

To: Travis County Commissioners Court
From: Christy Moffett, LMSW, CDBG Planning Manager
RE: Del Valle/969 Site for Affordable Housing Development
Date: May 25, 2017

Background

On October 26, 2016, the Community Development Block Grant (CDBG) Office was asked to review a site for a possible development with 302 units of affordable housing through the State's Low Income Housing Tax Credit Program (LIHTC). The developer, NRP, requested a Resolution of No Contest for their LIHTC application from Travis County and the City of Austin. The parcel is located at 14011 FM 969 in the City's Extra-Territorial Jurisdiction (ETJ). The project is located in a HUD designated Small Area Difficult to Develop Area (SADDA). HUD identifies these areas when high construction, land and utility costs relative to the Area Median Gross Income makes affordable housing development difficult. The Texas Department of Housing and Community Affairs (TDHCA) is the State agency that sets the guidelines for the LIHTC Program and requires a Resolution of No Contest for the application to be considered.¹

The CDBG Office is responsible for determining whether or not a project "Affirmatively Furthers Fair Housing" (AFFH) as required by its Fair Housing Plan and its role as a CDBG entitlement. Of note, the SADDA designation does not appear to intersect in any way with AFFH regulations to ensure compliance with AFFH.

The Travis County CDBG Office did an initial Fair Housing Review of the site and determined that it was not appropriate for the development of new affordable housing as it was located in an impacted block group, in an area of low opportunity and not a redevelopment project. This decision is in alignment with our Fair Housing Plan. After this determination, the developer requested the opportunity to provide additional data so that the CDBG staff might reconsider the recommendation. On February 14, 2017, NRP Group provided additional data which they maintained demonstrated that the area was improving in terms of rising income, school quality and access to amenities. CDBG staff reviewed the data provided and also pulled additional data to evaluate the area more closely. This memorandum includes our findings and final recommendation.

Impacted Block Group

Travis County has an Analysis of Impediments to Fair Housing Choice (AI) and Fair Housing Plan (FHP) on file. As part of the analysis, impacted block groups are identified. An impacted block group has a concentration of at least one racial/ethnic group, and the percentage of low to moderate residents equals or exceeds 51 percent.

For the purpose of the AI, a concentrated area was defined as any in which the percentage of a single ethnic or minority group is at least 10 percentage points higher than across the County overall. Table 1 below, shows the percentage of Black or African American and Hispanic residents in Travis County and

¹ A Difficult Development Area (DDA) for the Low Income Housing Tax Credit program is an area designated by the U.S. Department of Housing and Urban Development (HUD) with high construction, land, and utility costs relative to its Area Median Gross Income (AMGI). All designated DDAs in Metropolitan Statistical Areas (MSA) or Primary Metropolitan Statistical Areas (PMSA) may not contain more than 20% of the aggregate population of all MSAs/PMSAs, and all designated areas not in metropolitan areas may not contain more than 20% of the aggregate population of the non-metropolitan counties. <https://catalog.data.gov/dataset/difficult-to-develop-areas>

Census Tract 22.07, Block Group 2 (the location of the proposed development.) Using the 10 percentage point threshold as defined in the AI, Tract 22.07, Block Group 2 does have a concentration of Black/African American and Hispanic residents, using 2010 Census data and the most current data set available, the 2011-2015 American Community Survey estimates.

According to the AI, the percentage of Low to Moderate Income (LMI) residents living in the block group exceeded the 51% threshold, qualifying it as impacted. The LMI Data is the standard for the County's Fair Housing Plan. Because the Austin Round Rock Metropolitan Statistical Area is growing rapidly, we also reviewed updated LMI data² to evaluate if area had changed since the AI was drafted. According to most current dataset provided by HUD, the percentage of LMI residents in the block group is 53.86 percent. Please refer to the map on the next page for a visual representation of Impacted Block groups.

Since the AI was drafted, HUD released a new Affirmatively Furthering Fair Housing (AFFH) rule. Under the new rule, a different methodology is used to designate areas with Racially/Ethnically-Concentrated Areas of Poverty (R/CAP, E/CAP.); however the County is not required to use the new methodology until it submits its next update in 2019.

Of note, under this methodology, for areas outside the metropolitan core an area would have a racial/ethnic concentration if the non-white population exceeds 20 percent. As shown in Table 1, the Black or African American population exceeds this threshold. The same holds true when reviewing Ethnicity. In addition, the White, Non-Hispanic population within the Block Group is about 17%, meaning this Block Group is significantly racially and ethnically concentrated.

Table 1: Race and Ethnicity Data								
	Travis County				Tract 22.07, Block Group 2			
	2010 Census		2011-2015 ACS		2010 Census		2011-2015 ACS	
	Number	Percent of Total	Number	Percent of Total	Number	Percent of Total	Number	Percent of Total
Total Population	1,024,266	100%	1,121,645	100%	5,533	100.0%	6,568	100%
Black or African American	87,308	8.5%	93,357	8.3%	1558	28.2%	1,813	27.6%
Hispanic or Latino (of any race)	342,766	33.5%	378,387	33.7%	3,060	55.3%	3,496	53.2%

Source: U.S. Census Bureau 2010 Census SF1 and 2015 American Community Survey 5 Year Estimates, Tables B03002 and B02001

