choice Voucher (HCV) Program. HCHA currently administers 1,094 vouchers in the County. The Housing Agency also administers Housing Opportunities for Persons with AIDS (HOPWA) funds and operates a Tenant Based Rental Assistance (TBRA) program.

The waiting list for vouchers is extensive. According to the County's most recent Annual Action Plan from FFY 2010, there were 2,424 applicant households on the Section 8 HCV waiting list as of March 2010. Of the applicant households, families with children account for 63% and households with a disabled member represent 24%. White households represent 45% of all waiting list applicants while Black households account for 48%.

Figure 3-6
Characteristics of HCHA Section 8 Waiting List Applicants, 2010

	Waiting List Applicants	
	#	%
Total Households	2,424	100.0%
Income		
Extremely low (<30% MFI)	1,967	81.1%
Very low (>30% but <50% MFI)	444	18.3%
Low (>50% but <80% MFI)	2	0.1%
Type		
Families with children	1,532	63.2%
Individuals/families with disabilities	579	23.9%
Elderly (one or two persons)	123	5.1%
Race		
White	1,098	45.3%
Black	1,296	53.5%
Other	47	1.9%
Characteristics by Bedroom Size		
0 bedroom	0	0.0%
1 bedroom	1,457	60.1%
2 bedrooms	702	29.0%
3 bedrooms	203	8.4%
4 bedrooms	37	1.5%
5+ bedrooms	0	0.0%

Source: Harford County FFY2010 Annual Plan; Harford County Housing Agency

Map 8 on the following page illustrates the geographic distribution of Section 8 HCV holders in Harford County. There are a higher number of vouchers in Havre de Grace, Magnolia, and Aberdeen, which are impacted areas of Black residents and LMI persons. There are also a large amount of voucher holders in Bel Air, which has concentrations of LMI persons.

OBSERVATION: There is a high demand for affordable and accessible family rental housing in Harford County as demonstrated by the waiting list for Section 8 Housing Choice Vouchers.

The Housing Agency's Section 8 Administrative Plan was reviewed for this analysis. A summary of the review of the plan is included below.

b. Section 8 Housing Choice Voucher Administrative Plan

The Harford County Housing Agency's Section 8 Admin Plan includes a fair housing policy to comply fully with all federal, state, and local non-discrimination laws and to operate in accordance with the rules and regulations governing fair housing and equal opportunity in housing and employment. The Admin Plan includes an anti-discrimination clause and all applicants are provided information on fair housing and the process for filing discrimination complaints as part of their initial HCV holder packets.

The Admin Plan includes HCHA's policy on outreach to applicants, including announcements of the availability of the HCV program in the local newspaper, minority media outlets, and other appropriate media channels. The Housing Agency also distributes fact sheets to the broadcasting media and posts announcements in their offices. Public meetings are held with community organizations to inform residents of the program. Special outreach is also noted for persons with disabilities who may be eligible for the program. HCHA uses a disability advocate to conduct comprehensive, specialized outreach to people with disabilities.

Outreach to property owners is also conducted to increase the inventory of dwelling units available for leasing by eligible families. Special outreach efforts are made to attract owners throughout the jurisdiction who might not otherwise participate in the program and to owners of units with accessible features. An updated list of available dwelling units is provided to prospective tenants at briefings and upon request.

OBSERVATION: HCHA should make a more assertive effort to expand housing choice for Section 8 voucher holders. The list of all Section 8 properties should be provided to all eligible applicants seeking Section 8 housing as a matter of policy. Landlords with units located outside of areas of concentration should be offered a payment standard of 110% to cover the higher costs of rents.

The Housing Agency takes applications on an "open enrollment" basis. The application process occurs in two phases. The first phase involves the completion of a preliminary application, also known as the pre-application. When the applicant's name comes to the top of the waiting list and the Agency is ready to issue a Housing Choice Voucher, a formal application (an enrollment application) is completed, and information is verified for eligibility.

In order to be eligible to receive a HCV, the applicant must qualify as a "family." In the Eligibility for Admission section of the Plan, "family"

is defined as two or more persons sharing residency whose income and resources are available to meet the family's needs and who are either related by blood, marriage, or operation of law or who have demonstrated a stable family relationship for a minimum of 12 months prior to completing an application for assistance. The definition of family also includes two or more non-related elderly/disabled persons who apply together. A single person can also qualify as a family, including elderly, disabled, and displaced individuals.

The Housing Agency utilizes the following local preferences:

- An applicant who lives and/or works (or who has received a 60-day notice to work) in Harford County.
- Elderly and/or disabled - Elderly means a family whose head, spouse, or sole member is at least 62 years of age, and disabled family means a family whose head, spouse, or sole member is a person with disabilities who is currently receiving Social Security Disability Insurance (SSDI).
- Victim of domestic violence - Domestic violence means actual or threatened violence by a member of a household directed at head of household or another member of his/her household. Resident must be referred to HCHA by a local counseling agency for abused persons within the past six months.
- Homelessness – A homeless individual or family is one who lacks a fixed, regular, and adequate nighttime residence.
- Victim of a hate crime - Hate crime means actual or threatened physical violence or intimidation that is directed against a person or his or her property and is based on a person's race, color, religion, sex, national origin, disability, or familial status. The hate crime must have occurred within the past six months or be of a continuing nature.
- Involuntarily displaced - Involuntarily displaced by a disaster, government action, or housing owner action.
- Working families - A working family is one whose head, spouse, or sole member is employed for a minimum of 24 hours per week.
- Upward mobility programs - Upward Mobility means all applicants with an adult member who can document that he/she is employed or involved in job training or is carrying a subject load considered full-time for students under the standards and practices of the educational institution attended.

OBSERVATION: HCHA's preference for applicants who live or work in Harford County is expressed in its Section 8 Administrative Plan. Since 83% of the County's population is White, this policy may have a disparate impact on non-White households attempting to move to Harford County. This policy appears to discourage minority Section 8 voucher holders from porting into Harford County from other jurisdictions.

According to the Admin Plan, HCHA may approve a higher rent in order to assist a landlord with providing reasonable modification to a unit for a person with disabilities. This is decided on a case-by-case basis as a reasonable accommodation.

Participants do not have any right to portability for the first 12-month period unless required by a job transfer or medical condition and the move does not violate their lease. Participants who exercise their portability rights will be limited to not more than one move in any 12-month period. The PHA may absorb a Family Self-Sufficiency Voucher under portability. When a voucher is billed, the amount of housing assistance payments will be based upon the receiving jurisdiction's applicable Fair Market Rent or Payment Standard. The PHA may deny permission to move if the PHA does not have sufficient funding for continued assistance.

The Admin Plan states that all complaints, reports, and other indications of activities which appear to violate program regulations will be reviewed and HCHA will determine whether or not there is specific credible evidence which can be investigated and verified by a third party. When credible evidence exists, HCHA will investigate the matter further before a final determination is made. When the investigation is completed, the Agency will determine whether or not a violation exists/existed based on the preponderance of the evidence, the seriousness of the violation, and a recommended course of action.

The Admin Plan outlines the requirements and procedures for informal reviews for applicants who have been denied assistance and for informal hearings for participants or applicants. The applicant/participant has a right to an Informal Review or Informal Hearing if he/she disagrees with HCHA's action. An Informal Review/Hearing must be requested in writing by the applicant/participant and received within ten working days of the date of the HCHA's notification. Informal Hearings on participants' terminations must be held within 30 days from the original notice to the tenant.

Appeals by applicants concerning denial of assistance will be conducted by a review committee designated by HCHA. The person who made or approved the decision to deny assistance under review will not be part of

the committee. The hearing will be conducted by a Hearing Officer designated by HCHA who is someone other than the person who made or approved the decision.

The following policies and procedures were not found within the Section 8 Admin Plan:

- How persons with limited English proficiency (LEP) would be assisted to access services provided by HCHA
- How mixed families would qualify for assistance, including a definition for mixed family

OBSERVATION: While very comprehensive, HCHA's Section 8 Admin Plan should include detailed policies for providing access to services for persons with limited English proficiency (LEP) and providing assistance to mixed families (including a definition for the term "mixed family").

c. Other Assisted Housing Units

HUD's Picture of Subsidized Households dataset contains records on the number of subsidized units by type for 2000 and 2008. Comparisons between the two years are based on an assumption of consistent data collection and reporting methods. HUD's records show an overall 78% increase in subsidized rental units across Harford County. Compared to 2000, there were almost four times as many Low-Income Housing Tax Credit (LIHTC) units on record in the County in 2008. The number of project-based vouchers and other assisted multi-family units also increased significantly during this period. At the same time, Section 236 units were lost from the inventory due to the expiration of program provisions, consolidation, or other causes.

Figure 3-7
Subsidized Units by Type, 2000 and 2008

	2000	2008	% Change
Public Housing*			
Total sites	1	1	0.0%
Total units	60	60	
Assisted Housing			
LIHTC			
Sites	8	11	399.5%
Units	410	2,048	
Section 236			
Sites	5	2	-70.8%
Units	997	291	
Project-Based Section 8			
Sites	8	9	119.3%
Units	507	1,112	
Other Assisted Multifamily			
Sites	2	4	78.7%
Units	287	513	
Total Subsidized Units	2,261	4,024	78.0%

* HUD records classify properties differently than the local Housing Authority, resulting in figures that differ here from the public housing inventory described elsewhere in the AI. Additionally, some sites are classified differently in 2000 than 2008.

Source: HUD Picture of Subsidized Households, 2000 and 2008

Map 9 on the following page illustrates the geographic location of subsidized rental housing units throughout Harford County. The majority of subsidized units are located in and around Havre de Grace, Aberdeen, Magnolia, Joppa, and Joppatowne – all of which are impacted areas with concentrations of Black residents and/or LMI persons. In addition, there are a few subsidized units located in non-impacted areas in the northern and central parts of the County.

OBSERVATION: The majority of subsidized units are located in and around Havre de Grace, Aberdeen, Magnolia, Joppa, and Joppatowne – all of which are impacted areas with concentrations of Black residents and/or LMI persons.

d. Havre de Grace Housing Authority

The Havre de Grace Housing Authority (HDGHA) provides public housing in Harford County, specifically in the City of Havre de Grace. The Housing Authority currently manages one project that provides a total of 60 units. The Authority is located in the City and is under the City's jurisdiction.

According to the County's FFY 2010 Annual Plan, there were 353 families on the waiting list for public housing in Havre de Grace as of March 2010. Of these, families with children account for 85% and households with a disabled member represent 6%. In addition, Black households account for 64% while White households represent 27% of those on the public housing waiting list.

