



January 11, 2019

Ms. Shanette Eaden
Housing and Community Services Manager
City of Plano
7501-A Independence Parkway
Plano, TX 75025
Via email to: shanettee@plano.gov

RE: Comments on Draft Assessment of Fair Housing (AFH) Report

Dear Ms. Eaden:

Below are comments from the Inclusive Communities Project (ICP) following review of the draft Assessment of Fair Housing (AFH) report for the City of Plano. ICP is a not-for-profit organization that works for the creation and maintenance of thriving racially and economically inclusive communities, expansion of fair and affordable housing opportunities for low-income families, and redress for policies and practices that perpetuate the harmful effects of discrimination and segregation. It is through this fair housing lens that we submit the below comments for consideration by the City of Plano before it finalizes its report. Comments are not necessarily listed in order of importance.

Typographical/Administrative Errors

The AFFH webinar hosted by ICP (page 15), references the wrong name. Reference should be made to "VFO Webinar" (Voices for Opportunity), instead of "VRO webinar".

A list of ICP meeting participants (page 20) includes Elizabeth Julian. Her correct title at the time was "Founder & Senior Counsel" instead of "Treasurer".

Assessment of Past Goals and Strategies

The City should ensure that it affirmatively furthers fair housing despite its restricting requirement (under its Concerted Revitalization Plan) that its new 1,000 units of affordable housing be adjacent to public transit. (p. 44)

The report makes no mention of what its new AFH marketing plan (p. 45) did. There is no mention of to whom or at what it targeted and what findings and results came out the plan's creation.

None of the 2015-2019 goals address segregation (p. 47). There is no mention of the unbalanced racial/ethnic distribution between western and eastern Plano. With a clear difference in the report of where the most resources such as job centers are (i.e. the western portion), this is an important point to highlight. More discussion is given in this section to activities promoting medical and dental services than segregation.

The City should conduct an affordable housing impact analysis, focusing on moderate and low income residents, when it is recruiting corporations to move to the City. Done right, this would help address

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potential displacement and the number of new low income units needed as new workers flock to Plano. As corporations seek resources from the City, the City could require corporations to contribute to a housing trust fund that would target housing for families under 50% AMI and add units near corporate centers.

The City should ensure that it affirmatively furthers fair housing while it focuses on neighborhood “compatibility” of new development (p. 50). Too often “compatibility” has been used as cover to block affordable housing that would likely attract low income residents of color.

The City’s prior activities have been heavy on homeownership and light on rental programs. The workforce that helps support the booming economic development that Plano is experiencing often falls in income brackets of households who rent because they are not yet in a higher income band.

Fair Housing Analysis

- The report frequently references “opportunity areas” but provides no definition particularly relative to race. Because the report and City seek to address residential segregation, this is a critically important missing element.
- The report identifies and lists policies that contribute to segregation (p. 68) but elsewhere in the report it does not state how it might address them. Several measures should be taken as Plano develops its housing policy while trying to remedy its segregation.
 - The City should facilitate a sublease program for voucher holders to address voucher discrimination by landlords. The fact that one-third of vouchers expire because families could not lease up is not acceptable. The City could use its resources and leverage to recruit owners to participate, and a nonprofit could enter into leases with the owners with the purpose of subleasing to voucher families. This model has recently begun in Houston through a local nonprofit with support from funds raised by the City of Houston. It is also the model that ICP created two years ago as a demonstration program with owners who have since expressed pleasure with the program.
 - With the vast number of market rate housing being built with developers requesting variances and other support from the City, Plano should create a voluntary inclusionary zoning/housing mechanism that would require something from developers for such request while ensuring that a certain percentage of units within the new development lease at rents affordable to families below 50% AMI. One way of achieving this would be to have developers take vouchers, subsidies for which are at market rate. The report notes (p. 72) that vouchers are concentrated in a small portion of census tracts. This would help open other areas to voucher families.
 - The City could lobby at the state level for repeal of the ban that prevents local jurisdictions from passing ordinances that would (1) block voucher discrimination and (2) allow for mandatory inclusionary zoning/housing, respectively. The City should pass these types of ordinances because the report correctly notes that voucher discrimination is a major problem (p. 178).
 - The report notes that low income housing tax credit units house a significant number of the voucher holders who live in Plano (p. 72–73) and that the City does not have enough such units (p. 173). To help facilitate the development of low income housing tax credit units in the growing west side of Plano, the City could lobby at the state level for repeal of the requirement that developers obtain a letter of support from the state representative. This

- matter was brought up by a Plano state representative during the 85th legislative session but did not pass. State representative letters become fodder for NIMBYism, often race-based, which can block low income housing development. Its repeal should be introduced during the current 86th legislative session with the encouragement and support of the City of Plano.
- Plano has unbalanced residential zoning according to the report (p. 124). The City should address its zoning so that it can facilitate more multifamily housing in the western part of Plano, where the report notes schools are highest perform (p. 98) and employers abound (p. 109). Although the City has created a policy through which it decides if it should support a developer's low income housing tax credit application, several opportunities for low income housing units die when the developer seeks a zoning change. Were there more tracts zoned multifamily, this might occur less often.

In general, no matter how well a program is carried out, its result does not equate to affirmatively furthering fair housing if that program is not tailored to open housing options for protected class members such as families of color. Thank you for the opportunity to submit comments. We look forward to seeing Plano polices that affirmatively further fair housing.

Sincerely,



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CC: Ann Lott, Executive Director, Inclusive Communities Housing Development Corporation
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