



CITY OF BURLINGTON, VERMONT
CITY COUNCIL COMMUNITY DEVELOPMENT &
NEIGHBORHOOD REVITALIZATION COMMITTEE
c/o Community & Economic Development Office
City Hall, Room 32 • 149 Church Street • Burlington, VT 05401
802-865-7144 VOX • 802-865-7024 FAX • www.burlingtonvt.gov/cedo

Councilor Zoraya Hightower, Chair, Ward 1

Councilor Sarah Carpenter, Ward 4

Councilor Joe Magee, Ward 3

Tuesday, May 24, 2022

5:00 PM – 7:00 PM

****Virtual meeting only****

Attend via Zoom by clicking the link below:

<https://us02web.zoom.us/j/85275464661>

Telephone: +1 929 205 6099

Webinar ID: 852 7546 4661

To participate in public forum please email Christine Curtis before or during the meeting:
ccurtis@burlingtonvt.gov. Comments can also be made during the meeting by using the raise
hand function or the chat function.

Draft Agenda

1. Approve agenda
2. Approve minutes: 4/21/22
3. Public Forum
4. Fair Housing Presentation – Jessica Hyman, CVOEO
5. ELI Update – Rebecca Reese
6. Upcoming agenda items
7. Other Business
8. Adjournment

The programs and services of the City of Burlington are accessible to people with disabilities.
For accessibility information, call 865-7144. For questions about the meeting,
contact Christine Curtis at ccurtis@burlingtonvt.gov

Fair Housing for Municipalities

Presented by:

Jess Hyman

Fair Housing Project, CVOEO



Housing Advocacy
Fair Housing Project





Housing Advocacy Fair Housing Project

As one of the CVOEO's statewide Housing Advocacy Programs, we work to increase fair and affordable housing opportunities - especially for people in protected classes - through education, training, and outreach.

- Workshops and consultations for the public, housing and service providers, and municipal officials and planners.
- Support for communities in their efforts to affirmatively further fair housing.
- Coordination of *Thriving Communities*, a statewide initiative dedicated to promoting housing affordability and inclusiveness.

*Fair Housing Project staff are not attorneys, nor do we provide legal advice.
Please refer to our friends at Vermont Legal Aid and Vermont Landlords Association for legal support and services.*



What is Fair Housing?

Fair Housing is the **right to equal opportunity in housing choice** and the right to rent, buy, or live in a dwelling **free from discrimination**.

A Brief Walk Through History

- Civil Rights Act of 1866
- ... redlining, racially restrictive covenants, other government sanctioned segregation, and more...
- MLK Assassination April 4, 1968
- Fair Housing Act of April 11, 1968

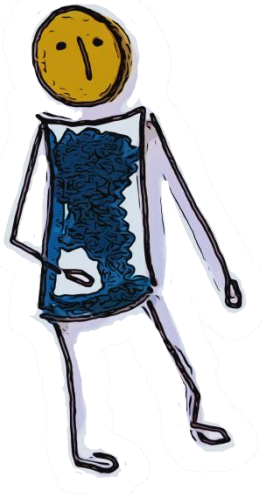
“Segregation and integration was not just about people – it wasn’t just housing. It’s not about blacks and whites living next to each other. It was voting, schools, every aspect of life.”



