



Long Island Housing Services, Inc.

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Kevin Crean, Director
Nassau County Office of Community Development
40 Main Street, 1st Floor
Hempstead NY 11550

Comments on the Draft Nassau County FY 2018 Annual Action Plan

Dear Mr. Crean:

We appreciate the opportunity to offer a few comments on the FY 2018 Annual Action Plan (Action Plan). As a private fair housing advocacy and enforcement agency, Long Island Housing Services, Inc. (LIHS) provides a full spectrum of services related to real estate transactions which have been made available to Nassau County residents since 1991. LIHS provides education, counseling and advocacy services concerning fair housing, unlawful discrimination, landlord tenant rights and obligations, and mortgage issues from a consumer protection prospective. A primary service is the investigation of housing discrimination complaints in the context of rentals, sales, lending, advertising and insurance. As resources allow, LIHS assists with investigations, formal administrative and judicial complaint filing, victim advocacy and resolution of unlawful housing discrimination complaints, and enforcement of federal state and local fair housing laws.

As Executive Director, I would like to express my gratitude to Nassau County for its commitment to Fair Housing and its commitment to support LIHS. The funding provided by the Community Development Block Grant program (CDBG) has supported our agency's ability to compete and receive United States Department of Housing and Urban Development (HUD) Fair Housing and Private Enforcement Initiative (FHIP) funding. CDBG and HUD funding allows LIHS to maintain well trained experienced staff and continue counseling and educating Nassau County residents, service and housing providers, realtors and agents on issues relating to housing discrimination on the federal state and municipal levels. We seek to improve housing conditions and equality of access to housing for all residents of Nassau County.

We have worked cooperatively with Nassau County through the support of either HOME or CDBG funds since the mid 1990's. We appreciate the continued support of Nassau County despite the ongoing decreases in federal allocations. We remain committed to working closely with Nassau County agencies and not for profits to promote decent and affordable housing and to enhance local administrative response to challenge discrimination.



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**A 501 (c) (3),
not-for-profit,
Fair Housing
agency serving
Long Islanders
since 1969.**

*Our mission is the elimination of unlawful housing discrimination
and promotion of decent and affordable housing through advocacy and education.*

LIHS will work with Nassau County to ensure that alleged violations of these laws are effectively investigated and appropriate administrative and judicial complaints are filed. Our bilingual Housing Counseling staff can assist Nassau County in meeting this objective by outreaching to Latino (and all) home owners who are facing foreclosure due to mortgages that are not affordable. Our staff will assist Nassau County residents with foreclosure issues either by negotiating with lenders or educating homeowners about their options such as short sale or deed in lieu of foreclosure. By offering homeowners options we can minimize economic loss and prevent family disruptions in these highly impacted areas. Since 2010, we are offering free legal services to provide representation and related services for homeowners at risk of foreclosure, as well as expert counseling services.

Since the 2018 Annual Action Plan (AP) is unavailable for comment at this time, LIHS is reiterating some of its unaddressed concerns from prior year's Annual Action Plan.

The objectives of the plan need to adequately address the obligation to Affirmatively Further Fair Housing (AFFH), clarified by HUD in its most recent guidance and regulation. The duty to AFFH needs to be addressed throughout all of the programs and funding in the Annual Plan, not simply as a component of funding LIHS. Most noticeably, the prior Annual Plans have not addressed any of the recent Housing Discrimination cases taking place in Nassau County, much less raise them as harbingers of Fair Housing issues that need to be addressed in the county. Furthermore, the plans continue to avoid focusing on providing affordable housing in high opportunity areas in order to support a diverse community. The plan also needs to construct a cross-departmental education program within the county to educate County employees as to the various protections and prohibitions under Federal, State and local Fair Housing laws and the enforcement resources for these rights.

LIHS strongly encourages the Nassau County to move forward with using the tools and guidelines developed by the Obama administration for Assessment of Fair Housing (AFH) process under the Affirmatively Further Fair Housing (AFFH) regulations to fulfill the requirement to AFFH under the Fair Housing Act and to provide Nassau residents with a more accurate picture of their county's fair housing needs. This recommendation is made despite the Trump administration attempt at rolling back the deadlines for using the new AFH process without incorporating the required regulatory comment process.

There needs to be greater outreach for community participation under the Plan. Further, there need to be accommodations in how the plan is advertised or the hearing is held that would encourage participation from underserved communities. Hearings should be held in areas that include the largest minority and low/medium income populations. Outreach should also be cognizant of the need to make the AP accessible to Limited English Proficiency (LEP) populations and Persons with Disabilities (PWD). The majority of the outreach tends to be to governmental agencies and nonprofits funded through HUD funds, and even at that there is usually minimal response to the annual plan.

For there to be beneficial feedback, the public needs ample opportunity to interact with the plan. The public needs to know when the AP will be released and when the second hearing will be held. The AP needs to be released at least 30 days prior to the second hearing so that there can be a dialogue at that hearing about the plan.

The Nassau County Legislature needs to be able to review all public comments before approving the Annual Action Plan. Prior plans have been scheduled for a vote before the hearings are completed and the comment period ends. To provide the Action Plan to the Legislature before the public has completed its ability to give feedback undermines the public's ability to affect the terms of the Action Plan.

Conducting a needs assessment of communities' lending needs and compare to current lending practices/patterns in those communities (CRA lenders) to make sure that banks are meeting needs of the communities is an area of concern that the Action Plan might address. LIHS has been actively involved in advocating for more robust Community Benefits from lending institutions both under CRA review and under the administrative review of financial institution mergers. Nassau County lending its voice to reinforce the obligations of the financial institutions to serve the needs of the community would substantially further the fair housing rights of its underserved residents.

The Plan could also service the community better, for example, to enhance access for related Section 8 Administrative plan; ensure that local residency preferences in Section 8 and all affordable housing programs and opportunities do not conflict with HUD's Regulation concerning obligations to AFFH which require promotion of racial and economic integration to eliminate segregation.

LIHS regularly has screened, assessed, investigated and resolved claims of discrimination from Nassau County residents based on familial status, disability, marital status source of income, race, age and military status. Our Housing Counseling staff has provided services to hundreds of residents related to rental issues and foreclosure prevention, along with seminars in English and Spanish on Fair Housing and renter's rights mortgage foreclosure and avoiding mortgage rescue scams. We have developed numerous outreach pieces available in English and Spanish, have enhanced the resources available through our website and have contracted to provide services to those that may require assistance, but lack English proficiency.

We urge that the Action Plan include allowance of adequate resources to provide the critically needed counseling, investigations and testing for discrimination, as well as to pursue enforcement and compliance with local, state and federal Fair Housing/Fair Lending laws and regulations. **We also request Nassau County to return the grant to LIHS to the 2016 level of \$120,000.00.**

The challenges we face to promote integration and eliminate discrimination are great. We thank you for your support and consideration of LIHS' comments. We look forward to continuing our work in the coming year so that we may deliver critically needed fair housing and housing counseling services to Nassau County residents.

Sincerely,

Ian Wilder, Esq.
Executive Director