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RACIAL JUSTICE
& MUNICIPAL GOVERNANCE

purpose

to explore the deep systemic inequities related to how communities have been built, connected, resourced, and governed while exploring opportunities to meaningfully address these racial disparities through community-engaged policymaking.

not

to convince you that what works in other communities will work in yours

RACIAL JUSTICE
IN HOUSING & TRANSPORTATION

objectives

to understand the history and impact of racial inequities on access to affordable, dignified housing as well as clean, reliable, accessible transportation.

to explore antiracist solutions to these seemingly intractable problems.

introductions

your affiliation

a question about this topic

introductions

Brookline Select Board Vice Chair

What are community land trusts and how do they work?

introductions

history

The New York Times Magazine

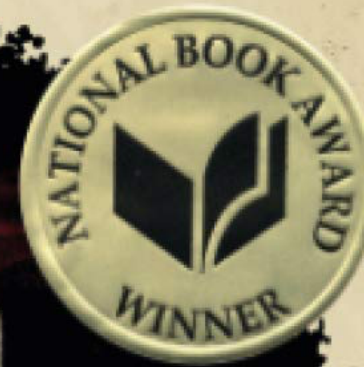
August 18, 2019

In August of 1619, a ship appeared on this horizon, near Point Comfort, a coastal port in the British colony of Virginia. It carried more than 20 enslaved Africans, who were sold to the colonists. America was not yet America, but this was the moment it began. No aspect of the country that would be formed here has been untouched by the 250 years of slavery that followed. On the 400th anniversary of this fateful moment, it is finally time to tell our story truthfully.

The 1619 Project



NEW YORK TIMES BESTSELLER



STAMPED FROM THE BEGINNING

*The Definitive History
of Racist Ideas in America*

Ibram X. Kendi



The Atlantic

250 years of slavery.
90 years of Jim Crow.
60 years of separate but equal.
35 years of state-sanctioned redlining.
Until we reckon with the compounding moral
debts of our ancestors, America will never be whole.