Federal Protections



DISABILITY



RACE



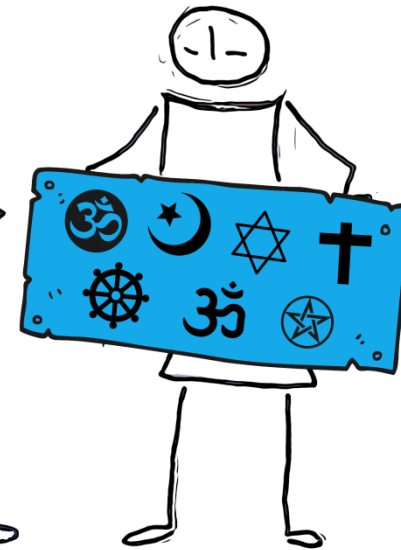
SEX



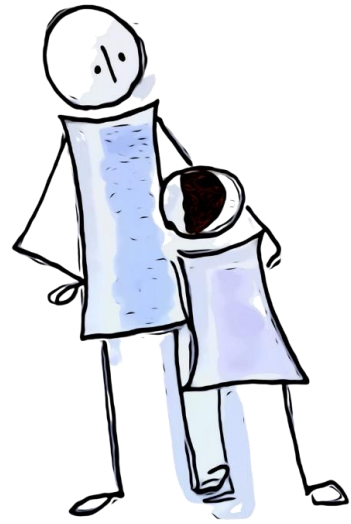
COLOR



NATIONAL
ORIGIN



RELIGION



FAMILY
STATUS

Vermont Protections



RECEIPT OF
PUBLIC ASSISTANCE



GENDER IDENTITY
SEXUAL ORIENTATION



MARITAL STATUS



AGE



VICTIMS OF ABUSE
SEXUAL ASSAULT
STALKING

And... Income of Prospective Residents in Planning and Land Use Decisions

Examples of Illegal Housing Discrimination

Housing discrimination is any of the following activities based on membership in a *protected class*:



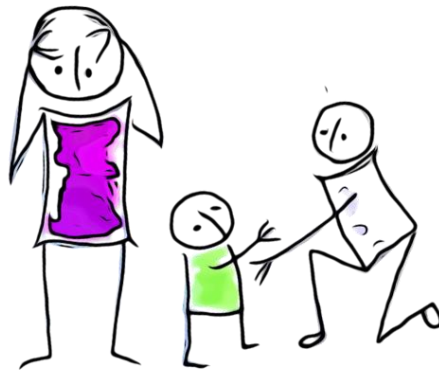
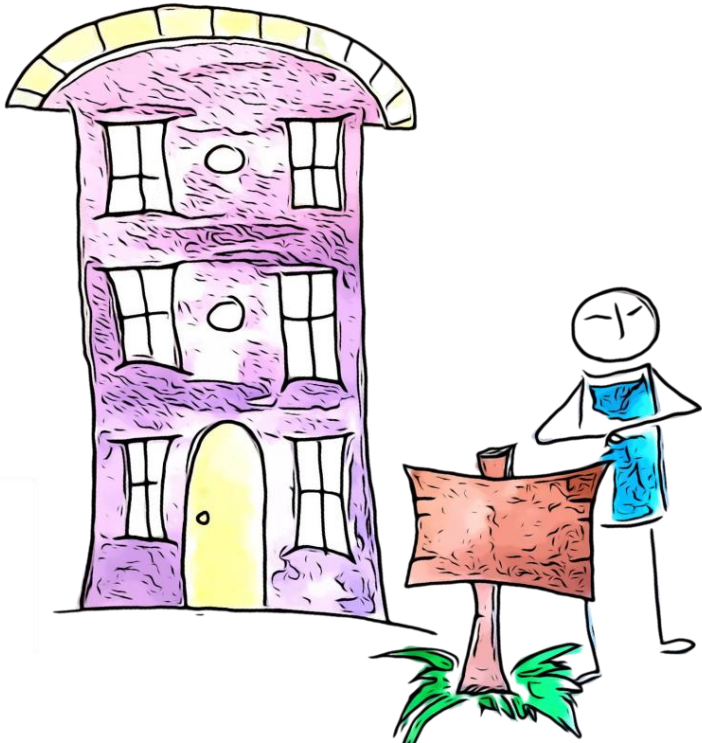
- Refusal to rent, sell, or finance housing
- Setting different terms, conditions or privileges
- Steering toward different housing
- Statements and advertising that indicates any preference, limitation, or discrimination

- To make false representation regarding availability for sale, inspection, or rental
- Coercing, intimidating, threatening or interfering with any person in housing or for filing or supporting a discrimination charge
- Failure to respond to or provide Reasonable Accommodation or Reasonable Modification



Who is protected?

