

## CF – Impediments to Mobility

*Impediments to mobility can occur when:*

- Due to Public Housing Agency policies and practices, households encounter difficulty when applying for or using vouchers all throughout their regions (and potentially beyond), including in high-opportunity areas.
- Households have inadequate time or information to conduct successful housing searches throughout their regions, particularly for safe, quality housing in high-opportunity areas.
- Specific financial and logistical barriers impede households seeking to move to higher-opportunity areas or make desegregative moves.

*Fair housing issues and sample strategies to address them (these are examples; note that impediments and strategies may apply to different fair housing issues depending on the community):*

Segregation and R/ECAPs	Disproportionate Housing Needs	Disparities in Access to Opportunity	Publicly Supported Housing Location & Occupancy
Financial, logistical, informational, and/or administrative barriers impede low-income and minority households from proportionate access to homes beyond R/ECAPs and throughout a region.	Voucher holders (or minority or low-income households) disproportionately reside in subpar, unsafe, or unhealthy housing due to the inability to conduct successful housing searches throughout a region.	Financial, logistical, informational, and/or administrative barriers to moving throughout a region impede access to opportunity for protected classes.	Households with vouchers (and other publicly-supported households) are disproportionately distributed within a region due to specific financial, logistical, informational, and/or administrative barriers that prevent families from moving, particularly desegregative moves or moves to high-opportunity areas.
Strategies			
<p><b>Facilitate and support desegregative moves.</b></p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Form an interagency effort to support housing mobility through coordinated services, counseling, and financial supports.</li> <li>• Provide counseling, landlord outreach, marketing, and/or search assistance (see also “Quality of Affordable Housing Information” section).</li> </ul>	<p><b>Enable successful regional housing searches.</b></p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Expand search terms for voucher families.</li> <li>• Provide counseling, landlord outreach, marketing, and/or search assistance that prioritizes families in higher-risk properties or areas and helps them move to low-risk areas (see also “Quality of Affordable Housing Information” section).</li> </ul>	<p><b>Facilitate and support moves to opportunity.</b></p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Create a fund for security deposits and moving assistance for voucher families or other low-income households to use in high-opportunity areas.</li> <li>• Create a ladder for opportunity moves by providing a combination of financial counseling, mobility counseling, and landlord outreach in areas of opportunity.</li> </ul>	<p><b>Enable true region-wide voucher applications and use.</b></p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Implement higher or flexible payment standards so that families can afford rents in low-poverty areas.</li> <li>• Enact a portability agreement among PHAs.</li> <li>• Adjust PHA application policies and practices.</li> </ul>

# Impediments to Mobility

## Introduction

Housing mobility is the enabling of true residential choice, through program designs and supports that give households access to neighborhoods throughout a region (and potentially beyond). “Impediments to mobility” are barriers faced by individuals and families when attempting to move to a neighborhood or area of their choice, especially integrated areas and areas of opportunity. Segregation and lack of housing choice are often perpetuated where residents, landlords, and service providers lack guidance or incentives to facilitate moves outside of segregated or low-opportunity areas.

The term “housing mobility” is often used to describe programs that assist families with Housing Choice Vouchers (HCVs) to move to lower poverty communities. But all types of program participants have a role in strategically addressing barriers to mobility where they identify them. While this section largely focuses on the needs of HCV holders, a number of the impediments and strategies are significant for other households as well. Low-income and minority households, in particular, often have their residential mobility curtailed by some of the same barriers facing voucher holders. When feasible, a multi-faceted and coordinated approach to mobility will often be most effective.

The legacy of racial and socio-economic segregation in federally-funded housing programs in America remains a significant problem that continues to shape opportunities for families in urban communities.<sup>1</sup> In many communities, the design features of subsidized housing programs play a key role in either enabling or impeding mobility. The administrative elements of subsidized housing programs, such as the Housing Choice Voucher (HCV) program, and lack of resources for accompanying services, such as counseling, often raise impediments. Discrimination (including source-of-income), rigor of civil rights enforcement, and quality of affordable housing information programs may also impact mobility, and are discussed in detail in the sections on those contributing factors.