THE CASE FOR REPARATIONS

BY TA-NEHISI COATES

What Drives
Vladimir Putin
BY DAVID FRUM
p. 46

JUNE 2014
THEATLANTIC.COM

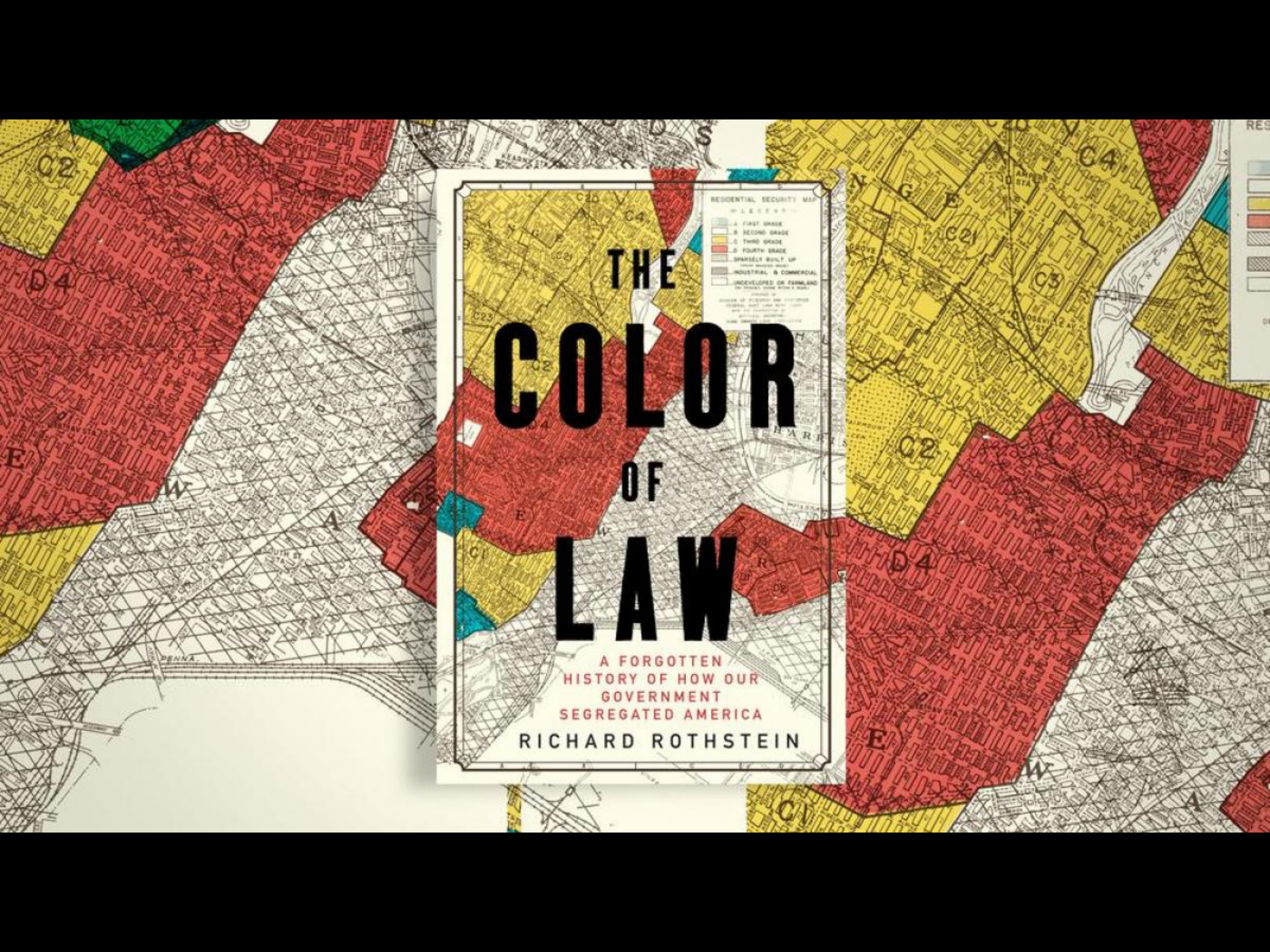
The Lonely
Crusade
of Antonin
Scalia
BY DAHLIA
LITHWICK
p. 48

Wildfire:
How 19 Died
on an Arizona
Mountain
BY BRIAN
MOCKENHAUPT
p. 72

My Boozy
Night With
a Hollywood
Gigolo
BY SANDRA
TSING LOH
p. 20

Wall
Street's
\$6 Billion
Mystery
BY FRANK
PARTNOY
p. 28





THE COLOR OF LAW

A FORGOTTEN
HISTORY OF HOW OUR
GOVERNMENT
SEGREGATED AMERICA
RICHARD ROTHSTEIN

RESIDENTIAL SECURITY MAP

IN 1936

- A FIRST GRADE
- B SECOND GRADE
- C THIRD GRADE
- D FOURTH GRADE
- E SPARSELY BUILT UP
- F INDUSTRIAL & COMMERCIAL
- G UNDEVELOPED OR FARMLAND

PREPARED BY
BUREAU OF PLANNING AND CONSTRUCTION
CIVIL ENGINEERING DIVISION
UNIVERSITY OF PENNSYLVANIA
PHILADELPHIA, PENNA.


A medium shot of Richard Rothstein, an older man with glasses, wearing a blue shirt and a patterned tie under a brown tweed jacket. He is speaking and looking slightly to his right. The background is a blurred bookshelf with yellow and white spines.

