

**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 MAXWELL CIARDULLO

1. My name is Maxwell Ciardullo. 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 Director of Policy and Communications at the Greater New Orleans Fair Housing Action Center (GNOFHAC), where I support legislative and regulatory work at the state, local, and federal levels on a variety of housing related and civil rights issues. I've worked at GNOFHAC since June 2014. GNOFHAC is an organization that provides education on housing issues, enforces fair housing laws, and engages in policy advocacy.
3. The City of New Orleans (City) and the Housing Authority of New Orleans (HANO) collaborated to produce a joint Assessment of Fair Housing (AFH) in response to the Affirmatively Furthering Fair Housing (AFFH) final rule issued in 2015. The AFH process was launched in July 2016 and the joint AFH for New Orleans was submitted to HUD on October 4, 2016.
4. As New Orleans was one of the first jurisdictions in the country to go through the AFH process, the U.S. Department of Housing and Urban Development (HUD) offered technical assistance to ensure the process went well. HUD also encouraged GNOFHAC's participation in the AFH process.

5. I was heavily involved in the AFH process and was a member of a steering committee that met regularly and helped to guide the process in New Orleans. GNOFHAC, the City, and HANO had a close working relationship throughout the AFH process. I also reviewed the most recently submitted Analysis of Impediments and worked closely with GNOFHAC staff who participated in that process.
6. Planning efforts for the AFH began in Spring 2016. The City and HANO engaged with GNOFHAC to help facilitate the community participation process. In particular, the City and HANO requested help reaching out to individuals with Housing Choice Vouchers and to groups that have historically been marginalized in past planning processes. During Spring 2016, GNOFHAC created outreach materials for a broad audience, developed a list of accessible venues to host community meetings, and created a plan for targeted outreach to community groups, public housing residents as well as Housing Choice Voucher program participants.
7. The community participation process in New Orleans was robust and in line with the community requirements of the AFFH rule. Some examples of the City's process, as reflected in the text and appendices to the final AFH, included:
 - a. The City and HANO developed a list of over 100 stakeholders. GNOFHAC suggested additional groups for inclusion as necessary. Stakeholders from this list were grouped into 10 specialized categories such as housing, neighborhood groups, and social services.
 - b. Numerous types of stakeholder meetings were conducted during the AFH development process. Three general types of stakeholder meetings were held: a general stakeholder public meeting, capacity building sessions, and planning group meetings. The general stakeholder meeting was open to the public and involved information gathering and sharing. GNOFHAC hosted 7 capacity building training sessions for community-based and advocacy groups whose fair housing efforts would benefit from training regarding the purpose and technical aspects of the AFH process. An average of 15 stakeholders attended these capacity sessions. City budget meetings held in every city council district, HANO Board meetings and Resident Advisory Board meetings also provided opportunities for the public to give feedback.

GNOFHAC also hosted a community dinner and listening session that focused on residents living in publicly supported housing. The comments from these sessions were synthesized and submitted as comments that were accepted for the AFH.

- c. The public was also able to provide input through two separate fair housing surveys that GNOFHAC created. The survey was widely distributed. A short survey was distributed at budget meetings, stakeholder meetings, and public hearings. A total of 109 people responded to this survey. A separate longer online survey received 127 responses. This survey was disseminated via email and links posted on the City, HANO, and the GNOFHAC websites.
- d. A media strategy was created to publicize the AFH process. Information about the community participation process was distributed in print media including as well as social media. Local radio and television stations broadcast news about opportunities for the public to provide input.
- e. Specific outreach was conducted to increase participation among populations that have historically been underrepresented in the planning process. The City and HANO targeted residents living in racially and ethnically concentrated areas of poverty (R/ECAPs) through collaborations with local organizations. Flyers were also distributed throughout neighborhood community centers. GNOFHAC worked with HANO and the City to conduct outreach to Spanish speakers and other individuals with limited English proficiency (LEP), including Arabic and Urdu speakers. Services for individuals with auditory and visual disabilities were available at both AFH public hearings, all meetings took place at facilities accessible to individuals with ambulatory disabilities, and Spanish interpretation services were available at each meeting.
- f. Three public hearings were held as part of the community participation process. The first hearing was held on July 19, 2016. Two additional hearings were held after the first draft of the AFH was published in August 2016.

8. The community participation process resulted in unprecedented levels of engagement. Attendance at AFH planning meetings increased compared to past City and HANO planning meetings. The community participation process also led to participation from a wide cross-section of stakeholders and city residents. Representatives from community groups focused on public transit, educational equity, environmental justice, domestic violence, and criminal justice reform all participated in capacity building trainings and public meetings. Attendees from the Vietnamese and Spanish speaking communities as well as attendees representing formerly incarcerated individuals and individuals with disabilities were present at meetings.
9. After the draft version of the AFH was released in September 2016, GNOFHAC knew there were still sections of the AFH that could be improved. During the public comment period, GNOFHAC provided additional data about housing discrimination, segregation, and the lack of equal housing opportunity in New Orleans. GNOFHAC also made recommendations to make the goals more precise and developed strategies that could lead to concrete results.
10. Ultimately, the final AFH produced goals and strategies that were stronger than those developed for the Analysis of Impediments. The community participation process as well as the process of identifying and prioritizing specific contributing factors strengthened the goals section of the assessment. The AFH lays out 7 overarching goals. Each goal is tied to strategies for implementation as well as specific fair housing issues with significant contributing factors identified earlier in the AFH. Every goal also included a timeframe for action, metrics of achievement, and identified which program participants are responsible for implementation. Examples of specific strategies that were added include: 1) studying the implications of HUD's Small Area Fair Market Rents (SAFMR) rule, 2) conduct workshops to engage with potential HCVP landlords and develop streamlining policies to assist more landlords enter the program, 3) and redeveloping 140 affordable rental units in mixed income developments on scattered sites in high opportunity areas by 2021. HANO and the City have made significant progress on all three of these strategies: 1) HANO has already moved past studying SAFMR and has begun a pilot program with exception payment standards in high opportunity zip

codes, 2) GNOFHAC and HANO have partnered to host four landlord focus groups and will begin crafting streamlining processes in the next month, 3) and a contract has been awarded to a developer to begin construction on the first group of scatter sites, which will include 94 affordable units.

Overall, the AFH process helped develop a set of specific, measureable, and attainable goals that can be put into place by policymakers.

11. Although the City and HANO had a relatively short period of time to complete the AFH, the process went smoothly. The AFH process encouraged the City and HANO to plan collaboratively, something that does not often occur. City and HANO staff also felt that the assessment tool was designed appropriately and that HUD provided data that was helpful in understanding fair housing issues. The overall experience of the AFH process was a positive one and resulted in a strong AFH report that has been cited as an example for other jurisdictions in the country.

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.



MAXWELL CIARDULLO