Specific impediments to mobility may include, but are not limited to:

- Voucher payment standards are too low for households to access rentals throughout the region
- Lack of knowledge about housing options in low poverty or less segregated areas
- Lack of quality mobility counseling and search assistance for families (see also “Quality of Affordable Housing Information” section)
- Voucher portability restrictions
- Lack of landlord outreach and incentives in high opportunity areas
- Lack of financial and logistical supports (such as security deposits and moving expenses)
- Restrictive tenant search times
- Barriers in the Public Housing Agency (PHA) admissions process
- Discrimination against HCV families by landlords (see also “Source of Income Discrimination” section)
- Absence of strong HCV data tracking and deconcentration goals
- Lack of post-move counseling and other follow-up to ensure a successful move

This section will equip participants to assess impediments to mobility, understand how they impact fair housing, and identify strategies to address them.

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<sup>1</sup> See, e.g., Margery Austin Turner, Susan J. Popkin, & Lynette Rawlings, PUBLIC HOUSING AND THE LEGACY OF SEGREGATION, The Urban Institute Press, 2009.

## **A. What is an impediment to mobility?**

Households may have their residential choices significantly limited by barriers to mobility, with informational and logistical difficulties compounded by constraining features of publicly-supported housing policies. A number of these problems arise within the HCV program itself, despite its underlying aims of broadening choice and combatting the over-concentration of federally-funded housing developments. As discussed below, however, impediments and strategies for mobility can emerge from multiple sectors, and are important for all types of program participants to examine.

Many voucher holders and other low-income households remain stymied by a lack of adequate information and assistance in locating affordable housing opportunities in high-opportunity neighborhoods. Additionally, even those who are able to locate housing in high-opportunity neighborhoods often still lack the critical support necessary to remain in those communities and access the educational and employment opportunities their new neighborhoods have to offer. Households need quality information and guidance to help them navigate and overcome the challenges that exist in the private rental market. Many HCV households continue to face barriers to housing mobility caused by PHA administrative policies that hinder voucher holders' ability to access opportunities, and discriminatory practices in the PHA HCV application process.

Examples of impediments to mobility are described below.

### ***1. Payment Standards***

Traditional method of setting HCV rent ranges: Each PHA sets the voucher payment standards for areas within its jurisdiction, above or below the regional "Fair Market Rent" (FMR) set by HUD. Payment standards are used to calculate the subsidy amount that the housing authority pays to the private property owner on behalf of a voucher holder who wants to rent the unit. PHAs are authorized to set payment standards between 90 and 110 percent of the Fair Market Rent (FMR) set by HUD in the metropolitan area, and may apply to HUD for higher payment standards where specifically needed.<sup>2</sup> However, a payment standard set at 90 percent may not be sufficient to cover rents in high-opportunity neighborhoods in certain metro areas, because regional FMRs are often depressed by a preponderance of lower rents in more densely populated parts of the region. To calculate FMRs, HUD uses estimates of the distribution of rents for an entire metropolitan statistical area (MSA) and generally sets the FMR at the 40<sup>th</sup> percentile in that distribution. Most units accessible at those rents, however, may be located in neighborhoods of higher poverty, with the payment standard thus creating a barrier to voucher holders accessing housing outside those areas and in high opportunity areas.

Small Area Fair Market Rent method: Beginning with a HUD regulation issued in November 2016,<sup>3</sup> HUD permits PHAs to selectively raise rents up to 110% of published "small area" fair market rent for each postal zip code, where higher rents are needed to give families access to those areas. Small Area FMRs are also reduced in lower cost zip codes. Under the new rule, some of the most concentrated metropolitan areas are *required* to adopt Small Area FMRs for all PHAs in the region, and in other regions, PHAs can choose to either opt in to Small Area FMRs for their entire area of operation, or selectively apply Small Area FMRs to their more expensive zip code areas, to expand HCV families' access to low poverty neighborhoods.

### ***2. Barriers to Voucher Portability***

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<sup>2</sup> PHAs enrolled in the Moving to Work program have the authority to set payment standards outside of this range.

<sup>3</sup> 81 Fed. Reg. 80567 (Nov. 16, 2016).