RICHARD ROTHSTEIN

Author, "The Color of Law"

THE NEW DEAL
THE GI BILL
FHA REDLINING
RESTRICTIVE COVENANTS
CONTRACT SALE
SUBPRIME LOANS
BLOCK BUSTING
WHITE FLIGHT

HOUSING



900 N
Martin Luther
King Jr. Blvd.

RACE & REDLINING

Housing segregation in everything

n p r

redlining

In the late 1930s, the Home Owners Loan Corporation (HOLC) "graded" neighborhoods into four categories, based in large part on their racial makeup. Neighborhoods with minority occupants were marked in red — hence “redlining” — and considered high-risk for mortgage lenders.

Locked out of the greatest mass-based opportunity for wealth accumulation in American history, African Americans who desired and were able to afford home ownership found themselves consigned to central-city communities where their investments were affected by the **self-fulfilling prophecies of the FHA** appraisers: cut off from sources of new investment, their homes and communities deteriorated and lost value in comparison to the homes and communities that FHA appraisers deemed desirable.

Melvin L. Oliver and Thomas M. Shapiro,
Black Wealth / White Wealth (1995)

MAPPING INEQUALITY

restrictive covenants

A clause in the deed forbidding the sale of the property to anyone other than whites.

As late as 1950, the National Association of Real Estate Boards' code of ethics warned that "a Realtor should never be instrumental in introducing into a neighborhood... any race or nationality, or **any individuals whose presence will be clearly detrimental to property values.**"

contract sales

In a contract sale, the seller kept the deed until the contract was paid in full — and, unlike with a normal mortgage, the buyer would acquire no equity in the meantime. If they missed a single payment, they would immediately forfeit their \$1,000 down payment, all their monthly payments, and the property itself.

subprime loans

Black home buyers — even after controlling for factors like creditworthiness — were still more likely than white home buyers to be steered toward subprime loans, characterized by higher interest rates and less favorable terms in order to compensate for higher credit risk.

steering

a form of discrimination whereby a real estate agent influences someone's housing decision based on their race, religion, or another protected characteristic covered by the 1968 Fair Housing Act.

blockbusting

the practice of introducing Black homeowners into previously all white neighborhoods in order to spark rapid white flight and housing price decline. Real estate speculators used this technique to profit from prejudice-driven market instability.

white flight

the sudden or gradual large-scale migration of white people from areas becoming more racially or culturally diverse.

urban renewal

the process of seizing and demolishing large swaths of private and public property for the purpose of modernizing and improving aging infrastructure. Between 1949 and 1974, the U.S. government underwrote this process through a Department of Housing and Urban Development (HUD) grant and loan program.



Vox

Black commuters face longer trips to work

Disparity particularly bad on buses, averaging 80 minutes more per week

By **Eric Moskowitz** Globe Staff, November 25, 2012, 12:00 a.m.



Disparity in mass transit “is something that’s been around a long time,” said Ron Henry (left), waiting with John Owens at Dudley Station in Roxbury. They said crowded buses were slow buses. “As soon as school starts,” Owens said, “that’s when the buses get ridiculous.” BARRY CHIN / GLOBE STAFF

