

2011-2016
Analysis of Impediments to
Fair Housing Choice
in the
City of Orlando



Prepared by:

City of Orlando
Housing & Community Development Department

September 12, 2011

Acknowledgements

City of Orlando

City of Orlando Mayor Buddy Dyer

District 1 Commissioner: Phil Diamond

District 2 Commissioner: Tony Ortiz

District 3 Commissioner: Robert F. Stuart

District 4 Commissioner: Patty Sheehan

District 5 Commissioner: Daisy W. Lynam

District 6 Commissioner: Samuel B. Ings

2010-2011 Housing & Community Development Department Staff

Lelia Allen, Director

Paulette Edwards, Deputy Director

Keith Theriot, Housing & Community Development Program Manager

Scharlene Ahmed, Housing & Community Development Coordinator I

Elvis Santana, Housing & Community Development Coordinator I

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I. Introduction and Summary of the Analysis of Impediments to Fair Housing Choice

A. Introduction

The U.S. Department of Housing and Urban Development (HUD) has a commitment to eliminate discriminatory practices in housing and an obligation under Section 808 of the Fair Housing Act, to encourage the adoption and enforcement of fair housing laws in federally funded housing and community development programs. Title VIII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and implementing regulations in 24 CFR part 1, prohibit discrimination in any program or activity funded in whole or in part with federal funds made available under this part. In addition to its responsibility for enforcing other Federal statutes prohibiting discrimination in housing, HUD has a statutory obligation under Section 109 of the HCD Act of 1974, Title I, prohibiting discrimination on the basis of race, color, national origin, disability, age, religion, and sex within Community Development Block Grant (CDBG) programs or activities.

Both the City of Orlando and Orange County receive federal funding from the United States Department of Housing and Urban Development (HUD) to conduct housing and community development activities under 24 CFR Parts 91 and 570, the Consolidated Planning process. The Consolidated Planning process combines major federal grants such as the Community Development Block Grant (CDBG), the HOME Investment Partnership Program (HOME) and the Emergency Solutions Grant (ESG).

As a requirement for receiving these entitlement funds, jurisdictions are required to submit a certification to HUD to Affirmatively Further Fair Housing. This certification requires the completion of an Analysis of Impediments (AI) to Fair Housing Choice. This Analysis must include:

- An Introduction and Summary of the Analysis of Impediments and Interventions to Eliminate Barriers
- Methodology
- Jurisdictional Data, Housing Market Profile and Special Populations

- Overview of Fair Housing Laws and Resources
- Consultation to Identify Impediments to Fair Housing Choice
- Maintenance of Records
- Findings and Recommended Actions

This Analysis of Impediments to Fair Housing Choice was developed with broad involvement and guidance from the City of Orlando Housing and Community Development Department (HCD) and Orange County Housing and Community Development Department (HCD) staff, housing advocacy groups and community representatives. Staff coordinated the planning process, collection and analysis of data to develop the final report. The City of Orlando HCD and Orange County HCD will monitor progress of the plan annually for their respective jurisdictions to assess the challenges and opportunities that the Orlando Metropolitan Statistical Area (MSA) will face over the next five years.



City of Orlando

The City of Orlando's Housing and Community Development Department is the designated responsible entity for the submission of the Consolidated Plan and the Analysis of Impediments to Fair Housing Choice for the City of Orlando. The City of Orlando's last Analysis of Impediments to Fair Housing Choice was completed in September, 2005.

The mission of the City of Orlando's Housing and Community Development Department is:

To maintain a sustainable, viable, and safe community for very low, low and moderate income persons.

Commitment to Fair Housing:

In accordance with the applicable statutes and the regulations governing the Consolidated Plan, The City of Orlando certifies that it will ***affirmatively further fair housing***. This means that the jurisdiction has conducted an analysis of impediments to fair housing choice within the region, will take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

City of Orlando Mayor Buddy Dyer or
Authorized Representative

Date

B. Summary of the Analysis of Impediments and Interventions to Eliminate Barriers to Fair Housing

As part of the development of the Analysis of Impediments to Fair Housing Choice, the City of Orlando's Housing and Community Development Department and the Orange County Housing and Community Development Division entered into a working collaboration to update previous fair housing plans and to create new strategies. The Analysis combined primary and secondary research, based on data collected by both entities.

In a coordinated effort to meet HUD requirements to affirmatively further fair housing, the jurisdictions also adopted information and recommendations from active fair housing organizations including the City of Orlando's Office of Community Affairs - Human Relations, the Fair Housing Continuum, and Community Legal Services. One-on-one meetings were conducted with fair housing advocacy groups prior to the formulation of the Analysis of Impediments to Fair Housing Choice.

Fair Housing Focus Group

A Fair Housing focus group meeting was conducted on April 28, 2011. The meeting was hosted by the City of Orlando Public Housing Authority. The purpose of this meeting was to facilitate communication among fair housing advocacy groups, not for profit organizations and the jurisdictions, to obtain input for the Analysis, and provide information on the latest enforcement and advocacy strategies being implemented in the City of Orlando and Orange County.

The following organizations were present at this meeting:

1. Catholic Charities of Central Florida
2. Center for Drug Free Living
3. City of Orlando Housing and Community Development
4. City of Orlando Office of Community Affairs - Human Relations
5. Coalition for the Homeless
6. Community Legal Services of Mid-Florida
7. Covenant House

8. Department of Families and Children
9. Fair Housing Continuum
10. Habitat for Humanity of Orlando
11. Harbor House
12. Lighthouse of Central Florida
13. Orange County Neighborhood Services
14. Orlando Housing Authority
15. Orange County Health Department
16. Orange County Housing and Community Development
17. Quest, Inc.

The meeting provided an opportunity for information sharing and fair housing compliance updates from local fair housing enforcement agencies and advocacy groups. The following is a brief summary of the fair housing impediments and opportunities that were identified at the focus group meeting.

Community Legal Services of Mid-Florida provided an overview of their investigation and enforcement efforts during the past twelve (12) months. There were fifteen (15) fair housing cases investigated. Among those, five (5) were filed on the basis of race or color, and ten (10) on the basis of disability. Most of the persons claiming discrimination on the basis of a disability were also persons on subsidized, assisted housing. Community Legal Services also offers a fair housing testing program. The organization conducted fourteen (14) tests, three (3) were based on familial status, and the remaining on national origin or disability. The tests found no cause or inconclusive results. In addition to receiving federal funding from the Department of Housing and Urban Development (HUD) to conduct fair housing outreach and enforcement, the organization has also received a grant to investigate mortgage rescue scams. This is a very serious concern among focus group participants, due to the high number of foreclosures in the Metropolitan Orlando area.

The second presenter was the Fair Housing Continuum. This agency works very closely with the City of Orlando and the Center for Independent Living, an organization that provides housing and training services for persons with disabilities. The agency reported that the majority of their complaints come from persons with disabilities. Another growing trend is the number of complaints from

non-English speaking persons. Testing is a key tool to investigate disparity of treatment and in the terms and conditions of housing.

The City of Orlando Office of Community Affairs - Human Relations. also provided an overview of their services. The Fair Housing Officer explained the time limits to investigate a fair housing complaint, which is one year after the incident ,which may be a barrier to some types of complaints.

There was an open discussion about the current housing environment in the Orlando Metropolitan area. While race, disability, gender, familial status, and national origin are protected classes under the federal law, many landlords rely on other measures to discriminate against those groups based on reasons that are not covered by the provisions of the law. These reasons vary from credit to crime records dating over 25 years ago. There may be disparities in the terms and conditions of housing but these disparities are hard to detect unless testing is in place.

Many participants expressed that the attitudes toward persons with disabilities are a result of fear of the unknown, fear of lowering the value of their property, or a lack of exposure to people that are not like them. Discrimination against persons with disabilities is the most notable and communication and education among disability advocacy groups is needed to address this trend.

Participants expressed the need to educate the public on the particulars of the City of Orlando and Orange County Fair Housing ordinances. Both local ordinances include sexual orientation as a protected class. It was suggested to include this information in all fair housing outreach efforts.

The Orlando Metropolitan area is now the considered the worst housing market in the United States. There was general consensus about the gravity of the number of foreclosed homes in the Orlando market. This trend has resulted in a very tight rental market, particularly the multifamily apartment rental market. Rents have not declined and the supply of rental units is limited. This trend negatively affects housing choice.

The Fair Housing focus group meeting represents the first City of Orlando and Orange County collaboration to listen to fair housing concerns and identify potential impediments to making fair housing choice available to its residents. Based on the success of this effort, and to pursue a strategic direction to address fair housing issues, participants agreed to hold a fair housing focus group meeting annually.

Conclusions

Fair housing issues in the City of Orlando and Orange County are still present despite enforcement and outreach efforts in place. While the problem does not seem severe, the trends show that fair housing complaints filed have remained consistent throughout the past five years. Based on the nature of the fair housing complaints filed in the City of Orlando and Orange County, the primary target group for housing discrimination is the disabled population, followed by African Americans. There is a recent trend showing an increase in complaints from non-English speakers.

The data analysis used for this report was based on a multi-faceted research approach. This method provides both jurisdictions with a broader but realistic foundation for the formulation of an Analysis of Impediments to Fair Housing Choice. However, any government's ability to achieve significant advances in promoting fair housing programs are subject to funding availability for adequate outreach, training and enforcement.

For the purpose of this analysis, Impediments are defined as actions, omissions, or decisions that adversely impact fair housing choice. Out of this definition, the following impediments and challenges were identified:

Fair Housing Impediments and Challenges in the Public Sector:

1. Lack of understanding about fair housing discrimination (the community believes fair housing and landlord tenant issues are the same).

2. Lack of a centralized system for the intake of fair housing complaints (confusing complaint intake process when clients are referred to multiple agencies).
3. Lack of testing for discriminatory actions.
4. Lack of affordable housing options for very low income households.
5. Need to expand Fair Housing education and awareness, especially among persons with disabilities, African American and Hispanic communities.
6. Shortage of accessible housing (including common areas) for persons with disabilities.
7. Limited collaboration among Fair Housing advocacy groups and nonprofit agencies (enforcement efforts and complaint information are not shared).
8. Budget cuts threaten Affirmatively Furthering Fair Housing efforts and outreach.
9. Anti-immigrant sentiments are on the rise, which may be conducive to fear and lack of follow through with complaints among minority groups.

Fair Housing Impediments and Challenges in the Private Sector:

1. History of subprime lending patterns in minority neighborhoods.
2. Discriminatory patterns in the terms and conditions of rental housing are subtle and often undetected.
3. Landlords and management companies do not take fair housing laws and penalties seriously.
4. Minority groups, especially African Americans, are intimidated more often than other nonminority groups where lease violations and/ or evictions are perceived to be more common than in nonminority groups.
5. Management companies may be using disparate treatment in determining terms and conditions for renting. For example, discrimination tactics are often used in determining the creditworthiness of an applicant but they are sophisticated and hard to detect; these techniques may be used to discriminate and discourage individuals from buying or renting.

Fair Housing Impediments and Challenges in both Public and Private Sectors:

1. Uncoordinated enforcement efforts.
2. Reasonable accommodation policies are not put into practice.
3. Diversity training needs to be expanded, especially among apartment managers.
4. Current economic conditions have led to an increase in households with credit issues and previous evictions; restricting their ability to purchase or rent housing.

Recommended Actions to Overcome Fair Housing Impediments:

1. Continue to conduct paired fair housing testing in the local housing industry for both rental and sales transactions.
2. Increase coordination and collaboration among the legal community, real estate groups, and community groups to raise awareness of fair housing laws and housing discrimination.
3. Create educational fair housing campaigns to further fair housing education and outreach; with emphasis on minority and other target populations.
4. Streamline the fair housing intake process.
5. Explore collaboration with the City of Orlando to serve as the Fair Housing Initiatives Program (FHIP) in Orange County. A FHIP agency is funded by HUD to develop, implement, carry out, or coordinate programs and/or activities to educate the public about, as well as provide enforcement of, fair housing rights under the Fair Housing Act
6. Continue to support and fund affordable housing programs, including those serving disabled populations.
7. Continue to promote fair housing month in April to raise awareness about housing discrimination in the community.
8. Implement a Limited English Proficiency (LEP) strategy utilizing documents prepared by HUD program offices, printed in English and multiple other languages, to further fair housing education and outreach.

II. Methodology of the Analysis of Impediments to Fair Housing Choice

The City of Orlando and Orange County have adopted a mixed approach to research local fair housing issues. This methodology included focus groups, interviews, a field study consisting of multiple fair housing tests, literature review and analysis and interpretation of current trends.

Fair Housing Study: The City of Orlando facilitated a \$25,000 grant to implement a fair housing field study consisting of twenty six (26) fair housing tests in addition to ten (10) education training sessions. The study was conducted by the Fair Housing Continuum, Inc. during the period of October 1, 2009 to September 30, 2010. The purpose of this study was to assess the extent of housing discrimination in the City of Orlando and portions of Orange County. The results of this field study have been incorporated in this AI and will be used to recommend strategies and raise awareness about fair housing. This study provided primary data for the evaluation of the varying dimensions of housing discrimination in the rental market within the City of Orlando and Orange County.

The study consisted of twenty six (26) fair housing tests that included seven (7) apartment rental sites. The study concluded that forty percent (40%) of the tests conducted showed some form of differential treatment. Six (6) or twenty percent (20%) of the total sample required re-testing, and other six (6) tests or twenty percent (20%) of the total sample had recommendations for enforcement.

The remaining sample showed no cause for discrimination. However, ten (10) tests or thirty four percent (34%) of the total sample showed inconclusive results and had recommendations for retesting.

Most of the complaints and tests findings were against people with disabilities, followed by discrimination based on race, particularly African Americans. The tests also indicated discrimination patterns of minorities against other minority groups.

Outreach: Fair Housing information has been issued through public service announcements on local radio stations (both English and Spanish) as a match to

a Community Legal Services of Mid-Florida's (CLS) fair housing enforcement grant. In addition, over 1,500 copies of fair housing information to local community centers, the main branch library, the County Administration Building, affordable housing seminars, homeownership classes, and through CLS have been distributed in the community.

A Housing and Community Development survey was also distributed throughout local community centers (including community centers within the City of Orlando), nonprofit organizations, and posted on the Orange County Housing and Community Development Division web page. The survey included an assessment of housing discrimination in Orange County. Twenty eight percent identified housing discrimination as a high priority, thirty percent as a medium priority and forty two percent as low priority.

The City of Orlando Office of Community Affairs - Human Relations contracted the Fair Housing Continuum, Inc. to conduct ten (10) Education and Outreach activities reaching three hundred and forty six (346) people. One thousand five hundred sixty two (1,562) fair housing handouts were distributed. Additionally, the City of Orlando also held two major Fair Housing Month workshops. One of the workshops was about removing barriers for people with disabilities and the other on the subject of foreclosures.

Focus Groups: Staff held various focus groups and interviews with local fair housing practitioners and advocacy organizations. These groups included the City of Orlando Office of Community Affairs - Human Relations., Fair Housing Continuum, Inc., Mid- Florida Community Legal Services, local housing authorities, representatives from the local HUD office, local nonprofit organizations and advocacy groups. Staff collected fair housing data useful for this report and information on the volume and nature of fair housing complaints in Orange County.

Based on the information collected, there were fifteen (15) fair housing complaints filed in Orange County through Community Legal Services of Mid-Florida.

Interviews: Staff has conducted interviews with neighborhood organizations, housing professionals and service providers to identify barriers to fair housing choice in our community.

Literature Review: Staff reviewed current literature and demographic information pertinent to housing market trends, including current census data, home mortgage data, HUD research reports, newspaper articles and housing industry journals.

Analysis and Review of Current Housing Trends: This type of review provided important insight related to current issues in our society and how they may impact the fair housing environment. These trends include issues such as foreclosures, unemployment, availability of housing financing, and budget cuts to affordable housing programs.

III. Jurisdictional Data, Housing Market Profile and Special Populations

City of Orlando's Jurisdictional Data

Orlando is among Florida's major cities and is a center for digital media and bio medicine. The City has the 9th busiest airport in the United States. Forbes.com reported in 2009 that Orlando was voted the number one most visited city in the United States and is the ninth most popular city in the foreign travel market.

The "Town of Orlando" was incorporated on July 31, 1875 with an area of 4 square miles. Orlando incorporated as a city in 1885. Today, the City of Orlando, as a result of numerous annexations, has an area of over 100 square miles and is located entirely within Orange County. The City is 110.2 square miles and covers a total of 70,528 acres. With its central location in the region and the State, Orlando is easily accessible from Interstate 4, the Florida Turnpike, East/West Expressway and the Beach line highway.

The U.S. Census estimates the population of the City of Orlando to be 235,860 as of July 2009. The City's projected population for 2010 is 267,050, of which 61% are Caucasian, 26.9% are African American, 2.7% Asian and 17.5% are Hispanic. The Metro Orlando area has over 2 million residents (as of 2006) and is the 4th largest metropolis in the Southeast United States. The median family income for the City of Orlando is based on the median income for the Metropolitan Statistical Area (MSA) which includes Orange, Osceola, Lake and Seminole counties which is estimated at \$57,400 in 2011. The U.S. Department of Commerce and Bureau of Economic Analyst reports the Orlando MSA has a per capita income of \$35,279.

State of Florida Workforce Innovation reports a 28% increase in population between April 1, 2000 and April 1, 2010. According to the latest census figures, nearly 750,000 Puerto Ricans now live in Florida — and the largest concentration is in Orlando, where Puerto Ricans have become the fastest-growing population. Orlando also has a large and growing West Indian and Jamaican population.

The Center for Independent Living in Central Florida, Inc., the area's largest service provider to persons with disabilities, reports there are 27,868 residents

with disabilities in the City of Orlando aged 18-64. The City's senior population is estimated to be 21,084 or 11.3% of the population. Approximately 5.7% of Orlando's population is gay, lesbian, bisexual or transgender and ranks 9th in the nation amongst the top 50 most populated cities.

Historically, the unemployment rate in Greater Orlando was low, which resulted in growth that led to urban sprawl in the surrounding area and, in combination with the United States housing bubble, to a large increase in home prices. Metro Orlando's unemployment rate in June 2010 was 11.1 percent, was 11.4 percent in April 2010, and was about 10 percent in about the same time of year in 2009. Housing prices in Greater Orlando went up 34% in one year, from an average of \$182,000 in August 2004 to \$245,000 in August 2005, and eventually to a record \$255,000 in February 2007. From there, with the economic meltdown, prices plummeted, with the average bottoming out at \$94,950 in January 2011.

Orlando is the largest municipality and the seat of Orange County's government operations. Both the City of Orlando and Orange County are part of the Orlando-Kissimmee Metropolitan Statistical Area (MSA) which is comprised by Lake, Orange, Osceola and Seminole counties.

Orange County's Jurisdictional Data

Orange County is the core of the Central Florida region, midway between the City of Jacksonville and Miami. Its geographic territory covers about 1,000 square miles and contains 13 municipalities.

Orange County is a charter county with its own constitution. Local governance is by a Mayor elected by the community at large and an elected board of commissioners, each assigned to one of six geographic districts. Before the approval by voters of a 2004 charter amendment, the position of Mayor was called "Orange County Chairman", which became an elected position in 1990. The current Mayor of Orange County is Teresa Jacobs.

Many of the world's most popular theme parks are located here, including Universal Studios, Walt Disney World and Sea World. The University of Central Florida is now considered the nation's second largest university and there many other higher education institutions in the Orlando MSA.

The county has consistently ranked as one of the fastest growing areas in Florida. Orange County's population growth is greatly attributed to the number of retirees and immigrants that are still moving into the area. Consequently, Orange County is now the fifth most populous county in Florida with 6.1% of Florida's total population. Despite the population growth, Florida is no longer considered the low cost destination for businesses and migrants. Higher cost of living has also led to an out-migration in recent years, as the population leaves the state in search of other lower living options¹.

According to the 2010 U.S. Census, Orange County's population is estimated at 1,145,956 residents. This number represents a 27.8% growth in one decade. There are approximately 1,268 persons per square mile, compared to 350.8 persons per square mile in the State of Florida. It is expected that Orange County will reach 1.3 million people by 2015.

The population in Orange County is very diverse. The 2010 Census revealed an increase in ethnic populations, predominantly among African-Americans and Hispanics. The Hispanic or Latino population in Orange County had the highest percentage of growth and is now estimated to be 308,244 or 26.9% of the county's population. The African American population is now the second largest in the county with 21% of the population. About 14.4 % of the population is foreign born, with 6.6 % arrived between 1990 and 2000. Twenty-five percent speak a language other than English.

The senior household population (households that are headed by a person age 65 or older) in Orange County is 65,691 households or 15.8%. Of these households, almost 80% own their homes.

Table 1 shows the latest population trends in Orange County, based on 2009 Census data estimates²:

¹ Florida & Metro Forecast, Institute for Economic Competitiveness, Florida Summary, March, 2009.

² Orange County, Florida 2009 Population Estimates retrieved from <http://quickfacts.census.gov>

Table 1: Population by Race and Ethnicity in Orange County

Race and Ethnicity	Percent of Population
White	71.7
White Persons Non-Hispanic	48.9
African-American	20.9
American Indian/Alaska Native	0.5
Asian	4.7
Native Hawaiian/Pacific Islander	0.2
Hispanic Ethnicity	25.7%
Other Race	6.0

Source: 2009 American Communities Survey, U.S. Census

Demographic and housing unit estimates based on Census Bureau's statistical data reported a total of 487,839 households in Orange County in 2010. This figure represents a 45% increase in a decade. According to Census definitions, a household includes all of the people who occupy a housing unit. The average household size is 2.7 people. Most of the households (46%) are married-couple families and 25% were people living alone. Most of the other households were composed of people with no family or legal relationship related to the householder³.

The rate of geographic mobility seems moderate: 79% of the people living in Orange County were living in the same residence one year earlier; 13% moved during the past year from another residence, 4% moved from another county in the State of Florida; 3% from another state; and 1% from abroad.

Income & Poverty

In 2010, the median income in the Orlando MSA was \$ 60,900; in 2011 the median income decreased to \$57,400⁴. About 14% of the population is below the poverty level and 19% of children 0-17 years of age are living below poverty.

The current economic recession has been particularly hard for families residing in the Orlando MSA. The cost of living has increased in the midst of one of the

³ 2009 American Community Survey, U.S. Census

⁴ FY 2011 Income Limits Documentation. Retrieved on June 5, 2011 from <http://www.huduser.gov>

worst economic recessions. For example, Orlando Utilities Commission raised the electric rate 13.7% and Progress Energy has raised its rates by at least 25%.

Statistics provided by the U.S. Department of Housing and Urban Development (HUD) indicate that the Orlando MSA's household income had a modest decrease from \$60,900 in 2010 to \$57,400 in 2011. Personal bankruptcy filing rates in Orange County are higher (6.78) than in the State of Florida (4.97). Orange County now ranks 5th for bankruptcy filing rates in the State of Florida.