Under the rules of the HCV program, voucher holders are entitled to move to any jurisdiction in the United States where a public housing agency has jurisdiction to administer a voucher program. Voucher holders often want or need to move to other jurisdictions in order to access opportunity areas that offer housing they can afford, particularly when their current city, town, or county does not offer adequate safe and affordable rental housing in areas of opportunity. However, movement between jurisdictions can be constrained by incompatible or inconsistent PHA policies or delays in scheduling inspections or processing the paperwork necessary to secure an apartment.<sup>4</sup> Unnecessary rescreening of current HCV families who port in to a new PHA's area can also restrict mobility for families. A lack of regional collaboration aimed at reducing barriers to such portability can impede households from moving into opportunity neighborhoods that are in other PHA jurisdictions.

### **3. *Application and Admissions Policies***

Other policies can also present barriers to mobility for low income families. For families who seek to apply to HCV, public housing, or other assisted housing programs in high-opportunity neighborhoods, there are a number of potentially discriminatory barriers to entry. For example, some PHAs only offer an in-person application process, or only allow applications to be processed at certain locations in the jurisdiction, which can significantly hinder the options for eligible households with limited transportation. Additionally, some PHAs utilize detailed application forms or narrow time windows for submission that can deter potential applicants without adequate assistance. These practices may prevent households from obtaining vouchers that would enable them to move, particularly when they seek to apply to areas outside those where they currently reside (which may be racially-concentrated or low-opportunity areas). Other exclusionary practices may include a lack of notice of waiting list openings, residency preferences for admission, first-come-first-serve waiting list rules, and in-person application requirements.<sup>5</sup>

In addition, HCV families are often provided with inadequate time to find housing in high opportunity neighborhoods. HUD regulations require that the initial search term of a voucher must be at least sixty (60) calendar days.<sup>6</sup> Yet, while there is no maximum period of time for voucher search terms under the existing HUD rules, many PHAs have established policies that allow for extensions only in a limited number of circumstances, such as for voucher holders with disabilities.

### **4. *Inadequate Financial and Logistical Supports***

In higher-income areas, voucher holders and other low-income households may face heightened financial barriers, including increased credit scrutiny and requirements for more up-front payments to cover security deposits, move-in fees, and other expenses. These barriers can impede households seeking to move to higher-opportunity areas or make desegregative moves. Households may also face problems in accessing transportation or securing the services they need. Strategic financial support and logistical guidance can be supplied by a variety of entities, but is often lacking.<sup>7</sup>

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<sup>4</sup> *Expanding Choice: Practical Strategies for Building a Successful Housing Mobility Program* (Urban Institute and PRRAC, February 2013), available at <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/412745-Expanding-Choice-Practical-Strategies-for-Building-a-Successful-Housing-Mobility-Program.PDF>

<sup>5</sup> See id. at 11. See also *Accessing Opportunity: Recommendations for Marketing and Tenant Selection in LIHTC and Other Housing Programs* (PRRAC, December 2012).

<sup>6</sup> 24 CFR § 982.303.

<sup>7</sup> For examples of positive financial supports, see *New Homes, New Neighborhoods, New Schools: A Progress Report on the Baltimore Housing Mobility Program* by Lora Engdahl (PRRAC and the Baltimore Regional Housing Campaign, October 2009). For an innovative security deposit incentive program, see Peter Rosenblatt and Jennifer Cossyleon, *"Take a Chance on Me": A Review of the Milwaukee County HOME Security Deposit Assistance Program* (January 2015).

## **5. *Lack of Housing Mobility Counseling and Search Assistance***

The ability to move to an area of opportunity with a voucher may depend on a household's capacity to navigate the private rental market and find a unit that fits their needs in unfamiliar neighborhoods. Evidence shows that voucher holders face considerable barriers in these markets because landlords often are apprehensive about renting to voucher holders when they are able to find private-market tenants or are reluctant to rent to families with children.<sup>8</sup> Because of these and other factors, including not wanting to move away from friends and family, voucher holders may limit their housing search to neighborhoods with which they are familiar and where they know landlords are willing to rent to voucher holders. Other low-income households, or households in segregated areas, can face similarly daunting informational barriers. High quality housing mobility programs provide training and counseling about the challenges of moving to a new, higher income community, strong lists of available apartments in opportunity areas, community tours to familiarize families with new communities, and hands-on housing search assistance where necessary to help families secure housing in these new neighborhoods.<sup>9</sup>

Mobility counseling and search assistance are discussed further in the section on “Quality of Affordable Housing Information Programs.”