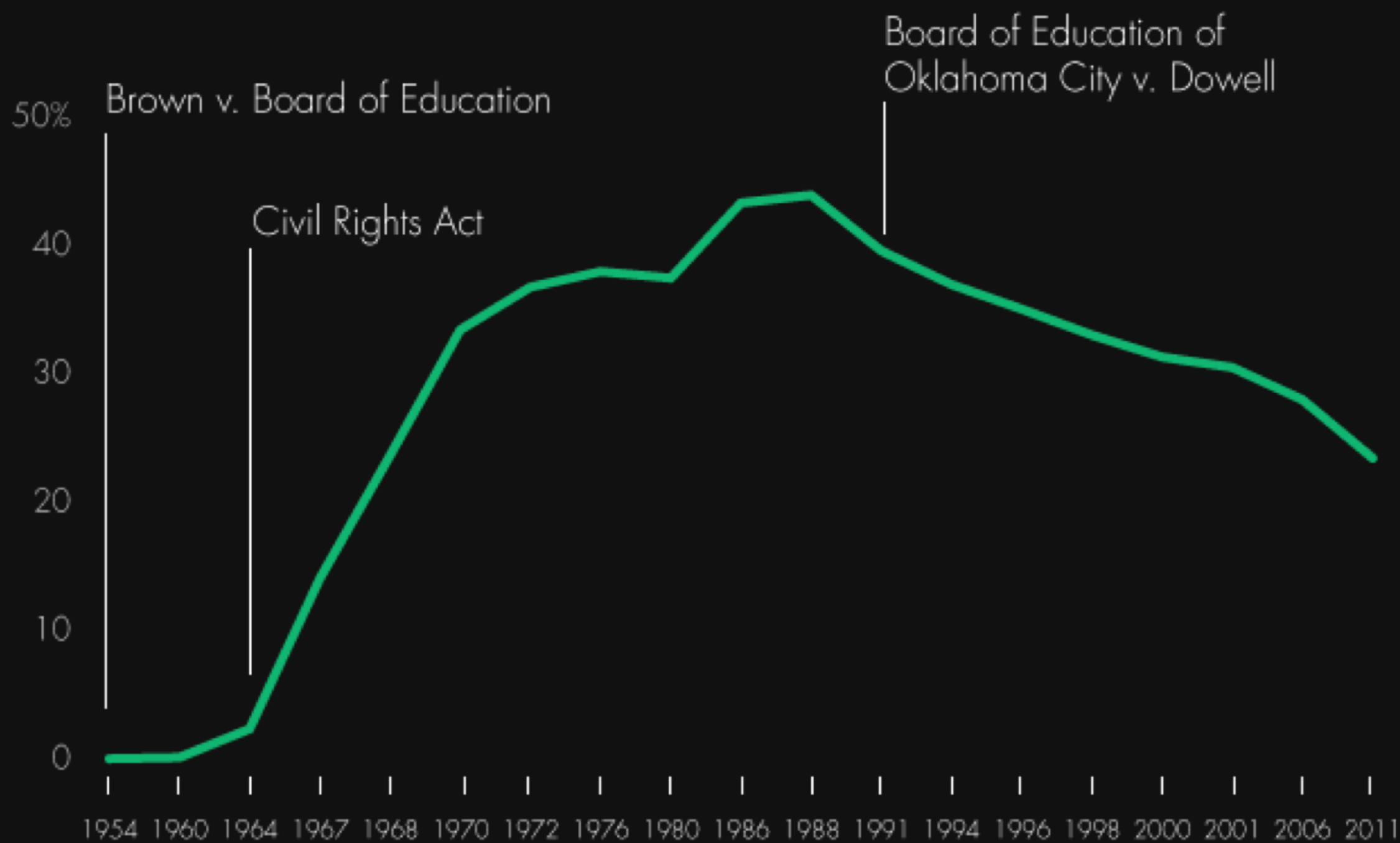
gentrification

the process through which the character of an under-resourced urban area is changed by wealthier people moving in, improving housing, and attracting new businesses, typically displacing current inhabitants in the process.