Figure 3-8
Characteristics of HDGHA Public Housing Waiting List Applicants, 2010

	Waiting List Applicants	
	#	%
Total Households	353	100.0%
Income		
Extremely low (<30% MFI)	201	56.9%
Very low (>30% but <50% MFI)	92	26.1%
Low (>50% but <80% MFI)	60	17.0%
Type		
Families with children	302	85.6%
Individuals/families with disabilities	20	5.7%
Elderly (one or two persons)	26	7.4%
Race		
White	96	27.2%
Black	225	63.7%
Other	32	9.1%
Characteristics by Bedroom Size		
0 bedroom	0	0.0%
1 bedroom	25	7.1%
2 bedrooms	125	35.4%
3 bedrooms	151	42.8%
4 bedrooms	30	8.5%
5+ bedrooms	22	6.2%

Source: Harford County FFY 2010 Annual Plan; Havre de Grace Housing Authority

OBSERVATION: Black households are disproportionately represented among applicant households on the waiting list for public housing in Havre de Grace.

Map 10 on the following page illustrates the location of public housing units in Harford County. The only public housing in the County is

located in the City of Havre De Grace. This public housing community is located in an impacted census tract that has a concentration of Black residents and LMI persons.

B. Private Sector

i. Real Estate Practices

Harford County is served by the Harford County Association of Realtors. New members receive instruction in fair housing as part of the licensing requirements of the Maryland Division of Occupational and Professional Licensing. Prior to taking the real estate exam, each applicant is required to accumulate 60 hours of classroom instruction. Additionally, each agent must renew his or her license every two years. Between six and fifteen hours of specified continuing education are required for license renewal. Fair housing training is required as part of the continuing education coursework. Fair housing classes are taught by education providers that are licensed through the Maryland Real Estate Commission. There are four such providers in Harford County, including three in Bel Air and one in Fallston.

The Association provides fair housing information through its regularly updated website and by hosting events such as roundtable discussions, professional enhancement seminars, and leadership development workshops. Members of the Association are referred to the Maryland Association of Realtors website and the National Association of Realtors (NAR) website for additional information on fair housing.

The Association has adopted a procedure for dealing with breaches of ethics. Injured parties may file a complaint with the Association. The complaint is reviewed by an appointed Grievance Committee. Committee members must complete the required professional standards training within the NAR guidelines. The committee conducts a professional standards hearing in which it renders an opinion on whether the complaint is justified. When it is determined that a violation has occurred, the case is referred to the Maryland Real Estate Commission.

The Association also has a Whistleblower Policy in place which states that it is the responsibility of all directors, officers, and employees to comply with the Code of Ethics and Conduct and to report violations or suspected violations in accordance with the policy. The Association has an open door policy and suggests that employees share their concerns, suggestions, or complaints with someone who can address them properly. The Association's Compliance Officer or Corporate Attorney is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code. The Compliance Officer notifies the sender and acknowledges receipt of the reported or suspected violation within five business days. All reports are promptly investigated and appropriate corrective action taken if warranted by the investigation.

The Association offers several education classes for its members on topics such as real estate ethics, predatory lending, fair housing, flipping, legislative updates, and legal issues. Moreover, the Association has a fair housing policy on its website, which displays the equal housing opportunity logo.

After a brief policy statement, information is provided on how to file a complaint with HUD.

ii. Home Mortgage Financing

a. Mortgage Lending Practices

Under the terms of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (F.I.R.R.E.A.), any commercial lending institution that makes five or more home mortgage loans must report all residential loan activity to the Federal Reserve Bank under the terms of the Home Mortgage Disclosure Act (HMDA). The HMDA regulations require most institutions involved in lending to comply and report information on loans denied, withdrawn, or incomplete by race, sex, and income of the applicant. The information from the HMDA statements assists in determining whether financial institutions are serving the housing needs of their communities. The data also helps to identify possible discriminatory lending practices and patterns.

The most recent HMDA data available for Harford County is from 2008. Reviewing this data, along with 2007 and 2006 records, helps to determine the need to encourage area lenders, other business lenders, and the community at large to actively promote existing programs and develop new programs to assist residents in securing home mortgage loans for home purchase. The data focuses on the number of homeowner mortgage applications received by lenders for home purchase of one- to four-family dwellings and manufactured housing units across Harford County. The information is provided for the primary applicant only; co-applicants were not included in the analysis. In addition, where no information is provided or categorized as not applicable, no analysis has been conducted due to lack of information. The following table summarizes three years of HMDA data by race, ethnicity, and action taken on the application, with detailed information to follow.

Figure 3-9
Summary of Mortgage Loan Activity in Harford County, 2006-2008

	2006		2007		2008	
	#	%	#	%	#	%
Total loans						
Applied for	8,545	100.0%	6,013	100.0%	3,645	100.0%
Black	1,455	17.0%	880	14.6%	428	11.7%
White	5,699	66.7%	4,326	71.9%	2,739	75.1%
Asian	312	3.7%	142	2.4%	78	2.1%
Hispanic*	271	3.2%	206	3.4%	82	2.2%
Other race	59	0.7%	34	0.6%	16	0.4%
No information/NA	1,020	11.9%	631	10.5%	384	10.5%
Originated	6,258	73.2%	4,275	71.1%	2,618	71.8%
Black	974	66.9%	530	60.2%	272	63.6%
White	4,362	76.5%	3,226	74.6%	2,036	74.3%
Asian	214	68.6%	96	67.6%	56	71.8%
Hispanic*	200	73.8%	132	64.1%	58	70.7%
Other race	37	62.7%	24	70.6%	15	93.8%
No information/NA	671	65.8%	399	63.2%	239	62.2%
Denied	961	11.2%	705	11.7%	379	10.4%
Black	244	16.8%	197	22.4%	86	20.1%
White	526	9.2%	379	8.8%	235	8.6%
Asian	46	14.7%	17	12.0%	6	7.7%
Hispanic*	34	12.5%	34	16.5%	11	13.4%
Other race	14	23.7%	1	2.9%	-	0.0%
No information/NA	131	12.8%	111	17.6%	52	13.5%

Note: Data is for home purchase loans for owner-occupied one-to-four family and manufactured units. Total applications do not include loans purchased by another institution. Other application outcomes include approved but not accepted, withdrawn and incomplete.

* Hispanic ethnicity is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2006-08

The most obvious trend in 2006-08 HMDA data for Harford County is the steep drop in the number of loan applications during those years. This can be attributed primarily to stagnating home sales rates in the County that coincide with the national housing market crisis. The number of loan applications dropped by 2,532 (29.6%) from 2006 to 2007, then fell by an additional 2,368 (39.4%) in 2008. At the same time, the share of Black applicants fell even more precipitously, by 70.6% overall, suggesting that this protected class became disproportionately less able to afford home ownership.

Over the course of the three years, the overall percentage of applications that resulted in loan originations decreased, although the smallest racial minority group, Other Race (consisting of American Indian/Alaska Native and Hawaiian applicants), experienced a large increase likely related to the small applicant pool (16 households in 2008). Asians also saw an increase in their origination rate, which increased 3.2 percentage points from 2006 to 2008. The remaining racial and ethnic groups saw similar rates of decline in origination rates: the rate for Black households decreased 3.3 percentage points, White households 2.2 points, and Hispanic households 3.1 points.

The number and percentage of application denials also decreased between 2006 and 2008; however, some racial and ethnic groups experienced an increase. The denial rate for Black households increased 3.3 percentage points while the rate for Hispanic households increased 0.9 points. The denial rate for Asian households fell by half, from 14.7% to 7.7%, and White households experienced a rate decline of 0.6 points. There were no denials for those of Other Race in 2008.

The following sections contain detailed analysis for applications filed in 2008, the latest year for which information is available. Figure 3-10 contains 2008 summary data.

Figure 3-10
Summary Report Based on Action Taken Mortgage Data, 2008

	Total Applications*		Originated		Approved Not Accepted		Denied		Withdrawn/Incomplete	
	#	%	#	%	#	%	#	%	#	%
Loan Type										
Conventional	2,244	61.6%	1,546	68.9%	216	9.6%	236	10.5%	246	11.0%
FHA	1,119	30.7%	852	76.1%	35	3.1%	116	10.4%	116	10.4%
VA	282	7.7%	220	78.0%	8	2.8%	27	9.6%	27	9.6%
FSA/RHS	-	0.0%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Loan Purpose: Home Purchase										
One to four-family unit	3,550	97.4%	2,585	72.8%	247	7.0%	335	9.4%	383	10.8%
Manufactured housing unit	95	2.6%	33	34.7%	12	12.6%	44	46.3%	6	6.3%
Applicant Race										
American Indian/Alaska Native	5	0.1%	4	80.0%	-	0.0%	-	0.0%	1	20.0%
Asian/Pacific Islander	78	2.1%	56	71.8%	11	14.1%	6	7.7%	5	6.4%
Hawaiian	11	0.3%	11	100.0%	-	0.0%	-	0.0%	-	0.0%
Black	428	11.7%	272	63.6%	15	3.5%	86	20.1%	55	12.9%
Hispanic**	82	2.2%	58	70.7%	6	7.3%	11	13.4%	7	8.5%
White	2,739	75.1%	2,036	74.3%	193	7.0%	235	8.6%	275	10.0%
No information	380	10.4%	237	62.4%	40	10.5%	52	13.7%	51	13.4%
Not applicable	4	0.1%	2	50.0%	-	0.0%	-	0.0%	2	50.0%
Applicant Sex										
Male	2,310	63.4%	1,682	72.8%	175	7.6%	226	9.8%	227	9.8%
Female	1,125	30.9%	807	71.7%	59	5.2%	128	11.4%	131	11.6%
No information	206	5.7%	127	61.7%	25	12.1%	25	12.1%	29	14.1%
Not applicable	4	0.1%	2	50.0%	-	0.0%	-	0.0%	2	50.0%
Total	3,645	100.0%	2,618	71.8%	259	7.1%	379	10.4%	389	10.7%

Source: Federal Financial Institutions Examination Council, 2008

Note: Percentages in the Approved, Approved Not Accepted, Denied, and Withdrawn/Incomplete categories are calculated for each line item with the corresponding Total Applications figures. Percentages in the Total Applications categories are calculated from their respective total figures.

* Total applications do not include loans purchased by another institution.

** Hispanic ethnicity is counted independently of race.

1) Households by Race

In 2008, 3,645 mortgage applications were made for the purchase of either a one- to four-family owner-occupied unit or a manufactured housing unit in Harford County. Of these applications:

- 75.1% (2,739) of the applications were submitted by White households.
- 11.7% (428) were submitted by Black households.

- 2.2% (82) were submitted by Hispanic households. HMDA data classifies Hispanics as an ethnic group and not a race. Therefore, this data overlaps with persons classified under a specified race.
- 2.1% (78) were submitted by Asian/Pacific Islander households.
- 0.4% (16) were submitted by households of other races.

Race/ethnicity data was not included for 384 applications (10.5%).

2) Conventional Loans versus Government Backed Loans

Loan types in 2008 included conventional mortgage loans and a variety of government-backed loans, including FHA and VA. Comparing these loan types helps to determine if the less stringent underwriting standards and lower down payment requirements of government-backed loans expand home ownership opportunities. In Harford County:

- 38.4% (1,411) of the households that applied for a mortgage loan applied for a government-backed loan. This is a large increase from 6.2% in 2006. Of those, the majority (79.9%) applied for FHA loans.
- The denial rate for FHA loans was nearly identical to that of conventional loans.
 - The denial rate for FHA loans was 10.4% (116 of 1,119), while the denial rate for VA-guaranteed loans was 9.6% (27 of 282).
 - The denial rate for conventional loans was 10.5%.
 - No applications were submitted for an FSA/RHS loan.

