

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL FAIR HOUSING ALLIANCE,
et al.,

Plaintiffs,

v.

BEN CARSON, *et al.*,

Defendants.

Civ. Action No. _____

Judge - _____

DECLARATION OF DANIEL UREVICK-ACKELSBERG

1. My name is Daniel Urevick-Ackelsberg. I am over the age of eighteen and am competent to make this declaration. I have personal knowledge of the matters set forth herein.
2. I am a staff attorney with the Public Interest Law Center in Philadelphia, where I engage in community-based advocacy and organizing, as well as litigation, on housing and education issues in the Philadelphia region. My work on housing issues preceded my time at the Law Center. I was an analyst at The Reinvestment Fund, a housing attorney at Community Legal Services, Pennsylvania's biggest legal services organization, and was an Assistant Chief Counsel at the Pennsylvania Human Relations Commission, where I worked on fair housing issues through a HUD-funded grant. As part of my past work, I have personally reviewed past Analyses of Impediments submitted by the City of Philadelphia (City), and reviewed multiple years of the annual Moving to Work plans submitted by the Philadelphia Housing Authority (PHA).
3. The City and PHA prepared a joint Assessment of Fair Housing (AFH) evaluating housing issues in Philadelphia and submitted their AFH to HUD for review on December 23, 2016.

4. I was actively involved at every stage of Philadelphia's Assessment of Fair Housing process in 2016. I worked closely with city and housing authority officials, and worked side by side with other advocates, housing providers, and community activists throughout the process.
5. The community participation process in Philadelphia for its AFH was far more comprehensive than the process conducted for the City's prior Analysis of Impediments, which is consistent with the stronger community engagement requirements in the AFFH rule. The City's enhanced community outreach was directly responsive to these enhanced requirements in the rule, which were also emphasized by community-based organizations during the initial public comment period. Some examples of the City's greater community engagement process, as reflected in the text and appendices to the final AFH, included:
 - a. The City and the PHA conducted outreach for 10 weeks prior to the release of the draft AFH.
 - b. The City's Department of Housing and Community Development and the Philadelphia Housing Authority created websites in English and Spanish about AFFH that included links to HUD guidance about the AFH process as well as to maps that were prepared using HUD-provided data. Residents could view maps depicting demographic data, homeownership rates, school quality, the location of subsidized rental units, and more.
 - c. To collect input from a broad cross-section of the community, the City and PHA conducted a survey in English and Spanish that received more than 5,200 responses from residents of every neighborhood in Philadelphia. More than 900 responses came from residents living in zip codes with significant concentrations of poverty. The survey asked respondents a variety of questions including their feelings about their

neighborhood, homeownership status, the quality of their housing, and whether they had conducted a housing search recently.

- d. In order to promote the survey, the City sent emails, used social and traditional media, and distributed flyers as well as paper versions of the survey to reach Philadelphians without computer access. The survey was also made available through community-based organizations and at PHA locations.
- e. In addition, the City and PHA held a variety of meetings with different groups to solicit input. Five community focus groups were held to receive individualized responses from residents, including specific groups for persons with disabilities and Spanish-speakers. Collectively, the participants represented 40 different neighborhoods in the City. Focus groups were comprised of renters, homeowners, and public community-based nonprofits and other organizations helped recruit individuals for the focus group. Each focus group meeting was held in the evening at well-known locations accessible by transit.
- f. PHA conducted additional outreach during three presentation/planning sessions that reviewed the AFFH requirements, the survey process, and identified issues that were of particular concern to PHA residents.
- g. Nearly 60 diverse stakeholder organizations including housing developers, advocates, and service providers were also invited to participate in three meetings that each covered a different subject area: the development of affordable housing, service provision, and other aspects of fair housing and access to opportunity. Fair housing advocates and monitors were present at each session.