GENTRIFICATION



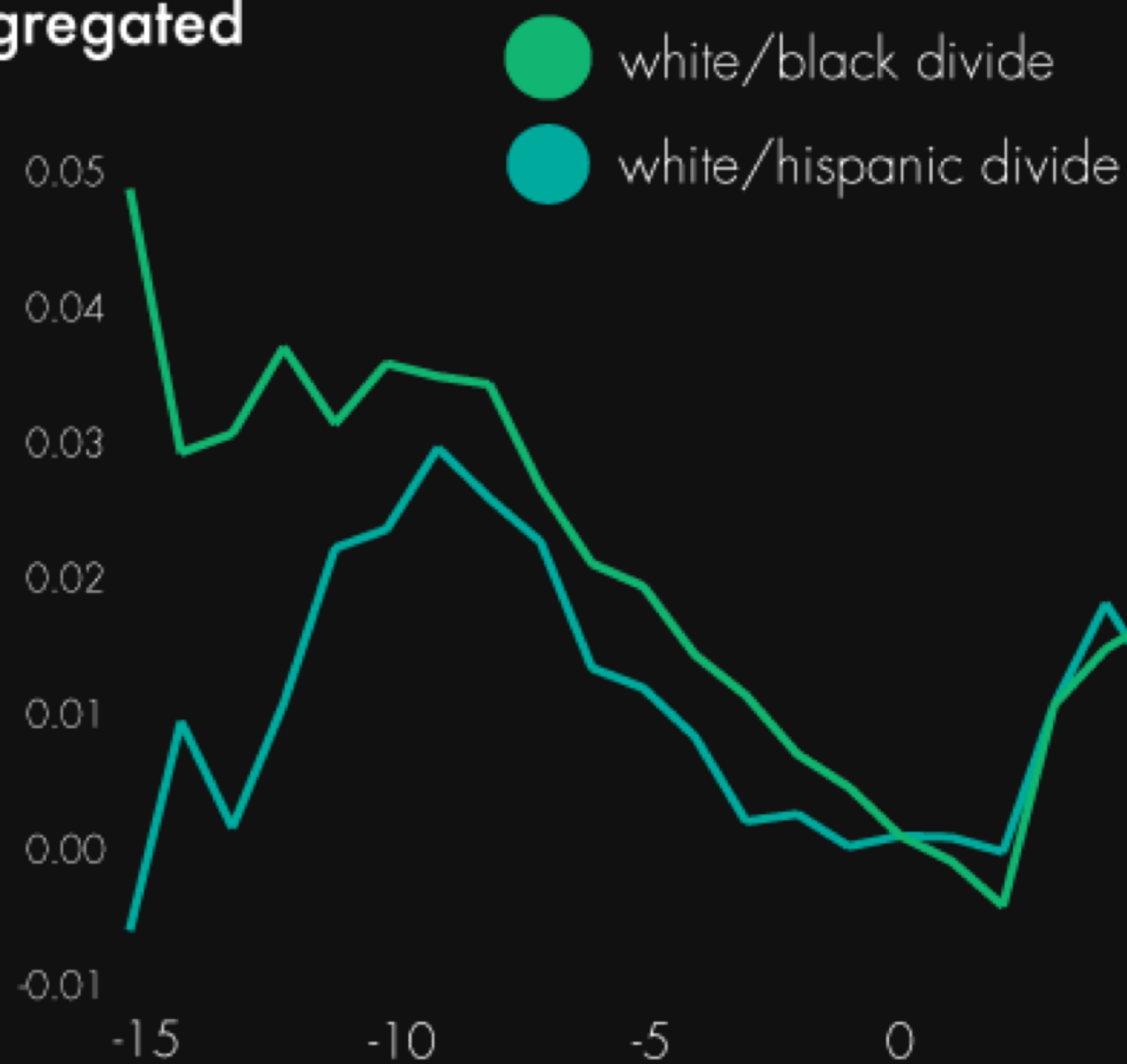
SEGREGATED SCHOOLS



PBS Frontline

Source: Civil Rights Project at UCLA

Segregated



Integrated

Years since release from court oversight

PBS Frontline

Source: Center for Education Policy Analysis, Stanford University

OUR PUBLIC SCHOOLS ARE AS SEGREGATED
TODAY AS THEY WERE 50 YEARS AGO.

Source: UCLA Civil Rights Project

IN THE NORTHEAST, HALF OF BLACK STUDENTS
ATTEND 90-100% MINORITY SCHOOLS



RACIAL DIALOGUE GAP

breakout

from your perspective, what are the primary racial equity issues connected to housing and transportation in your community?

POTENTIAL SOLUTIONS

HOUSING

public housing

housing stock that is owned by the government; federal public housing is owned by HUD and administered by local public housing agencies (PHAs).

social housing

commonly used to describe a range of housing ownership, subsidy, and regulation models around the globe. These models often go far beyond what's known as “affordable housing” in the U.S. to promote permanent affordability, democratic resident control, and social equality.

section 8

The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments.