Households living in poverty are having even more difficulty paying rent or moving toward homeownership in this economic scenario. They often rely on rent subsidies or public assistance, and funds for these types of programs are in very short supply. Many heads of households hold multiple jobs or live in substandard housing.

The unemployment rate in Orange County is falling to some of the lowest levels in two years. As of April 2011, the Orlando MSA jobless rate dipped to 9.9%, the first time it slides below double digits since May 2009⁵. According to the Orlando Sentinel (May 2011), job growth in the metro Orlando area is being propelled by the leisure and hospitality industry. These are employment industries that are traditionally characterized by part time, seasonal work and low paying wages.

Programs like the Homeless Prevention and Rapid Re-housing (HPRP) funded through stimulus funds provided a short term solution to the economic crisis, especially households who were at risk of homelessness due to unemployment or lost wages. Approximately 400 households received emergency assistance or short term rental subsidies to avoid eviction.

Despite the small economic recovery indicators, the homeless population in Orange County continues to grow as workers from local and surrounding jurisdictions continue to lose their jobs and homes. According to the Homeless Services Network, there are more than 4,000 homeless persons in Orange, Osceola, and Seminole Counties on any given night, with less than 2,500

⁵ *Good news: Orlando's jobless rate below 10%*. The Orlando Sentinel, May 21, 2011.

available beds⁶. Veterans and families continue to be the fastest growing segment of the homeless population in the region. Veterans are about 1/3 of the homeless population.

The lowest income census tracts in Orange County are located within the jurisdiction of the City of Orlando and surrounding areas (Parramore and Orange Blossom Trail) with median incomes ranging from \$13,000 - \$22,000. The census tracts with the highest poverty rates in Orange County (including the City of Orlando) are CT 104, 105, 106 (Parramore/City of Orlando); CT 114 (Orange Blossom Trail) CT 117.02 (Lake Mann); CT 165.06 (East Orange), and CT 176 (Apopka area). Local governments have encouraged fair and equal housing opportunities and a strong commitment to the economic development of low income areas through capital improvements and the production of affordable housing through private sector and nonprofit partnerships.

Employment

Employment in Orange County is expected to show very slow growth. In the past two years, unemployment rates have fluctuated between 10% and 11.5% in Central Florida Region. The local economy is moving towards diversification, but still relies heavily on jobs in the service sector of the tourism industry.

The housing industry slump has been a huge factor for the job losses in the region. Most of the jobs created during the last decade were linked to the local housing industry. Local nonprofit organizations have stepped in during this economic crisis to assist the unemployed with financial assistance as well as job training and placement. New collaborations are promoting job creation and retention in innovative ways. For example, to help local businesses the Chamber of Commerce for Persons with Disabilities, Inc. has teamed up with the Center for Independent Living, Inc. to create a locally focused initiative to assist persons with disabilities grow their business opportunities or get their own businesses off the ground⁷. Other nonprofit organizations such as Lighthouse, Urban League and Primrose are offering job training and placement for low income and disabled persons.

⁶ Homeless Services Network, Retrieved on May, 2001 from <http://www.hsnfl.org/homeward-bound>

⁷ *Enabling Opportunity*, The Orlando Sentinel, June 12, 2009.

The industry with the highest rate of employees continues to be the leisure and hospitality industry, which accounts for 22% of all jobs in the Orlando MSA. The second largest segment of employment is Professional and Business Services with 18.2%, followed by trade, transportation and utilities (17.5%), education and health (11.2%), and government (10.3%)⁸. Table 2 shows the major employers in Orlando area.

Table 2: Top Area Employers

Employer	Business	Number of Employees
Walt Disney World	Entertainment	59,500
Orange County Public Schools	Education	24,063
Florida Hospital	Healthcare	16,002
Universal Orlando	Entertainment	13,000
Orlando Regional Medical System	Healthcare	10,000
University of Central Florida	Education	8,946
Lockheed Martin Corp.	Manufacturing	7,200

Source: Office of Economic and Demographic Research, Florida Legislature, March, 2011

⁸ Office of Economic and Demographic Research, Florida Legislature, March, 2011.

Housing Market Profile

Demographic and housing unit estimates based on Census Bureau's statistical data reported a total of 487,839 households in Orange County in 2010. This figure represents a 45% increase in a decade. According to Census definitions, a household includes all of the people who occupy a housing unit. The average household size is 2.6 people. Most of the households (46%) are married-couple families and 25% were people living alone. Most of the other households were composed of people with no family or legal relationship related to the householder⁹.

The rate of geographic mobility seems moderate: 79% of the people living in Orange County were living in the same residence one year earlier; 13% moved during the past year from another residence, 4% moved from another county in the State of Florida; 3% from another state; and 1% from abroad.

A recent real estate forecast ranks Orlando as the nation's worst housing market by the end of 2011¹⁰. What once was the hottest housing market in the nation, has become one of the biggest economic challenges to local governments. Five years ago, construction of both single-family homes and multifamily housing set a record pace; now is almost nonexistent. Data provided by the Orange County Clerk's Office shows 31,308 foreclosure filings in 2009 and 17,921 in 2010. Vacant homes in the Orlando MSA have jumped from 58,303 to 143,867 during a decade when the housing stock grew by 78 percent. As a result, the number of vacant homes in the Orlando MSA jumped by more than 80,000 in the past decade, according to census figures.¹¹

This housing crisis is relevant to fair housing issues because increased activity in other areas of the housing market (foreclosures, short sales and rental housing) means increased opportunities for housing discrimination and fraudulent credit scams. Therefore, fair housing education and outreach activities are more important than ever.

⁹ 2009 American Community Survey, U.S. Census

¹⁰ *Forecast: Orlando worst housing market in U.S.*, Orlando Sentinel, May 9, 2011

¹¹ Shanklin, Mary and Maines, John. *Vacancies mount in foreclosure-racked areas*, Orlando Sentinel, March 28, 2011.

Housing for Sale

Both the new single family construction and resale housing markets in the Orlando MSA, are experiencing drastic changes. In fact, the Orlando MSA shifted from being the number one real estate market in the nation to becoming one of the top markets in foreclosed homes. The “for sale” housing market has become a foreclosure driven market.

The inventory of foreclosures remains a problem in terms of housing prices. Banks have become top “sellers” of homes. The price pressure is defining the “for sale” housing market through 2011. According to real estate experts, older well-established neighborhoods may experience a slight recovery in the next 18 months while subdivisions that were built in the prime of the housing market frenzy (2005-2006) will take longer to stabilize. In May 2011, the Orlando Regional Realtor® Association (ORRA) reported that homebuyers have been gradually chipping away at Orlando’s once-towering inventory and have reduced it down to 11,480 homes available for purchase. That’s an inventory level not seen since the end of the red-hot housing market in 2005. As of May, 2011, the inventory levels of all home types were on the decrease, with condo inventory leading the slide at 53.65 percent, lower than it was in April 2010.

Area real estate reports reflect home types and differentiate a median price for “normal” homes (homes other than short sales or foreclosures), short sales and foreclosed home sales. The following table provides an inventory comparison of all homes available for purchase in 2011 and 2010.

Table 3: Inventory of Housing for Sale

Type of Home Available for Purchase	Available for Purchase in April 2010	Available for Purchase in April 2011	% Change
Total	15,766	11,480	(-)27.19
Single family	11,738	9,382	(-)20.07
Condo	2,764	1,281	(-)53.65
Duplex/Townhome/Villa	1,264	817	(-)35.36

Source: Housing Market Statistics retrieved on May 31, 2011 from <http://www.orlrealtor.com/>

Recent market statistics from the Orlando Real Estate Realtor Association show sales in the Orlando area as of April of 2011 were down by 9.68 percent compared to April of 2010. To date, sales in 2011 are 1.82 percent above sales in 2010.

Orlando's median price has experienced slight gains in the past three months, with area homes selling for a median of \$105,000. However, the median price is 8.70 percent lower than April 2010's median price of \$115,000. The lower median price of foreclosures and short sales which comprised 65.49 percent of all sales in April actually represents a 5 percent drop from last month. Nevertheless, foreclosures and short sales continue to drag down the overall median price. The median price for bank-owned sales in April, 2011 was \$80,000 and the median price for short sales was \$91,000. The median price for "normal" existing homes sold in April, 2011 was \$160,000.

In addition to a 6% month-over-month increase in the median price of "normal" sales, the number of Orlando's normal sales increased by 8.14 percent to 824 in April from 762 in March, 2011. Homes of all types spent an average of 104 days on the market before coming under contract in April 2011. The average home sold for 94% of its listing price. In April 2010 those numbers were 81 days and 95.81 percent, respectively.

According to local real estate agents, many of the home buyers are investors and international buyers looking to benefit from the excess bank owned and short sale inventory. In February, 2011, 58% of the sales were cash transactions and the majority of the homes being sold are priced under \$50,000. These conditions in the Orlando housing market are highly favorable to investors.¹²

Housing for Rent

While bargains in the single family housing and condo market get the home sales moving, foreclosures have also contributed to stabilize the rental market.

¹² *Home Prices Churn Lower*, The Orlando Sentinel, February 15, 2011.

Overbuilding in recent years has caused an abundance of multi-family housing. Nevertheless, the rental market has benefitted from the foreclosure crisis by homeowners transitioning into rental housing. The Orlando MSA rents have remained stable despite the current housing market crisis. Furthermore, information collected for this report showed that the more frequent issues related to discriminatory actions pertain to refusal to rent, or in the terms and conditions of rental housing.

The following table shows the 2011 Fair Market Rents for Orange County for all Bedroom Sizes:

Table:4: FY 2011 Fair Market Rents

Final FY 2011 Fair Market Rents (FMRs) By Unit Bedrooms					
	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
FY 2011 FMR	\$795	\$865	\$988	\$1,237	\$1,456

Source: Dept. of HUD. Retrieved on June 5, 2011 from <http://www.huduser.org>

With an increasing demand for rental housing, multifamily housing complexes may not be aggressively recruiting new tenants with rent discounts and other incentives. However, as the economic recession continues to affect the housing market, some leasing offices and landlords may be less inclined to discriminate on the basis of race, color, sex, national origin, religion, disability or family status.

Housing Affordability

According to the Orlando Regional Realtors Association, the Orlando MSA market affordability definition is defined by an affordability index. The affordability index of 99 percent means that buyers earning the state-reported median income are 1 percent short of the income necessary to purchase a median-priced home. Conversely, an affordability index that is over 100 means that median-income earners make more than is necessary to qualify for a median-priced home. The Orlando affordability index is high, 251.18 percent as of April, 2011.

However, first-time homebuyer affordability in April, 2011 decreased to 178.61% from the previous month's 183.51 percent, which can be attributed in part to the rise in median price. First-time buyers who earn the reported median income of \$36,499 can qualify to purchase one of the 5,843 homes in Orange and Seminole counties currently listed in the local multiple listing services for \$159,413 or less. The area's average interest rate decreased slightly in April 2011 to 4.89 percent, from the 4.91 percent posted in March 2011.

These conditions seem favorable for homeownership and housing affordability. However, since most of the homes (over 50%) sold in the Orlando MSA are investor borrowers or cash transactions, we may conclude that traditional working families continue to have problems accessing affordable homes due to economic uncertainty, a tight credit (financing) market, a buyer's credit issues or a real estate market that favors cash transactions versus traditional financing.

Minorities and disabled populations have traditionally been the most affected by housing affordability issues. Despite progress made in the last decade, statistics show that minority borrowing is declining nationwide. The Urban Institute analysis of Home Mortgage Disclosure Act (HMDA) data shows that since 2008 the gains made in minority homeownership have disappeared and the minority share of borrowers has sunk back to early 2000 levels. Latinos (or Hispanics) have seen the largest decline in homeownerships, falling from a high of 18 percent of all borrowers in 2006 to only 10 percent in 2008¹³.

As Central Florida continues to deal with the housing market crisis caused by unprecedented foreclosure rates, regulators are proposing rules under the Dodd-Frank Wall Street Reform and Consumer Protection Act that will disqualify many potential homebuyers from purchasing a home. Under the proposed rule, borrowers who cannot afford a 20% down payment and who are unable to obtain financing through a government backed loan such as FHA, will be expected to

¹³ Pettit, Kathryn L.S., and Rueben K. *Investor-Owners in the Boom and Bust*. Metrotrends. Urban Institute. Retrieved on October 26, 2010 from www.metrotrends.org

pay a premium for a loan in the private market. Currently, an average first time homebuyer finances about 96% of a mortgage. If the legislation passes, the wait for homeownership will be much longer for low to moderate income families.

Homeownership is vital to the wealth and stability of a community. Both the City of Orlando and Orange County offer programs to assist first time homebuyers. As the jurisdictions continue to offer homeownership opportunities for low to moderate income persons, it is important to be well informed on the current housing market issues and understand how changes in the financing industry will affect fair housing choice.

The effects of the decline of construction and real estate “spill over” to other sectors of the economy have caused unemployment rates in the Orlando area to rise. Data shows that many households in the Orlando MSA struggle to pay for their housing costs. According to HUD "Cost-burdened" households are households that pay more than 30% of income for rent or mortgage costs. In 2009, 126,457 Orange County households (30%) pay more than 30% of income for housing. By comparison, 29% of households statewide are cost-burdened. An estimated 51,302 households in Orange County (12%) pay more than 50% of income for housing.

The increase in households that are cost burden is mainly attributable to shrinking incomes. Table 5 shows the estimated number of cost burden households in Orange County.

	Percentage of Income Paid for Housing		
	0-30%	30-50%	50% or more
Total Households	290,298	75,155	51,302
<i>Sources: Retrieved on June 6, 2011 from http://flhousingdata.shimberg.ufl.edu/a/profiles</i>			

For the purpose of determining income eligibility for federally funded programs, the majority of HUD programs categorize low income households as: Extremely

low income, Very Low Income and Low Income. HUD plans to release new income data in 2012.

Extremely low-income households or families are defined as, earning between 0-30 percent of the median income for the area (AMI) with adjustments for smaller and larger families. Based on 2009 U.S. Census population data, an estimated 38,445 families meet the definition of extremely low income. Persons likely to be in this category include homeless families, disabled persons, the elderly and households that are severely cost burdened. There are 28,304 extremely low income households who are cost burden or paying more than 30% of their income toward housing costs. At 30% of the AMI, the maximum affordable housing cost is \$431.

Very low-income households or families are defined as, earning between 31-50 percent of the AMI, with adjustments for family size. According to 2009 US census data estimates, a total of 42,959 households in Orange County are defined as very low income. Traditionally, persons in this category include female head of households, persons working in tourism-based service sector jobs, and households that are severely cost burdened. There are an estimated 33,226 very low income households who are cost burden or paying more than 30% of their income toward housing costs. At 50% of the AMI, the maximum affordable housing cost is \$718 per month.

Low-income households or families are defined as earning between 51-80 percent of the median income for the area, with adjustments for family size. Approximately 75,547 households in Orange County are classified as low income according to 2009 census data projections. There are an estimated 26,759 low income households who are cost burden or paying more than 30% of their income toward housing costs. At 80% of the AMI, the maximum affordable housing cost is \$1,148 per month.

In Orange County, the Fair Market Rent (FMR) for a two-bedroom apartment is \$988. In order to afford this level of rent and utilities, without paying more than 30% of income on housing, a household must earn \$3,293 monthly or \$39,520 annually. Assuming a 40-hour work week, 52 weeks per year, and this level of income translates into a Housing Wage of \$19.00. In Orange County, a minimum

wage worker earns an hourly wage of \$7.25. In order to afford the FMR for a two-bedroom apartment, a minimum wage earner must work 105 hours per week, 52 weeks per year. Or, a household must include 2.6 minimum wage earner(s) working 40 hours per week year-round in order to make the two-bedroom FMR housing unit affordable.

In Orange County, the estimated mean (average) wage for a renter is \$13.70 an hour. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 55 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 1.4 worker(s) earning the mean renter wage in order to make the two-bedroom FMR affordable.

A monthly Supplemental Security Income (SSI) payment for an individual in Orange County is \$674 per month. If SSI represents an individual's sole source of income, such as is the case for many persons with disabilities, \$202 is the monthly rent affordable for this individual while the FMR for a one-bedroom in Orange County is \$865. This example shows the huge affordability gap that exists for low income persons, especially those who are at 50% or less of the AMI.

Areas of Minority and Low Income Concentration

The latest census figures show notable growth in minority population trends. Minorities are extended geographically throughout Orange County. The black population is now the second largest minority group at 21% of the total population, despite a significant growth in the past decade. The Hispanic population is now the largest minority population in Orange County (including the City of Orlando) with 27% of the total population.

All types of households have been affected by the housing market crisis. Unfortunately, many of the areas with high minority concentration were target areas for predatory lending during the housing market peak. Many minority households were persuaded to sell or refinance their homes with subprime loans. As a result, most of these areas have encountered serious foreclosure issues as well. According to the Federal Financial Institutions Examination Council (2010)

report, the areas identified on Table 6 are areas with the lowest income levels and high minority concentrations in Orange County and the City of Orlando.

Table 6: Areas of Minority and Low Income Concentration

Census Tract	Percent Minority Pop %	2010 Median Tract Income	Percent Below Poverty %
175.01	55.9	40,803	26.6
176.0	81.3	29,902	37.1
159.01	75.0	38,343	27.7
132	53.7	45,267	12.8
116	74.4	45,785	18.9
119.01	92.4	20,895	52.1
117.02	99.1	32,843	39.6
145.01	59.2	40,145	22.3
145.02	79.2	32,283	24.6
146.05	99.5	48,154	17.8
121	72.8	33,592	25.7
115	77.4	34,226	31.5
150.01	51.6	41,911	21.9

Continuation Table 6: Areas of Minority and Low Income Concentration

Census Tract	Percent Minority Pop (%)	2010 Median Tract Income	Percent Below Poverty (%)
152.02	48.8	42,807	24.1
165.06	35.9	44,469	40.1
165.08	34.2	46,558	20.5
169.05	83.0	34,421	22.8

Source: 2010 FFIEC Census Report Summary

Table 6b: Areas of Minority and Low Income Concentration in the City of Orlando

Census Tract	Percent Minority Pop (%)	2010 Median Tract Income	Percent Below Poverty (%)
114.0	35.2	13,045	32.6
104	98.1	16,467	60.0
105	98.8	20,152	52.5
106	83.2	22,198	45.2
146.01	93.7	31,102	31.4

Source: 2010 FFIEC Census Report Summary

Special Populations

This section addresses the barriers to fair housing choice that special populations may encounter in the Orlando MSA.

- **Elders:** The senior household population (households that are headed by a person age 65 or older) in Orange County is 65,691 households or 15.8%. Of these households, almost 80% own their homes. Elder households often spend a significant amount of their limited income for housing. Although the federal guidelines suggest that 30 percent of income be spent on housing for renters and 40 percent for homeowners, housing costs consume a high percentage of income earned by Florida's elder homeowners and tenants. When combined with the fact that elders are being asked to spend more out-of pocket to cover their health and in-home care cost, it is clear that elders are left with limited resources to meet other needs. According to the Florida Housing Data Clearinghouse of the Shimberg Center for Housing Studies at the University of Florida, there are 19,928 elder households in Orange County who are cost burdened, paying more than 30% of income for housing (rent or mortgage costs).

Affordable rental housing also is in short supply for low-income elder households in Orange County. Elders have a difficult time finding rental housing to suit their incomes and needs, which include mobility and accessibility, support services such as meals and transportation, and the placement of housing close to services and community functions. Providing community-based affordable housing allows elders to live independently and be integrated with the community.

Subsidized assisted living units for low-income seniors remain at full occupancy due to the high demand for these units. A study by conducted the Seniors Alliance found that the HUD-sponsored elderly units have satisfied about 27 percent (27%) of the potential demand for elderly renter households earning 30 percent or less of the area median income (\$12,250 or less for 1 person) in Orange County, leaving 73 percent (73%) of the potential demand unmet. There is virtually no supply of independent

elderly units that would be affordable to elderly tenants earning 31 to 50 percent of the area median income (\$12,250 to \$20,450).

Housing instability is even a more serious challenge for minority senior households. *Living Longer on Less* (2010), a report published by The Institute on Assets and Social Policy at The Heller School for Social Policy and Management at Brandeis University states that 91% of both African American and Latino seniors face financial vulnerability. Furthermore, 44% of African American and 37% of Latino senior households are at risk with respect to home-equity, meaning that they rent or have no home equity.

- **Persons with Physical and Developmental Disabilities:** Housing affordability and accessibility is a significant problem for persons with disabilities. Focus groups held with representatives from the disabled community stressed the need for affordable and accessible housing. There is an estimated 57,000 residents with disabilities in Orange County and 23% live below poverty level. The Center for Independent Living, a local nonprofit organization service people with disabilities, reports that the unemployment rate among people with disabilities is 15.4%, higher than for people with no disabilities. Physical barriers such as narrow doorways, lack of ramps, high counter heights and appliance design limit the supply of housing available to this group. Local fair housing advocacy groups report an increase in fair housing complaints dealing with housing accommodations.
- **Victims of Domestic Violence:** According local nonprofit organizations and statistics from the Center for Disease Control, there is an epidemic of domestic violence in the Central Florida Region. The first half of 2010 showed that 40% of all homicides in Orange County were a result of domestic violence. This represents an 80% increase over those in 2009. One in every four homicides in the City of Orlando was the result of

domestic violence; these crimes claimed the lives of 10 men, women and children. Survivors of domestic violence can access local shelters but due to safety issues, these locations are kept confidential. After spending time at these shelters, a few survivors may be able to move into the transitional housing located on-site. However, there are very limited transitional facilities and there are few options for homeless women and children. They face many obstacles in the search for housing. According to a recent study done at the request of the Department of Children and Families, the Institute for family Violence Studies at Florida State University reports that finding safe, affordable housing is the number one concern of women in domestic violence shelters throughout the state.

Community Legal Services of Mid-Florida, Inc. provided the following information regarding same-gender domestic and sexual violence and the lack of awareness and services that exists. According to a 2009 report from the National Coalition of Anti-Violence Programs (NCAVP), the national rate of domestic and sexual violence in same-gender relationships is roughly the same as domestic and sexual violence against women (25% to 33%). Those involved in same-gender battering frequently report being afraid of revealing their sexual orientation or the nature of their relationship because the system is often oppressive and hostile towards them. Lesbian, Gay, Bisexual or Transgender (LGBT) victims of domestic or sexual violence need significant and comprehensive domestic violence services, including shelter. However, often the services do not exist or LGBT victims are not aware of them.

- **Sexual Orientation**

Since 2006, both Orange County and the City of Orlando have Fair Housing laws which include discrimination based on a person's sexual orientation. On June 10, 2010, the U.S. Department of Housing and Urban Development (HUD) began requiring grant applicants seeking HUD funding to comply with state and/or local anti-discrimination laws that protect lesbian, gay, bi-sexual, and transgender (LGBT) individuals.

The City of Orlando's Fair Housing Ordinance: Article V. Discrimination in Housing and Public Accommodations, Section 57.36, it states: "(1) (b) To secure individuals within the City of Orlando the freedom from discrimination because of race, color, religion, national origin, sex, sexual orientation, familial status, or handicap in connection with housing and public accommodations, and thereby promote the interests, rights and privileges of individuals within the City."