## **6. *Lack of Landlord Outreach and Education; Lack of Affirmative Marketing***

The housing search barriers discussed above are exacerbated when PHAs provide apartment listings that are skewed toward higher poverty, segregated neighborhoods,<sup>10</sup> or when landlords in high-opportunity areas fail to engage in affirmative marketing. High quality housing mobility programs for HCV families have strong landlord outreach and recruitment efforts, regularly scanning real estate postings (online and print) for affordable rentals in high opportunity areas, reaching out directly to property managers of large developments and owners of small properties to market the benefits of renting to HCV families. Many mobility programs also offer briefings for small landlords, and work through apartment associations and similar landlords to promote their families.<sup>11</sup>

Landlord outreach and education, and affirmative marketing, are discussed further in the section on “Quality of Affordable Housing Information Programs.”

## **B. How do impediments to mobility contribute to fair housing issues?**

The AFFH Guidebook lists “impediments to mobility” among potential contributing factors to be assessed under “Publicly Supported Housing Location and Occupancy,” and depending on the

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<sup>8</sup> Cunningham, M. K. and Sawyer, N. *Moving to Better Neighborhoods with Mobility Counseling* (Urban Institute, March 2005), available at [http://webarchive.urban.org/UploadedPDF/311146\\_Roof\\_8.pdf](http://webarchive.urban.org/UploadedPDF/311146_Roof_8.pdf). For a description of the Baltimore Housing Mobility Program, see *New Homes, New Neighborhoods, New Schools: A Progress Report on the Baltimore Housing Mobility Program* by Lora Engdahl (PRRAC and the Baltimore Regional Housing Campaign, October 2009).

<sup>9</sup> See *Expanding Choice*, supra.

<sup>10</sup> See *Constraining Choice: The Role of Online Apartment Listing Services in the Housing Choice Voucher Program* (PRRAC, July 2015).

<sup>11</sup> See *Housing Mobility Programs in the U.S.* (PRRAC, July 2015).

characteristics of each particular community, “impediments to mobility” may be a contributing factor in other fair housing issues as well. The subsections below illustrate just some of the ways that impediments to mobility may contribute to fair housing issues; these are examples, and participants may identify different or additional ways that this occurs within their own communities.

### Publicly Supported Housing Location and Occupancy

- Payment standards are too low to provide tenants with access to housing throughout regions

Public housing authorities sometimes set payment standards at one level throughout their metropolitan region, based on median rents, despite wide variance in rent levels across neighborhoods. PHAs may also fail to pursue exception payment standards or small area FMRs that would enable tenants to afford rentals in more costly neighborhoods within their jurisdiction. Because payment standards are used to determine the amount of rent payable with a voucher, low payment standards can severely limit the range of neighborhoods that are affordable to voucher households. This means that subsidized households may be clustered in lower-cost areas, which are relatively high in poverty, low in opportunity, and often segregated.

### Segregation and R/ECAPS

- Barriers to voucher portability impede moves to lower poverty areas and perpetuate racial segregation

Publicly-supported housing has historically been deeply segregated, a legacy that continues into the present day. Other factors, both historical and current, will also have created racial and ethnic segregation across regions, with these divides reflected in the jurisdictional boundaries of PHAs. PHA policies that prevent or discourage voucher holders from moving fluidly outside their jurisdiction of origin can therefore function to reinforce segregation.

### Disparities in Access to Opportunity

- Inadequate financial and logistical support impedes low-income households from accessing high-performing schools.

Research has shown that voucher holders disproportionately reside in “low-opportunity” neighborhoods where the schools are under-performing,<sup>12</sup> just as in some communities they may reside in areas with other low-opportunity characteristics, such as environmental hazards. Impediments to mobility can prevent low-income households—including but not limited to voucher holders—from having broader housing choice and moving to areas of opportunity. For example, tenants may struggle to rent units in high-performing school districts because they do not have the necessary security deposit funds, strong credit ratings, transportation, or other support to access those neighborhoods.