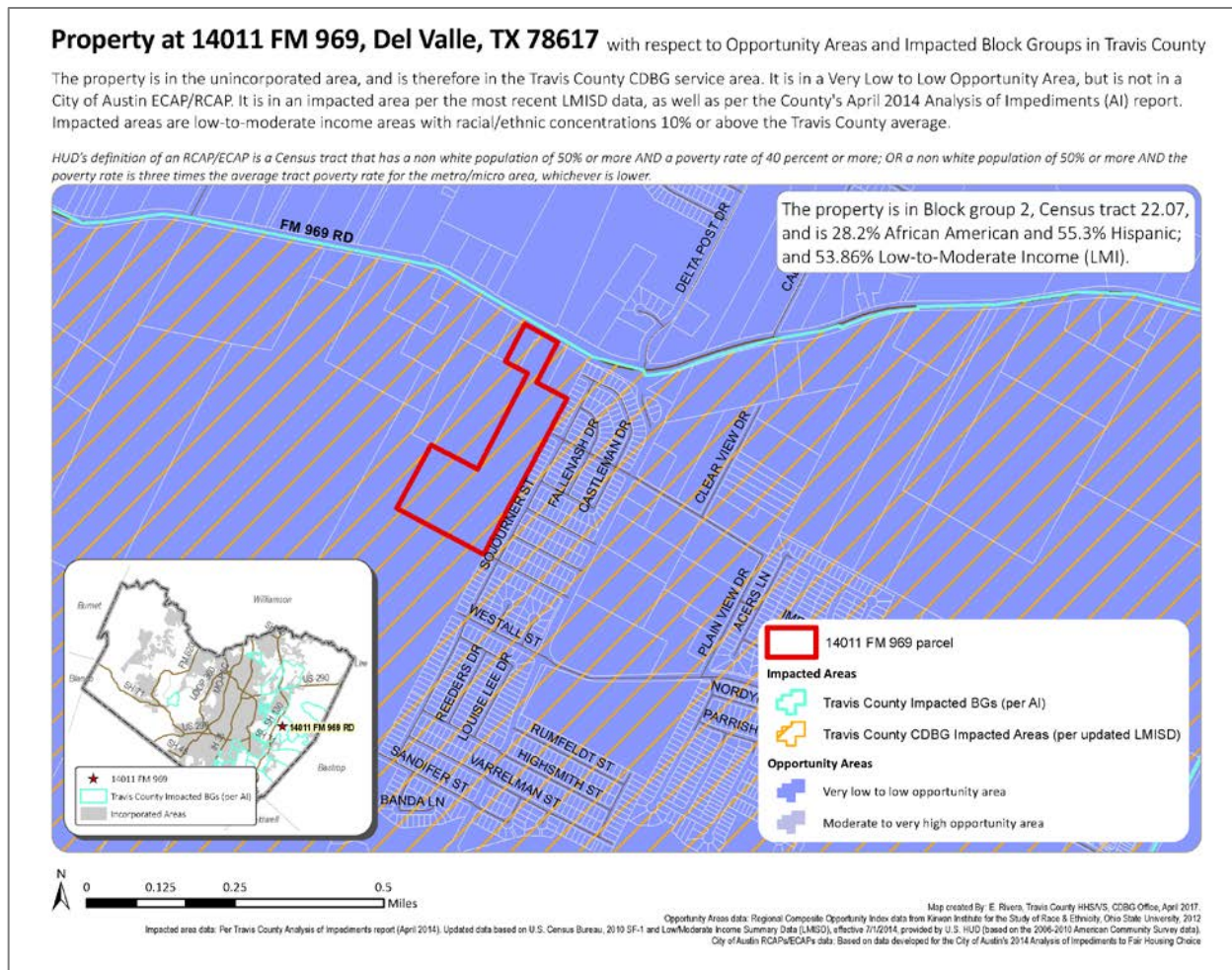
Opportunity

According to the Kirwan Institute for the Study of Race and Ethnicity at The Ohio State University, which developed the "Communities of Opportunity" model, opportunity areas are based on a fair housing and

² U.S. Department of Housing and Urban Development, "Low to Moderate income Summary Data", effective 7/1/2014, based on the 2006-2010 American Community Survey 5 Year Estimates.

community development framework that assigns each neighborhood a score reflecting the degree to which its residents have access to determinants of positive life outcomes, such as good schools, jobs, stable housing, transit and the absence of crime and health hazards. Based on this analysis, block groups are designated as very-low, low, moderate, or high opportunity areas.

As demonstrated in the map below, the parcel is located in a very low to low opportunity area as defined by the 2012 Kirwan Institute analysis. Some of the factors that influence opportunity were reviewed in this report and staff has determined that it is unlikely the opportunity score has changed significantly since the maps were produced in 2012.



School Quality

Texas Education Agency (TEA) summary reports for the campuses serving the proposed development site, and the following information were provided by the developer:

Del Valle 969 is served by Hornsby-Dunlap Elementary, Dailey Middle School, and Del Valle High School in Del Valle ISD. All three schools are on par with the district as a whole, and the high school is performing significantly better than the district. Several improvements have been made over the past three years: Dailey Middle School's Index 2 Student Progress and

Index 4 Post-secondary Readiness scores have improved and Del Valle High School has seen remarkable improvements by racking up a total of 10 Distinction Designations since 2014, attaining a 97% graduation rate that surpasses the state's 89%, and improving its Index 2 Student Progress scores.

Please see Attachment A for the TEA school reports. The TEA provides a School Report Card for each school in Texas. Schools are rated with one of the following three options: 1) Met Standard, 2) Met Alternative Standard (reserved for non-standard public schools) or 3) Improvement Required. Additionally, schools may receive up to 7 areas of distinction. The more areas of distinction a school earns, the better the school performance.

In addition to reviewing the TEA information provided, CDBG staff reviewed the ratings provided by Children at Risk, a non-partisan, nonprofit research organization. The ratings are produced by composite index related to student achievement, campus performance, year-to-year improvements and college readiness (high schools only.) The ratings for the schools that would serve the proposed project are in the table below.

Table 2: Area Schools Evaluation, 2016					
School	Type	TEA School Report Card*		Children at Risk **	
		Accountability Rating	Areas of Distinction	Rating	Austin Area Rank
Hornsby-Dunlap Elementary School	Elementary	Met Standard	No	F	254 out of 265
Dailey Middle School	Middle	Met Standard	Reading/ELA	F	93 out of 99
Del Valle High School	High	Met Standard	Science	C	41 out of 60
			Social Studies		
			Postsecondary Readiness		

Source: Texas Education Agency School Report Cards, Children at Risk

*Texas Education Agency develops School Report Cards by combining accountability ratings, data from the Texas Academic Performance Reports, and financial information on campus performance.

**Children at Risk is a non-partisan, non-profit research organization. Their ratings are from 2016 and are produced by composite indices related to student achievement, campus performance, year-to-year improvements, and college readiness (high schools only). Full methodology can be found at <http://173.45.238.175/content/wp-content/uploads/2016/05/2016-School-Rankings-Methodology1.pdf>

Income and Poverty

CDBG staff pulled ACS Five Year data for median household income for the State, County and Census Tract 22.07, shown in the table below.

Table 3: Median Household Income						
5 Year Period	Texas	Margin of Error	Travis County	Margin of Error	Census Tract 22.07	Margin of Error
2006-2010	\$49,646	+/-145	\$54,074	+/-588	\$54,184	+/-6,669
2007-2011	\$50,920	+/-133	\$55,452	+/-632	\$55,580	+/-6,044
2008-2012	\$51,563	+/-138	\$56,403	+/-803	\$51,103	+/-8,709
2009-2013	\$51,900	+/-132	\$58,025	+/-679	\$52,293	+/-7,674
2010-2014	\$52,576	+/-147	\$59,620	+/-839	\$57,200	+/-14,077
2011-2015	\$53,207	+/-174	\$61,451	+/-591	\$47,478	+/-10,848

Source: U.S. Census Bureau American Community Survey, 5 Year Estimates, Table S1901

The following information based on American Community Survey (ACS) data was provided by the developer:

The current population of Del Valle 969's Census Tract benefits from relative economic prosperity. The Median Household Income according to ACS 2014 Census Data is \$57,200, which represents more than 5% growth over the past 5 years and surpasses the state Median Household Income of \$52,576.

The data does not appear to support the assertion that the tract is experiencing household income growth or that the tract exceeds the State median. It is important to note that the margins of error for tract level data can be very high (particularly in areas with low population) and this should be taken into consideration when analyzing ACS data. Additionally, the Census Bureau states not to compare overlapping data sets, for example one should not compare ACS 2006-2010 5-year Estimates to ACS 2010-2014 5-year estimates because 2010 overlaps both data sets³. CDBG Staff did an analysis of the statistical significance of the estimates and found no significant difference in data points over the time period or between the State and Tract. The only data point comparison that showed a statistically significant difference, was between the median household income for Travis County using the 2015 dataset (\$61,451) and Census Tract 22.07 (\$47,478.)

The following information related to poverty was provided by the developer:

The Census Tract's poverty rate stands at 18.8%, which compares similarly to the county-wide poverty rate of 17.5%.

³ For more information see "A Compass for Using and Understanding American Community Survey Data: Appendix 1," <https://www.census.gov/content/dam/Census/library/publications/2008/acs/ACSGeneralHandbook.pdf>

CDBG staff pulled ACS Five Year data for the poverty rate for the State, County and Census Tract 22.07, shown in the table below.

Table 4: Poverty Rate						
5 Year Period	Texas	Margin of Error	Travis County	Margin of Error	Census Tract 22.07	Margin of Error
2008-2012	17.4%	+/-0.1	17.4%	+/-0.5	17.3%	+/-8.3
2009-2013	17.6%	+/-0.1	17.4%	+/-0.4	14.1%	+/-7.3
2010-2014	17.7%	+/-0.1	17.5%	+/-0.5	18.8%	+/-9.4
2011-2015	17.3%	+/-0.1	16.4%	+/-0.4	20.6%	+/-8.7

Source: U.S. Census Bureau, American Community Survey 5-Year Estimates, Table S1701

Analysis supports the assertion that the poverty rate for the tract is similar to the rate for the County and State as a whole. However due to high margins of error, the tract level estimates have high coefficients of variation, so conclusions should be drawn with caution. In cases where data is considered unreliable staff supplement analysis with a variety of information sources.

Multiple CDBG projects (including Home Repair and Social work programs serving low income clients) have been implemented in the area surrounding the proposed site. Client and program data that have been collected over multiple years, support the assessment that the area is not experiencing rapid income growth or a decline in poverty.