Furthermore, the ordinance states: "The term sexual orientation means a condition of being heterosexual, homosexual or bisexual. This definition is not intended to permit any practice prohibited by federal, state or local law and is not intended to require or create any special preferences in employment or contracting". Within the Orange County Fair Housing Ordinance: Division 1, Sec. 22-50 states "The general purpose of this article is to promote through fair, orderly, and lawful procedure the opportunity for each individual so desiring to obtain housing of such individual's choice in Orange County without regard to race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation, and, to that end, to prohibit discrimination in housing by any person."

Furthermore, the ordinance states: Sec. 22-52: "Discrimination in the sale or rental of housing and prohibited practices. (a) It shall be unlawful to refuse to sell or rent after the making of a bona fide offer, to refuse to negotiate for the sale or rental of, or otherwise to make unavailable or deny a dwelling to any individual because of age, race, religion, national origin, disability, marital status, familial status, sex, or sexual orientation. (b) It shall be unlawful to discriminate against any individual in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of age, race, color, religion, national origin disability, marital status, familial status, sex, or sexual orientation."

Federal Executive Order 12259, followed by Executive Order 12892, provides that federal agencies shall require applicants or participants of federal agency program requirements relating to housing and urban

development to affirmatively further fair housing. On July 7, 2010 HUD issued a press release under HUD No. 10-119 from HUD Secretary Shaun Donovan stating “that for the first time in its history, the U.S. Department of Housing and Urban Development (HUD) will require grant applicants seeking HUD funding to comply with state and local anti-discrimination laws that protect lesbian, gay, bi-sexual, and transgender (LGBT) individuals.”

- **Persons with HIV/AIDS:** Over a million Americans are now HIV positive. The State of Florida ranks second in the nation in the number of annual AIDS cases in 2006 (4,932 cases) and third in the number of cumulative AIDS cases from 1981-2006 (105,614 cumulative cases). Florida also ranks second in the nation in the number of cumulative pediatric AIDS cases (1,530 cumulative cases). Data from the Florida Department of Health indicates that by the end of 2007, Orange County had the fourth highest number of cumulative AIDS cases in the State of Florida (6,619 cumulative cases). The following are *Quick Facts*¹⁴ about the Orlando Eligible Metropolitan Statistical Area (EMSA) which includes Orange, Osceola, Lake and Seminole counties:
 - Total number of reported cases in 2009 in the EMSA was 8,812.
 - The City’s HOPWA program assisted 1,268 households with financial assistance in 2009.
 - The Ryan White Part A - Ambulatory Outpatient Care served 2690 persons with HIV.
 - The 2007 American Community Survey estimates that 49.2 percent of the Orlando EMA’s residents are at or below 300 percent of the 2007 Federal Poverty Level (FPL).¹⁶
 - Nearly 18.7 percent of all adults in the Orlando EMA do not have insurance of any kind.

Public funding available to support Persons Living with AIDS/HIV (PLWA/H’s) is distributed among three grant programs, including Housing Opportunities for Persons with AIDS (HOPWA). The City of Orlando is the

¹⁴ Source: CHARTS

grant recipient for the Orlando Eligible Metropolitan Statistical Area (EMSA) which covers the counties of Orange, Osceola, Lake and Seminole. HOPWA funds are distributed to not-for-profit agencies throughout the EMSA and are selected through an RFA process. These agencies provide direct assistance to low income households, where the head of household is a PLWH/A, and who are at risk of homelessness. Services provided are emergency financial assistance with rent, mortgage, utilities, case management, permanent housing placement and facility based housing.

Through the Ryan White Treatment Extension Act a broad range of services such as medical care, case management, pharmaceuticals, mental health, and other supportive services are financed. In 2009, Congress passed the Ryan White HIV/AIDS Treatment Extension Act. This bill extends the Ryan White Care Act for an additional four years. Ryan White Part A funds are awarded directly to communities in which greater than 2% of the population consists of persons living with HIV/AIDS. Intended for emergency relief, Part A consists of about \$9 million in federal aid of which about seventy-five percent (75%) is allocated to direct care health and supportive services within the Orlando EMSA. Another \$1.5 million is allocated for ancillary services from the State of Florida under Ryan White Part B and Florida general revenue to what is referred to as the East Central Florida AIDS Network (ECFAN) Consortium. ECFAN consists of Orange, Osceola, Seminole and Brevard counties. Part A and Part B funds are used for improving the quality, availability and organization of health care and support services for persons infected/affected by HIV/AIDS.

Other groups

- **Large families** – Large families are also a group that has traditionally been identified as a group with housing affordability challenges. Large families are defined as families with five or more family members living together. Approximately 49.5% of Orange County's households are families with children. These families often experience difficulty in finding

suitable living arrangements since less than fifteen percent of the of the County's total rental units are three bedrooms or more.

Affordable Housing Programs

Local governments have encouraged fair and equal housing opportunities through generous amount of program resources. These programs have been directed to encourage the stability of low income neighborhoods, development of affordable housing and assistance to first time homebuyers. Programs have included:

- *Impact Fee Subsidy Program.* Orange County was the first jurisdiction in Central Florida to develop and implement an *Impact Fee Subsidy Program* to encourage developers to build affordable housing within its boundaries. Subsidies are available on impact fees, sewer capital charges, and water capacity demand charges to developers and builders of affordable housing. The City of Orlando also offers Impact Fee discounts for sewer charges and waives the charges for transportation impact fees for the construction of affordable housing units.
- *Expedited Regulatory Review.* Both Orange County and the City of Orlando have set up an expedited process for regulatory review of affordable housing development proposals. The process may reduce by 60 or more days the combined length of development review time required by the various divisions involved, such as Board of Zoning Adjustments (BZA), Planning and Zoning and the Development Review Committee (DRC). Development applications that are certified as affordable housing are entitled to review in the expedited manner.
- *Multi-Family Housing.* Both the City of Orlando and Orange County utilize federal and state programs, such as HOME, SHIP and NSP, for the acquisition and/or renovation of existing multi-family rental developments serving low-income households. Funding is utilized for site acquisition, site development, infrastructure improvements and renovations. All assisted

developments must commit to lower rents for a period of twenty (20) or more years.

Homeownership Programs

- *Neighborhood Stabilization Program (NSP)*: The Neighborhood Stabilization Program or NSP was created by the Housing and Economic Recovery Act of 2008 to respond to rising residential foreclosures and property abandonment. The main purpose of the NSP is to stabilize neighborhoods negatively impacted by foreclosures.

The program goal is to have a positive impact on neighborhoods hardest hit by foreclosures. In Orange County, five geographical areas were selected to participate in the NSP- 1 program for home purchase and mortgage assistance: Pine Hills, Azalea Park, Union Park, Holden Heights/Oak Ridge and Meadow Woods. Another allocation of NSP funds, referred to as NSP- 3, targets the neighborhood of Pine Hills.

Homebuyers can choose one of the following options to purchase foreclosed homes under NSP:

- Buy foreclosed homes that have been purchased by the County and completely renovated. These homes are equipped with Energy Star appliances. NSP homebuyer assistance for downpayment and closing cost will be available based on eligibility.
- Purchase foreclosed homes in NSP areas with your realtor and qualify for NSP homebuyer assistance.

Orange County will use NSP funds to acquire, renovate, and sell of foreclosed homes at affordable prices to eligible families. For complete information on Orange County's Neighborhood Stabilization Program to include applications, eligibility requirements, target areas, and homes for sale, please go to our NSP web site: <http://netapps.ocfl.net/nsp/>

The City of Orlando's NSP-1 program is for home purchase. It is implemented in three geographic areas; southwest Orlando, Rosemont and East Orlando. The City's NSP-3 program will target the East Orlando neighborhood. The City partnered with three not for profit organizations. All three of the organizations acquired homes, rehabilitated them, and

rented the units to very low income households. One of the three organizations, along with the City, acquired, rehabilitated and sold homes. For additional information about the City of Orlando's NSP program, please visit www.cityoforlando.net.

- *Down Payment Assistance Programs.* Low to moderate income families have benefited from local down payment assistance programs in the City of Orlando and Orange County. These programs provide \$10,000 to \$17,500 in down-payment and closing cost funds, depending on the funding source and household income. Down payment programs require participating homebuyers to attend homebuyer education classes where they learn about homeownership issues, including those related to housing discrimination. The City of Orlando added a Chapter to its Land Development Code in the 1990s that provides guidelines for Infill development.

Housing Development

- *Infill Programs.* Both the City of Orlando and Orange County offer infill housing programs. This effort includes collaborations with other government entities, nonprofit organizations, developers and private institutions to revitalize distressed neighborhoods. Community development strategies have included infill development for affordable housing. In 2007, Orange County prepared an Infill Master Plan (IMP). The IMP focuses attention and provides guidelines for infill, redevelopment, and rehabilitation. It illustrates the County's goals of increasing home ownership, promoting good building and urban design, and preserving the environment by protecting rural and environmentally sensitive lands, implementing smart growth approaches, sustainable development, green building and other measures that are gaining popularity and wider acceptance. The IMP articulates the County's strategy for infill and redevelopment.

- *New Urbanism Housing:* Both the City of Orlando and Orange County have developed urban planning approaches to promote housing and neighborhood sustainability. One of these planning approaches is New Urbanism, urban design movement that has the goal of reforming all aspects of urban planning through the development of compact, mixed-use neighborhoods. There are some common elements of new urbanism design. New urbanism neighborhoods are walkable and are designed to contain a diverse range of housing and jobs and have transportation hubs. New urbanism can take a variety of approaches, one method of which is urban infill. Urban infill is the practice of developing vacant or underutilized properties within an urban area rather than undeveloped land in more rural areas. Infill helps to prevent sprawl and can aid in economic revitalization. Infill projects are inherently challenging, because they must be based on the existing context, the needs of a community and market demands. Recent approaches to new urbanism infill offer alternative solutions to the challenge of growing smart. The purpose of this analysis is to study infill New Urbanism projects that may serve as models for Orange County and the City of Orlando in achieving smart growth goals. One of many approaches New Urbanism can take is urban infill, which is the practice of developing vacant or underutilized properties within an urban area rather than undeveloped land in more rural areas.

Housing Rehabilitation for Low Income Residents

- *Housing Rehabilitation.* To help residents stay in homes they already own, City and County housing rehabilitation programs offer minor repairs, emergency repairs or major rehabilitation services for qualified homeowners. The property must be deteriorating or have minor or major code violations. In addition, Orange County operates a weatherization program funded by the State of Florida to help reduce high utility costs for low-income families. Qualified homes are inspected and low cost repairs are made to ensure energy efficiency. These repairs include weather-

stripping, caulking, replacing windows, doors, heating/cooling units and other minor repairs. These services are available to residents who meet income guidelines and eligibility requirements regardless of their race, color, national origin, religion, sex, familial status, and disability.

IV. Overview of Fair Housing Laws, Agencies and Resources

Fair Housing Related Laws

Residents of the City of Orlando and Orange County are protected against discriminatory housing practices under federal, state and local laws. Fair housing is defined by HUD in 24 CFR 570.904 ©(1) to mean the ability of persons of similar income levels to have the same housing choices regardless of race, color, religion, sex, handicap, familial status or national origin. Fair housing laws cover equal opportunity in housing and mortgage lending. One of the purposes of the Analysis to fair housing impediments is to assess the programs throughout the local jurisdiction. The following fair housing laws and programs are available to residents of the City of Orlando and Orange County:

Federal Law

Title VIII of the Civil Rights Act of 1968, the Fair Housing Act, and the Fair Housing Amendments Act of 1988 (42 U.S. Code §§ 3601-3619, 3631), are federal fair housing laws that prohibit acts of discrimination in all aspects of housing, such as the sale, rental, lease or negotiation for real property. The Fair Housing Act prohibits discrimination based on race, color, religion, sex, familial status, or national origin. In 1988, the Fair Housing Act was amended to extend protection to familial status and people with disabilities (mental or physical). Based on the federal Fair Housing Act, it is unlawful to:

- Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.
- Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status, or national origin.
- Make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a

dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.

- Represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
- For profit, induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin.

The Fair Housing Amendments Act also requires owners of housing facilities to make “reasonable accommodations” in their rules, policies, and operations to give people with disabilities equal housing opportunities. The Fair Housing Act also requires landlords to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces, at the tenant’s own expense. Finally, the Act requires that new multi-family housing with four or more units be designed and built to allow access for persons with disabilities. This requirement includes, but is not limited to having accessible common use areas, units with wide doors for wheelchair accessibility, kitchens and bathrooms that allow a person using a wheelchair to maneuver, and other adaptable features within the units.

Since its adoption in 1968, the U.S. Department of Housing and Urban Development (HUD) has been the lead administrator of the Fair Housing Act. Based on information obtained in February 18, 2011 on website (<http://www.hud.gov/offices/fheo/progdesc/title8.cfm>), the 1988 amendments have greatly increased the Department's enforcement role. First, the newly protected classes have proven significant sources of new complaints. Second, HUD's expanded enforcement role took the Department beyond investigation and conciliation into the mandatory enforcement area. Complaints filed with HUD are investigated by the Office of Fair Housing and Equal Opportunity (FHEO). If the complaint is not successfully conciliated, the FHEO determines whether reasonable cause exists to believe that a discriminatory housing practice has

occurred. If reasonable cause is found, the parties to the complaint are notified by HUD's issuance of a Determination, as well as a Charge of Discrimination, and a hearing is scheduled before a HUD administrative law judge (ALJ). Either party – the complainant or the respondent -- may cause the HUD-scheduled administrative proceeding to be terminated by electing instead to have the matter litigated in Federal court. Whenever a party has so elected, the Department of Justice takes over HUD's role as counsel seeking resolution of the charge on behalf of aggrieved persons, and the matter proceeds as a civil action. According to the information posted on the HUD's webpage, either form of action -- the ALJ proceeding or the civil action in Federal district court -- is subject to review in the U. S. Court of Appeals.

HUD requires all applicants for competitive grant funding to comply with all applicable federal fair housing and civil rights requirements including those expressed in Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; and Title II of the Americans with Disabilities Act. As of June 7, 2010, HUD stipulates that applicants and their sub-recipients must comply with state or local laws proscribing housing discrimination based on sexual orientation or gender identity. It is estimated there are approximately 20 states and the District of Columbia that have laws prohibiting discrimination based on sexual orientation discrimination. In addition, 12 states and the District of Columbia prohibit discrimination based on gender identity.

State of Florida

The State of Florida Department of Fair Employment and Housing (DFEH), enforces laws that provide protection and monetary relief to victims of unlawful housing practices. The Florida Fair Housing Act declares it illegal to discriminate in the sale, rental, advertising, financing, or providing of brokerage services for housing. The Fair Housing Act parallels the Federal Fair Housing Act.

It is against the law to do any of the following based on race, sex, disability, nationality, religion, color or familial status:

- Refuse to rent or sell housing
- Falsely deny that housing is available for inspection, rental or sale
- Refuse to make a mortgage loan
- Impose different conditions or terms on a loan

- Threaten, coerce or intimidate any individual exercising a fair housing right
- Refuse reasonable changes to your dwelling to accommodate a disability

Chapter 760 addresses housing and employment discrimination based on race, color, religion, familial status, sex, handicap, national origin, and marital status. Section 760.20 through 760.37 covers fair housing. Section 760.23 addresses “discrimination in the sale or rental of housing and other prohibited practices”; Section 760.24 covers “discrimination in the provision of brokerage services”, Section 760.25 addresses discrimination in the financing of housing or in residential real estate transactions” and Section 760.29 covers exemptions to Sections 760.23 through 760.25.

As the State of Florida fair housing office, the Commission acts as an agency “substantially equivalent” to the US Department of Housing and Urban Development. It conducts investigations of alleged housing discrimination because of race, color, religion, sex, handicap, familiar status or national origin in the sale, rental or advertising of dwellings, in the provision of brokerage services, or in the availability or residential real-estate-related transactions. The investigators also provide technical assistance and guidance to parties involved in the complaints, their legal representatives and the general public. Conciliation attempts continue throughout the investigative process. Persons desiring to file a complaint of discrimination, or requiring information on existing complaints, a 24 hour toll-free voice message service is offered. The Commission’s telephone number is 1-(800) 342-8170. Additional information can be found at the State of Florida’s web page:

http://fchr.state.fl.us/resources/the_laws/florida_fair_housing_laws .

Local Ordinances

City of Orlando

The City of Orlando’s Code of Ordinances, Title II, Chapter 57, Article V, Discrimination on Housing and Public Accommodations defines discrimination in housing and public accommodations. As stated in the Code, the general purposes of this article are:

- To provide for execution within the City of Orlando the policies embodied in Title VIII of the Federal Civil Rights Act of 1968, as amended in January 15, 1991; and,
- To secure for all individuals within the City of Orlando the freedom from discrimination because of race, color, religion, national origin, sex, sexual orientation, familial status or handicap in connection with housing and public accommodations and thereby to promote the interests, rights and privileges of individuals within the city.

Under this chapter--Discrimination in Housing and Public Accommodations, Sections 57.36 to Sections 57.79 in the City Code, the Housing Chapter V covers a broad area of issues including publication and sales discrimination, entry into neighborhood, handicap, residential real estate related transactions, brokerage services, as well as interference, coercion or intimidation. This section also deals with how complaints will be handled as it concerns investigation, judicial review, conciliation, and relief.

It is important to note that the City of Orlando has met HUD's requirements for certification as "substantially equivalent" which means that the fair housing law it administers through the Office of Community Affairs - Human Relations. provides rights, procedures, remedies and judicial review "substantially equivalent" to the Fair Housing Act. The Office is focused on getting the specific certifications necessary to effectively address the City's housing discrimination needs. For more information about the City of Orlando's Fair Housing Ordinance, please refer to Appendix B.

***Orange County Housing and Community Development Division
Fair Housing Ordinance***

The Orange County Fair Housing Ordinance protects citizens from discrimination in the sale or rental of housing by prohibiting discrimination on the basis of race, color, national origin, religion, sex, sexual orientation, disability and familial status. An additional protected class, sexual orientation, was added in 2006. A 2010 amendment to the Fair Housing Ordinance outlines the updated process for filing a fair housing complaint.

A person that feels that he/she has been discriminated against may take corrective action by filing a complaint or pursuing the case in court. A housing discrimination case must show that a member of a protected class was discriminated against, while trying to obtain or maintain a dwelling that is covered under the law (four (4) or more units per property). Within the time limitations, a person may file a complaint for a discriminatory act such as denial of reasonable accommodations or modifications, denial of a unit for sale or rent, harassment, disparate treatment in the terms, conditions or policies of housing, etc.

Those who encounter housing discrimination in Orange County may file a discriminatory complaint with the local court or may pursue the complaint through the following channels:

1. Community Legal Services of Mid Florida
2. Florida Commission on Human Relations in Tallahassee; or
3. If the complaint is within the Orlando city limits, the complainant can obtain help from the City of Orlando Office of Human Relations.

For more information about Orange County's Fair Housing Ordinance, please refer to Appendix C.

Fair Housing Agencies

The United States Department of Housing and Urban Development (HUD)

has the mission to promote non-discrimination and ensure fair and equal housing opportunities for all. In an ongoing effort to provide services and activities on a nondiscriminatory manner and to affirmatively further fair housing, HUD is charged by law to implement and enforce a wide array of civil rights laws, not only for members of the public in search of fair housing, but for HUD funded grant recipients as well. HUD is also charged with ensuring the successful operation of specific enforcement of housing programs. The array of laws, executive orders, regulations, etc. are collectively known as civil rights requirements and called "Civil Rights Related Program Requirements (CRRPRs)."

HUD-funded grant recipients are obligated under various laws not to discriminate in housing or services directly or indirectly on the basis of race, color, religion, sex, national origin, age, familial status, or disability. HUD rules further require that recipients of Federal financial assistance comply with civil rights-related program requirements (CRRPRs) that affect nearly every aspect of each program. HUD's non-discrimination requirements are compiled from several different federal laws designed to protect each individual's right to fair housing and equal opportunity.

A strong commitment to affirmatively further fair housing is not only one of the Department of HUD's guiding principles; it is a requirement for participating in HUD's many housing and community development programs. The Fair Housing Act specifies that the Secretary of Housing and Urban Development shall administer programs and activities relating to housing and urban development in a manner that affirmatively furthers the policies outlined in **section 808 (e) 5**. For more information, please visit:

(http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh)

Community Legal Services of Mid-Florida (CLSMF) is a HUD funded non-profit organization offering services related to fair housing, landlord/tenant issues, foreclosures, housing code violations, repair contracts, public housing, Section 8 and affordable housing. CLSMF's HUD funded Fair Housing Project promotes equal opportunity in housing for all persons through education, investigation, and enforcement. Services are available free to any person who experiences discrimination in Citrus, Flagler, Hernando, Lake, Marion, Orange, Putnam or Sumter Counties, regardless of income. Educational presentations are available to employees, churches, temples, synagogues or community groups. The organization can supply pamphlets for distribution. Brochures are available in English, Spanish and Vietnamese. For more information, brochures or to schedule an appointment with a fair housing professional call: (352) 629-0105 x2909.

Fair Housing Continuum is a HUD funded nonprofit agency, located in Brevard County and which carries out fair housing education and testing in Central

Florida (Brevard, Indian River, Orange, Seminole, Osceola and Volusia Counties). The Continuum focuses on a variety of fair housing issues, including those concerning persons with disabilities and immigrant populations. The Continuum provides fair housing enforcement and conducts education and outreach.

The organization also recruits and trains testers, as well as completes systemic and/or complaint-based tests. As significant force in fair housing awareness, it conducts annual Fair Housing Month activities and carries out media campaigns. One of its significant activities is to test new construction for regulatory compliance and accessibility. The agency is located at 840 N. Cocoa Blvd., Suite F, Cocoa, Florida, 32922. The phone number is (321)-633-4551.

Due to the current housing crisis, there is an atmosphere of vulnerability that could lead to fair housing abuses and discrimination practices. Government fair housing programs are marginally funded to address all of the housing issues that could be impediments to fair housing choice. Unfortunately, the private sector is not responsible for protecting vulnerable populations such as the elderly or disabled, from falling into unfair and discriminatory housing practices. More collaboration among agencies that provide various levels of housing services is needed to ensure fair housing choices in our community.

The City of Orlando Office of Community Affairs Human Relations

Almost two years ago, the City of Orlando realigned the Human Relations Office, positioning the Office of Community Affairs and changing its name to the Office of Community Affairs- Human Relations. On November 22, 2010, a Housing Discrimination Investigator was hired to conduct education and outreach as well as enforce federal, state and local fair housing laws. The City of Orlando operates a full service substantially equivalent Fair Housing Assistance Program (FHAP) in partnership with the U.S. Department of HUD. The Office of Community Affairs- Human Relations is a contractual agent of both the US Equal Employment Opportunity Commission (EEOC) and the US Department of HUD. In this dual role, it is responsible for the investigation and resolution of discrimination charges in public accommodations, employment and housing. More specifically, as an agent of HUD, the office is responsible for carrying out

the federal Fair Housing mandates as well as the requirements under Article V of the City of Orlando's Municipal Code. The Office of Community Affairs Human Relations is located at City Hall, 400 S. Orange Avenue, Orlando, FL (32801). The phone number is (407) 246-2122.