- Everyone seeking housing, including renters, homebuyers, persons obtaining mortgages or homeowners or renters insurance, and
- People occupying a dwelling, including residents and care givers, are protected from discrimination based on their membership in the federal and state protected classes.



When do fair housing laws apply?

- Residential dwellings: Houses, apartments, condos, shelters, group homes, migrant housing, long-term transient lodging, etc. (*Commercial properties are covered under public accommodations law*)
- Everyone connected with housing: Owners, property managers, leasing agents, administrators, maintenance staff, service providers, cleaning staff, contractors, lenders, homeowners associations, condo boards, residents, etc.
- All advertising and statements are subject to fair housing law even if the property itself qualifies as exempt.



Exemptions to VT Fair Housing Law

- Owner-occupied buildings with three or fewer apartments, but only if the owner has no other dwellings with five or more units. (In Burlington, two or fewer apartments.)
- Refusing to rent to a potential tenant under the age of 18.
- Religious preference given to tenants of the same religion as that of the religious association which provides or rents rooms for no profit.
- Senior housing
 - Rental units that would be too small based on applicable occupancy standards

Affirmatively Furthering Fair Housing (AFFH)

The mandate to Affirmatively Further Fair Housing was originally included in the Fair Housing Act of 1968.

Requires that ALL recipients of HUD funding – including City of Burlington – not only refrain from discrimination but **take actions that undo historic patterns of segregation and other types of discrimination** and that afford access to long-denied opportunities

- [BTV's Analysis of Impediments to Fair Housing Choice \(2010\)](#)
- [Assessment of Impediments to Fair Housing \(2017-2022\)](#)



Fair Housing, Planning & Zoning, and more...

- Historically, zoning laws have restricted affordable housing and perpetuated the racial wealth gap
- Fair housing laws supersede other laws, rules, ordinances
- Disparate impact: Neutral or otherwise lawful rule, ordinance, town plan, or policy that has disproportionate impact on protected classes. (For example, Zoning doesn't allow multifamily or affordable housing in certain areas)
- Combating NIMBYism
- Local enforcement options for housing discrimination

Resources on Zoning & Equity

- <https://sarabronin.com/publications/>
- Columbus, Ohio assessment: [Zoning Code Update Page \(columbus.gov\)](https://columbus.gov/zoning-code-update)
- In 2021, Boston's AFFH Zoning Amendment requires developers to undergo an AFFH assessment process in which they outline the size and scope of proposed developments and estimate levels of exclusion and displacement nearby proposed sites: <https://www.huduser.gov/portal/rbc/indepth/interior-040621.html>
- Case studies are from Miami and Downtown Nashville.
https://repository.law.miami.edu/cgi/viewcontent.cgi?article=1735&context=fac_articles
- Are We Planning for Equity? Equity Goals and Recommendations in Local Comprehensive Plans:
<https://www.planningmi.org/assets/docs/Are%20We%20Planning%20for%20Equity%20Carolyn%20Loh%20JAPA%20Article.pdf>
- <https://www.allianceforhousingjustice.org/post/zoning-equity>
- Connecticut Zoning for Equity: multi-year examination of zoning regulations and planning policies in 24 Connecticut towns, specifically looking for ways that these regulations encourage or discourage the construction of affordable and multifamily housing: https://www.ctoca.org/zoning_for_equity
- Excellent webinar from last year by the Joint Center for Housing Studies at Harvard university:
<https://www.jchs.harvard.edu/calendar/zoning-and-equity>

What to do if you Experience Discrimination?