3) Denial of Applications

In 2008, the mortgage applications of 379 households in Harford County were denied (10.4%).

Reasons for Loan Denial

Denial reasons were given for 297 of the mortgage applications that were denied in Harford County in 2008. The reasons for denial are included in the following chart.

Figure 3-11
Reasons for Denial, 2008

Primary Reason for Denial	#	%
Credit history	86	29.0%
Ratio of debt to income	74	24.9%
Collateral	41	13.8%
Other	32	10.8%
Insufficient cash	21	7.1%
Credit application incomplete	20	6.7%
Unverifiable information	14	4.7%
Employment history	7	2.4%
Mortgage insurance denied	2	0.7%
Total	297	100.0%

Credit history, unsatisfactory debt-to-income ratios, and collateral are some of the major reasons for denial of home mortgage applications throughout Harford County. Therefore, there may be opportunities for lenders to focus on these problems and work with applicants to address these concerns.

Applications Denied by Race and Ethnicity

Among minority groups with more than 100 total applications, Black households had the highest mortgage denial rate at 20.1%, or 86 of 428 applications submitted. White and Asian households were far more likely to receive loans, as only 8.6% and 7.7% of applications were denied, respectively. Details for 2008 appear in the following table.

Figure 3-12
Denials by Race and Ethnicity, 2008

Race/Ethnicity	Total Applications	Number of Denials	Denial Rate
Black	428	86	20.1%
Asian	78	6	7.7%
Not Provided	380	52	13.7%
Am. Indian/Alaska Native	5	0	0.0%
Hispanic*	82	11	13.4%
White	2,739	235	8.6%
Hawaiian	11	0	0.0%

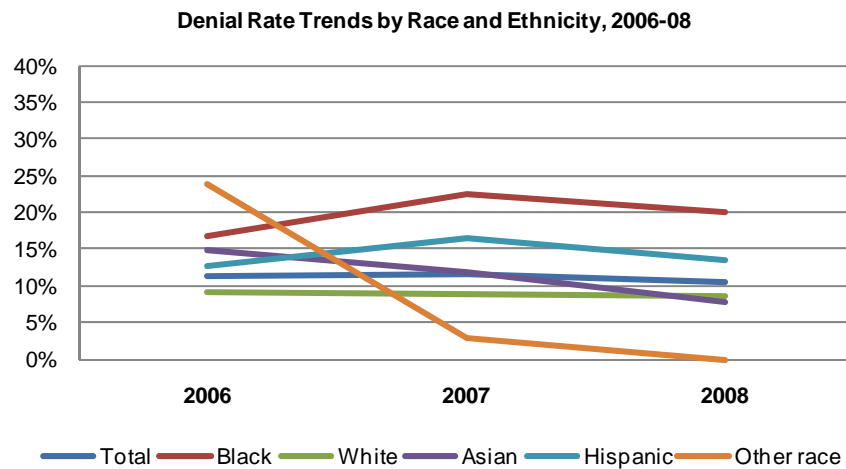
* Hispanic ethnicity is counted independently of race.

Between 2006 and 2008, the distribution of denials by race and ethnicity displayed a number of different patterns, as shown in the following chart. Black households consistently had the highest denial rates, and denial rates remained consistently low for White households. The denial rate for Asian households has been declining. The rate of denials for those of Other Race fell to zero as the number of total applications also fell to zero.

Figure 3-13
Denial Rates by Race and Ethnicity, 2006-2008

	2006	2007	2008
Total	11%	12%	10%
Black	17%	22%	20%
White	9%	9%	9%
Asian	15%	12%	8%
Hispanic	13%	17%	13%
Other race	24%	3%	0%

Figure 3-14
Denial Rate Trends by Race and Ethnicity, 2006-2008



Applications Denied by Income

In 2008, the HUD median family income (MFI) in Harford County was \$78,200. For this analysis, lower-income households include those with incomes between 0%-80% of MFI, while upper-income households include households with incomes above 80% MFI.

Applications made by lower-income households accounted for 39.1% of all denials in 2008, though they accounted for only 29.9% of total applications.

Figure 3-15
Denials by Income, 2008

Income Level	Total Applications	Denials	Denial Rate
Below 80% MFI	1,089	148	13.6%
At least 80% MFI	2,522	227	9.0%
No information	34	4	11.8%
Total	3,645	379	10.4%

Denial Data by Income Level and Race

Of the 379 applications that were denied by area lending institutions, 375 reported household income. Among all lower-income households in

Harford County, the denial rate was highest for Black households (24.4%) and Hispanic households (19.4%). Asian and White households had noticeably lower denial rates, 8.7% and 11.4%, respectively.

Figure 3-16
Denials for Lower-Income Applicants, 2008

Race/Ethnicity	Total Applications	Denials	Denial Rate
Black	135	33	24.4%
Asian	23	2	8.7%
Am. Indian/Alaska Native	2	0	0.0%
Hispanic*	36	7	19.4%
White	826	94	11.4%
Hawaiian	5	0	0.0%
Not Provided/NA	98	19	19.4%
Total	1,089	148	13.6%

* Hispanic ethnicity is counted independently of race.

Among applications submitted by upper-income households, denial rates were also higher for certain minorities. Black households again had the highest rate of denials, at 18.2%. Hispanic households still had a higher denial rate than Asian and White households, but the difference is not as stark among upper-income applicants: 8.7% for Hispanics, compared to 7.4% for Asian applicants and 7.3% for White applicants. Notably, the denial rate for upper-income Black households (18.2%) is higher than the denial rate for lower-income White households (11.4%).

Figure 3-17
Denials for Upper-Income Applicants, 2008

Race/Ethnicity	Total Applications	Denials	Denial Rate
Black	292	53	18.2%
Asian	54	4	7.4%
Not Provided/NA	272	31	11.4%
White	1,895	139	7.3%
Hispanic*	46	4	8.7%
Am. Indian/Alaska Native	3	0	0.0%
Hawaiian	6	0	0.0%
Total	2,522	227	9.0%

* Hispanic ethnicity is counted independently of race.

OBSERVATION: Black and Hispanic households, both lower-income and upper-income, were denied home mortgages at higher rates than White households. Notably, upper-income Black households had a higher denial rate than lower income White households.

Denial Data by Census Tract

The HMDA data for Harford County was analyzed to determine if a pattern of loan denials exists by census tract. Map 11 on the following page illustrates the geographic distribution of denial rates. Overall, higher denial rates are noted in census tracts in the central and southern portions of the County, including both impacted and non-impacted areas.

Of all tracts with at least 10 applications in 2008, denial rates exceeded 15% in fourteen tracts. Tract 3013.01 had 14 denials among 47 applications (29.8%) while tract 3062 had 7 denials among 24 applications (29.2%). In addition, tract 3053 had 6 denials in 22 applications (27.3%). All three areas are non-impacted areas. However, there are concentrations of LMI persons within certain block groups of tracts 3013.01 and 3062.

iii. High-Cost Lending

The widespread housing finance market crisis of recent years has brought a new level of public attention to lending practices that victimize vulnerable populations. Subprime lending, designed for borrowers who are considered a credit risk, has increased the availability of credit to low-income persons. At the same time, subprime lending has often exploited borrowers, piling on excessive fees, penalties, and interest rates that make financial stability difficult to achieve. Higher monthly mortgage payments make housing less affordable, increasing the risk of mortgage delinquency and foreclosure and the likelihood that properties will fall into disrepair.

Some subprime borrowers have credit scores, income levels, and down payments high enough to qualify for conventional, prime loans, but are nonetheless steered toward more expensive subprime mortgages. This is especially true of minority groups, which tend to fall disproportionately into the category of subprime borrowers.¹⁵ The practice of targeting minorities for subprime lending qualifies as mortgage discrimination.

Since 2005, Housing Mortgage Disclosure Act data has included price information for loans priced above reporting thresholds set by the Federal Reserve Board. This data is provided by lenders via Loan Application Registers and can be aggregated to complete an analysis of loans by lender or for a specified geographic area. HMDA does not require lenders to report credit scores for applicants, so the data does not indicate which loans are subprime. It does, however, provide price information for loans considered “high-cost.”

A loan is considered high-cost if it meets one of the following criteria:

- A first-lien loan with an interest rate at least three percentage points higher than the prevailing U.S. Treasury standard at the time the loan application was filed. The standard is equal to the current price of comparable-maturity Treasury securities.
- A second-lien loan with an interest rate at least five percentage points higher than the standard.

Not all loans carrying high APRs are subprime, and not all subprime loans carry high APRs. However, high-cost lending is a strong predictor of subprime lending, and it can also indicate a loan that applies a heavy cost burden on the borrower, increasing the risk of mortgage delinquency.

¹⁵ HMDA analyses in larger metropolitan areas across the United States have provided conclusive evidence that minority groups pay more for their mortgages. For example, a 2007 analysis by New York University’s Furman Center for Real Estate and Urban Policy found that Black- and Hispanic-majority neighborhoods were more likely to borrow from a subprime lender than White-majority neighborhoods with similar income levels. Also in 2007, the NAACP sued two of the nation’s largest mortgage lenders, HBC and Wells Fargo, for “systematic, institutionalized racism” in lending, including giving subprime rates to Black customers who qualified for better rates while giving better rates to White customers. This type of mortgage discrimination has been alleged in a growing number of cities.

In 2008, 5.2% (136) of the 2,600 home purchase loans that were originated in Harford County and provided income information were high-cost loans. The following chart shows the distribution of high cost loan originations by race and by income for three years.

Figure 3-18
Distribution of High-Cost Mortgage Loans by Race/Ethnicity & Income, 2006–2008

		Lower Income			Upper Income		
		Total Originations	High-Cost	% High-Cost	Total Originations	High-Cost	% High-Cost
2006	Am. Indian/Alaska Native	4	3	75.0%	12	3	25.0%
	Asian	24	3	12.5%	173	31	17.9%
	Black	243	95	39.1%	670	318	47.5%
	Hawaiian	4	0	0.0%	13	3	23.1%
	White	1,013	157	15.5%	3,137	516	16.4%
	No information/NA	125	31	24.8%	518	125	24.1%
	Hispanic*	50	19	38.0%	129	59	45.7%
	Total	1,413	289	20.5%	4,523	996	22.0%
2007	Am. Indian/Alaska Native	3	2	66.7%	1	0	0.0%
	Asian	20	2	10.0%	74	7	9.5%
	Black	174	29	16.7%	348	70	20.1%
	Hawaiian	3	0	0.0%	16	0	0.0%
	White	854	87	10.2%	2,285	160	7.0%
	No information/NA	97	19	19.6%	290	35	12.1%
	Hispanic*	55	9	16.4%	70	11	15.7%
	Total	1,151	139	12.1%	3,014	272	9.0%
2008	Am. Indian/Alaska Native	2	0	0.0%	2	0	0.0%
	Asian	17	0	0.0%	39	3	7.7%
	Black	80	7	8.8%	192	19	9.9%
	Hawaiian	5	1	20.0%	6	1	16.7%
	White	618	38	6.1%	1,405	58	4.1%
	No information/NA	56	3	5.4%	178	6	3.4%
	Hispanic*	27	2	7.4%	31	2	6.5%
	Total	778	49	6.3%	1,822	87	4.8%
Three-Year Totals		3,342	477	14.3%	9,359	1,355	14.5%

Note: Does not include loans for which no income data was reported: 320 in 2006, 110 in 2007, and 18 in 2008

* Hispanic ethnicity is counted independently of race.