Overall, the focus group felt that education of fair housing protections was needed in all legally protected communities and to all housing providers. Ongoing outreach efforts to inform and educate are necessary.

V. Consultation to Identify Impediments to Fair Housing Choice

The City of Orlando and Orange County held a Fair Housing Focus Group to gather information for the 2011-2016 Consolidated Plan and the Analysis of Impediments to Fair Housing. The meeting was held on Thursday, April 28, 2011 at the Carver Park Neighborhood Network Center, 1190 Conley Street, Orlando, FL (across from the Jackson Center) from 10 am to 11:30am.

The representative from the City of Orlando Housing Authority and the Community Development Department welcomed the group and requested attendees to introduce themselves and state the name of the agency they were representing. An overview the meeting agenda was provided. The representative from the Orange County Housing and Community Development Division explained the timeline, methodology and the process to identify barriers to be included in the Analysis of Impediments to Fair Housing.

Three of the area's fair housing advocacy groups, whose task is to enforce Fair Housing regulations, were asked to give the group an overview of their agency and of the actions their agency has, is and will be implementing.

The first presenter was Community Legal Services of Mid-Florida, Inc. Community Legal Services of Mid-Florida Inc. (CLSMF) implements a HUD Fair Housing Project that promotes equal opportunity in housing for all persons through education, investigation, and enforcement. CLSMF assists persons who feel that their rights have been violated while renting, financing or purchasing homeowners insurance. Services are available free to any person who experiences discrimination in Citrus, Flagler, Hernando, Lake, Marion, Orange, Putnam or Sumter Counties, regardless of income. CLSMF also provides educational presentations to employees, churches, temples, synagogues or other community groups. CLSMF provides written material on Fair Housing such as pamphlets for distribution among clients, patients, employees, students, members of business or organizations. The brochures are available in English, Spanish and Vietnamese. CLSMF has a working collaboration with Orange County to provide fair housing information and process fair housing inquiries.

CLSMF reported that they were fifteen cases investigated. Of those, five alleged racial discrimination and ten were alleged discrimination based on disability status. All complaints were from rent subsidized apartment complexes. CLSMF provides a “testing” training program where persons are trained to pose as buyers or renters. They are also working on a new grant to look at lending practices, mortgage rescue scams and fair lending. CLSMF stated that banks are making false impressions of having a presence in particular neighborhoods to take advantage of residents. The most recent issues presented were discrimination due to mental health issues, such as parents with autistic children, etc.

The second presenter was The Fair Housing Continuum, Inc., a private non-profit fair housing agency dedicated entirely to the elimination of housing discrimination in Florida, serving Brevard, Indian River, Seminole, Osceola, Orange and Volusia Counties. The agency mission is: Ensure Equal Housing Opportunity and eliminate discrimination in Florida. The agency also provides the following services:

1. Training to comply with the requirements of federal programs to “Affirmatively Further Fair Housing.”
2. Assess business practices to ensure compliance with federal, state, and local fair housing laws.
3. Analyze and develop strategies to overcome fair housing impediments.
4. Process and assist in fair housing complaint resolution.
5. Enforce fair housing laws.

The Fair Housing Continuum was contracted by the City of Orlando to conduct a testing in 2009 and 2010. The results are included as “Exhibit D” in this document.

The Continuum reports that there is a large rise in discrimination reports against those with disabilities. Requests for reasonable accommodations such as wheelchair ramps, fire alarms for the hearing impaired and bus pick up within certain areas are being denied.

The third presenter was the City of Orlando's Office of Community Affairs - Human Relations. The mission of Office of Community Affairs - Human Relations. is to promote equality of opportunity for the citizens of Orlando by advocating policies of nondiscrimination and administering City and Federal laws that prohibit discrimination in employment, housing and public accommodation.

The City of Orlando Office of Community Affairs - Human Relations. is an agent of both the Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD), and is responsible for investigating and resolving complaints of discrimination. As per agreements with EEOC and HUD, the OHR is also responsible for conducting education and outreach activities for the public, designed to increase citizen awareness of their rights and the remedies available to them under existing discrimination laws. Additionally, the OHR conducts training workshops/seminars for employers, housing providers, and individuals involved in the business of providing/allowing access to places of public accommodation.

The City of Orlando Office of Community Affairs - Human Relations. shared the activities the City had provided during April, Fair Housing Month. The City held a Fair Housing seminar on foreclosures and predatory lending and a Fair Housing seminar specifically on persons with disabilities.

The 2011 Fair Housing Focus Group is the result of an effort made by the City of Orlando, Orange County and the City of Orlando Housing Authority to offer a set of practical recommendations to address fair housing impediments in the Orlando region. After the presentations, the representative from Orange County opened the floor for a group discussion.

Group Discussion

The group was asked to discuss barriers, policies, current and projected research and strategies that agencies had planned regarding implementation of fair housing programs and initiatives.

The first topic of discussion was a definition of affordable housing. What is affordable housing?

Housing is commonly defined as affordable if a low- or moderate-income family can afford to buy or rent a standard dwelling unit without spending more than thirty percent (30%) percent of its income on rent or mortgage. Affordable housing can be divided into two categories: moderate income, or workforce housing, and housing for extremely low-income individuals who typically include the elderly and individuals with disabilities.

Agencies representing the disabled stated that most disabled persons receive Supplemental Security Income (SSI) which is currently just under \$700 per month and has not been raised to reflect cost of living increases in 2 years. The agencies agreed that a monthly rent of \$450 or \$500 w/ utilities would be affordable to their clients. Those persons would have a housing cost burden of more than 50% of their annual income.

SSI is a Federal income supplement program funded by general tax revenues (not Social Security taxes) and is designed to help aged, blind, and disabled people, who have little or no income and are otherwise ineligible for Social Security Disability Benefits; and provides cash to meet basic needs for food, clothing, and shelter.

Barriers and Impediments to Fair Housing Choice Identified by the Focus Group

The Focus Group identified the following barriers and impediments to fair housing choice in the Orlando MSA:

1. Lack of affordable housing
2. Lack of affordable housing close to jobs

3. Lack of affordable housing to the disabled and seniors on a fixed income
4. Affordable Housing is concentrated in certain neighborhoods.
5. Demolition and vacant properties that had once been affordable housing are being turned into unaffordable housing.
6. Bank restrictions vary depending on the neighborhood they are servicing.
7. Apartment complex management companies do not inform the applicant what would prevent them from being accepted before the application and application fee. Applicants must be informed of the criminal and credit background limits and levels (how long, what types of crimes) the management company will accept before the application. Households who lost their homes to foreclosure should not have that credit issue held against them in trying to rent new housing.
8. Households who lost their homes to foreclosure have credit that prevents them from renting new housing.
9. State regulation regarding drug testing of all those who receive public assistance don't take into account those with mental health and pain management issues.
10. State regulation regarding drug testing of all those who receive public assistance must pay for the test and if the report is negative, they will be refunded. This will make it very difficult for those who are already on a low, fixed income.
11. Predatory lending is still a major problem in certain neighborhoods.
12. It has been reported that certain landlords charge a higher rate for their housing voucher program (Section 8) apartments than for their regular apartments.
13. The number of persons in the household (not married or related by blood) exceeds the zoning limits.
14. High utility rates and legislation repeatedly allowing 30 to 40% increases, makes housing unaffordable to low income persons, especially those on low fixed incomes.
15. Households that utilize a septic system must have a limit on the number of persons in the home otherwise health hazards become an issue.

16. Conversion fees to hook up to sewer system are expensive and thus, out of reach for those in lower income neighborhoods.
17. Lack of education regarding who are the protected classes against housing discrimination.
18. Lack of education regarding how to go about filing a discrimination claim.
19. Most undocumented persons will not report housing discrimination out of fear of deportation.
20. There is no housing discrimination protection for seniors.
21. Pending federal legislation in lending practices will cause undue burden on new homebuyers. A proposed minimum of 20% for down payment and no 60 day late payments within the past two years, medical bills included.
22. Not enough is being done to address the lack of education about Fair Housing laws that adversely affect fair housing and encourage discrimination.
23. No education is provided in other local languages such as Creole or Vietnamese.
24. Most of the LGBT community is not aware of protections under local fair housing laws and ordinances.
25. Safe housing is unavailable to victims of same-gender domestic or sexual violence.

Corrective Actions and Recommendations

Focus Group participants were encouraged to provide a list of possible actions or recommendations to overcome barriers to fair housing choice. It should be noted however, that while these recommendations or actions will be considered, local governments do not have all the resources or jurisdictional authority to implement all of the recommended actions. The Focus Group provided the following Corrective Actions or Recommendations:

1. Preserve affordable housing by monitoring zoning and land use regulations.

2. Increase density of residential development to have working families close to jobs (This was a recommendation from the Orange County's Affordable Housing Task Force Report, as well as the City's Task Force).
3. Efforts must be taken to ensure that housing units that were previously affordable remain affordable.
4. ADA accessible affordable housing must be made available to low income disabled persons by expanding availability of Shelter+Care and Housing Choice/Section 8 vouchers and creating a set aside of public housing units specifically for this .
5. Ensure that affordable housing is available throughout the jurisdiction not concentrated in low income areas. Foster mixed use projects throughout the jurisdictions.
6. Banking practices of enforcing stricter regulations in different areas should be monitored for inconsistencies.
7. To address the lack of affordable housing, ensure NSP and other HUD funds maintain property for low income households.
8. Address the issue of application fees. Management companies must tell the applicant what would prevent them from being accepted before the application and application fee is paid. Applicants should be informed of the criminal and credit background limits and levels (how long, what types of crimes) the management company will accept before the application is submitted. Households who lost their homes to foreclosure should not have that credit issues held against them in trying to rent new housing.
9. Similar to how Workforce provides bonds to companies that hire ex-offenders, initiate a regulation on affordable housing where the City or the County provides bonds to apartment property managers that provide affordable housing to those with minimum risk.
10. A new State regulation requires all those receiving public assistance be drug tested. The applicant must pay for the drug test and are to be reimbursed if it the test is negative. Concern was raised regarding seniors and the disabled on certain medications that could be registered as opiates, etc. and the applicant would be disqualified from benefits. Prescribed medication must be taken into consideration to ensure fair housing options are available. The cost burden is also the applicant's and reimbursement has not been clarified.

11. Educate consumers and enforce regulations against predatory lending through neighborhood outreach and public media campaigns.
12. Investigate why some landlords charge a higher rate for section 8 tenants. (The admissions director for the Orlando Housing Authority will provide insight during the public comment period).
13. Clarify occupancy requirements. What is the maximum number of persons allowed to live in one unit, one bedroom, etc? Current limits cause issue for large extended families where everyone may not be related by blood or marriage. Current statute refers to "related" persons. Must clearly define what that means and how it affects larger households.
14. The Orange County Health department recommended investigation of the domicile's septic system before allowing large families to live in the housing. Larger families on a septic system create a health hazard. The County Health department can investigate and make recommendations before allowing a family to put themselves at risk.
15. Establish regulations to addresses expensive conversion fees to hook up housing to the sewer system. CDBG and SHIP funds can assist low and moderate income households but there is a limited amount of resources.
16. Fair housing outreach has mostly been enforced regarding race, disability and familial status. Since 2006, both Orange County and the City of Orlando have Fair Housing laws which include discrimination based on a person's sexual orientation. Outreach must be provided to all those communities that are unaware of the laws that protect them.
17. Pending state legislation similar to the Arizona immigration law could affect the undocumented and housing. Undocumented are more likely to not report discrimination for fear of deportation.
18. Neither the local nor federal ordinances address discrimination against senior citizens.
19. Pending federal legislation in lending practices will cause undo burden on new homebuyers. A required minimum of 20% for down payment, no 60 day late payments within the past two years, medical bills included.
20. Address the lack of education regarding laws such as the above that will adversely affect fair housing and encourage discrimination. City and County must utilize public access TV in addition to flyers, newspaper public announcements and online newspaper public announcements in English, Spanish, Haitian and Vietnamese to educate those communities.

21. Encourage local governments to include age as a protected class from discrimination.
22. High utility rates and legislation repeatedly allowing 30 to 40% increases have made maintaining housing utilities unaffordable to low income persons on low fixed incomes. Local governments should advocate to limit these increases.
23. Hold an Annual Fair Housing meeting to update progress on addressing impediments to be hosted by City of Orlando and Orange County.

VI. Maintenance of Records

In accordance with 24 CFR 570.490 and 570.506(g), as applicable, all Community Development Block Grant (CDBG) grantees should establish a record-keeping system for their Fair Housing activities. This includes copies of the local fair housing ordinance; the full history and development of the Analysis of Impediments to Fair Housing; options available for overcoming impediments; local businesses, agencies and community groups involved in the process; planned actions and those taken, issues that arose when the actions were planned and conducted; and any other information about the community's fair housing process.

In the City of Orlando, the Office of Community Affairs-Human Relations (OCA-HR) is a U.S. Department of Housing and Urban Development (HUD) Fair Housing Assistance Program (FHAP) agency. This requires that all fair housing discrimination cases are dual filed with HUD. The OCA-HR maintains all fair housing discrimination records in the OCA-HR office, until such time they no longer need to be retained. The retention period is mandated by HUD, and, the State of Florida, as found in GS1-SL FOR STATE AND LOCAL GOVERNMENT AGENCIES.

HUD's requirement for case file retention is a minimum of six years, more than the five years minimum required by state statute. Therefore, since federal statutes trump state statutes, all fair housing records, whether or not they are general in nature, received from Complainant or Respondent, are all retained for a minimum of six years after the case closure date. These records may include questionnaires, affidavits, notarized witness statements, position statements, respondent personnel records, employee handbooks, etc.

State statute requires that case files relative to fair housing cases that are litigated by the City Attorney's office are retained for the same period, i.e., a minimum of five years from the date the case is closed or the appeal process has expired, provided applicable audits have been released. To comply with HUD's requirement, this information is retained for a minimum of six years.

Orange County works with various organizations receiving fair housing grants for the investigation of complaints or enforcement of fair housing laws. There are

various agencies that receive funding directly from HUD as Fair Housing Assistance Agencies (FHAP) or Fair Housing Initiative Program (FHIP) agencies. FHAP grants are given to public entities on non-competitive bases. FHIPs may be government, private or nonprofit organizations receiving fair housing funds on a competitive basis. Orange County is not a FHAP or FHIP agency. Other types of fair housing grants include the Private Enforcement Initiative Grant (PEI) and the Education and Outreach Initiative Grant (EOI).

Depending on the type of complaint, Orange County refers alleged victims of housing discrimination to one of the eligible fair housing entities in the Orlando MSA:

- City of Orlando Office of Community Affairs - Human Relations (FHAP agency)
- Community Legal Services of Mid-Florida (EOI agency)
- Fair Housing Continuum, Inc. (PEI agency)

Orange County maintains records of all the developments of its Analysis of Impediments to Fair Housing Choice including but not limited to meetings, public notices, research and consultations. A Housing Specialist handles all fair housing inquiries and referrals, and requests annual reports from collaborating agencies.

VII. Impediments and Plan of Action

The sole measure of success for a Fair Housing Plan is the achievement of results. The proposed Plan of Action has a set of goals. These goals are designed to achieve the specific actions to address fair housing problems in a time cycle that is consistent with the jurisdictions Consolidated Planning cycle for federal housing and community development entitlement grants.

At present, the City of Orlando Office of Community Affairs - Human Relations is the only FHIP agency in the Orlando MSA. The Office of Community Affairs - Human Relations is pursuing two (2) major impediments to fair housing: Improving the agency's reporting timeliness and addressing the lack of public awareness and education concerning fair housing rights. To address these two major impediments, in addition to impediments identified by the jurisdictions, four (4) goals were developed in the Plan of Action.

- Goal 1: Promote collaborations with local governments, fair housing agencies, advocacy groups and the housing industry to eliminate barriers to fair housing choice
- Goal 2: Stay abreast of recent decisions in court cases, complaints and other issues pertaining to fair housing laws
- Goal 3: Increase public awareness and education concerning fair housing rights
- Goal 4: Provide training and technical assistance to advocacy groups, housing providers and others in the housing industry

Furthermore, as part of the Analysis of Impediments to Fair Housing Choice, jurisdictions are required to review fair housing impediments and actions to overcome impediments, as well as report actions to affirmatively further fair housing, on an annual basis. This annual review is part of the Consolidated Annual Performance Evaluation Report (CAPER), which is submitted to the Department of HUD on December 31 each year.

Table 7 summarizes actions that are directly related to the recommendations contained in the Analysis of Impediments to Fair Housing Choice, based on the information gathered through research, current market data, housing news articles, input from fair housing agencies, contributions provided by the Focus Group participants, and actions developed by the City of Orlando and Orange County staff.

Table 7: Impediments, Recommended Actions and Time Period for Completion

Goal 1: Promote collaborations with local governments, fair housing agencies, advocacy groups and the housing industry to eliminate barriers to fair housing choice.			
Recommended Action	Type of Impediment	Responsible Party	Time Period for Completion
Comply with HUD's requirement to close cases within 100 days thereby eliminating case reactivation and maximizing revenue to the City of Orlando.	Improving reporting timeliness	City of Orlando FHIP agency	Year 1-5
Initiate working collaboration with the City of Orlando's FHAP agency, Orange County and local fair housing agencies that informally create roles for the provision of testing, public education, professional training, and investigation of complaints, resolutions and data exchange.	Lack of centralized system for intake of fair housing complaints	Local governments, Local fair housing and FHIP agencies	Year 1-2
Continue efforts among local fair housing agencies to conduct paired fair housing testing in the local housing industry for both rental and sales transactions.	Lack of testing for discriminatory actions	Local fair housing agencies	Year 1- 5
Streamline fair housing intake process and formalize the reporting, information sharing and record keeping elements among local governments, fair housing and FHIP agencies.	Lack of centralized system for intake of fair housing complaints	Local fair housing and FHIP agencies	Year 1-2

Continuation Table 7: Impediments, Recommended Actions and Time Period for Completion

Goal 2: Monitor court cases, complaints and current trends pertaining to fair housing laws.			
Recommended Action	Type of Impediment	Responsible Party	Time Period for Completion
Increase coordination and collaboration among the legal community, real estate groups, and community groups to raise awareness of fair housing laws and housing discrimination.	Limited collaboration among Fair Housing groups	Local fair housing agencies, Local governments, Advocacy Groups, Housing Industry Partners	Year 1-5
Conduct an annual fair housing roundtable	Limited collaboration among Fair Housing groups	Local fair housing agencies, Local governments, Advocacy Groups, Housing Industry Partners	Year 1-5
Improve communication and collaboration among local government divisions and departments to address barriers to fair housing choice.	Lack of communication within government to address fair housing choice issues	Local governments	Year 2-5

Continuation Table 7: Impediments, Recommended Actions and Time Period for Completion

Goal 3: Increase public awareness and education concerning fair housing rights			
Recommended Action	Type of Impediment	Responsible Party	Time Period for Completion
Create a supportive and collaborative atmosphere to deal with the foreclosure and financing crisis to help bring back a solid housing market.	Housing Market crisis, High foreclosure market, Tight credit market, Uncoordinated efforts to address foreclosure crisis	Nonprofit organizations, Advocacy groups	Year 2-5
Design fair housing trainings for advocacy groups, housing industry partners and other community groups.	Lack of understanding about housing discrimination	Local fair housing agencies	Year 1- 5
Reach out to populations that are hard to reach due to cultural, language and social barriers (i.e. non English speakers, minority groups, groups protected under sexual orientation)	Lack of understanding about housing discrimination	Local fair housing agencies	Year 1- 5
Design fair housing protection awareness efforts specifically targeting hard to reach populations (i.e. groups protected under sexual orientation, non-English speaking, minorities, elderly, persons with disabilities)	Lack of understanding about housing discrimination LGBT community unaware of fair housing protections	Local fair housing agencies	Year 1- 5
Partner with local advocacy entities to disseminate fair housing information.	Lack of understanding about housing discrimination; Persons with disabilities and African Americans LGBT community unaware of fair housing protections	Local governments and advocacy groups Local fair housing agencies	Year 1 - 5

Continuation Table 7: Impediments, Recommended Actions and Time Period for Completion

<p>Enhance educational opportunities to make the community aware of domestic violence issues and how they affect fair housing choice</p>	<p>LGBT community unaware of domestic violence fair housing protections Lack of public awareness and education</p>	<p>Local governments and advocacy groups Local fair housing agencies</p>	<p>Year 1- 5</p>
<p>Promote fair housing month in April to raise awareness about housing discrimination</p>	<p>Lack of public awareness and education</p>	<p>Local fair housing agencies, Local governments, Advocacy Groups, Housing Industry Partners</p>	<p>Year 1-5</p>

Continuation Table 7: Impediments, Recommended Actions and Time Period for Completion

Goal 4: Provide training and technical assistance to advocacy groups, housing providers and others in the housing industry.			
Recommended Action	Type of Impediment	Responsible Party	Time Period for Completion
Continue to support and seek funding for affordable housing programs especially those serving persons with disabilities and persons at risk of homelessness.	Budget cuts, Lack of affordable housing, shortage of accessible housing, Insufficient funding	Local governments	Year 1- 5
Support housing and financial counseling programs to assist households secure decent affordable housing.	Credit issues of potential home-buyers, Tight credit market, Economic crisis, Lack of funding for counseling programs	Local governments, nonprofits and advocacy groups	Year 1-5
Create a supportive and collaborative atmosphere to deal with the foreclosure and financing crisis to help bring back a solid housing market.	Housing Market crisis, High foreclosure market, Tight credit market, Uncoordinated efforts to address foreclosure crisis	Local governments and advocacy groups	Year 2-5
Support housing and financial counseling programs to assist households secure decent affordable housing.	Credit issues of potential home-buyers, Tight credit market, Economic crisis	Local governments, nonprofits and advocacy groups	Year 1-5
Create targeted educational fair housing campaigns to further fair housing education and outreach.	Lack of understanding about housing discrimination	Local governments, nonprofits and advocacy groups	Year 1-5
Provide training on fair housing protections to local domestic violence providers	Lack of understanding about housing discrimination	Local fair housing agencies	Year 1- 5

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IX. Appendixes

APPENDIX A: LAWS THAT PROHIBIT DISCRIMINATION

I. Title VII of the Civil Rights Act (Title VII)

Title VII makes it an illegal practice to discriminate against a person in all aspects of the employment process because of their ***race, color, religion, gender (sex) or national origin***. This applies to employment agencies and labor organizations as well as employers and includes hiring and firing, compensation, assignment or classification, transfers, promotions, layoff and recall, testing, use of company facilities, training and apprenticeship programs, fringe benefits, leave time, and other terms and conditions and privileges of employment. The major exception is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business or enterprise.