### Disproportionate Housing Needs

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<sup>12</sup> See Ingrid Gould Ellen and Keren Mertens Horn, *Do Federally Assisted Households Have Access to High Performing Public Schools?* (PRRAC, November 2012), available at [www.prrac.org/housing-schools.php](http://www.prrac.org/housing-schools.php).

- PHA admission and search policies effectively prevent tenants from accessing higher-quality housing.

Studies have shown that voucher holders tend to rent in areas where poverty rates are comparatively high and housing quality is low.<sup>13</sup> Further, voucher holders' limited options can mean that violations in housing quality and habitability are under-reported and under-enforced, and rent burdens may be higher where rent-reasonableness guidelines are similarly under-enforced. PHA policies can contribute to these disproportionate housing needs—for example, where short search times prevent voucher holders from considering a broader array of housing options and force them to settle for those immediately available.

### **C. How do you determine if impediments to mobility are contributing to fair housing issues in your community?**

There are multiple resources that will be helpful for program participants to consider when identifying impediments to mobility and assessing whether they are contributing to fair housing issues, including HUD-provided data, local data and knowledge when available, public participation, and information regarding PHA policies and practices. Examples of such resources include the following.

- *Residential and voucher data*

The AFFH data portal and the associated raw data files provide information regarding the location of voucher holders by race and ethnicity, as well as the location of R/ECAPs and neighborhood opportunity characteristics. These data can be used to assess how HCV use is concentrated or distributed throughout the region, and whether HCV users (and other low-income households) are able to access areas of opportunity. HCV data will also indicate to what extent voucher holders are disproportionately members of protected classes within the region, such that impediments to mobility raise fair housing issues. Finally, linking AFFH data to U.S. Census information can permit assessment of disparities between locations of (1) vouchers and (affordable) rental units and especially (2) areas of opportunity and (affordable) rental units.

- *Local data and knowledge about opportunity characteristics*

In many communities, participants will find it useful to draw upon additional sources of data and knowledge to meaningfully assess whether households have access to opportunity, for example with regard to various aspects of environmental health (such as lead exposure), job access, and other factors. Interagency consultation may be a helpful source of such information, as may consultation with legal service providers, PHA personnel, education and environmental practitioners, and other experts.

One of the most important types of local data on the Housing Choice Voucher program is the PHA's own internal data about the distribution of HCV families by census tract poverty rate and racial concentration. This data (easily accessible by the PHA) can show the number and percentage of families (including families with young children) living in tracts of low poverty (less than 10% poverty) and high poverty (over 30% poverty) and living in areas of high minority concentration. Developing these types of local

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<sup>13</sup> See, e.g., Deborah J. Devine, Robert W. Gray, Lester Rubin, and Lydia B. Tahiti, *Housing Choice Voucher Location Patterns: Implications for Participant and Neighborhood Welfare* (Washington, DC: U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2003); Rolf Pendall, *Why Voucher and Certificate Users Live in Distressed Neighborhoods*, *Housing Policy Debate* 11, no. 4 (2000): 881–909; and Mary K. Cunningham and Audrey Drosch, *Neighborhood Quality and Racial Segregation* (Washington, DC: The Urban Institute, 2005).

data can help the PHA and the community set realistic goals for improvement (for example, a goal of reducing the number of HCV families with young children living in high poverty neighborhoods by 30% in three years, etc.).

- *PHA policies and practices*

PHA documents (such as the PHA Plan and Section 8 Administrative Plan, MTW Plans, Occupancy Plans, voucher briefing materials, apartment lists, interagency agreements, documents defining local payment standards, and RAD conversion planning documents) and personnel can be consulted for information on PHA policies and practices. These sources can help participants identify impediments relating to: payment standards and the use of exception rents; mobility counseling programs; landlord education and outreach programs; agreements between housing authorities; agreements between housing authorities and service providers; search times for new voucher holders; admissions policies; waitlist management; and residency preferences.