Of the 13,151 applications for which loans were originated between 2006 and 2008, 12,701 included data on household income. Of this total, 3,342 reported household incomes at or below 80% of the median family income, and 477 of these lower-income households, or 14.3%, had high-cost loans. The rate of high-cost loans for higher-income households is higher, at 14.5%, including 1,355 of 9,359 higher-income households. However, looking at the data by year reveals that this pattern has not been consistent. In 2006, upper-income households had a higher percentage of high-cost loans, 22.0% versus 20.5% for lower-income households. In 2007 and 2008, the opposite was true: 12.1% and 6.3% of originations for lower-income households were high-cost versus 9.0% and 4.8% for upper-income households.

Notably, the percentage of high-cost originations declined each year, along with the total number of originations and applications. This could be due to policy changes that have limited subprime lending and/or to the necessity for

lenders to make rates more competitive as the total number of applications dropped.

An analysis of loans in Harford County by race and ethnicity reveals that Blacks are overrepresented in high-cost lending in comparison to Whites. Of the 1,355 loans originated for upper-income applicants, Black households represent 30.0% of high-cost loans, but only 12.9% of all originations. For lower-income applicants, Black households represent 27.5% of high-cost loans, but only 14.9% of all originations. White households in both income groups experienced high-cost loans at lower rates than their overall share of total applications. Other racial and ethnic groups experience high-cost lending less often than White households in Harford County; however, this is likely a result of the small number of originations in 2008.

Analyzing high-cost lending by census tract can identify areas where there are disproportionately larger numbers of high-cost loans. Map 12 on the following page displays the distribution of high-cost loans across Harford County for 2008. Just over half of the census tracts in which mortgages were originated had between one and six high-cost loans. The highest high-cost loan percentage among tracts with at least 10 loans was census tract 3024, in which 6 of 20 loans (30%) qualified as high-cost. This was the exception, as no other tract with at least 10 loans had a high-cost loan rate higher than 19.2%. Tract 3024 is an impacted area characterized by a concentration of Black residents and LMI persons.

OBSERVATION: Black households are over-represented in high-cost mortgage loans. Recent trends in mortgage denial rates and high-cost loans among Black households in Harford County warrant further review as these patterns are consistent with discrimination.

4. ASSESSMENT OF CURRENT FAIR HOUSING POLICY, PROGRAMS AND ACTIVITIES

A. Current Fair Housing Policy

i. Harford County Anti-Discriminatory Practices Law

The Harford County Anti-Discriminatory Practices Law states that Harford County government should foster and encourage the growth and development of the County in a manner that will ensure that all persons have an equal opportunity to pursue their lives free of discrimination imposed because of race, creed, color, sex, national origin, age, occupation, marital status, political opinion, personal appearance, or physical/mental disability.

Unlawful housing acts cited in the County Code include the following:

- Refuse to sell or rent a dwelling after the making of a bona fide offer.
- Refuse to negotiate for the sale or rental of a dwelling or otherwise make unavailable or deny a dwelling.
- Discriminate against any person in the terms, conditions, or privileges of the sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling.
- Make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination or an intention to make any such preference, limitation, or discrimination.
- Represent to any person, for reasons of discrimination, that any dwelling is not available for inspection, sale, or rental when the dwelling is in fact so available.

The County's laws pertaining to discriminatory practices also covers unlawful acts in relation to multi-list services, restrictive covenants, property values, attempts at changing the racial composition of the neighborhood, financing practices, employment practices, and public accommodations.

Procedures and requirements for the process of filing a complaint in Harford County are also outlined in the County Code. A persons aggrieved by an alleged unlawful housing practice may file a complaint with the Coordinator of the Human Relations Commission (HRC). The complaint must be filed within six months after the alleged violation occurred or was discovered by the complainant. After the filing of a complaint, the HRC Coordinator considers the complaint and conducts a prompt investigation. A copy of the complaint and any amendments are sent to the respondent by certified mail within 60 days after it is filed or amended. The results of the investigation are made as written findings and copies of these findings are furnished to all involved parties.

If there is reasonable cause to believe that a violation has occurred, the Coordinator must attempt to eliminate the violation by conference, conciliation, or persuasion no later than 30 days after the date of such findings. If the Coordinator is unable to reach an agreement, the Coordinator must certify in writing that the conciliation has failed and provide notice to all involved parties. If the findings are that there is no reasonable cause to believe that a violation has occurred, the Coordinator must transmit these findings no later than 10 days after the date of such findings to all involved parties.

The powers and duties of the Human Relations Commission are outlined in Article XVI of the County Code. The HRC consists of 15 qualified voters of the County. These 15 members are appointed by County Executive and confirmed by the Council. The duties of the HRC are to study the nature and causes of social friction in the community and make recommendations to the County Executive and Council with a view toward alleviating social problems and promoting equality, understanding, and harmonious relations between the citizens of the County.

Article XXXIII of the County Code established the Harford County Office of Human Relations (OHR). OHR was created to foster, encourage, and guarantee equal treatment for all persons regardless of race, creed, color, sex, national origin, age, occupation, marital status, political opinion, personal appearance, or mental/physical disability. The Office directs its time, efforts, and resources toward eliminating discriminatory practices within the County in the areas of housing, employment, education, public accommodations, administration of justice, and other areas where unlawful discriminatory practices may exist.

The Office of Human Relations has the power to process and investigate any complaint arising out of a violation of Chapter 95 of the Harford County Code. OHR also plans, coordinates, develops, and directs the activities of the HRC. Other duties of OHR include to act as a liaison between County government and the local community on controversial human relations problems, report controversial human relations matters to the HRC, to speak before business, community, and civic groups concerning the activities, goals, and programs of the HRC, and prepare federal, state, and county reports as required by law.

B. Progress since the Previous AI

The Harford County Department of Community Services is a member of the Baltimore Regional Cooperative, a group of entitlement jurisdictions assembled solely for the purpose of expanding fair housing practices.

The previous Baltimore Regional Analysis of Impediments to Fair Housing Choice (AI) was completed in 1996 and identified the following impediments in the greater Baltimore region:

- There is a lack of affordable housing in the region.

- Housing choice for all persons, regardless of their race, color, religion, sex, disability, familial status, or national origin, is still not a reality in the region.
- Racial tension is high and growing.
- There seems to be an uneven promotion of voluntary compliance efforts. In some jurisdictions, compliance has been a priority, but funding cuts have impacted the various jurisdictions' ability to carry out effective enforcement efforts.

Harford County has been working diligently to address fair housing issues. For example, the County has undertaken an internal analysis of its Fair Housing Plan to identify impediments and document appropriate actions to overcome the effect of any impediments identified through the analysis. This analysis included a comprehensive review of demographic, income, and housing information. Analysis and mapping of the data was undertaken and then trended to 2010. The information was used during all public needs hearings and informational sessions held related to the County's consolidated planning process. A housing needs analysis was also a component of this presentation.

Harford County's identification of barriers to affordable housing through its consolidated planning process, combined with the review of components of its Fair Housing Plan, led to the identification of the following three major action areas to address fair housing needs:

- Cost of affordable housing
- Availability of affordable housing
- Opposition/ discrimination to affordable housing

To address issues related to the cost and availability of affordable housing, Harford County provides funding to support homebuyer counseling programs and first-time homebuyer down payment assistance programs. In addition, the County also funds rehabilitation and emergency repair programs and provides subsidy assistance to developers of affordable housing, including affordable housing for seniors. The County also provides funding for activities that build or rehabilitate infrastructure as a way to reduce development costs.

The County works with the Regional Fair Housing Work Group to develop more regional solutions to fair housing issues related to the opposition and discrimination to affordable housing. The County also provides training courses on predatory lending to the non-profit community and funds credit and homebuyer counseling programs. Furthermore, Harford County funds fair housing education and outreach programs and contracts with Baltimore Neighbors, Inc. (BNI) to conduct fair housing testing. BNI also operates a tenant-landlord hotline and provides outreach and education services through its contract with Harford County.

C. Current Fair Housing Programs and Activities

i. Harford County Human Relations Commission

The Harford County Human Relations Commission conducts three annual events:

- The Dr. Martin Luther King, Jr. / Joseph Bond Humanitarian Awards Breakfast
- The Good Neighbor Awards Program
- Networking Luncheon for Minority and Women Business Owners

During the Dr. Martin Luther King, Jr. / Joseph Bond Humanitarian Awards Breakfast, awards are presented to individuals and/or organizations that demonstrate the spirit of these two leaders in the areas of business, faith, government, and community. The Breakfast also serves as the kick-off to another HRC program, the Good Neighbor Awards Program.

The Good Neighbor Awards Program is designed to showcase community volunteer organizations that demonstrate the power of unity in working to help neighbors strengthen neighborhoods. The nomination process is open to the community. A selection committee reviews the nominations and settles on a set of seven winners. This program has generated attendance ranging from 200-400 people representing various cultures, races, and ages.

In October 2006, HRC began hosting the Networking Luncheon for Minority and Women Business Owners. The luncheon provides a forum for minority and female business owners and County officials to exchange ideas to promote Harford County's future.

ii. "Harford in Harmony" Program

The Harford County Commission on Disabilities, in conjunction with the Human Relations Commission and the Mediation Commission, started the "Harford in Harmony" program in 2010. This program is funded through a Conflict Resolution Grant from the Maryland Mediation and Conflict Resolution Office (MACRO). "Harford in Harmony" is a workshop for management and tenants of multi-family rental communities and management and owners of common ownership communities.

Through the "Harford in Harmony" Program, the Commission on Disabilities is hoping to address fair housing education issues among area property owners and landlords. The Commission also wants to move issues to community remediation.

Baltimore Neighbors, Inc. (BNI), a consultant to the County, assisted in the implementation of the "Harford in Harmony" program. The County's Disabilities Coordinator, the Mediation Program Coordinator, the Office of Human Relations, and BNI developed the two-hour workshop. It is available at no charge to multi-family rental communities as well as common ownership communities and covers conflict resolution, community

mediation, fair housing rights and responsibilities, and using community resources to resolve problems in these difficult economic times. A kick-off session with 20+ local apartment managers was held on February 23, 2010. A marketing plan for reaching additional managers, landlords, and tenants with this program is in development.