II. Title I of the American with Disabilities Act (ADA)

This law makes it illegal to discriminate against a person because of a ***disability, or perceived disability***, in all parts of the employment process. Specifically included as part of the employment process are job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, and other terms, conditions and privileges of employment.

III. Age Discrimination in Employment Act (ADEA)

The ADEA makes it illegal to discriminate against a person because of their ***age, [40 years old or older; Florida Civil Rights Act (FCRA) covers workers of any age]***.

IV. Equal Pay Act (EPA)

The EPA makes it illegal to discriminate against employees on the basis of sex, i.e., male or female, by paying wages to employees at a rate less than the rate at which the opposite sex is paid for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

V. Chapter 57 of the Code of the City of Orlando (Chapter 57)

Chapter 57 makes it illegal to discriminate against an individual because of ***race, color, religion, national origin, sex, age, marital status, disability, familial status or sexual orientation*** (the condition of being heterosexual, homosexual or bisexual) in employment, the sale or rental of residential housing, and, public accommodation. (You must note that not all protected classes are covered under each area, i.e., employment, housing, public accommodation).

VI. Title VIII of the Civil Rights Act (Title VIII)

This law is most commonly called the Fair Housing Act, under which it is illegal to discriminate against an individual in the sale or rental of residential housing because of ***race, color, religion, sex, disability, familial status and national origin.***

VII. Florida Civil Rights Act (FCRA) [Enforced by the Florida Commission on Human Relations (FCHR)]

This law prohibits discrimination because of ***race, color, religion, national origin, sex, age, marital status, familial status and disability*** in employment, housing and public accommodations.

Additionally, individuals are protected from **retaliation** under Title VII, ADA, ADEA, EPA, Chapter 57 and the FCRA for (1) having filed a charge of discrimination, (2) having opposed any practice made an unlawful employment practice or (3) having testified, assisted or participated in any manner in an investigation, proceeding or hearing as per the law.

Further, individuals are protected from **retaliation** under Title VIII and Chapter 57, both of which makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by the law.

APPENDIX B:

CITY OF ORLANDO FAIR HOUSING ORDINANCE

ARTICLE V. - DISCRIMINATION IN HOUSING AND PUBLIC ACCOMMODATIONS

Sec. 57.36. - Purposes and Intent.

(1) The general purposes of this Article are:

(a) To provide for execution within the City of Orlando the policies embodied in Title VIII of the Federal Civil Rights Act of 1968, as amended to January 15, 1991.

(b) To secure for all individuals within the City of Orlando the freedom from discrimination because of race, color, religion, national origin, sex, sexual orientation, familial status, or handicap in connection with housing and public accommodations, and thereby to promote the interests, rights and privileges of individuals within the city.

(2) This Article shall be liberally construed to preserve the public safety, health and general welfare and to further the general purposes stated herein.

(3) The enforcement of this Article may be delegated by the City Council of the City of Orlando to the Human Relations Official and at his direction, the [Chapter 57](#) Review Board, as provided in [Section 57.44](#) of this Article.

Sec. 57.37. - Definitions.

(1) *Aggrieved person* includes any person who:

(a) claims to have been injured by a discriminatory housing practice; or

(b) believes that he will be injured by a discriminatory housing practice that is about to occur.

(2) *City* means the City of Orlando, a Florida municipal corporation.

(3) *Complainant* means a person, including the City of Orlando Human Relations Official, who files a complaint under this Article.

(4) *Human Relations Official* means the person given authority by the City Council of the City of Orlando to administer this Article.

(5) *Conciliation* means the attempted resolution of issues raised by a complaint or by the investigation of the complaint, through informal negotiations involving the aggrieved person, the respondent, and the Human Relations Official.

(6) *Conciliation Agreement* means a written agreement setting forth the resolution of the issues in conciliation.

(7) *Discriminatory Housing Practice* means an act prohibited by Sections [57.48](#) through [57.55](#), inclusive of this Article.

(8) *Dwelling* means:

(a) any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residency by one or more families; or

(b) any vacant land that is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure described by paragraph (a) above.

(9) *Family* includes one or more individuals related by blood or marriage, and includes a single individual.

(10) *Handicap or Disability* means a mental or physical impairment that substantially limits at least one major life activity, a record of such an impairment, or being regarded as having such an impairment. The term does not include current, illegal use of or addiction to a controlled substance as defined by 21 U.S.C. § 802. In this Article, a reference to "an individual with a handicap" or to "handicap" does not apply to an individual because of that individual's sexual orientation or because that individual is a transvestite.

(11) *Person* includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under 11 U.S.C. § 101 et seq. (Bankruptcy Code), receivers, and fiduciaries.

(12) *Respondent* means:

(a) the person accused of a violation of this Article; or

(b) any person identified as an additional or substitute respondent under this Article or an agent of an additional or substitute respondent.

(13) *To rent* includes to lease, to sublease, to let, or to otherwise grant for a consideration the right to occupy premises not owned by the occupant.

(14) The term *sexual orientation* means the condition of being heterosexual, homosexual or bisexual. This definition is not intended to permit any practice prohibited

by federal, state or local law and it is not intended to require or create any special preferences in employment or contracting.

Sec. 57.38. - Familial Status.

(1) In this Article, a discriminatory act is committed because of familial status if the act is committed because the aggrieved person is:

(a) pregnant;

(b) domiciled with an individual younger than 18 years of age in regard to whom the person:

(i) is the parent or legal custodian; or

(ii) has the written permission of the parent or legal custodian for domicile with that person;

(c) in the process of obtaining legal custody of an individual younger than 18 years of age; or

(d) is an individual younger than 18 years of age who is domiciled with a person described in (b)(i) or (b)(ii) above.

Sec. 57.39. - Certain Sales and Rentals Exempted.

(1) Subject to subparagraph (2) of this section, Sections [57.48](#), [57.50](#), [57.51](#) and [57.52](#), of this Article do not apply to:

(a) the sale or rental of a single-family house sold or rented by an owner if:

(i) the owner does not:

a. own more than three single-family houses at any one time; and

b. own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to any part of the proceeds from the sale or rental of more than three single-family houses at any one time; and

(ii) the house was sold or rented without:

a. the use in any manner of the sales or rental facilities or services of any real estate broker, agent, or salesman or of such facilities or services of any person in the business of selling or renting dwellings or of an employee or agent of a broker, agent, or salesman, or person; and

b. the making, printing, publication, posting, or mailing of a notice, statement, or advertisement prohibited by [Section 57.49](#) of this Article.

(b) the sale or rental of rooms or units in a dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other if the owner maintains and occupies one of the living quarters as the owner's residence.

(2) The exemption in subparagraph (1)(a) above applies to only one sale or rental in a 24-month period if the owner was not the most recent resident of the house at the time of the sale or rental.

(3) For the purposes of subsection (1)(A) of this section, a person shall be deemed to be in the business of selling or renting dwellings if:

(a) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(b) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(c) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

Sec. 57.40. - Religious Organization and Private Club Exemption.

(1) This Article does not prohibit a religious organization, association, or society, or a nonprofit institution or organization operated, supervised, or controlled by or in connection with a religious organization, association, or society, from:

(a) limiting the sale, rental, or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion; or

(b) giving preference to persons of the same religion, unless membership in the religion is restricted because of race, color, or national origin.

(2) This Article does not prohibit a private club not open to the public that, as an incident to its primary purpose, provides lodging that it owns or operates for other than a commercial purpose from limiting the rental or occupancy of that lodging to its members or from giving preference to its members.

Sec. 57.41. - Housing for Elderly Exempted.

(1) The provisions of this Article relating to "familial status" do not apply to housing intended for, and occupied solely by, persons 62 years of age or older. Housing satisfies the requirements of this section even though:

(a) There were persons residing in such housing on September 13, 1988 who were under 62 years of age, provided that all those who become occupants after September 13, 1988, are persons 62 years of age or older;

(b) There are unoccupied units, provided that all such units are reserved for occupancy by persons 62 years of age or older;

(c) There are units occupied by employees of the housing (and family members residing in the same unit) who are under 62 years of age provided they perform substantial duties directly related to the management or maintenance of the housing.

(2) The provisions regarding "familial status" shall not apply to housing intended and operated for occupancy by at least one person 55 years of age or older per unit, provided that the housing satisfies the requirements specified in subparagraphs (a) or (b) and (c) below:

(a) The housing facility has significant facilities and services specifically designed to meet the physical or social needs of older persons. "Significant facilities and services specifically designed to meet the physical or social needs of older persons" include, but are not limited to, social and recreational programs, continuing education, information and counseling, recreational, homemaker, outside maintenance and referral services, an accessible physical environment, emergency and preventive health care of programs, congregate dining facilities, transportation to facilitate access to social services, and services designed to encourage and assist residents to use the services and facilities available to them (the housing facility need not have all of these features to qualify for the exemption under this subparagraph); or

(b) It is not practicable to provide significant facilities and services designed to meet the physical or social needs of older persons and the housing facility is necessary to provide important housing opportunities for older persons. In order to satisfy this paragraph of this section, the owner or manager of the housing facility must demonstrate through credible and objective evidence that the provision of significant facilities and services designed to meet the physical or social needs of older persons would result in depriving older persons in the relevant geographic area of needed and desired housing. The following factors, among others, are relevant in meeting the requirements of this paragraph of this section:

(i) Whether the owner or manager of the housing facility has endeavored to provide significant facilities and services designed to meet the physical or social needs of older persons either by the owner or by some other entity. Demonstrating that such services and facilities are expensive to provide is not alone sufficient to demonstrate that the provision of such services is not practicable.

(ii) The amount of rent charged, if the dwellings are rented, or the price of the dwellings, if they are offered for sale.

(iii) The income range of the residents of the housing facility.

(iv) The demand for housing for older persons in the relevant geographic area.

(v) The range of housing choices for older persons within the relevant geographic area.

(vi) The availability of other similarly priced housing for older persons in the relevant geographic area. If similarly priced housing for older persons with significant facilities and services is reasonably available in the relevant geographic area, then the housing facility does not meet the requirements of this paragraph of this section.

(vii) The vacancy rate of the housing facility.

(c) At least 80% of the units in the housing facility are occupied by at least one person 55 years of age or older per unit except that a newly constructed housing facility for first occupancy after March 12, 1989 need not comply with this paragraph of this section until 25% of the units in the facility are occupied, and the owner or manager of a housing facility publishes and adheres to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

The following factors, among others, are relevant in determining whether the owner or manager of a housing facility has complied with the requirements of this paragraph of this section:

(i) The manner in which the housing facility is described to prospective residents.

(ii) The nature of any advertising designed to attract prospective residents.

(iii) Age verification procedures.

(iv) Lease provisions.

(v) Written rules and regulations.

(vi) Actual practices of the owner or manager in enforcing relevant lease provisions and relevant rules or regulations.

(d) Housing satisfies the requirements of this section even though:

(i) On September 13, 1988, under 80% of the occupied units in the housing facility were occupied by at least one person 55 years of age or older per unit, provided that at least 80% of the units that are occupied by new occupants after September 13, 1988 are occupied by at least one person 55 years of age or older.

(ii) There are unoccupied units, provided that at least 80% of such units are reserved for occupancy by at least one person 55 years of age or over.

(iii) There are units occupied by employees of the housing (and family members residing in the same unit) who are under 55 years of age provided they perform substantial duties directly related to the management or maintenance of the housing.

Sec. 57.42. - Appraisal Exemption.

This Article does not prohibit a person engaged in the business of furnishing appraisals of real property from taking into consideration factors other than race, color, religion, sex, sexual orientation, handicap, familial status, or national origin.

Sec. 57.43. - Effect on Other Law.

(1) This Article does not affect a reasonable local or state restriction on the maximum number of occupants permitted to occupy a dwelling.

(2) This Article does not affect a requirement of nondiscrimination in any other state or federal law.

Sec. 57.44. - Responsibility for Administration.

The City Council of the City of Orlando designates the Human Relations Official and at his discretion, the [Chapter 57](#) Review Board, as being authorized to administer the provisions of this Article. The Human Relations Official and [Chapter 57](#) Review Board may adopt procedural rules for the implementation of this Article of this chapter, subject to the City Council of the City of Orlando's review and approval.

Sec. 57.45. - Complaints.

The City Council of the City of Orlando, or its designee as provided in [Section 57.44](#), shall receive, investigate, seek to conciliate, and act on complaints alleging violations of this Article.

Sec. 57.46. - Cooperation with Other Entities.

The City Council of the City of Orlando, or its designee under [Section 57.44](#), shall cooperate with and, as appropriate, may provide technical and other assistance to federal, state, local, and other public or private entities that are formulating or operating programs to prevent or eliminate discriminatory housing practices.

Sec. 57.47. - Subpoenas; Discovery. The City Council of the City of Orlando, or its designee under [Section 57.44](#), may issue subpoenas and order discovery as provided by this Chapter in aid of investigations and hearings as required. Such subpoenas and discovery may be ordered to the same extent and subject to the same limitations as subpoenas and discovery in a civil action under the Florida Rules of Civil Procedure.

Sec. 57.48. - Discrimination Prohibited—Sale or Rental.

(1) A person may not refuse to sell or to rent after the making of a bona fide offer, refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, handicap, religion, sex, sexual orientation, familial status, or national origin.

(2) A person may not discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in providing services of facilities in connection with the sale or rental, because of race, color, handicap, religion, sex, sexual orientation, familial status, or national origin.

(3) This section does not prohibit discrimination against a person because the person has been convicted under federal law or the law of any state of the illegal manufacture or distribution of a controlled substance.

Sec. 57.49. - Same—Publication. A person may not make, print, or publish or cause to be made, printed, or published any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, sexual orientation, handicap, familial status, national origin or an intention to make such a preference, limitation, or discrimination.

Sec. 57.50. - Same—Falsely Representing Availability. A person may not represent to any person because of race, color, religion, sex, sexual orientation, handicap, familial status, or national origin that a dwelling is not available for inspection, sale or rental when the dwelling is available for inspection, sale or rent.

Sec. 57.51. - Same—Entry into Neighborhood. A person may not, for profit, induce or attempt to induce a person to sell or rent a dwelling by representations regarding the entry or prospective entry into a neighborhood of a person of a particular race, color, religion, sex, sexual orientation, handicap, familial status or national origin.

Sec. 57.52. - Same—Handicap.

(1) A person may not discriminate in the sale or rental or otherwise make unavailable or deny a dwelling to any buyer or renter because of a handicap of:

(a) that buyer or renter;

(b) a person residing in or intending to reside in that dwelling after it is sold, rented, or made available; or

(c) any person associated with that buyer or renter.

(2) A person may not discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of a handicap of:

(a) That person;

(b) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(c) any person associated with that person.

(3) For purposes of this section only, discrimination includes:

(a) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications may be necessary to afford the person full enjoyment of the premises;

(b) a refusal to make reasonable accommodations in rules, policies, practices, or services, when the accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling; or

(c) in connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct those dwellings in a manner that:

(i) the public use and common use portions of the dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within the dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within the dwellings contain the following features of adaptive design:

a. an accessible route into and through the dwelling;

b. light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

c. reinforcements in bathroom walls to allow later installation of grab bars; and

d. usable kitchens and bathrooms so that an individual in a wheelchair can maneuver about the space; and

(iv) the dwellings have at least one building entrance on an accessible route, unless it is impractical to do so because of the terrain or unusual characteristics of the site.

(4) Compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people, commonly cited as "ANSI A117.1" (1986 Version) suffices to satisfy the requirements of subparagraph (3)(c)(iii) above.

(5) As used in this subsection, the term "covered multifamily dwellings" means:

(a) buildings consisting of four or more units if the buildings have one or more elevators;
and

(b) ground-floor units in other buildings consisting of four or more units.

6) Nothing in this section requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

Sec. 57.53. - Same—Residential Real Estate Related Transaction.

(1) A person whose business includes engaging in residential real estate related transactions may not discriminate against a person in making a real estate related transaction available or in the terms or conditions of a real estate related transaction because of race, color, religion, sex, handicap, familial status, or national origin.

(2) In this section, "residential real estate related transaction" means:

(a) making or purchasing loans or providing other financial assistance:

(i) to purchase, construct, improve, repair, or maintain a dwelling;
or

(ii) secured by residential real estate; or

(b) selling, brokering, or appraising residential real property.

Sec. 57.54. - Same—Brokerage Services. A person may not deny any person access to, or membership or participation in, a multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or discriminate against a person in the terms or conditions of access, membership, or participation, on the basis of race, color, religion, national origin, sex, familial status, or handicap.

Sec. 57.55. - Same—Interference, Coercion, or Intimidation. It shall be unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of his/her having exercised or enjoyed, or on account of his/her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by Sections [57.48](#) through [57.54](#), inclusive, above.

Sec. 57.56. - Administrative Enforcement—Complaint.

(1) The City Council of the City of Orlando or its designee under [Section 57.44](#), shall investigate alleged discriminatory housing practices.

(2) A complaint must be:

(a) in writing;

(b) under oath; and

(c) in the form prescribed by the Human Relations Official.

(3) An aggrieved person may, not later than one year after an alleged discriminatory housing practice has occurred or terminated, whichever is later, file a complaint with the Human Relations Official alleging the discriminatory housing practice.

(4) Not later than one year after an alleged discriminatory housing practice has occurred or terminated, whichever is later, the City of Orlando Human Relations Official may file his own complaint.

(5) A complaint may be amended at any time.

(6) On the filing of a complaint, the Human Relations Official shall:

(a) give the aggrieved person notice that the complaint has been received;

(b) give the aggrieved person notice of the time limits and choice of forums under this Article; and

(c) not later than the 20th day after the filing of the complaint or the identification of an additional respondent under [Section 57.59](#) of this Article, serve on each respondent:

(i) a notice identifying the alleged discriminatory housing practice and advising the respondent of the procedural rights and obligations of a respondent under this Act; and

(ii) a copy of the original complaint.

Sec. 57.57. - Same—Answer.

(1) Not later than the 10th day after receipt of the notice and copy under subparagraph (6)(c) of [Section 57.56](#) of this Article, a respondent may file an answer to the complaint.

(2) An answer must be:

(a) in writing;

(b) under oath; and

(c) in the form prescribed by the Human Relations Official.

(3) An answer may be amended at any time.

(4) An answer does not inhibit the investigation of a complaint.

Sec. 57.58. - Same—Investigation.

(1) For complaints filed with the City of Orlando and for all other complaints that the federal government has referred to the City of Orlando or has deferred jurisdiction over the subject matter of the complaint to the City, the Human Relations Official or his designee, shall investigate the allegations set forth in the complaint within thirty (30) days of its receipt.

(2) The Human Relations Official or his designee shall investigate all complaints, and except as provided by subparagraph (3) of this section, shall complete an investigation not later than the 100th day after the date the complaint is filed, or if it he unable to complete the investigation within the 100-day period, shall dispose of all administrative

proceedings related to the investigation not later than one year after the date the complaint is filed.

(3) If the Human Relations Official is unable to complete an investigation within the time periods prescribed in subparagraph (2) of this section, it shall notify the complainant and the respondent in writing of the reasons for the delay.

Sec. 57.59. - Same—Additional or Substitute Respondent.

(1) The Human Relations Official may join a person not named in the complaint as an additional or substitute respondent if in the course of the investigation he determines that the person should be accused of a discriminatory housing practice.

(2) In addition to the information required in the notice under subparagraph (6)(C) of [Section 57.56](#) of this Article, the Human Relations Official shall include in a notice to a respondent joined under this section an explanation of the basis for the determination that the person is properly joined as a respondent.

Sec. 57.60. - Same—Conciliation.

(1) The Human Relations Official shall, during the period beginning with the filing of a complaint and ending with the filing of a charge or a dismissal, to the extent feasible, engage in conciliation with respect to the complaint.

(2) A conciliation agreement is an agreement between a respondent and the complainant and is subject to Human Relations Official's approval.

(3) A conciliation agreement may provide for binding arbitration or other method of dispute resolution. Dispute resolution that results from a conciliation agreement may authorize appropriate relief, including monetary relief.

(4) A conciliation agreement shall be made public unless the complainant and respondent agree otherwise, and the Human Relations Official determines that disclosure is not necessary to further the purposes of this Article.

(5) Nothing said or done in the course of conciliation may be made public or used as evidence in a subsequent proceeding under this Article without the written consent of the persons concerned.

(6) After completion of the investigation, the Human Relations Official shall make available to the aggrieved person and the respondent, at any time, the final investigation report relating to that investigation.

Sec. 57.61. - Same—Temporary or Preliminary Relief.

(1) If the Human Relations Official concludes at any time following the filing of a complaint that prompt judicial action is necessary to carry out the purposes of this Article, it may authorize a civil action for appropriate temporary or preliminary relief pending final disposition of the complaint, in accordance with Florida Statutes § 760.34(8).

(2) On receipt of the Human Relations Official's authorization, the City Attorney or his designee shall promptly file the action.

(3) A temporary restraining order or other order granting preliminary or temporary relief under this section is governed by the applicable Florida Rules of Civil Procedure.

(4) The filing of a civil action under this section does not affect the initiation or continuation of administrative proceedings under [Section 57.70](#) of this Article.

Sec. 57.62. - Same—Investigative Report.

(1) The Human Relations Official shall prepare a final investigative report showing:

(a) the names and dates of contacts with witnesses;

(b) a summary of correspondence and other contacts with the aggrieved person and the respondent showing the dates of the correspondence and contacts;

(c) a summary description of other pertinent records;

(d) a summary of witness statements; and

(e) answers to interrogatories.

(2) A final report under this section may be amended if additional evidence is discovered.

Sec. 57.63. - Same—Reasonable Cause Determination.

(1) The Human Relations Official shall determine, based on the facts, whether reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur. For the purposes of this Article, "reasonable cause" shall be based upon sufficiently trustworthy information which would lead an impartial observer to a belief that a discriminatory housing practice has occurred or is likely to occur.

(2) The Human Relations Official shall make the determination under subparagraph (a) of this section not later than the 100th day after the date a complaint is filed unless:

(a) it is impracticable to make the determination; or

(b) the Human Relations Official has approved a conciliation agreement relating to the complaint.

(3) If it is impracticable to make the determination within the time period provided by subparagraph (2) of this section, the Human Relations Official shall notify the complainant and respondent in writing of the reasons for the delay.

(4) If the Human Relations Official determines that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, it shall, except as provided by [Section 57.65](#) of this Article immediately issue a reasonable cause finding on behalf of the aggrieved person.

Sec. 57.64. - Same—Charge.

(1) A reasonable cause finding issued under [Section 57.62](#) of this Article:

(a) must consist of a short and plain statement of the facts on which the Human Relations Official has found reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur;

(b) must be based on the final investigative report; and

(c) need not be limited to the facts or grounds alleged in the complaint.

(2) Not later than the 20th day after the Human Relations Official issues a reasonable cause finding it shall send a copy with information concerning the election under [Section 57.67](#) of this Article to:

(a) Reach respondent, together with a notice of the opportunity for a hearing provided by [Section 57.68](#) of this Article; and

(b) Reach aggrieved person on whose behalf the complaint was filed.

