

AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) TASK FORCE

SUMMARY OF RECOMMENDATIONS

(THIS IS A DRAFT)

1. **Non-Discriminatory Tenant Screening Criteria**

The Pittsburgh Commission on Human Relations (PCHR) should (1) advocate for the prohibition of use of criminal records in housing admissions, (2) publicize the Department of Housing and Urban Development's (HUD) guidance on the use of criminal records in housing admissions, (3) educate landlords on the use of criminal records as screening criteria and (4) enforce violations of the HUD and PCHR guidance.

2. **Non-Discriminatory Tenant Screening Criteria For Applicants with Past Evictions**

The Pittsburgh Commission on Human Relations should issue and publicize its own guidance on the use of eviction history in housing admissions, educate landlords on the use of eviction history as screening criteria, and enforce violations of the PCHR guidance.

3. **Tenant Protections: Good Cause Requirement For Residential Lease Termination and Eviction Defense Legal Assistance**

The City of Pittsburgh should adopt effective measures to safeguard City renters against faultless evictions: 1) by enacting an ordinance requiring "good cause" for residential lease terminations, 2) by requiring housing providers who receive City assistance, including discretionary planning and zoning approvals, to incorporate a "good cause" requirement into their leases, and 3) by robustly funding eviction defense legal assistance for low-income renters by legal aid and *pro bono* attorneys and, potentially, the law schools.

4. **Fair Housing Criteria For the Assessment Of Proposed Development Projects**

When assessing proposed development projects, all jurisdictions, commissions and authorities should perform an analysis showing that the project will not perpetuate patterns of segregation or effectively exclude members of protected classes.

5. **Robust Mandatory Inclusionary Zoning**

Adopt a robust mandatory inclusionary zoning ordinance to require that all development of new housing units (including the renovation or reconstruction of existing housing) include:

- For rental developments, a substantial number of units that are affordable to very low-income residents (50% Area Medium Income [AMI] and below). If a public rental subsidy is available, at least half of the affordable units should be reserved for extremely low-income residents (30% AMI and below).
- For for-sale developments, a substantial number of units that are affordable to low-income residents (80% AMI and below). If a public development subsidy is available, at least half of the affordable units should be reserved for residents earning 60% AMI and below.

6. **Increase And Equitable Development In African-American Neighborhoods**

Provide and incentivize investment in predominantly African-American neighborhoods, in a way that is designed to benefit existing residents.

7. **Maximizing Use Of The Section 8 Home Ownership Program As A Mechanism To Affirmatively Further Fair Housing Goals**

Pittsburgh and Allegheny County should promote the Section 8 Home Ownership program.⁸

8. Fair Housing Education For Landlords For Consumer Protection

We recommend the City of Pittsburgh, require landlords that register with the rental registry to receive basic instruction in fair housing as part of the registration process.

9. Community Group As Fair Housing Connectors

We recommend the City of Pittsburgh require any organization or entity receiving Community Development Block Grant or City of Pittsburgh funds to provide information about fair housing on their website, primarily linking residents with resources available to them regarding their fair housing rights.

10. Reasonable Accommodation Clause In Lease/Rental Agreements

Local government has a duty imposed by Congress to affirmatively further the requirements of the Fair Housing Act. One significant requirement is that landlords must make all reasonable accommodations to rules, policies, practices, or services when such accommodations are necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling.

11. Enforce Neighborhood Amenity Accessibility Code

Address persistent inaccessibility to neighborhood amenities, specifically with regard to older commercial properties that are tardy in complying with the “readily achievable” requirements of the Americans with Disabilities Act (ADA) and related laws by:

- City and County review and revision of building inspection process to integrate the duty the City and County have to affirmatively further the accessibility mandate of the ADA.
- Technical training of City and County planners, building inspectors, and other related professionals on Universal Design principles by an architect or related professional.

12. Extend Inclusionary Zoning Standards To Include Accessible Sidewalks

Livable communities are “walkable” communities. Critical elements of a neighborhood street are accessible sidewalks. All Inclusionary Zoning requirements must include accessible sidewalks as a necessary element of an inclusionary community. Accessible sidewalks require appropriate standards, and personnel, and a plan to enforce those standards.

13. Raise Residential Occupancy Limit

Revise Pittsburgh’s zoning code regulations to allow more than three non-related individuals to share any rental property as housing.

14. Fair Housing Training For Service Providers

Mandate training regarding the housing conditions and rights of protected classes to help facilitate access to resources or assistance.

15. Facilitate Education and Access Right and Resources For Protected Classes

1. Improve outreach and education of protected classes regarding their rights and available resources that addresses barriers of distance and lack of access to computers.
2. Address difficulty of navigating complicated systems of application and verification of needs that act as barriers to access rights and resources.