- *Consultation with residents, advocates, landlords, and service providers.*

Local data and knowledge from consultation with stakeholders will be helpful in determining which impediments to mobility are relevant to program participant’s communities, including scoping impediments beyond those listed here. Voucher holders and other low-income households may provide key information regarding the various barriers they face in moving to opportunity, as will advocates, practitioners, and service providers. For example, such interviews, focus groups, and direct public participation may indicate whether the lack of financial and logistical supports is a significant barrier. Other stakeholders, such as landlords, may also help participants understand the barriers that impede households from renting in higher-opportunity areas.

**D. What strategies can be adopted to mitigate the effects of impediments to mobility?**

If a program participant determines that impediments to mobility are contributing to fair housing issues, they should adopt strategies that remove or mitigate these impediments in order to enable broader housing choice and desegregation. These strategies should specifically address the impediments identified in ways that expand true housing choice, further integration, and provide for access to opportunity. A number of examples for participants to consider are listed here, though the strategies appropriate for each community will vary.

The impediments to mobility described below are examples, and not a comprehensive list. These and other impediments may contribute to the fair housing issue of “Publicly Supported Housing Location and Occupancy” as well as to other fair housing issues, depending on the individual characteristics of a program participant’s community.

Examples of how impediments to mobility contribute to fair housing issues	Sample strategies to address fair housing issues
A PHA’s regional payment standard is too low for HCV households to afford rental units outside of high-poverty neighborhoods, contributing to segregation, concentration of supported housing, and/or lack of opportunity.	Implement payment standards based on small-area fair market rents, or adopt small area FMRs directly so that households can afford to move to low-poverty neighborhoods

<p>Voucher holders and other low-income households lack funds for security deposits and moving expenses that would enable them to move to areas with a lower risk of lead exposure, better-performing schools, or lower poverty rates.</p>	<p>Create a fund for security deposits and other moving assistance, specifically for use in higher-opportunity areas.</p>
<p>A PHA provides voucher holders with a minimal housing search period and has no policy offering extensions, effectively limiting tenants' housing and neighborhood options.</p>	<p>Expand the available search term and adopt a policy in the HCV Plan granting a voucher term extension specifically for families who are searching for housing in areas outside of high poverty neighborhoods, areas of minority concentration or where there is already a significant clustering of assisted housing.</p>
<p>PHAs currently have policies that make it difficult for voucher holders to cross jurisdictional boundaries to move to opportunity neighborhoods.</p>	<p>Collaborate with neighboring PHAs and form regional partnerships to create consistency in policies and procedures across the metropolitan region to minimize delays and procedural challenges. This can include: (a) developing regional portability procedures, (b) establishing a regional portability agreement permitting direct administration of vouchers in a sister PHA's area, (c) creating a regional portability fund to provide housing counseling for families moving to opportunity neighborhoods, and (d) ensuring that voucher holders are not required to provide additional verification and/or information (e.g. employment, education, safety or medical/disability need) before being deemed eligible to port out of their jurisdiction in search of new housing opportunities.</p>
<p>Discriminatory barriers in the application process hinder housing mobility for applicants and tenants in the HCV Program.</p>	<p>Address specific barriers, e.g.: collaborate with neighboring PHAs to consolidated regional and state waiting lists that will help voucher holders identify and apply for housing opportunities in high-opportunity neighborhoods throughout the region; remove residency preferences where they impede integration; modify first-come/first-served, limited application periods, and in-person waitlist policies; ensure strong affirmative marketing.</p>
<p>R/ECAP residents, including voucher holders, are impeded from moving to high-opportunity areas because they lack guidance and services to further such moves, including financial and logistical support.</p>	<p>Form an interagency effort to support housing mobility through coordinated services, counseling, and financial supports.</p>
<p>Work requirements in a PHA or MTW plan function as a restriction on portability or mobility throughout a region.</p>	<p>Eliminate restrictions that impede mobility among PHA jurisdictions or otherwise prevent households from moving.</p>

<p>Low-income households, including voucher holders, cannot access rentals in low-poverty areas due to poor credit.</p>	<p>Provide financial counseling, accompanied with other counseling services, and landlord outreach.</p>
<p>Voucher households and other low-income households lack information regarding opportunity areas or sufficient guidance on how to make moves (see also “Quality of Affordable Housing Information” section).</p>	<p>Provide this guidance through counseling, including detailed voucher briefings in the HCV program, with information about opportunity areas.</p>