Sec. 57.65. - Same—Land Use Law. If the Human Relations Official determines that the matter involves the legality of a state or local zoning or other land use law or ordinance, the Human Relations Official may not issue a charge and shall immediately refer the matter to the City Attorney for appropriate action.

Sec. 57.66. - Same—Dismissal.

(1) If the Human Relations Official determines that no reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, it shall promptly dismiss the complaint.

(2) The Human Relations Official shall make public disclosure of each dismissal under this section.

Sec. 57.67. - Same—Pending Civil Trial. The Human Relations Official may not issue a reasonable cause finding under this section regarding an alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved party under federal or state law seeking relief with respect to that discriminatory housing practice.

Sec. 57.68. - Same—Election of Judicial Determination.

(1) A complainant, a respondent, or an aggrieved person on whose behalf the complaint was filed may elect to have the claims asserted in that charge decided in a civil action as provided by [Section 57.69](#) of this Article.

(2) The election must be made not later than the 20th day after the date of receipt by the electing person of service under subparagraph (2) of [Section 57.64](#) of this Article or, in the case of the Human Relations Official not later than the 20th day after the date the charge was issued.

(3) The person making the election shall give notice to the Human Relations Official and to all other complainants and respondents to whom the charge relates.

Sec. 57.69. - Same—City Attorney Action for Enforcement.

(1) If a timely election is made under [Section 57.68](#) of this Article, the Human Relations Official shall authorize, and not later than the 30th day after the election is made, the City Attorney or his designee to file a civil action on behalf of the aggrieved person in a court of competent jurisdiction seeking relief as provided by state and/or federal law including actual damages, injunctive or other equitable relief, and punitive damages.

Sec. 57.70. - Same—Administrative Hearing.

(1) If a timely election is not made under [Section 57.68](#) of this Article, the Human Relations Official shall provide for a hearing on the charge.

(2) When the Human Relations Official determines that a hearing is necessary he shall arrange for the hearing to be conducted by the [Chapter 57](#) Review Board ("Board"). The Human Relations Official shall then review the Board's recommended order and the record and issue his final order within 30 calendar days of the date he receives the recommended order. Any party to the complaint shall have the right to petition for judicial review of the Human Relations Official's final order by an appropriate state court.

As provided by Florida law, the scope of the court's review may include the following: a grant of temporary relief, restraining order, or such other order as the court deems just and proper; affirmation, modification or set aside of the order or a remand of the order to the Board for further proceedings and enforcement of the order to the extent it is affirmed or modified.

(3) A hearing under this section may not continue regarding any alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved person seeking relief with respect to that discriminatory housing practice.

(4) The City Attorney or his designee shall provide legal representation for the complainant in such [Chapter 57](#) Review Board hearings, unless the complainant desires to be represented by his/her own private counsel. Such private representation shall not preclude continued involvement by the City Attorney or his designee to represent the City's interests.

Sec. 57.71. - Same—Administrative Penalties.

(1) If the Human Relations Official determines after a hearing under [Section 57.70](#) of this Article that a respondent has engaged in or is about to engage in a discriminatory housing practice, the Human Relations Official may order the appropriate relief, including actual damages, reasonable attorney's fees, costs, and other injunctive or equitable relief as permitted by law.

(2) To vindicate the public interest, the Human Relations Official may, in accordance with the federal Fair Housing Act of 1988, assess a civil penalty against the respondent in an amount that does not exceed:

(a) \$10,000.00 if the respondent has not been adjudged by order of the Human Relations Official or a court to have committed a prior discriminatory housing practice;

(b) except as provided in subparagraph (3) below, \$25,000.00 if the respondent has been adjudged by order of the Human Relations Official or a court to have committed one other discriminatory housing practice during the five-year period ending on the date of the filing of the charge; and

(c) except as provided by subparagraph (3) below, \$50,000.00 if the respondent has been adjudged by order of the Human Relations Official or a court to have committed two or more discriminatory housing practices during the seven-year period ending on the date of the filing of the charge.

(3) If the acts constituting the discriminatory housing practice that is the object of the charge are committed by the same individual who has been previously adjudged to have committed acts constituting a discriminatory housing practice, the civil penalties in

subparagraphs (2)(b) and (c) above may be imposed without regard to the period of time within which any other discriminatory housing practice occurred.

(4) At the request of the Human Relations Official the City Attorney or his designee shall sue to recover a civil penalty due under this section. Funds collected under this section shall be paid to the City of Orlando Finance Department and shall be used to offset expenses incurred by the Human Relations Official or City Attorney in enforcing this Article.

(5) The penalties provided for under this section are applicable regardless of whether the Human Relations Official or aggrieved party initiated the investigation under this Article.

Sec. 57.72. - Same—Effect of Official's Order.

(1) A Human Relations Official order under [Section 57.71](#) of this Article does not affect a contract, sale, encumbrance, or lease that:

(a) was consummated before the Human Relations Official issued the order; and

(b) involved a bona fide purchaser, encumbrancer, or tenant who did not have actual notice of the charge filed under this Article.

Sec. 57.73. - Same—Licensed or Regulated Business.

(1) If the Human Relations Official issues an order with respect to a discriminatory housing practice that occurred in the course of a business subject to a licensing or regulation by a governmental agency, it shall, not later than the 30th day after the date of the issuance of the order:

(a) send copies of the findings and the order to the governmental agency; and

(b) recommend to the governmental agency appropriate disciplinary action.

Sec. 57.74. - Same—Order in Preceding Five Years. If the Human Relations Official issues an order against a respondent against whom another order was issued within the preceding five years under [Section 57.71](#) of this Article, the Human Relations Official shall send a copy of each order issued under that section to the City Attorney.

Sec. 57.75. - Private Enforcement—Civil Action.

(1) Under the provisions of Florida Statutes § 760.35, an aggrieved person may file a civil action in a court of competent jurisdiction no later than two years after an alleged discriminatory housing practice has occurred.

(2) An aggrieved person may file an action regardless of whether they have filed a complaint under [Section 57.56](#) of this Article and regardless of the status of any complaint filed under this Article.

(3) In a civil action under this section, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may award to the plaintiff actual and punitive damages and may grant as relief, as the court deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order (including an order enjoining the defendant from engaging in such practice or ordering such affirmative action as may be appropriate) and reasonable attorney's fees and costs.

Sec. 57.76. - Same—Intervention by City Attorney. Upon the request of the Human Relations Official, the City Attorney may intervene in an action brought under the provisions of [Section 57.75](#) of this Article, if the City Council of the City of Orlando has certified that the case is of significant public importance to the citizens of the City of Orlando.

Sec. 57.77. - Enforcement by City Attorney—Pattern or Practice Cases.

(1) Whenever the City Council of the City of Orlando has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this Article, or that any group of persons has been denied any of the rights granted by this Article, and such denial raises an issue of general public importance, it shall direct the City Attorney or his designee to commence a civil action in a court of competent jurisdiction.

(2) For the purposes of this section, "reasonable cause" shall be based upon sufficiently trustworthy information which would lead an impartial observer to a belief that a person or persons is engaged in the actions described in paragraph (1) above.

Sec. 57.78. - Same—Subpoena Enforcement. The City Attorney, on behalf of the Human Relations Official, may enforce a subpoena issued under this Chapter in appropriate proceedings pursuant to law.

Sec. 57.79. - Effective Date. This ordinance shall not take effect unless and until the United States Department of Housing and Urban Development certifies this ordinance as being substantially equivalent to Title VIII, Civil Rights Act of 1968 (42 U.S.C. sections 3604—3606) as amended.

APPENDIX C: ORANGE COUNTY FAIR HOUSING ORDINANCE

DIVISION 1. - GENERALLY

[Sec. 22-50. - Generally.](#)

[Sec. 22-51. - Definitions.](#)

[Sec. 22-52. - Discrimination in the sale or rental of housing and prohibited practices.](#)

[Sec. 22-53. - Discrimination in the provision of brokerage services.](#)

[Sec. 22-54. - Discrimination in the financing of housing or in residential real estate transactions.](#)

[Sec. 22-55. - Exemptions.](#)

Sec. 22-50. - Generally.

The general purpose of this article is to promote through fair, orderly, and lawful procedure the opportunity for each individual so desiring to obtain housing of such individual's choice in Orange County without regard to race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation, and, to that end, to prohibit discrimination in housing by any person.

(Ord. No. 2010-15, § 5, 11-23-10)

Sec. 22-51. - Definitions.

The following words, terms and phrases, when used in this article, shall have the following meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Conciliation shall mean the attempted resolution of issues raised by an aggrieved individual or by the investigation of a discriminatory practice through informal negotiation involving the aggrieved individual, the respondent and manager and/or manager's designee.

Conciliation agreement shall mean an agreement entered into between an aggrieved individual and a respondent resolving the alleged discriminatory practice and which may require the respondent to take affirmative action and to refrain from committing a discriminatory practice.

Covered multifamily dwelling shall mean (i) a building which consists of four (4) or more units and has an elevator; or (ii) the ground floor of a building which consists of four (4) or more units and does not have an elevator.

Dwelling shall mean any building or structure, or portion thereof, which is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families, and any vacant land which is offered for sale or lease for the construction or location on the land of any such building or structure, or portion thereof.

Family shall include a single individual.

FCHR shall mean Florida Commission on Human Relations or any of its successor organizations.

Lending institution shall mean any bank, insurance company, savings and loan association or any other person or organization regularly engaged in the business of

lending money, guaranteeing loans, or sources of credit information, including, but not limited to, credit bureaus.

Manager shall mean the manager of the housing and community development division of the county, and/or the manager's designee.

To rent shall include to lease, to sublease, to let, and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

(Ord. No. 2010-15, § 5, 11-23-10)

Sec. 22-52. - Discrimination in the sale or rental of housing and prohibited practices.

(a) It shall be unlawful to refuse to sell or rent after the making of a bona fide offer, to refuse to negotiate for the sale or rental of, or otherwise to make unavailable or deny a dwelling to any individual because of age, race, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(b) It shall be unlawful to discriminate against any individual in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation. Prohibited actions under this subsection include, but are not limited to:

(1) Using different provisions in leases or contracts of sale, such as those relating to rental charges, security deposits and the terms of a lease and those relating to down payment and closing requirements, because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(2) Failing or delaying maintenance or repairs of sale or rental dwellings because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(3) Failing to process an offer for the sale or rental of a dwelling or to communicate an offer accurately because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(4) Limiting the use of privileges, services or facilities associated with a dwelling because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation of an owner, tenant or a person associated with him or her.

(5) Denying or limiting services or facilities in connection with the sale or rental of a dwelling, because an individual failed or refused to provide sexual favors.

(c) It shall be unlawful to make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation, or an intention to make any such preference, limitation, or discrimination. The prohibitions in this subsection shall apply to all written or oral notices or statements by a person engaged in the sale or rental of a dwelling. Written notices and statements

include any applications, flyers, brochures, deeds, signs, banners, posters, billboards or any documents used with respect to the sale or rental of a dwelling. Discriminatory notices, statements and advertisements include, but are not limited to:

(1) Using words, phrases, photographs, illustrations, symbols or forms which convey that dwellings are available or not available to a particular group of individuals because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(2) Expressing to agents, brokers, employees, prospective sellers or renters or any other individuals a preference for or limitation on any purchaser or renter because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation of such individuals.

(3) Selecting media or locations for advertising the sale or rental of dwellings which deny particular segments of the housing market information about housing opportunities because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(4) Refusing to publish advertising for the sale or rental of dwellings or requiring different charges or terms for such advertising because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(d) It shall be unlawful to represent to any individual because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) It is unlawful, for profit, to induce or attempt to induce any individual to sell or rent any dwelling by a representation regarding the entry or prospective entry into the neighborhood of an individual or individuals of a particular age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(f) It shall be unlawful, because of age, race, color, religion, national origin, marital status, familial status, disability, sex, or sexual orientation, to restrict or attempt to restrict the choices of an individual by word or conduct in connection with seeking, negotiating for, buying or renting a dwelling so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct choices in a community, neighborhood or development. Prohibited actions under this subsection that are generally referred to as unlawful steering practices include, but are not limited to:

(1) Discouraging any individual from inspecting, purchasing or renting a dwelling because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation, or because of the age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation of individuals in a community, neighborhood or development.

(2) Discouraging the purchase or rental of a dwelling because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation, by exaggerating drawbacks or failing to inform any individual of desirable features of a dwelling or of a community, neighborhood, or development.

(3) Communicating to any prospective purchaser that he or she would not be

comfortable or compatible with existing residents of a community, neighborhood or development because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(4) Assigning any individual to a particular section of a community, neighborhood or development, or to a particular floor of a building, because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(g) It shall be unlawful, because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation, to engage in any conduct relating to the provision of housing or of services and facilities in connection therewith that otherwise makes unavailable or denies dwellings to individuals. Prohibited activities relating to dwellings under this subsection include, but are not limited to:

(1) Discharging or taking other adverse action against an employee, broker or agent because he or she refused to participate in a discriminatory housing practice.

(2) Employing codes or other devices to segregate or reject applicants, purchasers or renters, refusing to take or to show listings of dwellings in certain areas because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation, or refusing to deal with certain brokers or agents because they or one (1) or more of their clients are of a particular age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(3) Denying or delaying the processing of an application made by a purchaser or renter or refusing to approve such an individual for occupancy in a cooperative or condominium dwelling because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(4) Refusing to provide municipal services or property or hazard insurance for dwellings or providing such services or insurance differently because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(h) The protections afforded under this article against discrimination on the basis of familial status apply to any individual who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen (18) years.

(i) It shall be unlawful to discriminate in the sale or rental of, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a disability of:

(1) That buyer or renter;

(2) An individual residing in or intending to reside in that dwelling after it is sold, rented, or made available; or

(3) Any person associated with the buyer or renter.

(j) It shall be unlawful to discriminate against any individual in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a disability of:

- (1) That buyer or renter;
 - (2) An individual residing in or intending to reside in that dwelling after it is sold, rented, or made available; or
 - (3) Any individual associated with the buyer or renter.
- (k) For purposes of subsections (i) and (j), discrimination includes:
- (1) A refusal to permit, at the expense of the disabled individual, reasonable modifications of existing premises occupied or to be occupied by such individual if such modifications may be necessary to afford such individual full enjoyment of the premises; or
 - (2) A refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such individual equal opportunity to use and enjoy a dwelling.
- (l) Covered multifamily dwellings as defined herein which are intended for first occupancy after March 13, 1991, shall be designed and constructed to have at least one (1) building entrance on an accessible route unless it is impractical to do so because of the terrain or unusual characteristics of the site as determined by FCHR rule. Such buildings shall also be designed and constructed in such a manner that:
- (1) The public use and common use portions of such dwellings are readily accessible to and usable by disabled individuals.
 - (2) All doors designed to allow passage into and within all premises within such dwellings are sufficiently wide enough to allow passage by an individual in a wheelchair.
 - (3) All premises within such dwellings contain the following features of adaptive design:
 - a. An accessible route into and through the dwelling.
 - b. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations.
 - c. Reinforcements in bathroom walls to allow later installation of grab bars.
 - d. Usable kitchens and bathrooms such that a person in a wheelchair can maneuver about the space.
 - (4) For purposes of subsection (3), compliance with the appropriate requirements of the American National Standards Institute for buildings and facilities providing accessibility and usability for physically handicapped people, commonly cited as ANSI A117.1-1986, or as such standards may thereafter be amended, suffices to satisfy the requirements therein.
 - (5) State agencies with building construction regulation responsibility or local governments, as appropriate, shall review plans and specifications for the construction of covered multifamily dwellings to determine consistency with the requirements of subsection (1).

(Ord. No. 2010-15, § 5, 11-23-10)

Sec. 22-53. - Discrimination in the provision of brokerage services.

It shall be unlawful to deny any individual access to, or membership or participation in, any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him or her in the terms or conditions of such access, membership, or participation, on the basis of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(Ord. No. 2010-15, § 5, 11-23-10)

Sec. 22-54. - Discrimination in the financing of housing or in residential real estate transactions.

(a) It shall be unlawful for any bank, building and loan association, insurance company, or other corporation, association, firm, or enterprise the business of which consists in whole or in part of the making of commercial real estate loans to deny a loan or other financial assistance to an individual applying for the loan for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him or her in the fixing of the amount, interest rate, duration, or other term or condition of such loan or other financial assistance, because of the age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation of such individual or of any individual associated with him or her in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or because of the age, race, color, religion, national origin, disability, marital status, familial status, sex or sexual orientation of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given.

(b) Residential real estate transactions.

(1) It shall be unlawful for any person or entity whose business includes engaging in residential real estate transactions to discriminate against any individual in making available such a transaction, or in the terms or conditions of such a transaction, because of age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(2) As used in this subsection, the term "residential estate transaction" means any of the following;

a. The making or purchasing of loans or providing other financial assistance (i) for purchasing, constructing, improving, repairing, or maintaining a dwelling; or (ii) secured by residential real property.

b. The selling, brokering, or appraising of residential real property.

(Ord. No. 2010-15, § 5, 11-23-10)

Sec. 22-55. - Exemptions.

(a) Single-family and multifamily dwellings.

(1) Nothing in this article applies to:

a. Any single-family house sold or rented by its owner, provided such private individual owner does not own more than three (3) single-family houses at any one (1) time. In case of the sale of a single-family house by a private individual owner who does not reside in such house at the time of the sale or who was not the most recent resident of the house prior to sale, the exemption granted by this subsection applies only with respect to one (1) sale within any 24-month period. In addition, the bona fide private individual owner shall not own any interest in, nor shall there be owned or reserved on his or her behalf, under any express or voluntary agreement, title to, or any right to all or portion of the proceeds from the sale or rental of, more than three (3) single-family houses at any one (1) time. The sale or rental of any single-family house shall be excepted from the application of this article only if the house is sold or rented:

1. Without the use in any manner of sales or rental facilities or the sales or rental services of any real estate licensee or such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such licensee or person; and

2. Without the publication, posting, or mailing, after notice, of any advertisement or written notice in violation of section 22-52(c). Nothing in this provision prohibits the use of attorneys, escrow agents, abstractors, title companies and other professional assistance as is necessary to perfect or transfer the title.

b. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other, if the owner actually maintains and occupies one (1) of such living quarters as his or her residence.

(2) For the purposes of subsection (1), a person is deemed to be in the business of selling or renting dwellings if the person:

a. Has, within the preceding twelve (12) months, participated in three (3) or more transactions involving the sale or rental of any dwelling or interest therein;

b. Has, within the preceding twelve (12) months, participated as agent, other than in the sale of his or her own personal residence, in providing sales or rental facilities or sales or rental services in two (2) or more transactions involving the sale or rental of any dwelling or interest therein; or

c. If the owner of any dwelling designed or intended for occupancy by, or occupied by, five (5) or more families.

(b) Nothing in this article prohibits a religious organization or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization from limiting the sale, rental, or occupancy of any dwelling which it owns or operates for other than a commercial purpose to individuals of same religion or from giving preference to such individuals, unless membership in such religion is restricted on account of race, color, or national origin.

(c) Nothing in this article prohibits a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial activity, from limiting the rental or occupancy of such lodgings to its members or from giving preference to members,

(d) Nothing in this article requires any person renting or selling a dwelling constructed for first occupancy before March 13, 1991, to modify, alter, or adjust the dwelling in order to provide physical accessibility except as otherwise required by law.

(e) Housing for older persons.

(1) Any provision of this article regarding age or familial status does not apply with respect to housing for older persons.

(2) Nothing in this subsection is intended to limit the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling.

(3) As used in this subsection, the term "housing for older persons" means housing:

a. Provided under any state or federal program that is determined by state or federal rule to be specifically designed and operated to assist elderly persons, as defined in the state or federal program;

b. Intended for, and solely occupied by, persons sixty-two (62) years of age or older;

c. Intended and operated for occupancy by persons fifty-five (55) years of age or older.

(4) In order for housing to qualify as being intended and operated for occupancy by persons fifty-five (55) years of age or older in accordance with subsection (3)c., such housing must meet the following requirements:

a. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subsection. If the housing facility or community meets the requirements of subsections (5) and subsection b. and the recorded governing documents provide for an adult, senior, or retirement housing facility or community and the governing documents lack an amendatory procedure, prohibit amendments, or restrict amendments until a specified future date, then that housing facility or community shall be deemed housing for older persons intended and operated for occupancy by persons fifty-five (55) years of age or older. If those documents further provide a prohibition against residents sixteen (16) years of age or younger, that provision be construed, for purposes of this article, to only apply to residents eighteen (18) years of age or younger, in order to conform with federal law requirements. Governing documents which can be amended at a future date must be amended and properly recorded within one (1) year after that date to reflect the requirements for consideration as housing for older persons, if that housing facility or community intends to continue as housing for older persons.

b. The housing facility or community complies with rules made by the Secretary of the United States Department of Housing and Urban Development pursuant to 24 C.F.R. Part 100, or as that part may be thereafter amended, for verification of occupancy, which rules provide for verification by reliable surveys and affidavits and include examples of the types of policies and procedures relevant to a determination of compliance with the requirements of subsection a. Such surveys and affidavits are admissible in administrative and judicial proceedings for the purposes of such verification.

(5) In order for housing to qualify as being intended and operated for occupancy by persons fifty-five (55) years of age or older in accordance with subsection (3)c., at least eighty (80) percent of the occupied units shall be occupied by at least one (1) person fifty-five (55) years of age or older.

a. For purposes of subsection (5), occupied unit means (i) a dwelling unit that is actually occupied by one (1) or more persons on the date that the exemption is claimed; or (ii) a temporarily vacant unit, if the primary occupant has resided in the unit during the past year and intends to return on a periodic basis.

b. For purposes of subsection (5), occupied by at least one (1) person fifty-five (55) years of age or older means that on the date the exemption for housing designed for persons who are fifty-five (55) years of age or older is claimed (i) at least one (1) occupant of the dwelling unit is fifty-five (55) years of age or older; or (ii) if the dwelling unit is temporarily vacant, at least one (1) of the occupants immediately prior to the date on which the unit was temporarily vacated was fifty-five (55) years of age or older.

c. Newly constructed housing for first occupancy after March 12, 1989, need not comply with the requirements of subsection (5) until at least twenty-five (25) percent of the units are occupied. For purposes of this subsection c., newly constructed housing includes a facility or community that has been wholly unoccupied for at least ninety (90) days prior to reoccupancy due to renovation or rehabilitation.

d. Housing satisfies the requirements of subsection (5) even though:

1. On September 13, 1988, under eighty (80) percent of the occupied units in the housing facility or community were occupied by at least one (1) person fifty-five (55) years of age or older, provided that at least eighty (80) percent of the units occupied by new occupants after September 13, 1988, are occupied by at least one (1) person fifty-five (55) years of age or older.

2. There are unoccupied units, provided that at least eighty (80) percent of the occupied units are occupied by at least one (1) person fifty-five (55) years of age or older.