40b

a state statute, which enables local Zoning Boards of Appeals to approve affordable housing developments under flexible rules if at least 20-25% of the units have long-term affordability restrictions.

SHI

the Subsidized Housing Inventory is used to measure a community's stock of low- or moderate-income housing for the purposes of 40B. While housing developed under Chapter 40B is eligible for inclusion on the inventory, many other types of housing also qualify to count toward a community's affordable housing stock.

10% threshold

Housing units that are built and deed-restricted as affordable are eligible for inclusion on the state's Subsidized Housing Inventory. In a development where all units built are rental, all units will count towards the SHI. In a development where all units are for sale, only the houses specifically set aside as affordable count towards the SHI.

friendly 40b

Where the developer works cooperatively with town boards to minimize density, improve setbacks, or blend architectural aesthetics with the neighborhood.

inclusionary zoning

local policy that requires or encourage developers to set aside a percentage of housing units in new or rehabilitated projects for low- and moderate-income residents.

affirmative marketing

marketing of affordable units that's designed to encourage those least likely to apply for housing because of location, increase their awareness of available housing, and facilitate access to housing opportunities.

rent stabilization

policies that regulate apartment prices to protect tenants from unfair rent increases and to keep housing affordable for renters, while still allowing property owners to increase rent at a regulated, fair rate.

rent stabilization

rent increases should be reasonable and predictable.



DATA FOR **PROGRESS**

HOMES FOR ALL: THE PROGRESSIVE 2020 AGENDA FOR HOUSING

By **Peter Harrison**, *Data for Progress Senior
Housing Advisor* and **Henry Kraemer**, *Data for
Progress Housing Fellow*

*Thanks to Lauren Perez Hoogkamer, Copy Editor,
Bereket Ghebremedhin, Editorial Intern and Billie Kanfer, Designer.*

Housing represents one of the largest sources of racial injustice in America.

America has never let black and brown families live securely, either physically or financially. All too often, it has found ways to make money off this insecurity.

Now that the idea of reparations have entered the political mainstream, housing is also one of the best opportunities to right the historical record.

That means guaranteeing safe homes in vibrant communities that have accessible services.

It means providing a viable path to sustainable homeownership and community ownership.

And it means building multi-generational wealth for black and brown families in ways that do not rely on speculative real estate.

ADVANCING RACIAL EQUITY IN INCLUSIONARY HOUSING PROGRAMS

A Guide for Policy and Practice



Presented by

Stephanie Reyes

Grounded Solutions Network

Amy T. Khare, Ph.D.

National Initiative on Mixed-Income Communities,
Case Western Reserve University

February 2021



JACK, JOSEPH AND MORTON MANDEL
SCHOOL OF APPLIED SOCIAL SCIENCES

CASE WESTERN RESERVE
UNIVERSITY

National Initiative on
Mixed-Income Communities

Choose income targets for the affordable units that match those of renter households of color

Most inclusionary housing policies have tended to serve households earning between 60% and 120% of Area Median Income (AMI). But in many communities, renter households of color are disproportionately represented in lower income groups below 60% of AMI.

Require or encourage the construction of unit sizes that match the household sizes of renter households of color

In some communities, new market-rate multifamily development is largely composed of smaller units — studios, one-bedrooms and two-bedrooms.

But low-income renter households of color may have disproportionately larger household sizes; for example, people of color are more likely to live in multigenerational households than White people.

Adopt building design standards to avoid stigmatizing residents of affordable units

When people of color, regardless of their economic status, occupy buildings with predominantly White residents, they may experience “othering” or micro-aggressions from their neighbors such as cold-shoulders, blame for noise, or suspicions about property damage.

If residents of color also happen to be occupants in affordable units, it can compound racial bias, particularly given racist stereotypes about low-income people of color who receive housing support such as Section 8 Housing Choice Vouchers or who live in public housing.