Finally, economically disadvantaged school data was pulled to help determine if this data set could provide a more robust picture of the economic conditions in the area. The eligibility for Free or Reduced Lunch program is set at 130% and 185% of the Federal Poverty Guidelines, respectively. The schools that would serve the proposed project have a higher than average number of students that qualify for the free or reduced lunch program. This further demonstrates the economic concentrated pattern in the area.

Table 5: Economically Disadvantaged School Data	
Geography	Percentage of Students Economically Disadvantaged
Hornsby-Dunlap Elementary	90.5%
Dailey Middle School	88.9%
Del Valle High School	79.4%
Del Valle ISD	87.7%
Texas	59.0%

Source: TEA Division of Performance Reporting, 2015-2016 Texas Academic Performance Report

TEA definition: An economically disadvantaged student is defined as one who is eligible for free or reduced-price meals under the National School Lunch and Child Nutrition Program. <https://rptsvr1.tea.texas.gov/acctres/gloss0708.html>

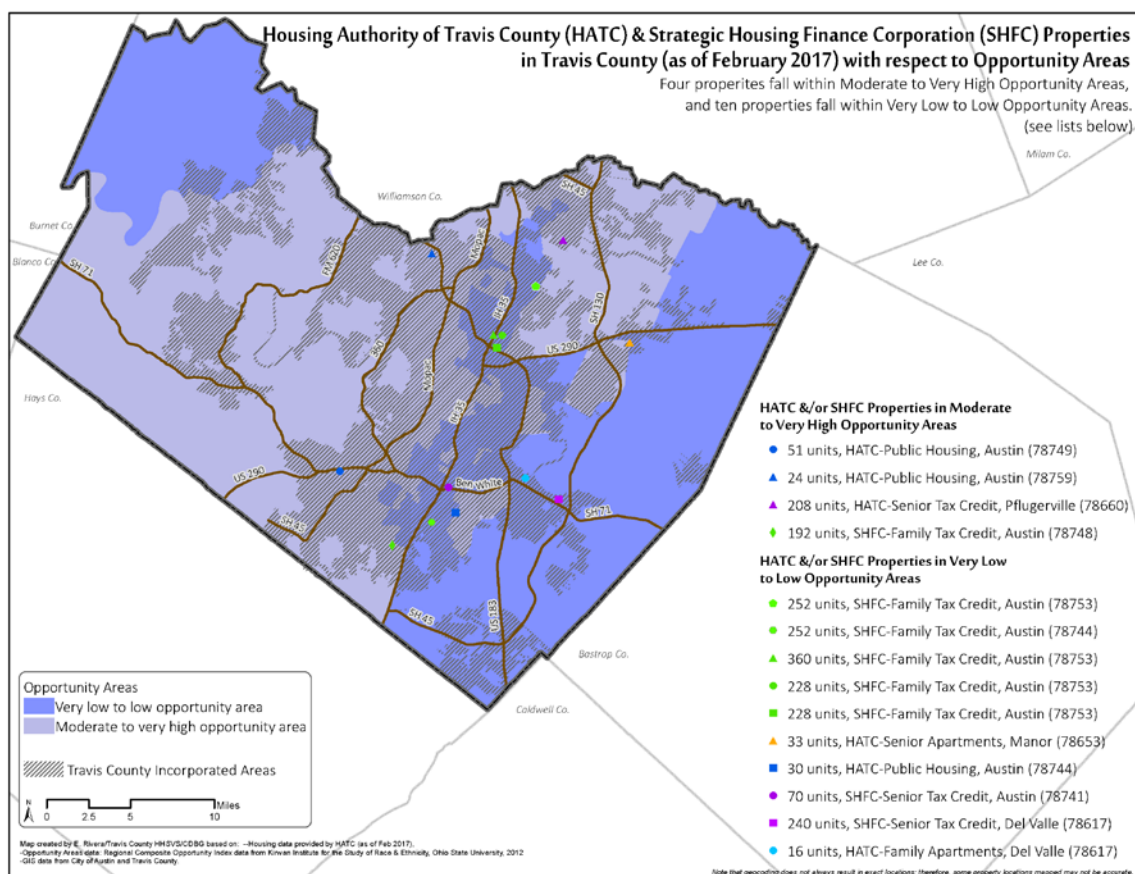
National School Lunch and Child Nutrition eligibility: <https://www.federalregister.gov/documents/2016/03/23/2016-06463/child-nutrition-programs-income-eligibility-guidelines>

Amenities

The developer provided a chart and map that showed area amenities related to Healthcare, Education, Transportation, food stores, parks and other miscellaneous amenities (Attachment B). There is a limited amount of commercial/retail development in the areas immediately surrounding the proposed site so job proximity is challenging. In general, in an amenity rich area staff would expect access to public transit to be within one mile and a major grocery store within 3 miles. The nearest public bus stop is 3.24 miles from the site. The nearest food stores are 3.88 miles from the site. Many of the amenities are located closer to either Manor or Del Valle.

Property Portfolio: Determining Balance

An additional consideration in evaluating the site was the overall distribution of the existing HATC and SHFC portfolio. Staff mapped all HATC and SHFC properties with relation to opportunity, as seen in the map below. Four properties (consisting of a total of 475 units) are located in areas of moderate to high areas of opportunity and 10 properties (consisting of 1,709 units) are located in areas of Very Low to Low areas of opportunity. This would indicate that the current portfolio is not evenly distributed and a balanced approach would direct the HATC and SHFC's investments in housing to areas of higher opportunity.



Fair Housing Compliance

The TDHCA's Qualified Allocation Plan makes clear that Fair Housing Considerations on the LIHTC resolutions are the responsibility of the municipality or County: "In providing a resolution a municipality or county should consult its own staff and legal counsel as to whether such resolution will be consistent with Fair Housing laws as they may apply, including, as applicable, consistency with any Fair Housing Activity Statement-Texas ("FHA ST") form on file, any current Analysis of Impediments to Fair Housing Choice, or any current plans such as one year action plans or five year consolidated plans for HUD block grant funds, such as HOME or CDBG funds." {QAP 2016 11.9.(d)}

As a CDBG entitlement, the County must take care not to make decisions that may intentionally or unintentionally contribute to segregation patterns, restrict housing choice or place housing in areas where opportunity may be restricted. In Travis County's Analysis of Impediments to Fair Housing Choice, approved in 2014, is the following:

Impediment #2: Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere.

Strategy: Look for opportunities to invest in the creation of new affordable housing in non-impacted areas of moderate to very high opportunity.

The CDBG program regularly advocates for investment in the project area to assist with changing the Opportunity score including access to transit, youth services, support to the schools to boost performance, etc. Beyond advocacy, the CDBG program has invested in increased social services, permanent water access and home repair in the project area. Future investment is being considered for the next funding year, and we have offered to work with a non-profit already servicing the area that needs capacity development before managing CDBG funds. CDBG's interest is to increase opportunity in the area through investments in infrastructure and supports for current residents before shifting to an increase of affordable housing stock.

Fair Housing Advocates Review

On April 20, 2017, the CDBG Office requested a review by Texas Appleseed and Austin Tenants' Council of the fair housing analysis that was completed for the Del Valle 969 site. Texas Appleseed is a non-partisan, nonprofit, 501(c)(3) organization and part of a national network of public interest law centers. Austin Tenants' Council is a 501(c)(3) nonprofit organization dedicated to counseling and education on housing rights, including education and advocacy related to fair housing and housing discrimination complaints. The requested review was to determine if the CDBG analysis of the site is in line with Fair Housing regulations as these organizations understand them, or if CDBG staff have overlooked or misinterpreted any information.

On April 24, 2017 CDBG staff received a letter from Madison Sloan, Director of Disaster Recovery and Fair Housing Project, for Texas Appleseed. Texas Appleseed does not take a position on this specific development or issues related to the LIHTC application. Their comments focus on Travis County's duty to incorporate fair housing and civil rights into its analysis and decision-making process, and the relevance of the categories assessed in the Travis County CDBG Office's Fair Housing Review. They cite the County's obligation to affirmatively further fair housing as an entity receiving CDBG funds, and note

that these obligations dovetail with those expressed in the State of Texas' 2016 Qualified Allocation Plan for LIHTC.

