



Legislation Text

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File #: CB 118961, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to funding for housing and community development programs; adopting the 2017 City of Seattle and Seattle Housing Authority Joint Assessment of Fair Housing and authorizing its submission to the Office of Fair Housing and Equal Opportunity (FHEO) of the United States Department of Housing and Urban Development.

WHEREAS, the United States Department of Housing and Urban Development (HUD) has required local jurisdictions seeking certain federal assistance to develop a Consolidated Plan for Housing and Community Development to bring together the principal housing and community development planning documents and the applications for four federal grant programs, including the Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Solutions Grant Program (ESGP), and Housing Opportunities for Persons with AIDS (HOPWA), in one document; and

WHEREAS, the U.S. Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions based on race, color, religion, national origin, sex, familial status, and handicap (42 U.S.C. 3601 et seq.), and declares a national policy to provide fair housing throughout the United States; and

WHEREAS, the Washington Law Against Discrimination enunciates a state policy of fair housing prohibiting discrimination based on race, creed, color, national origin, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, the presence of any sensory, mental, or physical disability, or the use of a trained guide dog or service animal by a person with a disability (chapter 49.60 RCW); and

WHEREAS, The City of Seattle’s Open Housing Ordinance prohibits unfair practices in real property transactions, whether direct or indirect, which inexcusably and unjustifiably deny those persons equal rights and opportunities in acquiring, disposing of, or occupying real property because of race, color, creed, religion, ancestry, national origin, age, sex, marital status, parental status, sexual orientation, gender identity, political ideology, honorably discharged veteran or military status, alternative source of income, participation in a Section 8 or other subsidy program, the presence of any disability, or the use of a service animal by a disabled person (Seattle Municipal Code Chapter 14.08); and

WHEREAS, The City of Seattle and the Seattle Housing Authority are subject to the Affirmatively Furthering Fair Housing requirements in 24 CFR 5.150 through 5.180; wherein HUD requires an Assessment of Fair Housing (AFH) to be submitted prior to the submission of The City of Seattle’s 2018-2021 Consolidated Plan for Housing and Community Development and the Moving to Work Plan and Report; and

WHEREAS, for the purposes of sharing resources and addressing fair housing issues from a broader perspective, HUD encouraged grantees to collaborate to develop an AFH; accordingly, The City of Seattle and the Seattle Housing Authority signed a Memorandum of Agreement on May 9, 2016, agreeing to submit the 2017 AFH jointly; and

WHEREAS, using HUD’s prescribed Assessment Tool; the AFH analyzes HUD-provided maps and data, identification of contributing factors that “cause, increase, contribute to, maintain, or perpetuate segregation, racially or ethnically concentrated areas of poverty, significant disparities in access to opportunity, and disproportionate housing needs” by federal protected class members; and uses this analysis to inform a Fair Housing Priorities and Goals section (“workplan”) of the AFH (24 CFR 5.154 (a) and 5.154(d)(4)); and

WHEREAS, preliminary draft versions of the 2017 City of Seattle and Seattle Housing Authority Joint Assessment of Fair Housing were released for public review and comment in January and March of

2017, and the AFH has been available for public review and comment for 45 days prior to the anticipated May 15, 2017, submittal to HUD; and

WHEREAS, the Mayor has proposed the 2017 City of Seattle and Seattle Housing Authority Joint Assessment of Fair Housing, and has requested that the City Council adopt the Assessment and authorize its submission to HUD; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The Seattle City Council hereby adopts the 2017 City of Seattle and Seattle Housing Authority Joint Assessment of Fair Housing (“Assessment”), attached hereto as Attachment 1.

Section 2. The Mayor and the Director of Human Services (“Director”) and their designees are hereby authorized to submit the Assessment, together with any necessary supplementary material, to the United States Department of Housing and Urban Development (HUD); to represent the City in seeking HUD acceptance of the Assessment; to make and submit to HUD such modifications to the Assessment as HUD may require, provided that no substantial policy changes are involved; and to sign and deliver on behalf of the City such assurances and certifications as may be necessary to obtain HUD acceptance. The Director is further authorized to make such technical and conforming changes to the Assessment as may be deemed reasonably necessary, and to amend the Assessment, if necessary or appropriate under federal regulations, to reflect changes that are consistent with the goals and priorities established in the Assessment.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Monica Martinez Simmons, City Clerk

(Seal)

**Attachments:**

**Attachment 1 - 2017 City of Seattle and Seattle Housing Authority Joint Assessment of Fair Housing**