OBSERVATION: The County's activities that focus on harmonious living, such as the "Harford in Harmony" program and the various award programs sponsored by the Human Relations Commission, should be supplemented with more activities that expand affordable housing choice outside of impacted areas.

D. Fair Housing Advocacy Organizations

Harford County is part of a larger metropolitan region served by a variety of fair housing advocacy organizations. These entities include Baltimore Neighborhoods, Inc., an active office of the American Civil Liberties Union, Legal Aid, the Greater Baltimore Urban League, and Citizens Planning and Housing Association, among others. The activities and impacts of regional advocates are discussed in the regional section of the AI. The organization that is exclusive to Harford County is discussed below.

i. Harford County Office of Human Relations / Human Relations Commission

The Office of Human Relations (OHR) directs its efforts toward eliminating discriminatory practices in the areas of housing, employment, education, public accommodations, and administration of justice. OHR has two staff members – a manager and an administrative specialist. The manager supervises the office, establishes office policies, provides harassment prevention training to county employees, attends meetings as needed, and oversees the efforts of the Human Relations Commission (HRC). The manager also interviews witnesses, considers evidence, and makes case determinations. The administrative specialist handles all clerical functions, including answering phones, drafting correspondence, responding to inquiries, preparing investigative files, and preparing for HRC meetings and activities (agendas, minutes, etc.).

OHR is responsible for processing complaints alleging discrimination in the administration of justice, housing, education, employment, public accommodations, government services, and other related fields. All investigations begin with an opportunity for the parties to mediate their differences. Investigation continues throughout this process until the parties reach an agreement. If an agreement is reached, the investigation stops and the case is closed. If the parties are unsuccessful at reaching an agreement, the investigation continues. At this point, based on the complexity of a case, it may be referred to the State Commission on Human Relations and/or HUD.

Over the last three years, OHR has received only one housing-related complaint. The matter was closed, however, because the complainant stopped cooperating with the process. Most of the complaints processed by OHR are related to employment and public accommodations. The bases for discrimination have varied and include age, race, personal appearance, and disability, to name a few.

If a resident needed assistance in resolving a fair housing issue, they may know to contact OHR due to its extensive outreach efforts. OHR is listed in the telephone directory and on the County website. OHR also participates in several area events and advertises on the County TV station. Referrals to the Office come from several area agencies, including the Harford County Housing Agency, BNI, and the Legal Aid Bureau.

To file a complaint, a resident must contact OHR via phone or email to explain the situation. OHR will then determine if the complaint falls within the fair housing arena. A notarized complaint form, which requires witnesses, must then be completed. Both the complainant and respondent are informed of the County's remediation process. Generally, 90% of complaints are resolved through mediation. If not resolved, the respondent has 30 days to respond in writing. OHR then provides a response to the complainant, contacts the witnesses, makes a determination, and sends a letter of determination to all parties involved in the case.

OHR does not handle tenant-landlord disputes and instead refers these issues to BNI, who is under contract with Harford County to provide various fair housing services. BNI conducts testing, operates a tenant-landlord hotline, and provides education and outreach services under its contract with the County.

5. GENERAL FAIR HOUSING OBSERVATIONS

The following observations were noted throughout the previous sections of the AI. These issues are based on the primary research collected and analyzed and the numerous interviews and focus group sessions conducted for this report. They help to establish context for the impediments included in the following section. While none of these observations individually rose to the level of an impediment to fair housing choice in Harford County, the issues remain noteworthy in that they establish context for subsequent sections of the AI.

1. Minorities have continued to increase as a percentage of total population.

Since 1990, minorities have increased from 12% to almost 17% of the total population in Harford County. The number of Blacks, which comprised 8.3% of the 1980 population, increased over 150% from 12,167 to 30,424 residents. Asian/Pacific Islander residents increased more than three-fold from 1,307 to 5,715 residents. The Hispanic population grew from 1.2% of the population to almost 3% by 2008.

The language group with the highest number of persons who speak English less than “very well” is native Spanish speakers. In addition, those speaking other Indo-European languages also had a high number of persons who speak English less than very well.

2. There are nine areas of racial or ethnic concentration in Harford County.

There are nine areas of racial or ethnic concentration (Black or Hispanic) in Harford County. These areas are located in Belcamp, Perryman, Abingdon, Magnolia, Aberdeen, and Havre de Grace.

3. Harford County is moderately segregated, as determined by dissimilarity indexing.

Harford County is moderately segregated, with a dissimilarity index of 49.1% for Whites/Blacks. White and Black persons in Harford County were segregated on a level comparable to that in the City of Baltimore. Achieving full integration of White and Black persons in the County would require 49.1% of Black residents moving to a different location within the County. The dissimilarity index for Whites/Hispanics is significantly lower at 32.4. The index for Whites/Asians is the lowest at 24.9.

4. Members of the protected classes have significantly lower incomes.

Median household income among Blacks was equivalent to 79% that of Whites in 2000 and poverty among Blacks was more than triple the rate of White households. The situation was even worse for Hispanic households with a median income equivalent to only 58% of the median income for Whites. Consequently, Blacks and Hispanics will have greater difficulty finding affordable rental units or homes to purchase.

Persons with disabilities were over two times more likely to live in poverty than persons without disabilities. Among all persons with a disability, 9.1% were living in poverty in 2000 compared to only 4% of persons without a disability.

Female-headed households with children accounted for 67% of all families living in poverty in Harford County. Consequently, securing affordable housing will be especially difficult for this segment of the population.

Families with at least one foreign-born parent were more likely to have lower incomes than families with native-born parents. Almost 9% of families with children and at least one foreign-born parent had incomes of less than 200% of the poverty level.

5. Several areas identified as impacted areas of racial and/or ethnic concentration are also areas of concentration of low and moderate income persons.

Several LMI areas in the vicinity of Aberdeen, Havre de Grace, Perryman, Joppa, Magnolia, and Bel Air were noted to also be areas of minority concentration. Of the 46 census block groups that qualify as LMI areas, 21 block groups are located within previously identified areas of racial or ethnic concentration. As a result, areas of racial and ethnic concentration are more likely to also be areas of concentration of low and moderate income persons.

The majority of the County's subsidized housing units are located in and around Havre de Grace, Aberdeen, Magnolia, Joppa, and Joppatowne – all of which are impacted areas with concentrations of Black residents and/or LMI persons.

6. Minority households were more likely to experience housing problems than White households.

Between January 2007 and June 2008, Edgewood was estimated to have the highest number of foreclosure filings in Harford County. However, Aberdeen Proving Ground had the highest estimated foreclosure rate at 14.3%.

Among all owner households with incomes below 80% of the median family income in 2000, Blacks were more likely to experience housing problems than Whites and Hispanics. Overall, 61% of all low income Black homeowners reported housing problems compared to 48% among Whites and Hispanic homeowners.

Among renters, 55.6% of all low-income Hispanic households experienced housing problems compared to 47.9% of White households and 46.6% of Black households.

7. The public housing inventory in Harford County is inadequate, especially for members of the protected classes.

The Harford County Housing Agency (HCHA) administers 1,095 Section 8 Housing Choice Vouchers in the County while the Havre de Grace Housing

Authority (HDGHA) manages 60 units of public housing in the city limits of Havre de Grace.

Black households are disproportionately represented among applicant households on the waiting lists for public housing.

Households including a person with disabilities constituted 5.7% (20) of the waiting list for public housing and 23.9% (579) of the waiting list for Section 8 Housing Choice Vouchers.

There are 2,424 households on the waiting list for a Section 8 unit. Of these households, 63.2% are families with children. These applicants compete for over 1,000 available vouchers. Furthermore, the waiting list for public housing has a total of 353 households competing for only 60 units of family public housing. These waiting list characteristics further indicate a high demand for affordable and accessible family rental housing in Harford County.

6. POTENTIAL IMPEDIMENTS TO FAIR HOUSING CHOICE

The following observations collected during the development of the AI constitute the potential impediments or barriers to fair housing choice listed in this section. These impediments are linked to remedial strategies in the Fair Housing Action Plan.

i. Public Sector – Administrative

a. **The County’s increasingly diverse minority population may require language accommodations to ensure that all residents can access programs and services.**

Census data reveals a significant number of native-speaking Spanish and other Indo-European language speakers who speak English less than “very well.” The growth in the population that struggles with communicating in English could potentially result in an increasing number of persons who will require translation services in order to access federal programs administered by the County.

Proposed Action I: Conduct the four-factor analysis outlined in the Federal Register of January 22, 2007, and at www.lep.gov, to determine the extent to which the translation of vital documents is necessary to assist persons with limited English proficiency (LEP), particularly Spanish speaking persons, in accessing the County’s federal entitlement programs. If it is determined that the need for a Language Access Plan (LAP) exists, the County must prepare the LAP in order to comply with Title VI of the Civil Rights Act of 1964.

Proposed Action II: Analyze 2010 US Census data to determine other language groups, in addition to native Spanish speakers, who are having difficulty with English and may meet the threshold for needing additional services and outreach.

Proposed Action III: Provide other language services (interpreters, translators, etc.) on an as-needed basis.

b. **Members of the protected classes could be more fully represented on County boards and commissions dealing with housing issues.**

Of the four housing-related boards surveyed, lower representation was noted among Hispanics, minorities, and persons with disabilities. The experiences and perspectives of individuals in these categories would enhance the decision-making process in Harford County and offer the opportunity to affirmatively further fair housing choice in all aspects of County government.

Proposed Action: Conduct a survey of each of the appointed citizens who are currently members of public boards to identify members of the protected classes. The survey should identify the race, gender, ethnicity,

disability status, and familial status of every board and commission member. Thereafter, each new appointment should be surveyed in a similar manner. Records on the membership of boards and commissions will assist County officials in making appointments that reflect the County's diversity.

c. Harford County has achieved significant progress in terms of its fair housing accomplishments. But its efforts to document actions that affirmatively further fair housing could be better documented.

The County has many programs and initiatives in place to address previously identified impediments to fair housing choice. In addition to these policies and programs, the County should be conducting frequent and empirical evaluations of fair housing conditions (i.e. housing market patterns, discrimination complaints data, number of family units developed outside of impacted areas, number of Section 8 vouchers placed outside of impacted areas, etc.).

The County's activities that focus on harmonious living, such as the "Harford in Harmony" program and various award programs sponsored by the Human Relations Commission, should be supplemented with more activities that expand affordable housing choice outside of impacted areas.

The fair housing environment has been improved by the County's various outreach and education efforts and through the services and testing provided through the County's contract with BNI. However, additional progress can be made and measured in expanding testing and educational activities while incorporating new policies, practices, and procedures aimed at expanding fair housing choice.

Proposed Action I: Continue to contract with a qualified fair housing services provider to perform fair housing discrimination testing, conduct fair housing education and outreach, and operate the tenant-landlord hotline in Harford County.