In their view:

The County's position that its investment in revitalization should be in the form of funding for transit, infrastructure improvement, home repair, and school improvement for impacted communities, while expanding housing opportunity for low and moderate income families in existing opportunity areas is precisely the approach mandated by the Fair Housing Act and laid out in the AFFH regulation.

On May 3, 2017 CDBG staff received a letter from Juliana Gonzalez, Executive Director of Austin Tenants' Council. ATC does not take a position on specific sites for housing development, but provided comments related to Travis County's decision making process in the context of affirmatively furthering fair housing. In their view Travis County's site review aligns with fair housing regulations as ATC interprets them, and is appropriate to the County's role and obligations in the review process.

The letters from both entities can be found in Attachment C.

Recommendation (Awaiting Fair Housing Advocates Review Prior to Finalizing)

Based on this review, staff does not recommend support of the Resolution of No Contest based on the following:

- The parcel is not appropriate for affordable housing development at this time as it does not Affirmatively Further Fair Housing, nor meet with County's fair housing goals set out in its Fair Housing Plan;
- The project will likely further the concentration of economic and racial/ethnic patterns in the area;
- Staff agrees the area needs a catalyst to change the opportunity in the area, however, staff recommends the prioritization of catalytic investments such as improving access to jobs, public transit, supports to schools, infrastructure, youth development activities, etc.;
- Staff believes this area will likely transition over the next 5-10 years as population growth and development occurs; and
- It is an excellent parcel to land bank until such time as the area starts to increase in opportunity and racial, ethnic and economic concentration patterns change.

Attachment A: Education and Poverty Information Provided by NRP Group

TEXAS EDUCATION AGENCY

2016 Accountability Summary

DEL VALLE ISD (227910)

Accountability Rating

Met Standard

Met Standards on

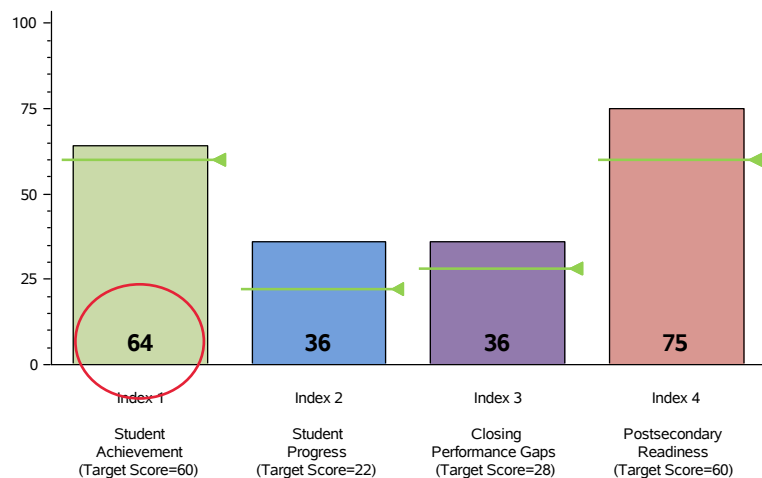
- Student Achievement
- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- NONE

In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Performance Index Report



Distinction Designation

Postsecondary Readiness

Percent of Eligible Measures in Top Quartile
3 out of 20 = 15%

NO DISTINCTION EARNED

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	11,999	18,720	64
2 - Student Progress	650	1,800	36
3 - Closing Performance Gaps	1,078	3,000	36
4 - Postsecondary Readiness			
STAAR Score	9.0		
Graduation Rate Score	23.0		
Graduation Plan Score	23.2		
Postsecondary Component Score	19.5		75

System Safeguards

Number and Percentage of Indicators Met	
Performance Rates	23 out of 40 = 58%
Participation Rates	18 out of 18 = 100%
Graduation Rates	5 out of 7 = 71%
Met Federal Limits on Alternative Assessments	1 out of 1 = 100%
Total	47 out of 66 = 71%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

TEXAS EDUCATION AGENCY
2014 Accountability Summary
HORNSBY-DUNLAP EL (227910109) - DEL VALLE ISD

Accountability Rating

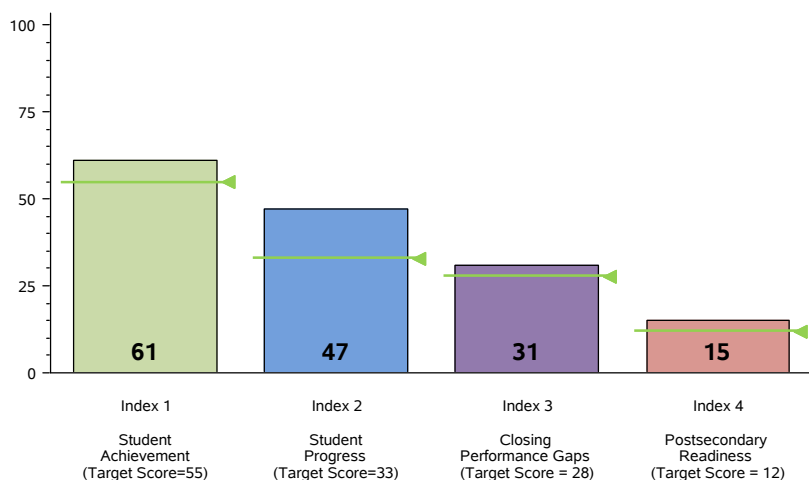
Met Standard

Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	- NONE

Distinction Designation

Academic Achievement in Reading/ELA
NO DISTINCTION EARNED
Academic Achievement in Mathematics
NO DISTINCTION EARNED
Academic Achievement in Science
NO DISTINCTION EARNED
Academic Achievement in Social Studies
NOT ELIGIBLE
Top 25 Percent Student Progress
NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps
NO DISTINCTION EARNED
Postsecondary Readiness
NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	734 Students
Grade Span	PK - 05
Percent Economically Disadvantaged	82.8%
Percent English Language Learners	31.5%
Mobility Rate	16.6%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	550	902	61
2 - Student Progress	750	1,600	47
3 - Closing Performance Gaps	372	1,200	31
4 - Postsecondary Readiness			
STAAR Score	15.3		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Indicator Score	N/A		15

System Safeguards

Number and Percent of Indicators Met

Performance Rates	12 out of 18 = 67%
Participation Rates	12 out of 12 = 100%
Graduation Rates	N/A
Total	24 out of 30 = 80%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY
2015 Accountability Summary
HORNSBY-DUNLAP EL (227910109) - DEL VALLE ISD

Accountability Rating

Improvement Required

Met Standards on

- Student Progress

Did Not Meet Standards on

- Student Achievement
 - Closing Performance Gaps
 - Postsecondary Readiness

In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Distinction Designation

Academic Achievement in Reading/ELA

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NOT ELIGIBLE

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NOT ELIGIBLE

Top 25 Percent Student Progress

NO DISTINCTION EARNED

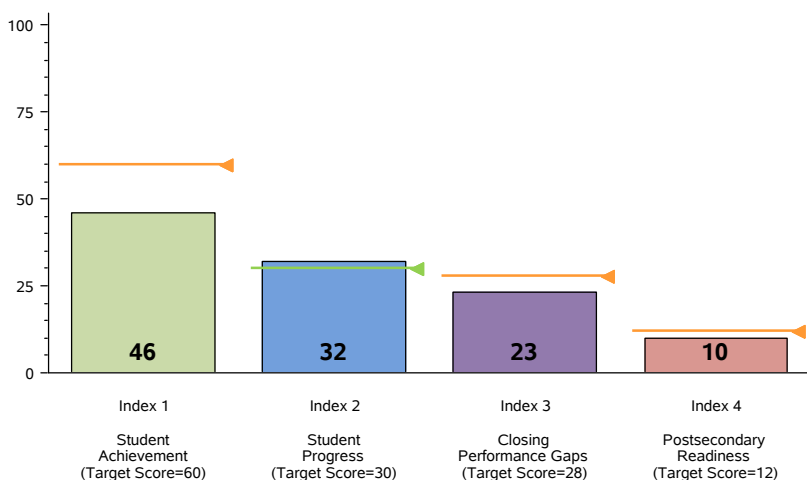
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	209	454	46
2 - Student Progress	254	800	32
3 - Closing Performance Gaps	185	800	23
4 - Postsecondary Readiness			
STAAR Score	10.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		10

