

## APPENDIX B.

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### GLOSSARY

# Fair Housing and Housing Market Glossary

**Accessory Dwelling Unit** is a small dwelling on the same grounds as and ancillary to a single-family home.

**Affirmatively Furthering Fair Housing** means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development. (24 C.F.R. § 5.152).

**Affordable Housing** is housing in which the household pays no more than 30% of its income for gross housing costs, including utilities.

**Affordability Period** is the length of time that a housing unit is required to maintain its below-market rent or sales price.

**Consolidated Plan** is the document that is submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submissions for funding under any of the Community Planning and Development formula grant programs (e.g., CDBG, ESG, HOME, and HOPWA), that is prepared in accordance with the process described in this part. (24 C.F.R. § 91.5).

**Cooperative (co-op) Housing** is housing where residents own shares and occupy a specific unit.

**Deep Affordability** is the level of affordability needed to serve extremely low-income households.

**Density Bonus** is a regulation that allows more (height, density, etc.) than is permitted by base zoning in exchange for certain public benefits.

**Disability** (1) The term “disability” means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more major life activities of such individual;

2. A record of such an impairment; or
3. Being regarded as having such an impairment.

(2) The term “disability” as used herein shall be interpreted consistent with the definition of such term under section 504 of the Rehabilitation Act of 1973, as amended by the ADA Amendments Act of 2008. This definition does not change the definition of “disability” or “disabled person” adopted pursuant to a HUD program statute for purposes of determining an individual’s eligibility to participate in a housing program that serves a specified population. (24 C.F.R. § 5.152).

**Disproportionate Housing Needs** refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups or the total population experiencing that category of housing need in the applicable geographic area. For purposes of this definition, categories of housing need are based on such factors as cost burden, severe cost burden, overcrowding, and substandard housing conditions, as those terms are applied in the Assessment Tool. (24 C.F.R. § 5.152).

**Extremely Low Income** describes households whose income is at or below 30% of the area median family income.

**Fair Housing Act** is a 1968 federal act intended to protect the buyer or renter of a dwelling from seller or landlord discrimination. Its primary prohibition makes it unlawful to refuse to sell, rent to, or negotiate with any person because of that person’s Inclusion In a protected class (such as race, color, religion, etc.).

**Fair Housing Choice** means that individuals and families have the information, opportunity, and options to live where they choose without unlawful discrimination and other barriers related to race, color, religion, sex, familial status, national origin, or disability. Fair housing choice encompasses:

1. Actual choice, which means the existence of realistic housing options;
2. Protected choice, which means housing that can be accessed without discrimination; and
3. Enabled choice, which means realistic access to sufficient information regarding options so that any choice is informed. For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual’s needs as required under Federal civil rights law, including disability-related services that an individual needs to live in such housing (24 C.F.R. § 5.152)

**Fair Housing Barrier.** A Fair Housing Barrier is a condition, policy, or practice that restricts fair housing choice or access to opportunity, and includes such conditions as ongoing local or regional segregation or lack of integration, racially or ethnically concentrated areas of poverty, significant disparities in access to opportunity, disproportionate housing needs, and evidence of discrimination or violations of civil rights law or regulations related to housing. Participation in “housing programs serving specified populations,” as defined in this section, does not present a fair housing issue of segregation, provided that such programs are administered by program participants so that the programs comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d–2000d–4) (Nondiscrimination in Federally Assisted Programs); the Fair Housing Act (42 U.S.C. 3601–19), including the duty to affirmatively further fair housing; section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); the Americans with Disabilities Act (42 U.S.C. 12101, et seq.); and other Federal civil rights statutes and regulations. (24 C.F.R. § 5.152).

**High Frequency Transit** are routes providing service every 15 minutes (or better) throughout most of the day on weekdays and Saturdays.

**High Opportunity Areas** typically include access to jobs, transportation, education, and a healthy environment. These factors can affect a person’s social mobility, health, and access to employment.

**Housing First** is an approach to housing that focuses on quickly housing people who are experiencing homelessness first, and then providing support services as needed. A core element is lower tenant screening criteria regarding behaviors like sobriety, criminal history, or credit history.

**Housing Programs Serving Specified Populations** are HUD and Federal housing programs, including designations in the programs, as applicable, such as HUD’s Supportive Housing for the Elderly, Supportive Housing for Persons with Disabilities, homeless assistance programs under the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), and housing designated under section 7 of the United States Housing Act of 1937 (42 U.S.C. 1437e), that:

1. Serve specific identified populations; and
2. Comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d– 2000d–4) (Nondiscrimination in Federally Assisted Programs); the Fair Housing Act (42 U.S.C. 3601–19), including the duty to affirmatively further fair housing; section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); the Americans with Disabilities Act (42 U.S.C. 12101, et seq.); and other Federal civil rights statutes and regulations.