Consider the use of city subsidies to advance racial equity goals

New market-rate development tends to occur in high-opportunity areas from which people of color have been systematically excluded and are often unable to afford. In communities with stronger housing markets, inclusionary housing is an effective tool to provide affordable homes in high-opportunity areas.

But in communities with less strong housing markets, it may not be financially feasible for developers to include affordable units in new market-rate development. In addition to subsidizing affordable housing in existing high-opportunity areas, cities can increase investment in historically disinvested areas to improve conditions in those neighborhoods.

Base the decision about compliance alternatives on the needs and preferences of households of color

Some people assume that requiring affordable units to be built “on-site” with market-rate units is the best way to advance racial equity. If a primary policy goal is to ensure that affordable units are built in high-opportunity neighborhoods from which people of color have been historically excluded, on-site development is by far the most straightforward way to achieve that goal.

However, residents of color might deem it a higher priority to build and/or preserve affordable housing in historic neighborhoods of color that are on the cusp of being gentrified, to help limit potential displacement. Providing developers with alternative ways to comply—such as paying in-lieu fees, building or preserving units off-site, partnering with a nonprofit developer, or dedicating land for affordable housing—can help achieve that goal.

In addition, allowing compliance alternatives generally results in affordable units being built by a nonprofit developer, who may be more willing to include family-sized units that may better meet the needs of households of color.

Establish high-bar marketing requirements to ensure renters of color have access

Inclusionary programs should impose affirmative fair marketing requirements that outline steps developers must take to market to the entire community—and specifically hard-to-reach populations— including requirements to make materials available in multiple languages. Alternatively, cities can take an active role in marketing available units.

Support preference policies that advance racial equity

Some inclusionary housing programs provide a preference for local residents or workers. A few provide more complex preferences, for example, for residents of the neighborhood where the new development is being built, or for residents who have been harmed by past government actions.

One strategy for local officials is to determine how specific city and state zoning and housing policies have produced and/or reinforced racial segregation and inequities. Then, officials can make a case that there is rationale for restitution to the populations of residents who have been harmed.

Certain types of preferences can violate fair housing laws, even when that is not the intent of the policy. As such, it is essential that jurisdictions consult an attorney with fair housing experience before adopting a local preference.

Preference policies have the potential to either help or harm households of color. For example, in a city (or neighborhood) where the majority of current residents are White, a preference for existing residents can make it more difficult for households of color to access affordable homes. On the other hand, in a gentrifying community where the majority of current residents are people of color, a preference policy can help those residents remain in their community.

Each community that is considering a preference policy must consider the potential impacts, and design their policy to advance racial equity, not contribute to further inequity.

Require a lottery for applicant selection (rather than first-come, first-served)

If applicants for inclusionary housing units are selected on a first-come, first-served basis, that process may benefit applicants who are connected to conventional communication channels, have more flexible schedules, and/or access to transportation options to show up at a specific time and place to submit an application.

In practice, this can advantage White applicants over applicants of color. A better choice is to require applications to remain open for a set period of time (e.g. 30 days) and then select from the applicants using a lottery system.

Set limits on resident selection screening criteria

Developers of market-rate housing often have their own screening criteria for units in their buildings. These criteria can include the use of credit history or criminal background checks that can adversely affect applicants of color.

Inclusionary housing programs can limit the types of criteria that property owners can use to reject applicants.

Require rental property owners to accept Section 8 Housing Choice Vouchers

The Section 8 Housing Choice Voucher program only works if private landlords are willing to accept the subsidies and rent to voucher holders. But many voucher holders struggle to find a landlord who will accept their voucher. People of color are overrepresented among voucher holders.

Collect and analyze data on the race and ethnicity of those served by affordable units

Even if your inclusionary housing program includes all the recommended best practices above, that is still not a guarantee that the program will serve households of different racial and ethnic backgrounds at an equitable rate.