Campus Demographics

Campus Type	Elementary
Campus Size	646 Students
Grade Span	PK - 05
Percent Economically Disadvantaged	88.2
Percent English Language Learners	34.5
Mobility Rate	19.4

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	0 out of 13 = 0%
Participation Rates	5 out of 5 = 100%
Graduation Rates	N/A
Total	5 out of 18 = 28%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY
2016 Accountability Summary
HORNSBY-DUNLAP EL (227910109) - DEL VALLE ISD

Accountability Rating

Met Standard

Met Standards on

- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- Student Achievement

In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Distinction Designation

Academic Achievement in ELA/Reading

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NOT ELIGIBLE

Top 25 Percent Student Progress

NO DISTINCTION EARNED

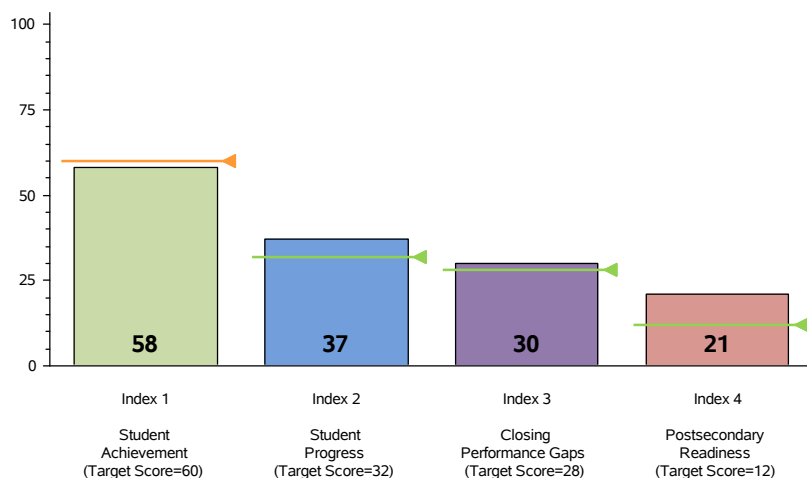
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	613 Students
Grade Span	PK - 05
Percent Economically Disadvantaged	90.5
Percent English Language Learners	31.3
Mobility Rate	19.1

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	426	737	58
2 - Student Progress	374	1,000	37
3 - Closing Performance Gaps	365	1,200	30
4 - Postsecondary Readiness			
STAAR Score	20.7		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		21

System Safeguards

Number and Percentage of Indicators Met

Performance Rates	6 out of 17 = 35%
Participation Rates	12 out of 12 = 100%
Graduation Rates	N/A
Total	18 out of 29 = 62%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

TEXAS EDUCATION AGENCY
2014 Accountability Summary
DAILEY MIDDLE (227910043) - DEL VALLE ISD

Accountability Rating

Met Standard

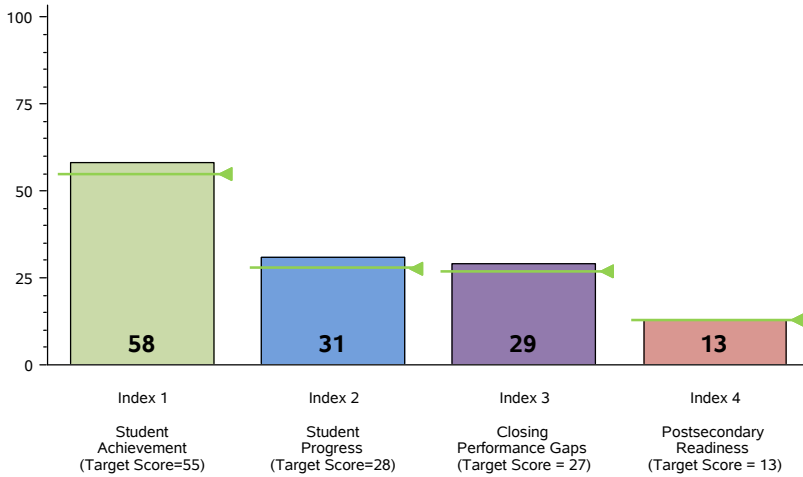
Distinction Designation



Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	- NONE

Academic Achievement in Reading/ELA
NO DISTINCTION EARNED
Academic Achievement in Mathematics
NO DISTINCTION EARNED
Academic Achievement in Science
DISTINCTION EARNED
Academic Achievement in Social Studies
NO DISTINCTION EARNED
Top 25 Percent Student Progress
NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps
NO DISTINCTION EARNED
Postsecondary Readiness
NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Middle School
Campus Size	764 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	84.6%
Percent English Language Learners	23.7%
Mobility Rate	16.3%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,250	2,144	58
2 - Student Progress	753	2,400	31
3 - Closing Performance Gaps	862	3,000	29
4 - Postsecondary Readiness			
STAAR Score	12.8		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Indicator Score	N/A		13

System Safeguards

Number and Percent of Indicators Met

Performance Rates	15 out of 32 = 47%
Participation Rates	14 out of 14 = 100%
Graduation Rates	N/A
Total	29 out of 46 = 63%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY
2015 Accountability Summary
DAILEY MIDDLE (227910043) - DEL VALLE ISD

Accountability Rating

Met Standard

Met Standards on

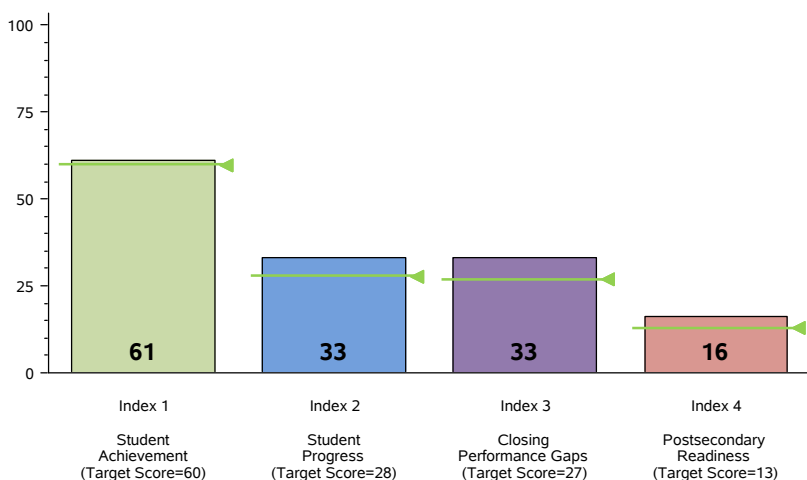
- Student Achievement
- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- NONE

In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	739	1,212	61
2 - Student Progress	392	1,200	33
3 - Closing Performance Gaps	921	2,800	33
4 - Postsecondary Readiness			
STAAR Score	15.5		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		16

Distinction Designation

Academic Achievement in Reading/ELA

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Campus Demographics

Campus Type	Middle School
Campus Size	706 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	88.0
Percent English Language Learners	28.8
Mobility Rate	17.6

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	9 out of 25 = 36%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	19 out of 35 = 54%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY
2016 Accountability Summary
DAILEY MIDDLE (227910043) - DEL VALLE ISD