Proposed Action II: In evaluating the effectiveness of activities designed to affirmatively further fair housing, the County should improve upon its efforts to document the number of affordable housing opportunities created for members of the protected classes, including those located in non-impacted areas.

ii. Public Sector – Programmatic

a. Minority households have greater difficulty becoming home owners in Harford County because of lower incomes.

The home ownership rate among Hispanic households was 50.3% in 2000, compared to 81% of White households. Among Black households, 53.6% owned their homes. Among the minority population in Harford

County, Asian households had the highest rate of homeownership at 72.5%.

Proposed Action I: Continue to strengthen partnerships with local lenders that will offer homebuyer incentives to purchase homes in the County.

Proposed Action II: Continue to identify collaborative initiatives for the County, fair housing advocates, certified housing counselors, and financial lenders to increase home ownership among minorities, residents of low-moderate income census tracts, and low-moderate income residents. Such initiatives may include:

- Increasing sustainable home ownership opportunities through financial literacy education including credit counseling and pre- and post-home purchase education.
- Increasing lending, credit, and banking services in low-moderate income census tracts and minority census tracts.
- Increasing marketing and outreach efforts of affordable mortgage products that are targeted for residents of low-moderate income census tracts, low-moderate income residents, and minorities.

b. Harford County's supply of housing that is affordable to households up to 80% of median household income (MHI) is increasingly inadequate.

The magnitude of the loss of affordable units and the market competitiveness heightened by increased demand severely restrict housing choice for minority households, which have significantly lower incomes than White households. These trends are apparent in the following observations:

- Harford County has experienced significant growth rates between 1980 and 2008. Such growth has resulted in a continuous demand for housing units to accommodate the increasing population.
- A lack of larger dwelling units consisting of three or more bedrooms, especially for renters, has a disproportionately greater impact on minority families who tend to live in larger households. An inadequate inventory of larger units causes overcrowding, increased wear and tear, and substandard living conditions for these families.
- The median housing value in Harford County increased almost 58% between 1990 and 2008, while real household income grew only 6.5%.

- Harford County represents an increasingly expensive rental housing market. Between 2000 and 2008, the number of units renting for less than \$500/month declined by more than 2,100 (-59.6%), while units renting for \$1000/month or more increased by over 7,600 units during the same period.
- Minimum wage earners and single-wage earning households cannot afford a housing unit renting for the HUD fair market rent in Harford County. This situation forces these individuals and households to double-up with others, or lease inexpensive, substandard units from unscrupulous landlords. Minorities and female-headed households will be disproportionately impacted because of their lower incomes.
- Persons receiving a monthly SSI check of \$674 as their sole source of income, including persons with disabilities, cannot afford a one-bedroom unit renting at the fair market rent of \$868. This situation disproportionately impacts the elderly, persons with disabilities, and other individuals who have little or no income.
- Due to a growing job market and the relocation of jobs to the Aberdeen Proving Ground, there is a projected demand for more affordable housing throughout Harford County over the next few years.
- There is a high demand for affordable and accessible family rental housing in Harford County as demonstrated by the waiting list for Section 8 Housing Choice Vouchers.

Proposed Action I: Expand incentives for property owners and investors to build new apartment buildings or substantially rehabilitate existing buildings for occupancy by lower-income families. Provide tax abatements and financial assistance to affordable rental housing projects, including those located outside of impacted areas.

Proposed Action II: Partner with affordable housing developers to increase the supply of affordable rental housing for families throughout the County. Provide land, extend financial assistance, and reduce fees and regulatory requirements that impede the development of affordable rental housing for families. Expand fair housing choice by stimulating the construction and/or substantial rehabilitation/conversion of affordable rental housing for families outside of impacted areas.

c. The majority of fair housing complaints filed through HUD in Harford County involved race as the basis for discrimination. Disability was the second most common basis, followed by familial status.

While over 57% of the complaints filed through HUD in the County were found to be without probable cause, the predominance of

complaints on the basis of race, disability, and familial status indicate that discrimination persists.

Because the Maryland Commission on Human Relations withholds detailed information about the housing discrimination complaints it receives, entitlement communities and fair housing advocates have one less resource upon which to base testing, education, and outreach efforts. Local testing efforts are increasingly important to ensure that education and outreach efforts are focused on the most critical needs in the County.

Based on the results of BNI's testing in FY 2009 and calls received via the Tenant Landlord Hotline, additional testing and educational outreach is needed in Harford County to continue to educate residents and property managers of their fair housing rights and responsibilities.

Proposed Action I: Continue to provide fair housing education and outreach efforts to landlords, building owners, rental agents, and Realtors.

Proposed Action II: Continue to investigate complaints in accordance with the County Human Rights Law.

Proposed Action III: Continue to contract with a qualified fair housing services provider to perform fair housing discrimination testing in Harford County for sales housing, rental housing, and mortgage lending.

d. Various zoning ordinances in the County – specifically those of Havre de Grace, Bel Air, and Harford County – must be amended to comply with the Fair Housing Act.

The City of Havre de Grace zoning regulations are in violation of the Fair Housing Act for two reasons. First, the ordinance does not permit multi-family dwelling units by-right in any of its zoning districts. This housing type is an affordable option for lower income households who cannot afford homeownership. By not permitting multi-family housing by-right, the City is limiting housing choice for members of the protected classes. Second, in regard to alternative design, multi-family dwelling units are permitted only as part of a Planned Adult Community for mature adults without children. Limiting multi-family housing only to mature adults without children discriminates against families with children.

The definition of “family” in the Bel Air zoning regulations restricts the number of unrelated persons who can live together as a family and, potentially, in a group home. In addition, group homes are permitted only by special exception in Bel Air in the R-3 district as well as in commercial districts. By requiring group home applicants to submit to the special exception public hearing and review process, the Town is placing overly burdensome regulatory requirements on unrelated persons with disabilities than it requires of unrelated persons without disabilities. This provision in the zoning ordinance is discriminatory.

In Harford County's zoning ordinance, group homes are permitted by-right only in the B-3, CI, and GI districts. In addition, additional parking spaces are required. These provisions regulating group homes violate the Fair Housing Act because they treat group homes for unrelated persons with disabilities less favorably than single-family homes for unrelated persons without disabilities. Group homes should be permitted by-right where other single-family homes are allowed without additional requirements such as parking or landscaping.

Proposed Action I: Recommend that the City of Havre de Grace amend its zoning regulations to permit multi-family housing units by-right within some of its existing zoning districts or in newly designated multi-family districts.

Proposed Action II: Recommend that the Town of Bel Air modify its definition of "family" in the zoning ordinance to include any group of individuals living together as a functional equivalent to a family where the residents may share living expenses, chores, eat meals together, and are a close group with social, economic, and psychological comments to each other. This change would eliminate the existing restrictions on the number of unrelated people that can live together as a common household as well as those residing in a group home.

Proposed Action III: Recommend that the Town of Bel Air revise its zoning ordinance to remove undue restrictions on group homes.

Proposed Action IV: Amend Harford County's zoning regulations to remove undue restrictions on group homes.

e. The Master Plan lacks specific policies and strategies to address affordable housing needs for all housing types.

The Master Plan addresses a variety of issues, including the County's vision for housing, revitalization, infill development, and transportation. While the County's master plan acknowledges the need for affordable housing in proximity to public transit and employment opportunities and a stated policy of providing a variety of housing types, there is no mention of unmet lower income housing needs other than senior housing, rental assistance, or affordable sales housing. The Plan is silent on the extent of need for multi-family housing units that are affordable to lower-income families.

The County's Master Plan is also silent on implementation measures aimed at expanding the supply of affordable housing for lower-income families. The absence of specific policies and strategies to address the housing needs of lower income families limits fair housing choice for members of the protected classes.

Since new development and redevelopment is geographically limited to the Development Envelope, high density housing opportunities should be an important element of the revitalization and infill development strategy

for major transportation corridors. High density multi-family housing, in particular, is an appropriate land use in the area of the MARC train stations in Aberdeen and Edgewood. Since opportunities for multi-family development are limited in the growth control climate of Harford County, the County should define specific geographical areas that are suitable for multi-family housing and work towards reducing or eliminating regulatory barriers that impede such development. If the county views its Mixed Use Centers as a means to expand the supply of multi-family housing and affordable housing, it should state this objective clearly within its Master Plan. The County should define its policy for expanding the supply of affordable rental housing units for families.

Affirmatively furthering fair housing choice means bending over backwards to make things happen that would not ordinarily happen without public intervention. The county should develop intervention strategies to implement the housing policy statements within its Master Plan. Density bonuses without financial subsidies will not increase the supply of affordable housing. The County should collaborate with affordable housing developers to select sites, construct infrastructure, provide financial subsidies, and otherwise support the expansion of affordable housing, including rental units for lower income families.

Proposed Action I: Define specific geographical areas that are suitable for multi-family housing and work towards reducing or eliminating regulatory barriers that impede such development.

Proposed Action II: Define a County policy for expanding the supply of affordable rental housing units for families.

Proposed Action III: Develop intervention strategies to implement the housing policy statements within the Master Plan.

Proposed Action IV: Collaborate with affordable housing developers to select sites, construct infrastructure, provide financial subsidies, and otherwise support the expansion of affordable housing, including rental units for lower income families.

f. Policy documents utilized by the Harford County Housing Agency should be amended for consistency and compliance with HUD directives and fair housing law.

The Agency's Section 8 Administrative Plan was reviewed and analyzed as part of this AI. This policy document should be amended based on the following observations:

- HCHA should make a more assertive effort to expand housing choice for Section 8 voucher holders. The list of known private rental properties available to Section 8 Housing Choice Voucher holders should be provided to all eligible applicants seeking Section 8 housing. Landlords with units located outside of areas

of concentration should be offered an increased payment standard in an effort to expand fair housing choice for Section 8 Housing Choice Voucher holders.

- HCHA's preference for applicants who live or work in Harford County is expressed in its Section 8 Administrative Plan. Since 83% of the County's population is White, this policy may have a disparate impact on non-White households attempting to move to Harford County. This policy appears to discourage minority Section 8 voucher holders from porting into Harford County from other jurisdictions.
- While very comprehensive, HCHA's Section 8 Admin Plan should include detailed policies for providing access to services for persons with limited English proficiency (LEP) and providing assistance to mixed families (including a definition for the term "mixed family").
- HCHA should conduct a four-factor analysis to ensure compliance with the Civil Rights Act of 1964 to provide adequate access to services for persons with LEP.

Proposed Action I: Assist new Section 8 Housing Choice Voucher holders in securing private rental housing by providing a list of known rental properties available to voucher holders.

Proposed Action II: Provide additional incentives to landlords with properties located in non-concentrated areas in an effort to induce their participation in the Section 8 program. Increasing the payment standard on a case-by-case basis will aid in the mobility of voucher holders.

Proposed Action III: Amend the Section 8 Administrative Plan to eliminate the local preference for persons who live and/or work in Harford County.