(24 C.F.R. § 5.152).

**Inclusionary Zoning** is a regulation that mandates the provision of housing units at below-market prices.

**Income-Restricted Affordable Housing** refers to housing for which renters or buyers must meet specific income guidelines to be able to live in the unit. This guideline is generally defined in terms of a percent of median family income (MFI).

**Integration** means a condition, within the program participant's geographic area of analysis, as guided by the Assessment Tool, in which there is not a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a particular type of disability when compared to a broader geographic area. For individuals with disabilities, integration also means that such individuals are able to access housing and services in the most integrated setting appropriate to the individual's needs. The most integrated setting is one that enables individuals with disabilities to interact with persons without disabilities to the fullest extent possible, consistent with the requirements of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). See 28 CFR part 35, appendix B (addressing 28 CFR 35.130 and providing guidance on the American with Disabilities Act regulation on nondiscrimination on the basis of disability in State and local government services). (24 C.F.R. § 5.152).

**Jurisdiction.** A State or unit of general local government. (24 C.F.R. § 91.5).

**Low Income** describes households whose income is at or below 80% of the area median family income, or MFI. Subsets include extremely low income (0-30% of MFI) and very low income (30-50%).

**Market-rate** is the price one must pay to purchase or rent a home on the open real estate market.

**Meaningful Actions** means significant actions that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity. (24 C.F.R. § 5.15.2)

**Median Family Income (MFI)** is the amount of money earned by a family in a metropolitan statistical area that divides the income distribution of all families in that area into two equal parts- half having incomes above that amount and half below.

**Micro-Unit** is a small, self-contained living space designed to accommodate basic human needs.

**Missing Middle** is the range of dwelling types between detached homes and mid-rise apartments.

**Moderate Income** describes households whose income is between 81% and 120% of the area median family income.

**Permanent Supportive Housing (PSH)** is housing that pairs supportive services with a housing unit and is especially effective for people who have been experiencing chronic homelessness and have multiple barriers to housing (like mental illness, addiction, disabilities, etc).

**Planned Unit Development (PUD)** is a zoning district that describes large or complex developments being planned as a single continuous project, or projects that require greater design flexibility than typical zoning allows.

**Protected Characteristics** are race, color, religion, sex, familial status, national origin, having a disability, and having a type of disability. (24 C.F.R. § 5.152).

**Protected Class** means a group of persons who have the same protected characteristic; e.g., a group of persons who are of the same race are a protected class. Similarly, a person who has a mobility disability is a member of the protected class of persons with disabilities and a member of the protected class of persons with mobility disabilities. (24 C.F.R. § 5.152).

**Racially or Ethnically Concentrated Area of Poverty (RECAP)** means a geographic area with significant concentrations of poverty and minority populations. (24 C.F.R. § 5.152).

**Regionally Collaborating Program Participants** refers to joint participants, at least two of which are consolidated plan program participants. A PHA may participate in a regional assessment in accordance with PHA Plan participation requirements under 24 CFR 903.15(a)(1). Regionally collaborating participants conduct and submit a single AFH (regional AFH) in accordance with § 5.156. (24 C.F.R. § 5.152).

**Segregation** means a condition, within the program participant's geographic area of analysis, as guided by the Assessment Tool, in which there is a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a type of disability in a particular geographic area when compared to a broader geographic area. For persons with disabilities, segregation includes a condition in which the housing or services are not in the most integrated setting appropriate to an individual's needs in accordance with the requirements of the Americans with Disabilities Act (42 U.S.C. 12101, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). (See 28 CFR part 35, appendix B, addressing 25 CFR 35.130.) Participation in "housing programs serving specified populations" as defined in this section does not present a fair housing issue of segregation, provided that such programs are administered to comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d 2000d-4) (Nondiscrimination in Federally Assisted Programs): The Fair Housing Act (42 U.S.C. 3601-19), including the duty to affirmatively further fair housing: section 504 of the Rehabilitation Act of 1973 (29 U.S.C.

794); the Americans with Disabilities Act (42 U.S.C. 12101, et seq.); and other Federal civil rights statutes and regulations. (24 C.F.R. § 5.152).

**Subsidized Housing** is housing assisted with public funding for low-to moderate-income persons and families.

**Tax Increment Financing (TIF)** is a financing tool that can be used to encourage development within a certain area. A property tax baseline is set for the area and the increment of taxes that are collected each year above that baseline is used to fund development in the area.

**Workforce Housing** is housing affordable to households earning 60% to 100% of the area median family income.