Accountability Rating

Met Standard

Met Standards on

- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- Student Achievement

In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Distinction Designation



Academic Achievement in ELA/Reading

DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

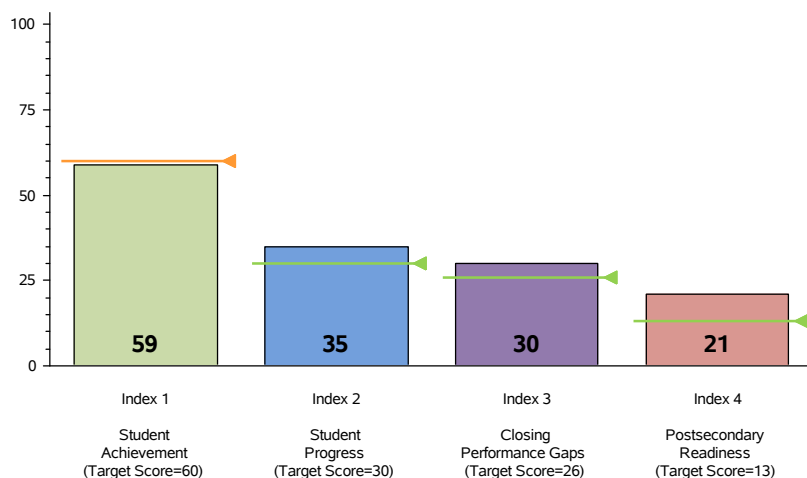
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,144	1,947	59
2 - Student Progress	421	1,200	35
3 - Closing Performance Gaps	731	2,400	30
4 - Postsecondary Readiness			
STAAR Score	21.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		21

Campus Demographics

Campus Type	Middle School
Campus Size	710 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	88.9
Percent English Language Learners	31.8
Mobility Rate	17.8

System Safeguards

Number and Percentage of Indicators Met

Performance Rates	11 out of 29 = 38%
Participation Rates	14 out of 14 = 100%
Graduation Rates	N/A
Total	25 out of 43 = 58%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

TEXAS EDUCATION AGENCY
2014 Accountability Summary
DEL VALLE H S (227910001) - DEL VALLE ISD

Accountability Rating

Met Standard

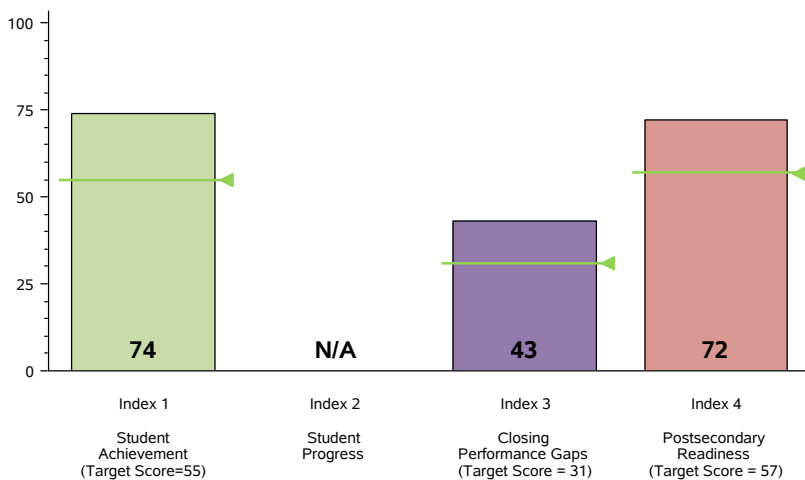
Met Standards on

- Student Achievement
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- NONE

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	2,997	4,055	74
2 - Student Progress	N/A	N/A	N/A
3 - Closing Performance Gaps	1,037	2,400	43
4 - Postsecondary Readiness			
STAAR Score	11.0		
Graduation Rate Score	24.7		
Graduation Plan Score	22.6		
Postsecondary Indicator Score	13.2		72

Distinction Designation



Academic Achievement in Reading/ELA	DISTINCTION EARNED
Academic Achievement in Mathematics	NO DISTINCTION EARNED
Academic Achievement in Science	DISTINCTION EARNED
Academic Achievement in Social Studies	DISTINCTION EARNED
Top 25 Percent Student Progress	NOT ELIGIBLE
Top 25 Percent Closing Performance Gaps	DISTINCTION EARNED
Postsecondary Readiness	DISTINCTION EARNED

Campus Demographics

Campus Type	High School
Campus Size	2,656 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	80.9%
Percent English Language Learners	12.6%
Mobility Rate	19.5%

System Safeguards

Number and Percent of Indicators Met

Performance Rates	25 out of 28 = 89%
Participation Rates	14 out of 14 = 100%
Graduation Rates	5 out of 5 = 100%
Total	44 out of 47 = 94%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY
2015 Accountability Summary
DEL VALLE H S (227910001) - DEL VALLE ISD

Accountability Rating

Met Standard

Met Standards on

- Student Achievement
- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- NONE

In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Distinction Designation



Academic Achievement in Reading/ELA

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

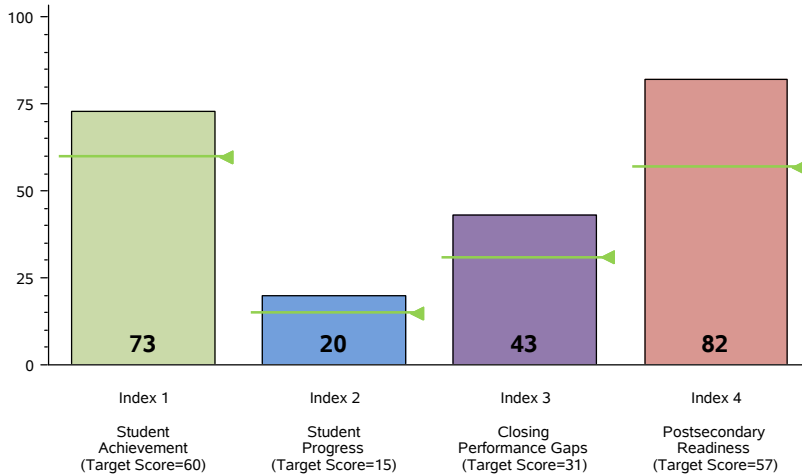
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	High School
Campus Size	2,850 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	83.0
Percent English Language Learners	12.8
Mobility Rate	20.0

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	3,007	4,121	73
2 - Student Progress	240	1,200	20
3 - Closing Performance Gaps	1,038	2,400	43
4 - Postsecondary Readiness			
STAAR Score	10.9		
Graduation Rate Score	24.8		
Graduation Plan Score	22.8		
Postsecondary Component Score	23.6		
			82

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	21 out of 28 = 75%
Participation Rates	14 out of 14 = 100%
Graduation Rates	5 out of 5 = 100%
Total	40 out of 47 = 85%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY
2016 Accountability Summary
DEL VALLE H S (227910001) - DEL VALLE ISD

Accountability Rating

Met Standard

Met Standards on

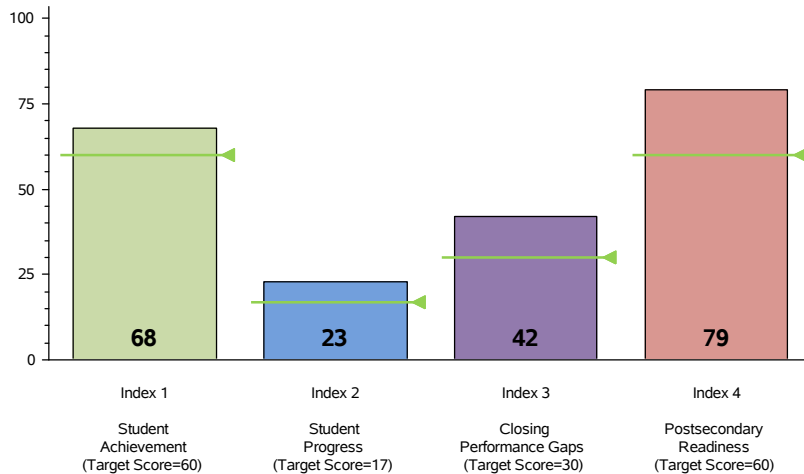
- Student Achievement
- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- NONE

In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	3,182	4,710	68
2 - Student Progress	278	1,200	23
3 - Closing Performance Gaps	1,010	2,400	42
4 - Postsecondary Readiness			
STAAR Score	11.3		
Graduation Rate Score	24.0		
Graduation Plan Score	23.6		
Postsecondary Component Score	20.3		79