6. As a result of the community participation process required by the AFFH rule, there were more opportunities for the City and PHA to engage directly with residents and stakeholder organizations. Continuous community outreach ultimately increased the level of public accountability throughout the AFH process.
7. In October 2016, the City and Housing Authority released a draft AFH for community feedback. Despite the improved outreach, there were a significant number of critiques and suggestions for improvement submitted by community-based organizations and advocates. My organization, along with others, felt there were remaining gaps in those outreach efforts, and that those gaps contributed to an insufficient draft report. On the process, for example, I was concerned that the Spanish-language outreach was insufficient. And I felt all this manifested in a draft AFH that had goals too often unmoored from the barriers the AFH identified. I feared that without improvement, the AFH would not result in meaningful change over the following five years.
8. City officials took the comments on the initial draft very seriously, and met regularly with stakeholders and held additional public meetings to solicit comments and edits for the goals. Additional public input included three public hearings, a second Spanish-language focus group, and seven meetings with stakeholders to review the goals and strategies of the AFH.
9. The City and PHA worked with stakeholders and other community members to produce significantly stronger goals and strategies in the final version of the AFH that will help increase fair housing choice and improve access to opportunity. In addition, the number of strategies to achieve goals was significantly expanded as a result of our critique that there were not enough measurable, concrete goals in the draft AFH. A total of 52 specific

strategies were identified to support 11 broad goals. Chief among these goals were expanding and preserving affordable housing.

10. Not only was a stronger and more comprehensive set of goals included in the final AFH, but these goals also provide a framework for action and informed the City's and Housing Authority's planning documents, as required by and anticipated by the AFFH rule itself. For example, during stakeholder meetings after the draft AFH report was released, we insisted that any final AFH connect the draft AFH's racial analysis of the eviction crisis to concrete strategies to take this problem on. The final report did just this, with the adoption of strong goals and recommendations, including the aim of increased support for eviction defense attorneys. Since the report was released, the City has followed through. First, the City enshrined the eviction crisis as a high-needs priority in its Consolidated Plan. Second, the Mayor commissioned an eviction taskforce, bringing together landlord and tenant advocates, government officials, and others, to make a series of recommendations to address Philadelphia's eviction crisis. Third, Philadelphia appropriated \$500,000 in funds and requested proposals for groups to do anti-eviction work. And fourth, as a result of that funding, in January 2018, Philadelphia announced the creation of the "Philadelphia Eviction Prevention Project," an innovative program that will use lawyers and other advocates to reduce evictions.
11. Similarly, I and others argued that the draft AFH report gave short shrift to the twin problems of housing quality, and the inability of low-income homeowners to secure capital to repair their homes. Philadelphia historically has a large proportion of elderly and minority homeownership, and those homeowners often own aging housing stock. The lack of reputable capital often exposes our elderly and minority homeowners to the Hobson's choice

of predatory home equity repair loans or living without heat and with holes in their roofs. Again, the City listened to stakeholder concerns and responded accordingly. The final AFH committed the City to providing infusions of capital to the City's program to assist low-income homeowners in making basic repairs to their homes and to help persons with disabilities adapt their homes for their needs. Moreover, the AFH committed the City to studying the feasibility of a revolving loan fund to help with further repair needs. Here again, the City has acted since submitting the final AFH, dedicating tens of millions of additional dollars to existing City grant-based home repair programs, and dedicating tens of millions of dollars to create a loan program that would provide affordable repair loans to homeowners with credit scores as low as 580.

12. Finally, City officials didn't only listen to our concerns. Rather, they used the experience of other jurisdictions to improve Philadelphia's AFH. For example, New Orleans completed its AFH prior to Philadelphia. New Orleans's AFH had a number of measureable strategies and goals that were more connected to the fair housing barriers the New Orleans report had identified. Philadelphia City officials were shown the New Orleans plan, and advocates and City officials alike tried to match what we perceived to be the high bar set by the New Orleans report.

13. The AFFH rule's requirement for HUD review of the submitted AFH was an issue of great concern to the City, and City officials stressed the importance of achieving a measure of consensus within the community, avoiding community objections, ensuring that the AFH would be complete and acceptable to HUD, and avoiding the possibility of a "passback" by HUD.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate. Further, I certify that I am qualified and authorized to file this declaration.

Executed within the United States on May 7, 2018.



DANIEL UREVICK-ACKELSBERG