Collecting data on the race and ethnicity of residents of inclusionary housing units can help the city determine whether the program is serving the desired populations at an equitable rate, or whether further steps are needed to ensure equitable access.

One way to do this is to ask residents through an optional check box on the initial application and/or during annual income certification.

Base the decision about which resale formula to use on feedback from people of color and equity- oriented organizations

Homeownership has traditionally been a main method of wealth-building for American households. Yet Black, Brown and other homeowners of color have not realized the same gains as White households, due to both systemic exclusion from homeownership and lower gains in property values. Inclusionary housing programs can put homeownership opportunities in reach for low-income households of color.

Inclusionary housing programs allow homeowners the opportunity to build some equity while also maintaining community affordability by requiring the home to be resold at a price affordable to another low-income buyer. Each program chooses a resale formula that balances those two considerations. The balance point for each program is different and should be decided on locally based feedback from people of color and racial equity organizations.

A program that uses a resale formula that provides more equity to the seller upon resale (placing greater emphasis on wealth-building) runs the risk that significant additional subsidy could be needed to help keep the home affordable to the next buyer, or that without additional subsidy the home may lose affordability. On the other hand, a program that uses a resale formula that keeps more of the appreciation in the home (placing greater emphasis on long-term affordability) provides less wealth-building opportunity for each individual homeowner.

Require lasting affordability for affordable units

When historic communities of color start to see market-rate development activity and investment, long-time residents of color are often displaced due to rising housing costs. Often times, people of color are unable to benefit from new investment and amenities.

Long-term affordability restrictions ensure that affordable units -- and neighborhood benefits and amenities -- remain accessible to low-income households of color for generations. When designed well, inclusionary housing programs can provide affordable homes for low-income households of color in those neighborhoods, therefore providing access to the benefits of new investment.

But if the affordability restrictions on those units expire after a relatively short amount of time and the units become market rate again, that can lead to displacement of current low-income residents of color from those units (and usually also from the neighborhood). This makes it more difficult for future low-income households of color to move to the neighborhood.

Partner with a Community Land Trust for stewardship of affordable units

Community control of land is an important tool for advancing racial equity. Land ownership facilitates agency and self-determination by conferring political power, wealth, and protection from displacement.

Community land trusts (CLTs) are nonprofit organizations governed by a board of CLT residents, community residents, and public representatives that acquire land and use it for lasting community assets, including affordable housing. Some inclusionary housing programs turn some or all of the affordable units over to a local CLT so they become community-controlled assets. This is more common with for-sale units than with rental units.



**Sell to another
low-income
family**



TRANSPORTATION

INCLUSIVE TRANSIT:

Advancing Equity Through
Improved Access & Opportunity



Investment in transit service and capacity should directly address inequities in access to transportation

Focus on improvements to bus systems people use before politically-driven capital projects like suburban rail lines.

Set transit investment priorities and performance metrics according to community values and local context, and report on performance transparently.

Use spatial analysis to identify and target transit investment to high-need populations.

Transit access practices such as fare policies should target high-need communities

Pursue progressive fare policies to reduce financial burdens on low-income transit riders.

Identify funding sources with greater proportional contributions from high wage-earners than from people with low incomes.

Balance regressive funding sources by targeting investments in low-income communities and communities of color.

Dialogue between transit leadership and communities can build clearer understanding of needs and reduce resistance to transit projects or changes

Make public input more accessible by conducting outreach in impacted communities, and going beyond traditional public meetings.

Build trust through community organizations and funding community members as intermediaries in the outreach process.

Ensure decision-makers reflect the communities they represent by making racial diversity a hiring criterion.

Transit operations and capital projects should support employment in low-income communities and communities of color

Use transit operations and capital projects to create local community-based workforce development opportunities.

Plan for and financially support mitigation of construction impacts on small- and local-businesses.

discussion

Which of these solutions has your community enacted? How has that worked out?

Of those that haven't been enacted, which could work in your community?