Distinction Designation



Academic Achievement in ELA/Reading

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

DISTINCTION EARNED

Academic Achievement in Social Studies

DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

DISTINCTION EARNED

Campus Demographics

Campus Type	High School
Campus Size	3,001 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	79.4
Percent English Language Learners	12.7
Mobility Rate	19.2

System Safeguards

Number and Percentage of Indicators Met

Performance Rates	19 out of 28 = 68%
Participation Rates	13 out of 14 = 93%
Graduation Rates	6 out of 7 = 86%
Total	38 out of 49 = 78%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2014 INFLATION-ADJUSTED DOLLARS)Universe: Households

Year	Geography	Estimate; Median household income in the past 12 months (in 2014 Inflation-adjusted dollars)	Margin of Error; Median household income in the past 12 months (in 2014 Inflation-adjusted dollars)
2014	Census Tract 22.07, Travis County, Texas	\$ 57,200	14077
2013	Census Tract 22.07, Travis County, Texas	\$ 52,293	7674
2012	Census Tract 22.07, Travis County, Texas	\$ 51,103	8709
2011	Census Tract 22.07, Travis County, Texas	\$ 55,580	6044
2010	Census Tract 22.07, Travis County, Texas	\$ 54,184	6669

Source : 2010-2014 American Community Survey 5-Year Estimates



S1701

POVERTY STATUS IN THE PAST 12 MONTHS

2010-2014 American Community Survey 5-Year Estimates

Note: This is a modified view of the original table.

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	Census Tract 22.07, Travis County, Texas				
	Total		Below poverty level		Percent below poverty level
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate
Population for whom poverty status is determined	9,016	+/-1,197	1,696	+/-919	18.8%

B19013

MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2014 INFLATION-ADJUSTED DOLLARS)

Universe: Households

2010-2014 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

	Census Tract 22.07, Travis County, Texas	
	Estimate	Margin of Error
Median household income in the past 12 months (in 2014 Inflation-adjusted dollars)	57,200	+/-14,077

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

While the 2010-2014 American Community Survey (ACS) data generally reflect the February 2013 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2010-2014 American Community Survey 5-Year Estimates

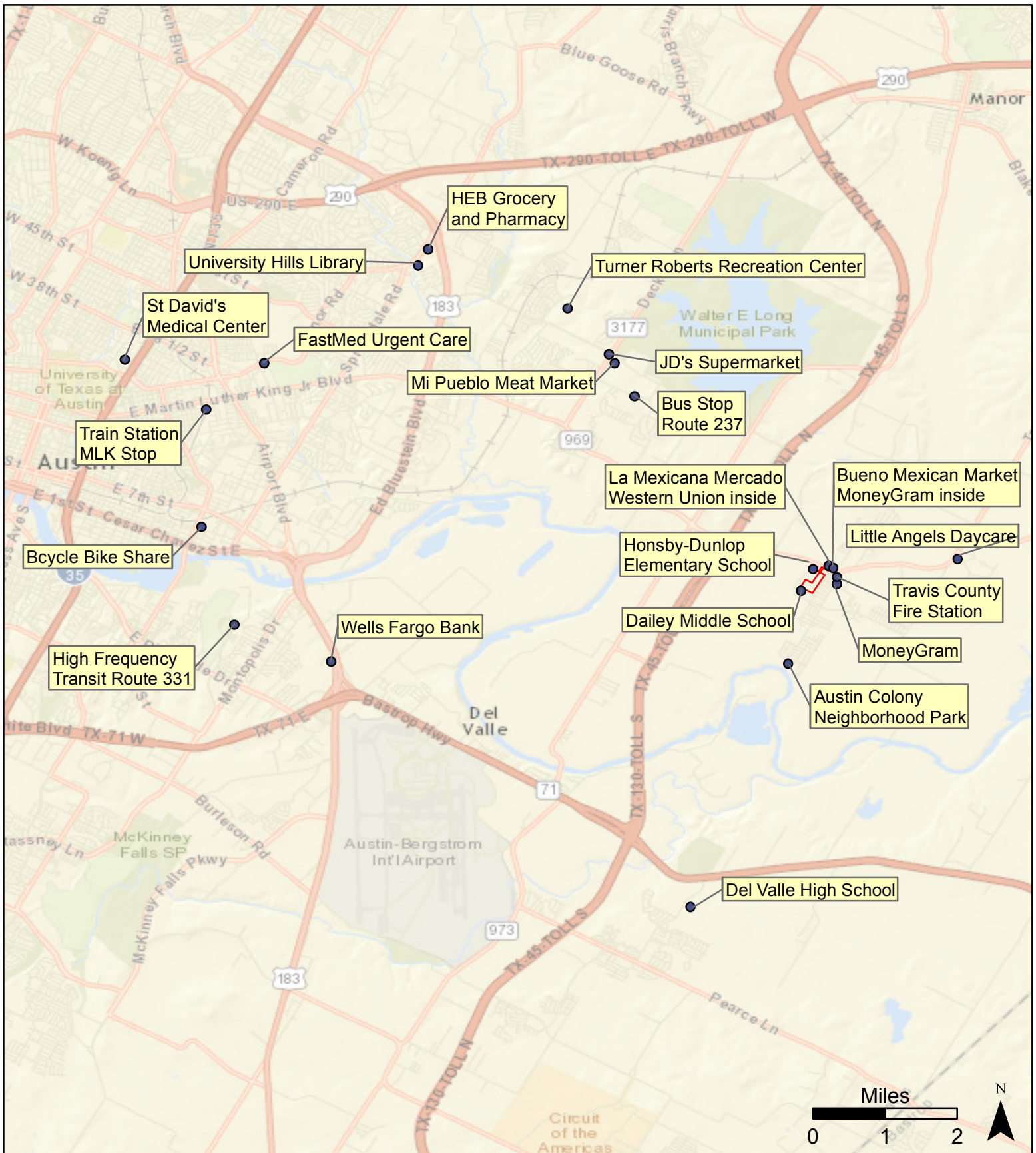
Explanation of Symbols:

1. An '***' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An '****' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An '*****' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.

Attachment B: Amenities Information Provided by NRP Group

**Del Valle 969 Apartments
Community Amenities**

	Approx. Distance	Address	Notes/Comments
Healthcare		Clinic/Urgent Care: FastMed Urgent Care	
	7.13	3607 Manor Road	
	8.56	919 E 32nd St	
	6.41	7112 Ed Bluestein	
Education		Daycare: Little Angels Daycare	
	1.61	16407 Decker Creek Dr	
	0.01	13901 FM 969	
	0.01	14000 Westall Rd	
	4.49	5201 Ross Rd	
	6.34	4721 Loyola Ln	
	6.8	1020 Grove Blvd	
Transportation	3.24	9301 Hog Eye Road (Community First)	
	6.8	1020 Grove Blvd	
	7.21	2910 E 5th St	
	7.5	1719 Alexander Ave	
	5.71	912 US 183	
Other Amenities	0.06	14236 FM 969	Western Union located in store
	0.07	14300 FM 969	Moneygram located in store
	0.15	14312 Hunters Bend Rd	
	0.2	14236 Hunters Bend Rd	located inside Valero Convenience Store
	3.88	6506 Decker Ln	Offers ATM, check cashing, money orders, and bill pay
	3.88	6575 Decker Ln	
	1	14501 Lippincott St	
	4.69	7201 Colony Loop Dr	



Community Assets

Del Valle 969 Apartments
14011 FM 969 Austin, TX 78724

- Amenities
- Del Valle 969 Apartments



Attachment C: Fair Housing Expert Letters



April 24, 2017

Christy Copeland Moffett, LMSW
CDBG Planning Manager
Office of the County Executive for
Travis County Health and Human Services
P.O. Box 1748, Austin, TX

Via email to Christy.Moffett@traviscountytexas.gov

RE: Del Valle/969 Site for Affordable Housing Development

Dear Ms. Moffett:

Thank you for the opportunity to review the County's assessment of whether the proposed site for housing funded by the Low Income Housing Tax Credit Program (LIHTC) affirmatively furthers fair housing choice (AFFH).