3. There are units occupied by employees of the housing facility or community (and family members residing in the same unit) who are under fifty-five (55) years of age, provided the employees perform substantial duties related to the management or maintenance of the

facility or community.

4. There are units occupied by persons who are necessary to provide a reasonable accommodation to disabled residents and who are under the age of fifty-five (55).

5. For a period expiring one (1) year from the effective date of 24 C.F.R. Part 100, Subpart E, there are insufficient units occupied by at least one (1) person fifty-five (55) years of age or older, but the housing facility or community, at the time the exemption is asserted (i) has reserved all unoccupied units for occupancy by at least one (1) person fifty-five (55) years of age or older until at least eighty (80) percent of the units are occupied by at least one (1) person who is fifty-five (55) years of age or older; and (ii) meets the requirements of this subsection (5).

e. For purposes of the transition provision described in subsection (d)(5), a housing facility or community may not evict, refuse to renew leases, or otherwise penalize families with children who reside in the facility or community in order to achieve occupancy of at least eighty (80) percent of the occupied units by at least one (1) person fifty-five (55) years of age or older.

f. Where application of the eighty (80) percent rule results in a fraction of a unit, that unit shall be considered to be included in the units that must be occupied by at least one (1) person fifty-five (55) years of age or older.

g. Each housing facility or community may determine the age restriction, if any, for units that are not occupied by at least one (1) person fifty-five (55) years of age or older, so long as the housing facility or community complies with the provisions of subsection (6).

(6) In order for housing to qualify as being intended and operated for occupancy by persons fifty-five (55) years of age or older in accordance with subsection (3)c., it must publish and adhere to policies and procedures that demonstrate its intent to operate as housing for persons fifty-five (55) years of age or older.

a. For purposes of subsection (6), the following factors, among others, are considered relevant in determining whether the housing facility or community has complied with this requirement:

1. The manner in which the housing facility or community is described to prospective residents;
2. Any advertising designed to attract prospective residents;
3. Lease provisions;
4. Written rules, regulations, covenants, deed or other restrictions;
5. The maintenance and consistent application of relevant procedures;
6. Actual practices of the housing facility or community; and
7. Public posting in common areas of statements describing the facility or community as for persons fifty-five (55) years of age or older.

b. Phrases such as "adult living," "adult community," or similar statements in any written advertisement or prospectus are not consistent with the intent that the housing facility or community intends to operate as housing for persons fifty-five (55) years of age or older.

c. If there is language in deed or other community or facility documents which is inconsistent with the intent to provide housing to persons who are fifty-five (55) years of age or older, consideration shall be given to documented evidence of a good-faith attempt to remove such language in determining whether the housing facility or community complies with the requirements of this section in conjunction with other evidence of intent.

d. A housing facility or community may allow occupancy by families with children as long as it meets the requirements of subsection (5) and subsection a.

(7) In order for housing to qualify as being intended and operated for occupancy by persons fifty-five (55) years of age or older in accordance with subsection (3)c., it must be able to produce, in response to a complaint filed under this article, verification of compliance with subsection (5) through reliable surveys and affidavits.

a. For purposes of subsection (7), a facility or community shall, within one hundred-eighty (180) days of the effective date of this rule, develop procedures for routinely determining the occupancy of each unit, including the identification of whether at least one (1) occupant of each unit is fifty-five (55) years of age or older. Such procedures may be part of a normal leasing or purchasing arrangement.

b. The procedures described in subsection a. must provide for regular updates, through surveys or other means, of the initial information supplied by the occupants of the housing facility or community. Such updates must take place at least once every two (2) years. A survey may include information regarding whether any units are occupied by persons described in subsections (5)d.1., (5)d.3., and (5)d.4.

c. Any of the following documents are considered reliable documentation of the age of the occupants of the housing facility or community:

1. Driver's license;
2. Birth certificate;
3. Passport;
4. Immigration card;
5. Military identification;
6. Any other state, local, national, or international official documents containing a birth date of comparable reliability; or
7. A certification in a lease, application, affidavit, or other document

signed by any member of the household age eighteen (18) or older asserting that at least one (1) person in the unit is fifty-five (55) years of age or older.

d. A facility or community shall consider any one (1) of the forms of verification identified above as adequate for verification of age, provided that it contains specific information about current age or date of birth.

e. The housing facility or community must establish and maintain appropriate policies to require that occupants comply with the age verification procedures required by this subsection (7).

f. If the occupants of a particular dwelling unit refuse to comply with the age verification procedures, the housing facility or community may, if it has sufficient evidence, consider the unit to be occupied by at least one (1) person fifty-five (55) years of age or older. Such evidence may include:

1. Government records or documents, such as a local household census;
2. Prior forms or applications; or
3. A statement from an individual who has personal knowledge of the age of the occupants. The individual's statement must set forth the basis for such knowledge and be signed under the penalty of perjury.

g. Surveys and verification procedures which comply with the requirements of this subsection (7) shall be admissible in administrative and judicial proceedings for the purpose of verifying occupancy.

h. A summary of occupancy surveys shall be available for inspection upon reasonable notice and request by any person.

(8) Housing shall not fail to be considered housing for older persons if:

a. An individual who resides in such housing on or after September 13, 1988, does not meet the age requirements of this subsection (e), provided that any new occupant meets such age requirements;

b. One (1) or more units are unoccupied, provided that any unoccupied units are reserved for occupancy by individuals who meet the age requirements of this subsection (e); or

c. There are units occupied by employees of the housing (and family members residing in the same unit) who do not meet the age requirements of this subsection (e), provided they perform substantial duties directly related to the management or maintenance of the housing.

(9) A person shall not be personally liable for monetary damages for a violation of this subsection (e) if such person reasonably relied in good faith on the application of the exemption under this subsection relating to housing for older persons.

a. For purposes of this subsection (9), a person claiming the good-faith belief defense must have actual knowledge that the housing facility or

community has, through an authorized representative, asserted in writing that it qualifies for a housing for older persons exemption.

b. Before the date on which the discrimination is claimed to have occurred, a community or facility, through its authorized representatives, must certify, in writing and under oath or affirmation, to the person subsequently claiming the defense that it complies with the requirements for such an exemption as housing for persons fifty-five (55) years of age or older in order for such person to claim the defense.

c. For purposes of this subsection (9), an authorized representative of a housing facility or community means the individual, committee, management company, owner, or other entity having the responsibility for adherence to the requirements established by this subsection (e).

d. For purposes of this subsection (9), a person means a natural person.

e. A person shall not be entitled to the good faith defense if the person has actual knowledge that the housing facility or community does not, or will not, qualify as housing for persons fifty-five (55) years of age or older. Such a person will be ineligible for the good faith defense regardless of whether the person received the written assurance described in this subsection (9).

(10) A facility or community claiming an exemption under this subsection (e) shall register with the FCHR in accordance with F.S. (2010) § 760.29(4)(e), or as that section may thereafter be amended. The information provided to the FCHR will be available to the public in accordance with the provisions of F.S. (2010) § 760.29(4)(e), or as that section may thereafter be amended. The registration and documentation required by this subsection shall not substitute for proof of compliance with the requirements of this subsection. Failure to comply with the requirements of this subsection shall not disqualify a facility or community that otherwise qualifies for the exemption provided in this subsection.

(f) Nothing in this article:

(1) Prohibits a person engaged in the business of furnishing appraisals of real property from taking into consideration factors other than age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation.

(2) Limits the applicability of any reasonable local restriction regarding the maximum number of occupants permitted to occupy a dwelling.

(3) Requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

(4) Prohibits conduct against an individual because such individual has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined under F.S. (2010) ch. 893, or as that chapter may thereafter be amended.

(Ord. No. 2010-15, § 5, 11-23-10)

APPENDIX D:

FAIR HOUSING CONTINUUM REPORT

**APPENDIX E:
2010 CENSUS SUMMARY: HOUSING INFORMATION**

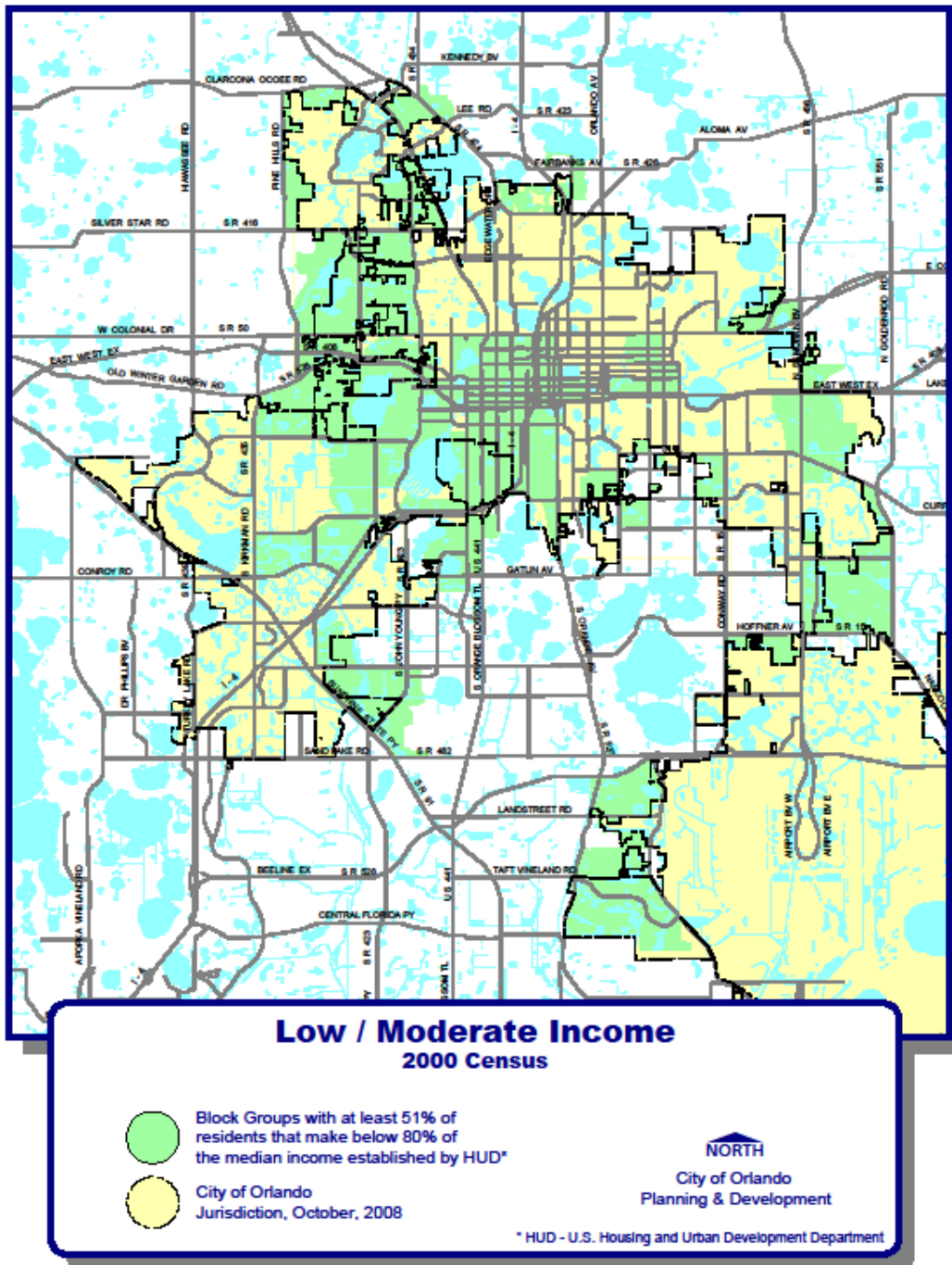
**APPENDIX F:
2010 CENSUS SUMMARY POPULATION AND
DEMOGRAPHICS**

**APPENDIX G:
2009 DISPOSITION OF LOAN APPLICATIONS BY LOCATION
AND TYPE (HMDA DATA)**

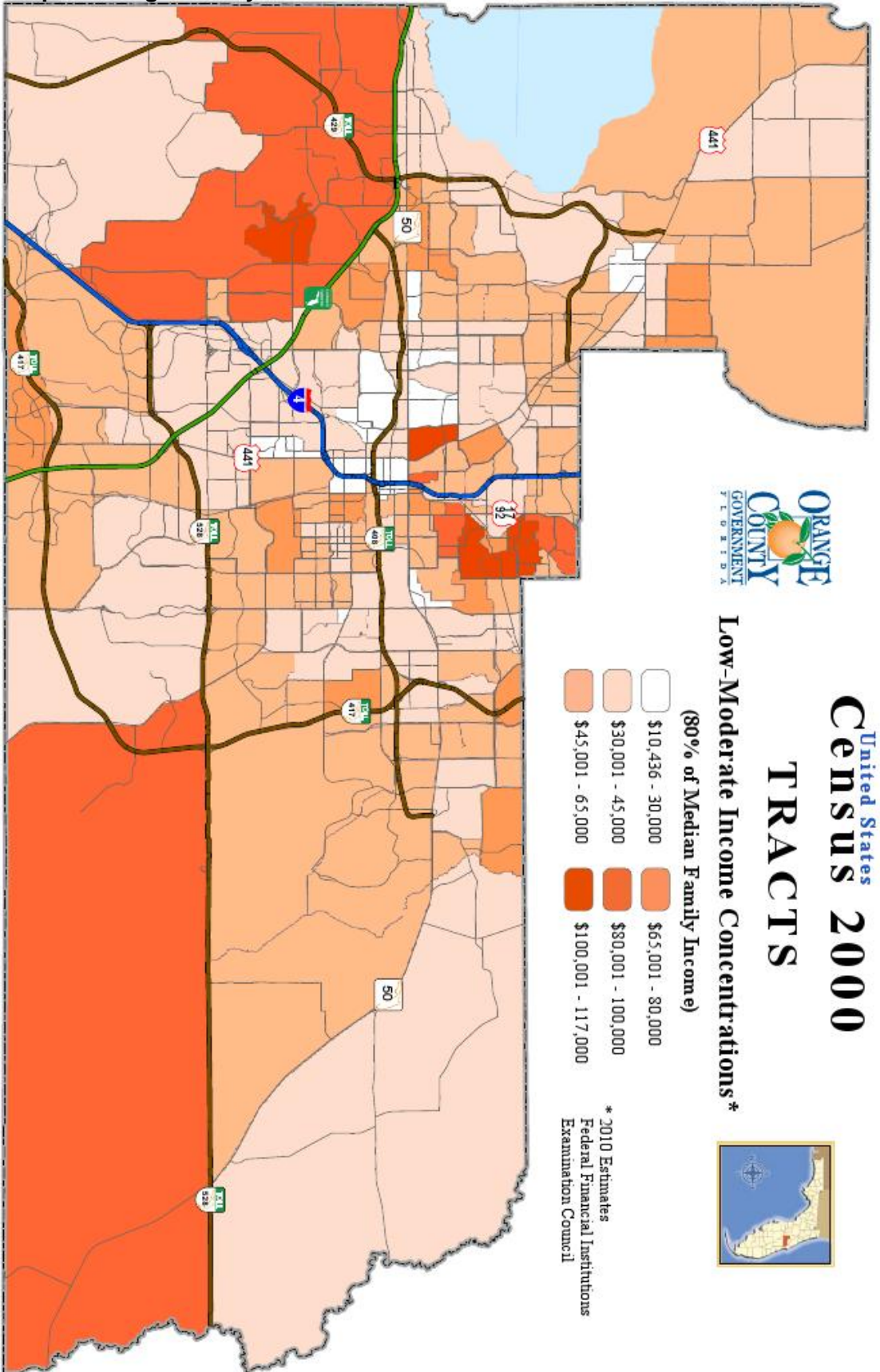
**APPENDIX H:
FINANCIAL INSTITUTIONS IN THE ORLANDO MSA**

APPENDIX I: MAPS

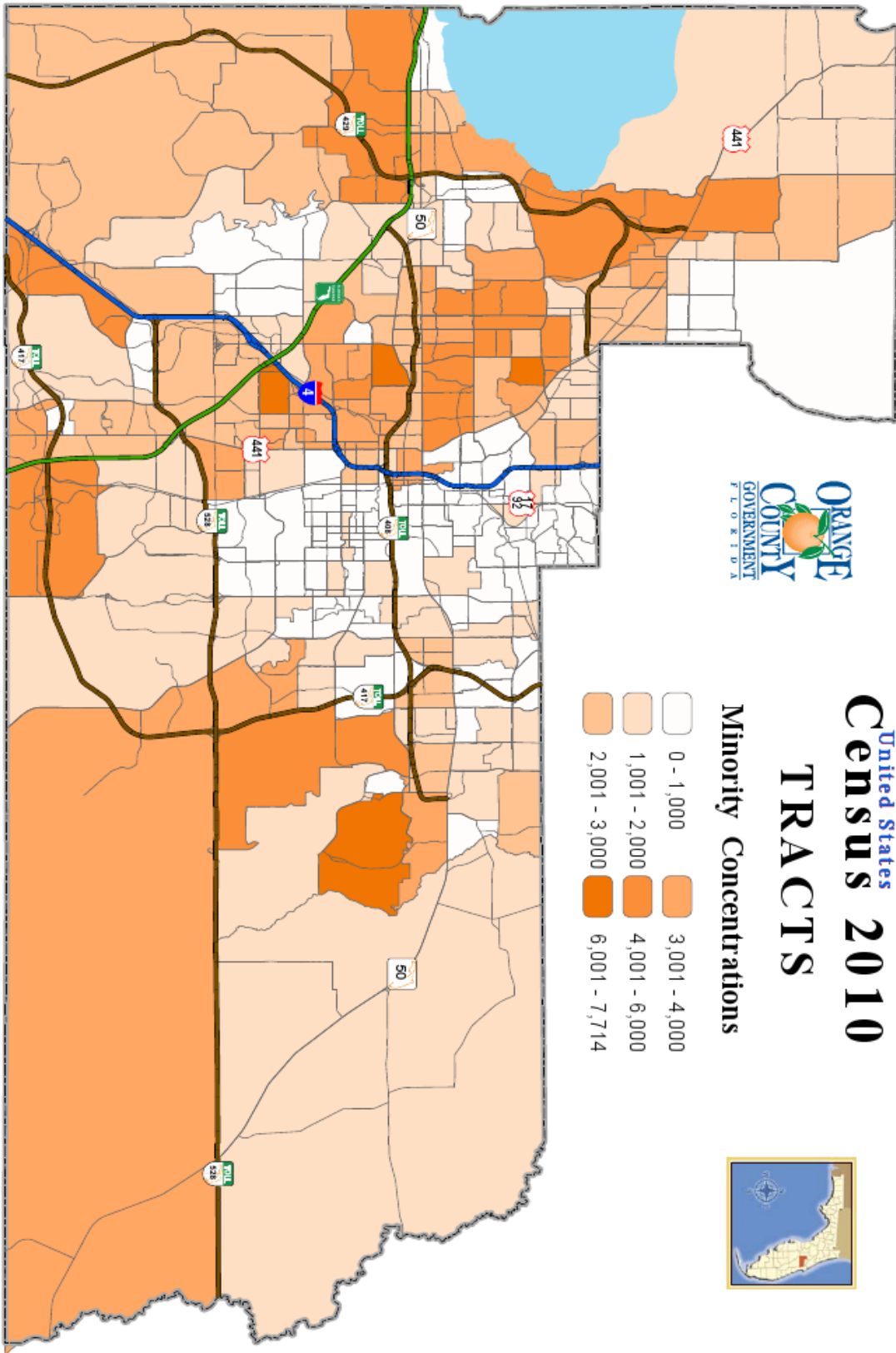
Map 1: City of Orlando Income Distribution



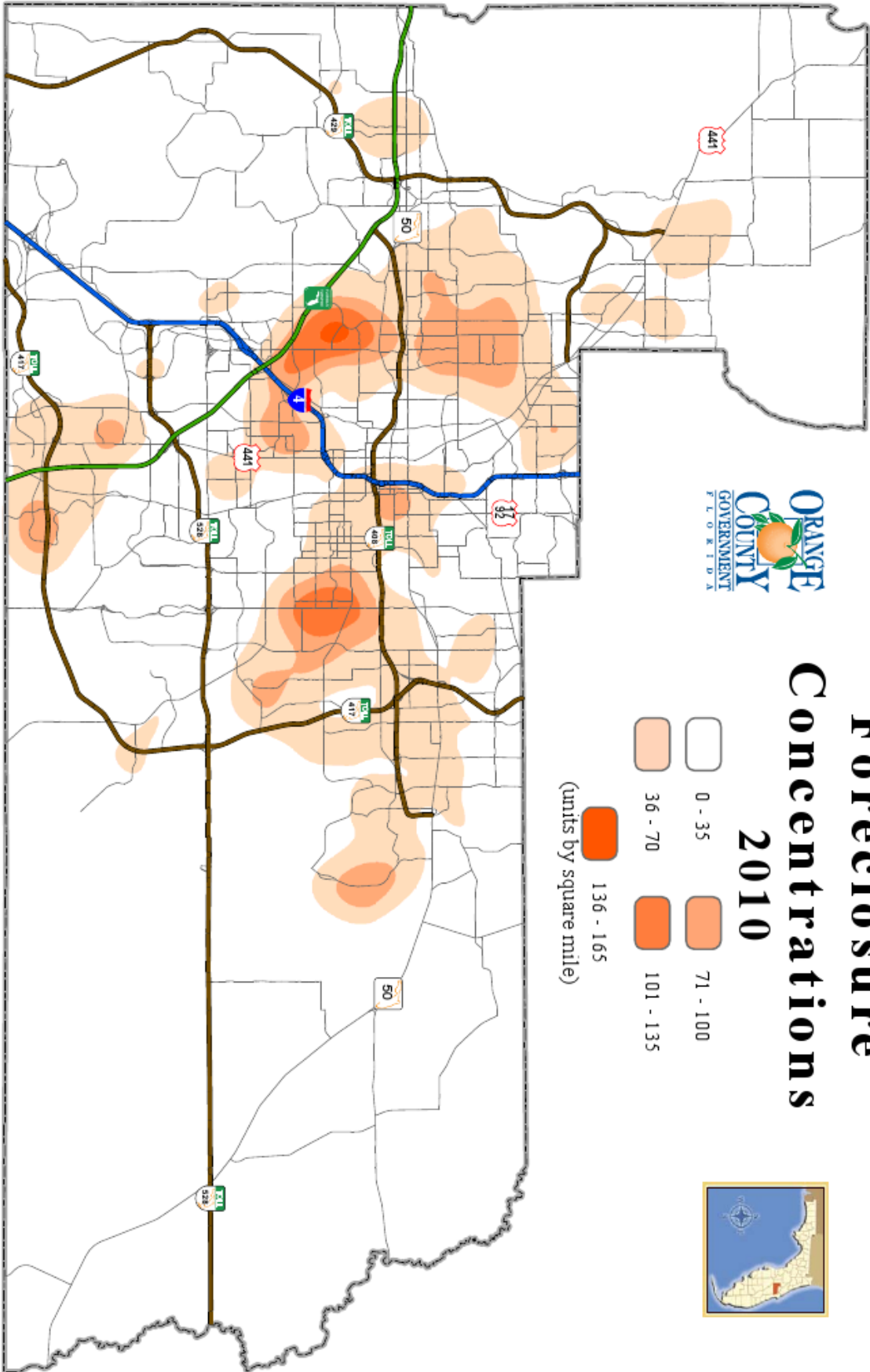
Map 2: Orange County Income Distribution



Map 3: Orange County Minority Distribution



Map 4: Foreclosure Distribution



APPENDIX J: PUBLIC NOTICES



NOTICE OF PUBLIC AVAILABILITY
CITY OF ORLANDO

**DRAFT OF THE FY 2011-2015 CONSOLIDATED PLAN,
DRAFT OF THE FY 2011-2012 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT
PROGRAMS
DRAFT OF THE CITIZEN PARTICIPATION PLAN
and the
DRAFT OF THE ANALYSIS OF IMPEDIMENTS**

TO ALL INTERESTED RESIDENTS, AGENCIES, AND ORGANIZATIONS - The City of Orlando wishes to inform residents of the proposed DRAFT of the FY 2011-2015 Consolidated Plan and the DRAFT of the FY 2011-2012 Annual Action Plan for the following four Housing and Community Development Programs funded through the U.S. Federal Department of Housing and Urban Development (HUD): 1. Community Development Block Grant (CDBG); 2. HOME (Home Investment Partnership); 3. Emergency Shelter Grant (ESG); and 4. Housing Opportunities for Persons with AIDS (HOPWA). Additionally, the City wishes to inform residents of the proposed DRAFT of the Citizen Participation Plan and the 2011-2015 Analysis of Impediments to Fair Housing.