Proposed Action IV: HCHA should conduct a four-factor analysis to ensure compliance with the Civil Rights Act of 1964 to provide adequate access to services for persons with LEP.

- g. Several of the County's reporting and administrative documents and policies related to its federal entitlement programs should be improved to be more comprehensive and more consistent with HUD regulations involving affirmatively furthering fair housing.**

To meet its fair housing goals, the County must be specific in its investing objectives and state the number of affordable housing units (both rental and sales) to be created outside of impacted areas.

Within its Annual Plan, the County should specifically state the location of proposed activities to emphasize the importance of creating new affordable housing opportunities for members of the protected classes outside of impacted areas.

When preparing future CAPERs, the addresses of all new affordable housing opportunities financed with CDBG or HOME funds should be mapped to illustrate their location relative to impacted areas in the County.

The County's affirmative marketing policy should be updated to provide information on how LEP persons will be assisted in various outreach and marketing efforts. Also, the County should monitor every project to determine the adequacy of the owner's affirmative marketing initiatives.

To ensure full compliance of the County's HOME program with the Uniform Federal Accessibility Standards, a certification from a licensed architect stating that the design and construction is in compliance with UFAS standards should be required of any housing developer at closing.

Harford County should prepare a written policy that encompasses the Site and Neighborhood Standards, which are found at 24 CFR 983.6(b). These standards should be incorporated as part of the application review and approval process for all HOME-assisted rental housing projects. Such a policy will facilitate the County's goals toward affirmatively furthering fair housing.

Proposed Action I: Ensure that local communities that receive CDBG or HOME funds understand their individual obligation to affirmatively further fair housing choice by accepting the creation of new affordable family housing within their boundaries.

Proposed Action II: Create maps that show the geographic distribution of affordable housing developments in the County financed through the use of CDBG, HOME or other public funds and insert these maps into the County's annual CAPER.

Proposed Action III: Evaluate developer's affirmative marketing policies and accomplishments when monitoring HOME-assisted development projects.

Proposed Action IV: Amend the County's HOME policies and procedures to require any housing developer at closing to provide certification from a licensed architect that the design and construction is in compliance with the Uniform Federal Accessibility Standards (UFAS).

Proposed Action V: Prepare a written policy that encompasses HUD's Site and Neighborhood Standards. Incorporate this policy as part of the application review and approval process for all applicable HOME-assisted rental housing projects.

iii. **Private Sector**

a. **Mortgage loan denials and high-cost lending disproportionately affect minority applicants in Harford County, similar to national trends.**

Black and Hispanic households, both lower-income and upper-income, were denied home mortgages at higher rates than White households. These patterns are consistent with discrimination. Notably, upper-income Black households had a higher denial rate than lower-income White households.

Additionally, Black households are over-represented in high-cost mortgage loans. In 2008, the rate of high-cost lending was higher for upper-income Black households than that of White households.

Recent trends in mortgage denial rates and high-cost loans among Black and Hispanic households in Harford County warrant further review as these patterns are consistent with discrimination.

Proposed Action I: Continue to engage HUD-certified counselors to target credit repair education through existing advocacy organizations that work with minority populations on a regular basis.

Proposed Action II: Continue to facilitate home ownership workshops and training sessions, with special outreach in impacted neighborhoods, and to engage members of the protected classes.

7. FAIR HOUSING IMPLEMENTATION PLAN

	Planned Action Year					Responsible Entity
	2012	2013	2014	2015	2016	
Goal: Increase access to County programs for persons with limited English proficiency						
Task: Complete four-factor analysis of needs and language access plan according to HUD's LEP guidance	•					Harford County
Task: Analyze 2010 Census data to determine other language groups that meet threshold for needing additional services and outreach.	•					Harford County
Task: Provide other language services on an as-needed basis.	•	•	•	•	•	Harford County
Goal: Ensure that members of the protected classes are represented on appointed volunteer boards						
Task: Survey current board members to document race, gender, ethnicity, disability status and familial status	•	•	•	•	•	Harford County
Task: Affirmatively recruit protected class members to fill vacancies on appointed boards and commissions	•	•	•	•	•	Harford County
Goal: Continue to provide fair housing education, outreach, and testing services throughout the County						
Task: Continue to contract with a Fair Housing provider to perform fair housing discrimination testing, conduct fair housing education and outreach, and operate the tenant-landlord hotline	•	•	•	•	•	Harford County
Task: Document the number of affordable housing opportunities created for members of the protected classes, including those located in non-impacted areas	•	•	•	•	•	Harford County
Goal: Increase opportunities for homeownership throughout the County						
Task: Continue to partner with local lenders that offer homebuyer incentives	•	•	•	•	•	Harford County
Task: Continue to identify collaborative initiatives to increase homeownership among minorities, residents of low -moderate income census tracts, and low -moderate income residents	•	•	•	•	•	Harford County
Goal: Increase the supply of housing affordable to households below 80% MHI, specifically in non-impacted neighborhoods						
Task: Expand incentives for property owners, developers and housing organizations to build or substantially rehabilitate rental units in neighborhoods of opportunity		•	•	•	•	Harford County
Task: Partner with affordable housing developers to increase the supply of affordable housing in non-impacted areas. Collaborate with affordable housing developers to select sites, construct infrastructure, provide financial subsidies, and otherwise support the expansion of affordable housing.		•	•	•	•	Harford County
Task: Define a County policy for expanding the supply of affordable rental housing units for families		•				Harford County
Task: Define specific geographical areas that are suitable for multi-family housing and work towards reducing or eliminating regulatory barriers that impede such development		•	•	•	•	Harford County
Task: Collaborate with affordable housing developers to select sites, construct infrastructure, provide financial subsidies, and otherwise support the expansion of affordable housing	•	•	•	•	•	Harford County

	Planned Action Year					Responsible Entity
	2012	2013	2014	2015	2016	
Goal: Amend policy and program documents to affirmatively further fair housing						
Task: Recommend to the City of Havre de Grace that zoning regulations be amended to permit multi-family housing units by-right			•			Harford County
Task: Recommend to the Town of Bel-Air that zoning regulations should be amended to eliminate existing restrictions on the number of unrelated people that can live together as a common household and those residing in group homes, and that undue restrictions on group homes should be removed.		•				Harford County
Task: Amend the County's zoning ordinance to remove undue restrictions on group homes		•				Harford County
Task: Develop intervention strategies to implement the housing policy statements in within the County's Master Plan			•			Harford County
Task: Provide a list of known rental properties available to Section 8 voucher holders		•	•	•	•	Harford County
Task: Provide additional incentives to landlords to induce their participation in the Section 8 program, including increasing the payment standard on a case-by-case basis			•	•	•	Harford County
Task: Amend the Section 8 Admin Plan to eliminate the local preferences for persons who live and/or work in Harford County		•				Harford County
Task: Create maps that show the geographic distribution of affordable housing developments in the County financed through the use of CDBG, HOME, or other public funds and insert these maps into the CAPER	•	•	•	•	•	Harford County
Task: Ensure that local communities that receive CDBG or HOME funds understand their individual obligation to affirmatively further fair housing	•	•	•	•	•	Harford County
Task: Evaluate developer's affirmative marketing policies and accomplishments when monitoring HOME-assisted development projects.	•	•	•	•	•	Harford County
Task: Amend the County's HOME policies and procedures to require any housing developer at closing to provide certification that the design and construction is in compliance with UFAS		•				Harford County
Task: Prepare a written policy that encompasses HUD's Site and Neighborhood Standards. Incorporate this policy as part of the application review and approval process for all applicable HOME-assisted rental housing projects.	•					Harford County
Goal: Mitigate the extent to which mortgage loan denials and high-cost lending disproportionately affect minorities						
Task: Continue to engage HUD-certified counselors to target credit repair education through advocacy organizations that work with minority populations	•	•	•	•	•	Harford County
Task: Continue to facilitate homeownership training with special outreach in impacted neighborhoods	•	•	•	•	•	Harford County

8. SIGNATURE PAGE FOR THE URBAN COUNTY OF HARFORD COUNTY

By my signature I certify that the *Analysis of Impediments to Fair Housing Choice for the Urban County of Harford County* is in compliance with the intent and directives of the regulations of the Community Development Block Grant Program regulations.

County Commissioner _____

County Commissioner _____

County Commissioner _____

Date _____

9. APPENDIX A: SUMMARY OF ZONING ORDINANCES REVIEWED

For the purposes of this analysis, the zoning ordinances for the following localities were reviewed for impediments to fair housing choice:

- Town of Aberdeen
- Town of Bel Air
- City of Havre de Grace
- Harford County

The reviews are included on the following pages.

Figure 9-1
Zoning Ordinance Review – Town of Aberdeen

Date of Ordinance	1990	Comments
Amended through	2006	
Zoning districts & dwelling types where dwelling units are permitted by-right	R-1, Low Density Residential: SFDU, Modular	A wide range of dwelling unit types permitted by-right in the R-2, R-3, B-1 and B-2 districts.
	R-2, Medium Density Residential: Accessory apartment, SFDU, Modular, Conversion of SFDU to two-family, SF semi-detached, Two-family	
	R-3, High Density Residential: Age-restricted housing, Accessory apartment, Multi-family apartment, SFDU, Garden, Mid-rise, Modular, Conversion of SFDU to two-family or multi-family, Quad, SF semi-detached, Townhouse, Two-family	
	B-1, Neighborhood Business: Age-restricted housing, Accessory apartment, Multi-family apartment, SFDU, Garden, Mid-rise, Modular, Quad, SF semi-detached	
	B-2, Central Commercial: Age-restricted housing, Accessory apartment, Multi-family apartment, SFDU, Garden, Mid-rise, Modular, Quad, SF semi-detached	
	B-3, Highway Commercial: Accessory apartment to commercial use	
Smallest permitted minimum lot size per unit	R-1, Low Density Residential: 15,000 sf	Minimum lot sizes as small as 5,000 square feet for a single family unit and as small as 2,500 square feet for a townhouse unit. No minimum lot sizes in the commercial districts; however, development must be able to accommodate all zoning provisions (parking, setbacks, etc.).
	R-2, Medium Density Residential: SFDU 7,200 sf; Semi-detached or two-family 9,000 sf	
	R-3, High Density Residential: SFDU 5,000 sf; Semi-detached or two-family 7,000 sf; Quad, garden multi-family, mid-rise 7,500 sf; townhouse 2,500 - 3,000 sf	
	B-1, Neighborhood Business: none	
	B-2, Central Commercial: none	
	B-3, Highway Commercial: none	
Alternative designs	Accessory dwelling units Conversion of SF to two-family and multi-family Zero-lot line development Integrated Business District	Accessory dwelling units can be a very affordable housing option. Zero-lot line development allows smaller setbacks which can decrease the amount of land required, and reduce housing costs. The purpose of the Integrated Business District is to plan for a compatible mix of residential, commercial, recreational, and entertainment uses in proximity to Ripken Stadium.
Definition of Family	"An individual or group of individuals who live together as one economic unit."	Inclusive definition, focuses on people living together as a cohesive unit without any limit on the number of persons.
Definition and Regulation of Group Home	"A housing facility offering common, shared, or independent living, dining, kitchen, sanitary, and sleeping facilities. In addition, supportive services or supervisory personnel are provided to individuals with special housing needs when the individuals are not related to the group home sponsor."	Inclusive definition, without a limit on the number of persons who can live together.