Texas Appleseed¹ is not taking a position on this specific development and we cannot address any issues contained in the proposed application for tax credits itself. Instead, our comments focus on Travis County's duty to incorporate fair housing and civil rights into its analysis and decision-making, and the relevance of the categories assessed in the Travis County CDBG Office's Fair Housing Review.

Because Travis County receives federal housing and community development funds, the city must certify to the Secretary of the U.S. Department of Housing and Urban Development (HUD) that it is in compliance with its obligations to affirmatively further fair housing (AFFH) - to reduce segregation and increase equal access to opportunity - for all its residents. Through its 2014-2018 Analysis of Impediments and its annual civil rights certifications, the County has committed itself to identifying and overcoming fair housing impediments. Additionally, under

¹ Texas Appleseed (Appleseed) is a non-partisan, nonprofit, 501(c)(3) organization and part of a national network of public interest law centers. Our mission is to promote justice for underrepresented Texans – including children, low-income families, and persons with disabilities – including fair housing choice and access to opportunity.

Title VI of the Civil Rights Act of 1964, the County is prohibited from discriminating on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

The County's civil rights and AFFH obligations dovetail with those expressed in the State of Texas' 2016 Qualified Allocation Plan for LIHTC, which requires that governing bodies considering resolutions of support for proposed LIHTC applications make decisions "consistent with Fair Housing laws as they may apply, including, as applicable . . . any current Analysis of Impediments to Fair Housing Choice, or any current plans such as one year action plans or five year consolidated plans for HUD block grant funds, such as HOME or CDBG funds." (QAP 2016 at §11.9(d)) The impediments identified by Travis County's 2014-2018 Analysis of Impediments include the isolation of low-income rural communities and the need to balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities in non-impacted areas with higher opportunity. Among the actions the County is taking to address these issues is an affordable housing policy with siting criteria.

Travis County's incorporation of fair housing and civil rights issues into its consideration of where to site affordable housing through its Fair Housing Review process and criteria is commendable, and a model other jurisdictions should follow. The County's position that its investment in revitalization should be in the form of funding for transit, infrastructure improvement, home repair, and school improvement for impacted communities, while expanding housing opportunity for low and moderate income families in existing opportunity areas is precisely the approach mandated by the Fair Housing Act and laid out in the AFFH regulation.

The Fair Housing review looks at the following factors:

1. Whether the proposed project is in an impacted area and likely to perpetuate or increase racial/ethnic segregation and the concentration of poverty.²
2. Opportunity indicators:
 - a. School quality;
 - b. Whether the area is experiencing a growth in income and reduction in poverty rate;³
 - c. Access to quality healthcare, education, transportation, food stores, parks, and other amenities.⁴

² In Texas, tenants of LIHTC developments are predominately people of color, and LIHTC developments have historically been concentrated, along with other supported and affordable housing, in low-income communities of color, meaning that locating LIHTC developments in minority concentrated areas is likely to both increase or perpetuate racial/ethnic segregation and deny classes of persons protected by the Fair Housing Act choices about where they live based on their protected characteristics.

³ The County may wish to use additional state or county-level income data that does not have the margin of error issues presented by census tract level data in order to get a clearer picture of income trends.

⁴ We note that the issue is not only access to some form of transit or some form of food store, but whether the transit reliably connects the neighborhood to opportunity like job centers, and whether the food stores provide a full range of quality food options.

3. The existing distribution of affordable housing in the County and whether the proposed project would continue historical patterns of concentrating affordable housing in high-poverty racially concentrated areas with limited access to opportunity, or whether it would move towards balance by increasing the availability of affordable housing in existing higher opportunity areas and the ability of families in Travis County to choose where they live.

These are appropriate and important indicators. They are particularly important given that Travis County has among the worst economic mobility outcomes in the United States.⁵

We appreciate Travis County's commitment to fair housing and civil rights, and to both ensuring access to affordable housing in existing high opportunity areas of the County, and to making infrastructure and other investments in historically underserved areas, to ensure all residents have access to opportunity wherever they choose to live.

Sincerely,

Madison Sloan
Director, Disaster Recovery
and Fair Housing Project
Texas Appleseed

⁵ See, e.g.: Dan Zher, "Study: Travis County among nation's worst for economic mobility" THE AUSTIN AMERICAN STATESMAN (May 5, 2015)



1640-B East 2nd St., Suite 150 • Austin, TX 78702
(512) 474-7007 • (512) 474-0197 fax • www.housing-rights.org

May 3, 2017

Christy Copeland Moffett, LMSW
CDBG Planning Manager
Office of the County Executive for
Travis County Health and Human Services
P.O. Box 1748, Austin, TX

RE: Del Valle/969 Site for Affordable Housing Development

Dear Ms. Moffett:

Thank you for the opportunity to review the Travis County CDBG office's Fair Housing Review for development at the Del Valle/969 site.

Austin Tenants' Council is a 501(c)(3) nonprofit organization dedicated to counseling and education on housing rights, including education and advocacy related to fair housing and housing discrimination complaints. Austin Tenants' Council is funded by the U.S. Department of Housing and Urban Development (HUD) under the Fair Housing Initiatives Program (FHIP), which awards Private Enforcement Initiative (PEI) assistance to the nationwide network of fair housing groups. PEI funds non-profit fair housing organizations like Austin Tenants' Council to carry out testing and enforcement activities to prevent or eliminate discriminatory housing practices. Austin Tenants' Council is also a member of the National Fair Housing Alliance, a consortium of more than 220 private, non-profit fair housing organizations, state and local civil rights agencies, and individuals from throughout the United States.

Austin Tenants' Council does not take a position on specific developments or properties; such an assessment would be outside our scope as well as our expertise. Our comments focus on fair housing regulations including Affirmatively Furthering Fair Housing, and on Travis County's role in the decision-making process, which is to advise on the conditions and demographics of the area and to incorporate fair housing impact into its analysis.

In July 2015, HUD published the Affirmatively Furthering Fair Housing (AFFH) final rule. The AFFH Final Rule includes a requirement for certain HUD grantees to conduct an Assessment of Fair Housing planning process. The planning process helps communities analyze challenges to fair housing choice and establish their own goals and priorities to address the fair housing barriers in their community. Specifically, the final rule directs HUD's program participants to take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice, and foster inclusive communities that are free from discrimination. Because Travis County receives federal housing and community development funds, it must certify to the Secretary of HUD that it is in compliance with its obligations to affirmatively further fair housing.



1640-B East 2nd St., Suite 150 • Austin, TX 78702
(512) 474-7007 • (512) 474-0197 fax • www.housing-rights.org

Moreover, Travis County is bound by its own 2014-2018 Analysis of Impediments, which notes the isolation of low-income rural communities and the racially/ethnically concentration in low opportunity areas. Travis County is also obligated to incorporate its Analysis of Impediment under Texas' 2016 Qualified Allocation Plan (QAP) for LIHTC, which requires that governing bodies considering resolutions of support for proposed LIHTC applications make decisions consistent with Fair Housing laws and their current Analysis of Impediments.

Travis County's site review aligns with fair housing regulations as we interpret them, and is appropriate to the County's role and obligations in the review process. The County is required to consider site development in the context of Affirmatively Furthering Fair Housing, and to incorporate its adopted Analysis of Impediments and Fair Housing Plan in the course of its review. The County's recommendation to land bank the parcel until population growth and development transition the area aligns with the mandates of the Fair Housing Act and the AFFH regulation. Overall, the work Travis County has done to assess the fair housing impact of development at this site is commendable and as a HUD-funded fair housing agency, we appreciate the diligence with which Travis County has applied the federal standards.

Thank you for the opportunity to review and comment on this issue

Sincerely,
Juliana Gonzales, Executive Director
Austin Tenants' Council