- Contact the Fair Housing Project or Vermont Tenants
 - (802) 660-3456, fhp@cvoeo.org ; (802) 864-0099, vttenants@cvoeo.org
- Keep a journal of incidents of discrimination
 - Write down what you experienced, including names, dates, addresses, rental terms, and any other details about your interaction
- Keep any documents related to the discrimination, including all emails and text communications
- Following the incident, you have 1 year to file an administrative complaint or 2 years to file a lawsuit in court

Fair Housing Resources



- **Legal advice, investigation, referral, representation**

- Vermont Legal Aid / Legal Services Vermont: 1-800-889-2047, <https://vtlawhelp.org/>

- **Consultation, referral, support**

- Fair Housing Project or Vermont Tenants (CVOEO): (802) 660-3456 | (802) 864-0099
<https://www.cvoeo.org/>

- **File a complaint**

- Vermont Human Rights Commission: 1-800-416-2010, <https://hrc.vermont.gov/>
- HUD (U.S. Department of Housing and Urban Development): 1-800-669-9777

- **Pattern or practice cases, sexual harassment in housing, referrals**

- U.S. Attorney's Office for VT: USAO-VT: (844) 380-6178, fairhousing@usdoj.gov
- HUD: 1-800-669-9777

CONTACT:

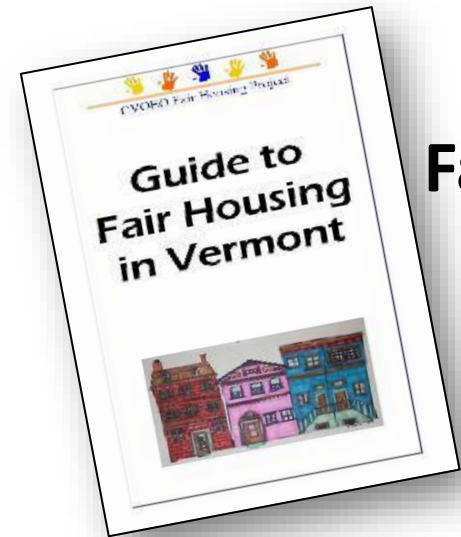
Fair Housing Project: (802) 660–3456 • fhp@cvoeo.org

Vermont Tenants: <https://www.cvoeo.org/get-help/vermont-tenants-rights-and-resources>

Vermont Tenants Hotline: (802) 864-0099

Fair Housing Guides in 7 languages and Landlord Guide:
www.cvoeo.org/FHP-Resources

**Finding Common Ground:
The Definitive Guide to Renting in Vermont:**
https://www.cvoeo.org/client_media/files/HAP/VTT_Definitive_Guide_and_Illustrated_Guide.pdf



Thriving Communities: Building a Vibrant, Inclusive Vermont



thrivingcommunitiesvt



VTFairHousing | ThrivingVermont



thrivingcommunitiesvt.org



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Councilor Sarah Carpenter, Ward 4

Councilor Joe Magee, Ward 3

Committee members: Chair Zoraya Hightower (ZH) Sarah Carpenter (SC), Joe Magee (JM)

City staff: Christine Curtis

Other Attendees: Jessica Hyman, CVOEO; Rebecca Reese, ELI Manager; Kara Alnasrawi, CSM Director; Brian Pine, CEDO Director

Tuesday, May 24, 2022

5:00 PM – 7:00 PM

Virtual Zoom

Draft Minutes

Meeting Started at 5:02 PM

1. Approve agenda

MOTION by Councilor Magee, SECOND by Councilor Carpenter, to approve the agenda

VOTING: unanimous; motion carries.

2. Approve minutes: 4/21/22

MOTION by Councilor Carpenter, SECOND by Councilor Magee, to approve the minutes

VOTING: unanimous; motion carries.

3. Public Forum

- No one spoke at public forum

4. Fair Housing Presentation – Jessica Hyman, CVOEO

- Jessica gave the Committee members a brief overview of Fair Housing – “the right to equal opportunity in housing choice and the right to rent, buy or live in a dwelling free from discrimination”
- Presentation can be found on CDNR webpage

5. ELI Update – Rebecca Reese

- Kara introduced the ELI program, Rebecca is full time manager of the program now for the City of Burlington
- Rebecca presented on the annual report for the Early Learning Initiative program
- Presentation can be found on CDNR webpage

6. Upcoming agenda items

- June 14th Meeting – focus on Camping Ordinance review/discussion

7. Other Business

- No other business discussed

8. Adjournment

MOTION by Chair Hightower to adjourn meeting at 6:30 PM.

VOTING: unanimous; motion carries.