Source: Aberdeen Zoning Ordinance

Figure 9-2
Zoning Ordinance Review – Town of Bel Air

Date of Ordinance	1959	Comments
Amended through	2010	
Zoning districts & dwelling types where dwelling units are permitted by-right	R-1, Low Density Residential: SFDU	A wide range of dwelling unit types permitted by-right in the R-2, R-3, R-O, B-1, B-2, B-2A, B-3, and B-3A districts.
	R-2, Medium Density Residential: SFDU, Townhouse, Semi-detached DU, Two-family	
	R-3, High Density Residential: SFDU, Townhouse, Semi-detached DU, Two-family, Multi-family	
	R-O, Residential-Office: SFDU, Townhouse, Semi-detached DU, Two-family, Multi-family	
	B-1, Limited Business: SFDU, Townhouse, Semi-detached DU, Two-family, Multi-family	
	B-2, Central Business: SFDU, Townhouse, Semi-detached DU, Two-family	
	B-2A, Central Business Gateway: SFDU, Townhouse, Semi-detached DU, Two-family	
	B-3, General Business: SFDU, Townhouse, Semi-detached DU, Two-family, Multi-family	
	B-3A, General Business Gateway: SFDU, Townhouse, Semi-detached DU, Two-family	
Smallest permitted minimum lot size per unit	R-1, Low Density Residential: SFDU 10,000 sf	Townhouses can be developed up to 10 DU/acre in R-2, and up to 14 du/acre in R-3, R-O, B-1 districts. Multi-family garden or mid-rise apartments can be developed up to 20 du/acre in R-3, R-O, B-1 districts. Fifty-and-over housing can be developed up to 30 du/acre in R-3, R-O, B-1 districts.
	R-2, Medium Density Residential: SFDU 8,750 sf; Townhouse 3,100 sf; Semi-detached DU 15,000 sf; Two-family 12,000 sf	
	R-3, High Density Residential: SFDU 8,750 sf; Townhouse 3,100 sf; Semi-detached DU 10,000 sf; Two-family 10,000 sf; Multi-family 12,000 sf	
	R-O, Residential-Office: SFDU 8,750 sf; Townhouse 3,100 sf; Semi-detached DU 10,000 sf; Two-family 10,000 sf; Multi-family 12,000 sf	
	B-1, Limited Business: SFDU 8,750 sf; Townhouse 3,100 sf; Semi-detached DU 5,000 sf; Two-family 10,000 sf; Multi-family 12,000 sf	
	B-2, Central Business: SFDU 8,750 sf; Townhouse 2,000 sf; Semi-detached DU 5,000 sf; Two-family 10,000 sf	
	B-2A, Central Business Gateway: SFDU 8,750 sf; Townhouse 2,000 sf; Semi-detached DU 5,000 sf; Two-family 10,000 sf	
	B-3, General Business: SFDU 8,750 sf; Townhouse 3,000 sf; Semi-detached DU 5,000 sf; Two-family 8,750 sf; Multi-family 12,000 sf	
	B-3A, General Business Gateway: SFDU 8,750 sf; Townhouse 2,000 sf; Semi-detached DU 5,000 sf; Two-family 10,000 sf	

Zoning Ordinance Review – Town of Bel Air (Continued)

Alternative designs	Density bonus up to 10% in R-1, R-2, R-3 districts to encourage affordable housing, among other features.	A positive alternative design feature to the zoning ordinance that encourages the development of affordable housing.
Definition of Family	"(A) Any number of persons related by blood, marriage or adoption; or (B) up to three adult persons maintaining a common household together with any adult dependents...or minor children...; or (C) no more than eight persons residing together in order to provide or obtain residential care and treatment to persons with developmental disabilities...; or (D) no more than eight persons who are or have been under treatment for a mental disorder...; or (E) no more than eight persons in recovery from drug, alcohol and/or similar addictions residing together in order to receive counseling and other rehabilitative services."	Restricts the number of unrelated persons who can live together as a family. Also restricts the number of unrelated persons with disabilities who can live together.
Definition and Regulation of Group Home	"A dwelling unit other than a Halfway House, Community Shelter or a unit in an apartment building in which persons who do not constitute a family...live together and maintain a common household."	Group homes permitted by special exception only in the R-3, R-O, B-1, B-2, B-2A, B-3, B-3A districts. Special exception uses require a public hearing and may be denied.

Source: Bel Air Zoning Ordinance

Figure 9-3
Zoning Ordinance Review – City of Havre de Grace

Date of Ordinance	1982	Comments
Amended through	2010	
Zoning districts & dwelling types where dwelling units are permitted by-right	R, Residential: SFDU	Only single family detached units, duplexes and townhouses are permitted by-right throughout the City. Many more dwelling unit types are permitted by conditional use in most residential districts, however, these require a public hearing and additional regulatory requirements. For example, multi-family housing is permitted only by conditional use in any residential district.
	R-1, Residential: SFDU, SF attached (in structures existing prior to 1982 only)	
	R-2, Residential: SFDU, Duplex, Townhouse	
	RB, Residential Business: SFDU, Duplex, Townhouse	
	RO, Residential Office: SFDU, Duplex, Townhouse	
Smallest permitted minimum lot size per unit	R, Residential: SFDU 15,000 sf	Minimum lot sizes are reasonable.
	R-1, Residential: SFDU 10,000 sf	
	R-2, Residential: SFDU 5,000 sf; Duplex 4,000 to 8,000 sf; Townhouse 1,920 sf	
	RB, Residential Business: SFDU 5,000 sf; Duplex 3,000 to 6,000 sf; Townhouse 1,920 sf	
	RB, Residential Business: SFDU 5,000 sf; Duplex 3,000 to 6,000 sf; Townhouse 1,920 sf	
Alternative designs	Planned Adult Communities in R, R-1, R-2; may include "...single-family attached dwellings, multifamily dwellings and single-family detached dwellings, all of which shall be designed for occupancy by mature adults..."	Planned Adult Communities permitted in residential districts but these are restricted to mature adults (ie, without children).
Definition of Family	"One or more individuals living independently as a single housekeeping unit and using cooking facilities and rooms in common. A family shall not be deemed to include the collective occupants of a boardinghouse, lodging house or hotel."	An inclusive definition that emphasizes a group of persons living together as a cohesive unit. No limits on the number of persons who may live together.
Definition and Regulation of Group Home	<p>A Community Residential Facility is defined as "any dwelling licensed, certified, or authorized by state, federal, or local authorities as a residence, for example, but not limited to, children or adults with physical, developmental or mental disabilities, dependent children or elderly individuals in need of supervision, support and/or independent living training. Does not include halfway house, crisis residential center, or secure community transition facility. May include specialized group home for the developmentally disabled, group care facility for children, and boarding home."</p> <p>A Community Treatment Facility is defined as "any dwelling or place licensed, certified, or authorized by state, federal, or local authorities as a residence and treatment facility, for example, but not limited to, children or adults with mental disabilities, alcoholism, or drug abuse problems needing a supervised living arrangement and rehabilitation services on a short-term or long-term basis. Does not include detoxification centers, halfway house, crisis residential center or secure community transition facility. May include alcohol and/or drug abuse treatment facilities and adult treatment facilities."</p>	These two definitions reflect the purpose of group homes. Both are defined as "any dwelling" certified and licensed "as a residence" for a specified group of individuals who would be defined as members of the protected classes. However, neither of these two land uses is listed as a permitted or conditional use in any zoning district in the City. As such, it could be construed that these two uses are permitted by-right wherever single family dwellings are permitted.

Source: Havre de Grace Zoning Ordinance

Figure 9-4
Zoning Ordinance Review – Harford County

Date of Ordinance	2008	Comments
Amended through	2010	
Zoning districts & dwelling types where dwelling units are permitted by-right	A, Agricultural: SFDU, Mobile homes	A wide range of residential districts as well as commercial districts that permit residential uses by-right. Multi-family unit types permitted by-right in R-4, RO and B-3 districts.
	RR, Rural Residential: SFDU	
	R-1, Urban Residential: SFDU	
	R-2, Urban Residential: SFDU	
	R-3, Urban Residential: SFDU	
	R-4, Urban Residential: SFDU, Duplex, Lot line dwelling, Patio/court/atrium, Semi-detached SFDU, Townhouse	
	RO, Residential Office: Duplex, Garden apartment, Semi-detached SFDU, SFDU	
	VR, Village Residential: Duplex, Lot line dwelling, Semi-detached SFDU, SFDU	
	VB, Village Business: Duplex, Semi-detached SFDU, SFDU	
	B-1, Neighborhood Business: Duplex, Semi-detached SFDU, SFDU	
Smallest permitted minimum lot size per unit	A, Agricultural: 20,000 sf if lot recorded before 1977, all other 2 acres	Wide variety of minimum lot sizes permitted, ranging from as small as 1,800 square feet to 2 acres.
	RR, Rural Residential: 20,000 to 60,000 sf	
	R-1, Urban Residential: 15,000 to 20,000 sf	
	R-2, Urban Residential: 10,000 sf	
	R-3, Urban Residential: 7,500 sf	
	R-4, Urban Residential: 4,500 to 10,000 sf	
	RO, Residential Office: 10,000 sf	
	VR, Village Residential: 7,500 to 10,000 sf	
	VB, Village Business: 7,200 to 10,000 sf	
	B-1, Neighborhood Business: 6,500 to 10,000 sf	
Alternative designs	B-2, Community Business: 5,000 to 7,500 sf	The Starter Home Housing Bonus encourages the development of affordable housing by allowing an increase in the number of unassisted units developed.
	B-3, General Business: 1,800 to 10,000 sf	
Definition of Family	Starter Home Housing Bonus permits up to 20% increase in the number of dwelling units for low and moderate income and larger households developed in the private market.	A very inclusive definition without limitations or restrictions on members.
	"A social unit living together."	

Zoning Ordinance Review – Harford County (Continued)

Definition and Regulation of Group Home	<p>A Boarding Home for Sheltered Care is defined as "A nonprofit home for the sheltered care of more than 8 unrelated persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.</p> <p>A Group Home for Sheltered Care is defined as "A home for the sheltered care of more than 8 unrelated persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services and transportation."</p>	<p>Group homes are identified and defined by these two terms. Both uses are permitted by-right only in the B-3, CI and GI districts, all of which are commercial/industrial districts. Off-street parking requirements of 1 space per 2 beds plus 1 space per employee (full-time equivalent) on the largest shift. This provision exceeds the off-street parking requirement for other single family homes where unrelated persons without disabilities may reside. These provisions violate the Fair Housing Act.</p>
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Source: Harford County Zoning Ordinance