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March 29, 2011

Susan Haigh, Chairperson
Metropolitan Council
390 Robert St. N.
Saint Paul, MN 55101

Mr. Lee Sheehy
McKnight Foundation
710 South Second St. Suite 400
Minneapolis, MN 55401

Re: Corridors of Opportunity/Sustainable Community Initiative

Dear Ms. Haigh, Mr. Sheehy and members of the Policy Board:

The Legal Aid Society of Minneapolis (LASM) represents thousands of low income Minnesotans in the metro area each year. For decades, LASM has advocated in many ways for equity in housing, education, employment and public services for our clients. Since 1995, LASM's Housing Discrimination Law Project has taken up their cases and advocated for fair housing policies in the housing sector. Hence, we were pleased to provide suggestions to the team that developed the SCI proposal last summer and excited that HUD approved the Twin Cities' application.

A critical criterion that runs throughout the entire SCI concept, including the Notice of Funding Availability and its assessment scheme is that of equity. Congress has long established as a legal requirement that HUD, and its grantees act in such a way that not only avoids discrimination in housing activities but that they work affirmatively to further fair housing. 42 U.S.C. §3608(d). The law requires government agencies to not only avoid doing bad, but also to uncover and take steps to overcome practices, patterns, habits and other factors that stand in the way of equal housing choice for all people. It is with that in mind that this letter suggests a variety of ways that the Corridors of Opportunities Initiative, including the Sustainable Communities component, can take up those challenges in a more comprehensive and effective manner.

As you may know, the work plans totaling over 160 pages were published only on Thursday the 24th and your time-frame demands action this week. Thus specific suggestions for improvement to the project work-plans have been delivered only to Minnesota Housing, which has the specific Fair Housing component; they have already responded favorably those proposals.

In our view, fair housing cannot be limited to a single component of the CoOI but must be a value and a part of every component's work plan. Set out here are cross-project actions that the Policy Board should direct the partners to incorporate into their ongoing efforts:

1. The Metropolitan Council and each major project should designate a staff member who is responsible for fair housing assessment and implementation.
2. On-going planning and implementation work for each team should include explicit fair housing and equity assessment measurements. The evaluation project should have a comprehensive fair housing component. (Policy Link has published a [Sustainable Communities Equity Guide](#) that tracks the SCI and provides suggestions on how best to incorporate fair housing and equity consideration into local initiatives. It has also developed a TOD-focused equity toolkit:

<http://tinyurl.com/pl-equity-in-TOD>. Another source for understanding the equity assessment approach is The Kirwan Institute, see for example *The Geography of Opportunity*, April 2010 (<http://tinyurl.com/6yk58yj>.)

3. The C of OI should arrange a mandatory training on federal and state fair housing and other equal opportunity (ADA, etc.) standards within 60 days and require participation by leaders of each project. (Legal Aid can provide training help for parts of this and suggest other resources to cover other topics.)
4. Each project whose areas of impact includes housing should address in the plan and on an on-going basis how its work will specifically advance fair housing goals, including but not limited to efforts to over-come relevant impediments identified in the metro area 2009 Analysis of Impediments to Fair Housing. For example this should include:
 - a. Incorporating fair housing best practices standards and affirmative marketing toolkit, as will be developed by the Furthering Fair Housing project, as a contractual obligation for on-going housing developments and activities developed as a consequence of CoOI.
 - b. Establishing a requirement that all rental housing developed in areas of opportunities should include a substantial % of units with rents held within the Section 8 Fair Market Rents and made available to Section 8 voucher-holders.
 - c. Identifying land-use limitations that impede development or preservation of housing that is likely to benefit low income and protected class persons to the Policy Board, with a commitment by the Board to work to have those limitations removed.
5. Housing-focused project staff should include the metro-area Fair Housing Implementation Council (FHIC) in their solicitation of information and reporting processes and should participate in FHIC activities as appropriate.
6. Projects should incorporate the equity-focused vision and goals of HUD Section 3 employment and contracting standards (aimed a hiring and contracting with persons and entities in low income communities affected by HUD-funded projects) explicitly into hiring and contracting practices.
7. Each project should assess how participants and beneficiaries with limited English proficiency (LEP) and disabilities will be affected by its work and specify a plan for how those persons will be served during the process and by the planning end products. This should be coordinated with but is not seen as the responsibility of the Community Engagement and Outreach (CEO) effort.

Finally, a very important way that fair housing can be made a comprehensive outcome of the CoOI is by giving full support and maximum coordination with the Community Engagement and Outreach team. This will be challenging as their objectives include engagement of frequently disenfranchised communities – and the work that they have before them must run on a parallel track with the work of the other components. The work plans of other components must take into account the breadth of the CEO challenge and not allow critical decisions to be made while the CEO effort is still being developed.

I will be very happy to discuss this with the Policy Board and project staff in coming months.

Sincerely,

James E. Wilkinson
Supervising Attorney

JEW:nlb

Emailed cc : Allison Brummel
CoOI team leaders
Tim Thompson
Trista Harris