The Consolidated Plan identifies resources and strategies to assist in meeting housing and community development needs and includes a plan for monitoring performance. The FY 2011-2012 Annual Action Plan is a component of the FY 2011-2015 Consolidated Plan. The proposed Annual Action Plan describes specific activities to be carried out under the four HUD grant programs to meet the overall Consolidated Plan goals and strategies to develop viable urban communities by providing decent housing, a suitable living environment and expanding economic opportunities principally for extremely low-, low- and moderate-income persons/families households with incomes not exceeding 80% of the median family income for the Orlando Metropolitan Statistical Area (MSA).

The Citizen Participation Plan is developed by the City to describe and document efforts that will be undertaken to provide for and encourage citizens to participate in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the performance report. The City of Orlando is committed to providing opportunities for its citizens to participate in an advisory role in the planning, implementation and assessment of its funding from HUD.

As a recipient of federal funds, the City of Orlando is required to affirmatively further fair housing. This requirement requires the City take the following measures: 1) conduct and analysis of impediments to fair housing choice; 2) take appropriate actions to overcome the effects of impediments identified through that analysis; and 3) maintain records reflecting the analysis and actions. An Analysis of Impediments (AI) is an examination of the impediments or barriers to fair housing that affect protected classes within a geographic region, in this instance, within the Orlando boundaries.

The total amount of funds anticipated to be available under the City's FY 2011-2012 Annual Action Plan for Housing and Community Development Programs is \$7,045,238. This includes the following program allocations: 1. CDBG - \$2,046,622; 2. HOME - \$1,259,227; 3. ESG - \$99,051; and 4. HOPWA - \$3,640,338. In addition, an estimated \$15,000 of CDBG and \$15,000 of HOME program income may be received from repayments on micro-loans and mortgages made from previous grants under the two programs respectively. A summary of the proposed DRAFT of the FY 2011-2012 Annual Action Plan is provided below.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2011	AMOUNT
<i>CDBG Rehabilitation Activities total- \$600,000</i>	
<u>City of Orlando Housing & Community Development Department</u> <i>Housing Rehabilitation (citywide)</i> Program Administration location: The City of Orlando Housing and Community Development Department will utilize its Housing Rehabilitation section to provide technical support to all CDBG & HOPWA funded facility improvement projects, as well as HOME & SHIP funded reconstruction and rehabilitation of single family homes, and construction and rehabilitation of multi-family rental units. The program will be administered at 400 S. Orange Ave., 6 th flr and available to eligible city residents	\$450,000.00
<u>Seniors First, Inc.</u> <i>H.E.A.R.T. Program (citywide)</i> Minor rehabilitation, weatherization, and accessibility improvements to approximately 30 single-family units owned and occupied by low and moderate income heads of households 62 years of age & above. The program will be administered at 5395 L.B. McLeod Road with services available to all eligible city residents.	\$150,000.00
<i>CDBG Public Facilities Acquisition and Improvements total: \$730,275.70</i>	
<u>City of Orlando Families Parks and Recreation</u> <i>Edgewood Gymnasium Floor Renovation" (District 2)</i> CDBG funds will be used to renovate the floors of the Edgewood Gymnasium located at the Edgewood Neighborhood Center located at 6123 La Costa Dr. Services to benefit twenty-four hundred (2,400) adults and youth.	\$101,250.00

<p><u>City of Orlando Families Parks and Recreation</u> <i>Englewood Playground Replacement (District 2)</i> CDBG funds will be used to install new, safe and ADA accessible playground equipment in the Englewood Park located at 6050 Lake Underhill Road. Services to benefit five thousand thirty (5,030) adult individuals and youth.</p>	\$195,000.00
<p><u>City of Orlando Families Parks and Recreation</u> <i>Reeve Terrace Parking Lot Improvement (District 4)</i> Parking lot improvements to address hazardous conditions and include ADA upgrades at the Reeve Terrace Recreation facility located at 150 McJordan Avenue. Services to benefit seven-hundred and thirty (730) adults and youth.</p>	\$75,000.00
<p><u>Health Care Center for the Homeless, Inc.</u> <i>Renovation Project (District 5)</i> Renovation and expansion of the health care facility to increase access to health services for homeless and underserved families. Services to benefit nine thousand, eight-hundred and thirty-six (9,836) adult individuals and youth.</p>	\$177,185.90
<p><u>Miracle of Love, Inc.</u> <i>Facility Acquisition (District 6)</i> CDBG funds will be used to acquire this facility to provide social community activities, educational and economic opportunities to at-risk and disenfranchised youth. Services to benefit two-hundred and forty (240) young adult individuals and youth.</p>	\$33,750.00
<p><u>Quest, Inc.</u> <i>Facility Improvements (District 6)</i> CDBG funds will be used to build a sun shade and inclement weather protection structure. This project will benefit one-hundred and ninety-four (194) persons with disabilities receiving employment services from Quest, Inc.</p>	\$148,125.00
<i>CDBG Public Services total (max. 15% of total award) - \$306,986.70</i>	
<p><u>BETA Center, Inc.</u> <i>Childcare Development Program (District 2)</i> CDBG funds will be used to provide childcare services for children of residents of the BETA program at 4680 Lake Underhill Road. Services will be provided to fifteen (15) homeless pregnant teen and other eligible high-risk mothers.</p>	\$25,522.47
<p><u>Center for Drug Free Living</u> <i>Women and Children's Residential Program (unincorporated Orange County, near District 4)</i> CDBG funds will be used to provide specialized, gender-specific substance abuse treatment services. Services to benefit three (3) homeless, very-low to low income women, pregnant or post-partum women with children less than 18 years of age. This program facility is located at 8301 East Colonial Dr. and CDBG funds will be used for city residents only.</p>	\$60,763.46
<p><u>Center for Independent Living, Inc.</u> <i>Employment Training and Job Placement Program (Unincorporated Orange County near District 3)</i> CDBG funds will be used to provide employment training and job placement for low to moderate income persons with disabilities. This program facility is located at 720 N. Denning Dr. in Winter Park and will benefit sixty-nine (69) low to moderate income persons with disabilities who live in the City of Orlando.</p>	\$30,010.96
<p><u>Orlando Community Youth Trust, Inc.</u> <i>PKZ College Testing Readiness Program (District 5)</i> CDBG funds will be used to pretest, analyze results and develop a personal study plan for 30 low-moderate income high school students who reside in the Parramore neighborhood. Services will be provided at the Orlando Downtown recreation Center, the John H. Jackson Community Center and the New Image Youth Center. Services to be provided to 30 low-moderate income high school students.</p>	\$27,138.46
<p><u>Senior's First, Inc.</u> <i>Community Care for the Elderly and Disabled (District 6)</i> CDBG funding will cover a portion of salaries of Social Worker position and management costs, and increase the number of low income seniors currently being served by eleven (11). The program will be administered at 5395 L.B. McLeod Road with CDBG funding serving city residents.</p>	\$38,263.46
<p><u>CredAbility, Inc.</u> (District 4) Pre-purchase/Mortgage Default Counseling to fifty (50) low and moderate income households. The program will be administered at 3670 Maguire Blvd. Suite 103 with CDBG funds supporting city residents.</p>	\$29,000.00
<p><u>HELP, Inc.</u> (Unincorporated Orange County near District 3)</p>	\$9,746.25

Pre-purchase/Mortgage Default Counseling to seventy-five (75) low and moderate income households. The program will be administered at 63 East Kennedy Blvd. in Eatonville, with CDBG funds supporting city residents.	
HELP, Inc. (Unincorporated Orange County near District 3) Homebuyers Club services provided to fifty-seven (57) low and moderate income households. The program will be administered at 63 East Kennedy Blvd. in Eatonville, with services available to city residents in the Greater Washington Shores neighborhoods.	\$15,028.00
HANDS, Inc. (Unincorporated Orange County between District 1 and District 4) Pre-purchase/Mortgage Default Counseling to seventeen (17) low and moderate income households. The program will be administered at 1707 Orlando Central Parkway, Suite 350 with CDBG funds supporting city residents.	\$35,902.59
HANDS, Inc. (Unincorporated Orange County between District 1 and District 4) Homebuyers Club services provided to fifteen (15) low and moderate income households. The program will be administered at 1707 Orlando Central Parkway, Suite 350 with services available only to city residents.	\$17,350.05
Center for Independent Living, Inc. (Unincorporated Orange County near District 3) Pre-purchase/Mortgage Default Counseling to thirty (30) low and moderate income households. The program will be administered at 720 N. Denning Dr. in Winter Park with services available only to city residents.	\$18,261.00
Planning and Administration (maximum of 20% of total award)	\$409,324.40
CDBG Total	\$2,046,622
CDBG Program Income	\$15,000

EMERGENCY SHELTER GRANTS (ESG) PROGRAM YEAR 2011	
BETA Center, Inc. Program Administration location & shelter location: 4680 Lake Underhill Road - (District 2) Services Available: Citywide Operating costs for this emergency shelter program serving forty-five (45) homeless pregnant teen and other high-risk mothers.	\$34,051
Harbor House, Inc. Program Administration location: Orange County Court House (District 5) Shelter location: (Not listed due to confidentiality of residents) Services Available: Citywide Operating costs of emergency shelter to provide housing to four-hundred and ten (410) homeless women and child survivors of domestic violence.	\$65,000
TOTAL PROGRAM YEAR 2011 - ESG ALLOCATION	\$99,051

HOME INVESTMENT PARTNERSHIP GRANT PROGRAM YEAR 2011	
CHDO Set Aside for Rental Housing Rehabilitation -Citywide Rehabilitation of approximately twenty (20) low-income multi-family rental units by City approved Community Housing Development Organizations (CHDO's).	\$300,000
Owner Occupied Rehabilitation -Citywide City of Orlando Housing and Community Development Department Reconstruction or substantial rehabilitation of approximately thirty-six (36) single-family owner occupied units-citywide.	\$533,305
Home Ownership Assistance -Citywide City of Orlando Housing and Community Development Department To assist approximately twenty (20) first time homebuyers purchasing a home within the City with down payment and closing costs assistance.	\$300,000
Planning and Administration	\$125,922
TOTAL PROGRAM YEAR 2011 - HOME ALLOCATION	\$1,259,227
Program Income — Projected income from the State Housing Initiative Partnership activities. The City of Orlando Housing and Community Development Dept. will receipt (enter into I.D.I.S.), any program income and use it immediately on one (1) low-income rental units.	\$15,000

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM YEAR 2011	
<i>City of Orlando Planning and Administration</i>	\$109,210
<i>Project Sponsor Planning and Administration</i>	\$231,008
Catholic Charities, Inc. dba Pathways to Care, Inc. - (Not listed due to confidentiality of residents) HOPWA Facility Based Housing for 30 clients (max. stay 45 days).	\$141,000
Center for Drug Free Living, Inc. – 100 Columbia St. The following services for low income HIV/AIDS infected individuals and their families in Orange, Osceola, Lake and Seminole Counties: Short Term Rent Mortgage and Utility assistance for 200; Tenant Based Rental assistance for 50; Facility Based Operating costs for 115 Permanent Housing Placement for 29 Supportive Services/Case Management for 517; Supportive Services/Mental Health & Substance Abuse Counseling for 358	\$1,209,828
Center for Multicultural Wellness & Prevention – 641 N. Rio Grande Ave. (outpost office in Lake County) The following services for low income HIV/AIDS infected individuals and their families in Orange, Osceola, Lake and Seminole Counties: Short Term Rent Mortgage and Utility assistance for 167; Tenant Based Rental assistance for 41; Supportive Services for 526; Permanent Housing Placement for 19.	\$691,053
Habitat for Humanity of Greater Apopka, Inc. (Not listed due to confidentiality of residents) Facility operating costs for 11 family housing units to house approximately 60 HIV/AIDS infected low income persons and their families in Orange, Osceola, Lake and Seminole Counties. This project has eleven 2 and 3 bedroom apartments.	\$112,250
Miracle of Love, Inc. – 741 W. Colonial Dr. The following services for low income HIV/AIDS infected individuals and their families in Orange, Osceola, Lake and Seminole Counties: Short Term Rent Mortgage and Utility assistance for 250; Tenant Based Rental assistance for 50 Permanent Housing Placement for 25 Supportive Services for 300	\$820,828
Spotlight Outreach Ministries, Inc. (Not listed due to confidentiality of residents) Supportive Services and Facility operating costs for housing approximately 35 HIV/AIDS infected low income women and/or women with young children in Orange, Osceola, Lake and Seminole Counties.	\$73,000
The St. Francis House, Inc. (Not listed due to confidentiality of residents) Facility operating costs for housing approximately 40 HIV/AIDS infected low income men in Orange, Osceola, Lake and Seminole Counties. This project has two facilities.	\$132,161
X-Tending Hands, Inc. (Not listed due to confidentiality of residents) Facility operating costs for housing approximately 50 HIV/AIDS low income individuals in Orange, Osceola, Lake and Seminole Counties. This project has two facilities, one for men and one for women.	\$120,000
TOTAL PROGRAM YEAR 2011 - HOPWA ALLOCATION	\$3,640,338
TOTAL FUNDS AVAILABLE FROM 2011 ALLOCATION (without program income)	\$7,083,824

Residents will have an opportunity to review and comment on the DRAFTS of the proposed Plans (2011-2015 Consolidated Plan, the 2011 Annual Action Plan, the Citizen Participation Plan and the Analysis of Impediments) during the public comment period of **June 15 - July 15, 2011** at the locations listed below or at www.cityoforlando.net/housing.

City of Orlando
Housing Department
City Hall, 6th Floor
400 South Orange Ave.
Orlando, FL 32801

The Orlando Housing Authority
300 Reeves Court
Orlando, FL 32801

Orange County Library System
Orlando Public Library
101 East Central Boulevard
Orlando, FL 32801

Washington Park Library
5151 Raleigh Street
Orlando, FL 32811

Southeast Library
 5575 South Semoran Boulevard
 Orlando, FL 32822

Herndon Library
 4324 East Colonial Drive
 Orlando, FL 32803

Seminole County Library System
 Jean Rhein Central Branch Library
 215 North Oxford Road
 Casselberry, FL 32707

Lake County Library System
 312 West Main Street
 Tavares, FL 32778

Osceola County Library System
 Hart Memorial Central Library & Ray Shanks Law Library
 211 East Dakin Avenue
 Kissimmee, FL 34741

This shall also serve notice that the following public hearings will be held to give residents the opportunity to comment and to make recommendations on housing and community development programs identified in the 2011-2015 Consolidated Plan, the 2012 Annual Action Plan, the Citizen Participation Plan and the Analysis of Impediments.

<p>Tuesday, June 21, 2011 6:00 pm - 7:00 pm City Of Orlando City Council Chamber 400S. Orange Avenue, 2nd Floor Orlando, FL 32801</p>	<p>Thursday, June 23, 2011 6:00 pm - 7:00 pm Lake County Council Chamber 315 W. Main Street Tavares, FL 32778</p>
<p>Wednesday, June 29, 2011 6:00 pm - 7:00 pm Osceola County Commission Chamber 1 Courthouse Sq # 4700 Kissimmee, FL 34741-5440</p>	<p>Wednesday, June 22, 2011 4:00 pm - 5:00 pm Seminole County Commissioner Chamber 1101 East First Street Sanford, FL 32771</p>

Residents are encouraged to attend one of the public hearings listed above. Persons requiring special accommodations are requested to contact the Housing & Community Development Department prior to the public hearing by calling 407-246-2708. Please submit written comments to the City of Orlando Housing & Community Development Department, P.O. Box 4990, Orlando, FL, 32802-4990

A summary of citizens' comments will be included in the Consolidated Plan to be submitted to the Department of Housing and Urban Development by August 15, 2011. Comments may be submitted to: City of Orlando, Housing & Community Development Department, 400 S. Orange Avenue, P.O. Box 4990, Orlando, FL 32802-4990. For further information concerning the proposed Plan, please contact the Housing & Community Development Department, Monday-Friday from 8:00 a.m. to 5:00 p.m. at 407-246-2708.



**NOTICE OF PUBLIC HEARING
TO ALL INTERESTED ORGANIZATIONS, AGENCIES AND PERSONS
CONSOLIDATED PLAN FISCAL YEARS 2011-2016
ACTION PLAN FISCAL YEAR 2011-2012
AND
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FISCAL YEARS 2011-
2016**

A public hearing is scheduled for June 15, 2011 at 6:00 p.m. at the Housing and Community Development Division, 525 E. South St, Orlando, Florida 32801. Orange County's Housing and Community Development Division will conduct a Public Hearing to receive citizen comments on the proposed activities to be included in the Consolidated Plan, the Action Plan, the Analysis of Impediments to Fair Housing Choice, and on the overall performance of the county in implementing activities under the Consolidated Plan. All citizen comments will be incorporated in the Action Plan to be submitted to the U.S. Department of Housing and Urban Development (HUD) on or about August 15, 2011.

The Consolidated Plan is the Strategic Plan for federal programs for housing and community development activities in Orange County. The Action Plan is the annual operating plan designed to meet specific objectives identified in the Consolidated Plan. The Action Plan lists the activities that Orange County intends to pursue through the Community Development Block Grant (CDBG), HOME Investment Partnership, and Emergency Shelter Grant (ESG) programs, and the strategies to address the objectives identified in the Consolidated Plan. The Consolidated Plan will cover the period October 1, 2011 through September 30, 2016 and the Action Plan will cover the period of October 1, 2011 through September 30, 2012.

A list of proposed activities and anticipated funding sources included in the Action Plan for Fiscal Year 2011-2012 is provided below.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Capital Improvements

Coalition for the Homeless of Central Florida, Inc.	<u>\$2,712,000</u>
Subtotal- Capital Improvements	\$2,712,000

Public Services

Boys and Girls Clubs of Central Florida, Inc.	\$ 39,858
Center for Independent Living in Central Florida, Inc.	\$ 36,642
Central Florida Urban League	\$ 52,000
Coalition for the Homeless of Central Florida	\$ 54,000
Community Coordinated Care for Children, Inc.	\$ 171,800
Covenant House of Florida, Inc.	\$ 36,000
Harbor House of Central Florida, Inc.	\$ 20,000
Health Care Center for the Homeless, Inc.	\$ 72,000
Homeless Services Network of Central Florida	\$ 28,762
Jewish Family Services of Greater Orlando, Inc.	\$ 45,800
Lighthouse of Central Florida, Inc.	\$ 37,500

Primrose Center, Inc.	\$ 34,750
Quest, Inc.	\$ 52,760
Seniors First, Inc. (Meals on Wheels)	\$ 116,989
The Center for Drug Free Living, Inc.	\$ 33,865
Subtotal- Public Services	\$ 832,726

Housing Activities

Housing Rehabilitation Administration	\$ 332,810
Housing Rehabilitation Projects	\$ 450,000
Seniors First (H.E.A.R.T. Program)	\$ 117,396
Subtotal- Housing Activities	\$ 900,206

Administration	\$1,111,351
TOTAL CDBG BUDGET	\$5,556,283

CONTINGENCY PROJECTS

Harbor House	\$ 177,440
TOTAL CONTINGENCY PROJECTS	\$ 177,440

EMERGENCY SHELTER GRANTS (ESG)

Shelter Operations

Coalition for the Homeless of Central Florida, Inc.	\$ 62,000
Covenant House of Florida, Inc.	\$ 25,200
Harbor House of Central Florida, Inc.	\$ 18,000
Subtotal Shelter Operations	\$105,200

Essential Services

Catholic Charities of Central Florida, Inc.	\$ 28,800
Family Promise of Greater Orlando, Inc.	\$ 27,850
Subtotal Essential Services	\$ 56,650

Homeless Prevention

Heart of Florida United Way (includes essential services)	\$ 72,918
The Salvation Army	\$ 35,000
Total Homeless Prevention	\$107,918

Administration	\$ 0
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TOTAL ESG BUDGET	\$269,768
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HOME INVESTMENT PARTNERSHIP PROGRAM

Down Payment Assistance	\$1,000,000
Community Housing Development Organizations	\$ 375,000
Program Administration	\$ 247,814
Tenant Based Rental Assistance	\$ 856,385

TOTAL HOME BUDGET	\$2,479,199
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ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE 2011-2016

The Analysis of Impediments to Fair Housing Choice is a five year plan addressing barriers to fair housing choice and actions to overcome those barriers.

The public will have the opportunity to review and comment on the proposed Consolidated Plan and One-Year Action Plan beginning June 15, 2011 to July 15, 2011. The plan will be available for review at the Internet web page www.ocfl.net/housing and at the following locations:

Orange County Housing and Community Development Division

525 E. South Street, Orlando, FL 32801
(407) 836-5150

Orange County Public Library
Planning and Local Government Section, Second Floor
101 E. Central Ave., Orlando, FL 32801

All comments regarding the Plan should be submitted to:
Frantz Dutes, Assistant Manager
Housing and Community Development Division
525 E. South Street
Orlando, FL 32801
(407) 836-5170
E-mail: Frantz.Dutes@ocfl.net

For additional information about the public hearing or the Consolidated Plan, please call 407-836-5191.

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities ACT (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Housing and Community Development Division at (407) 836-5150.



AVISO DE SESIÓN PÚBLICA
A TODAS LAS ORGANIZACIONES, AGENCIAS Y PERSONAS
INTERESADAS:
PLAN CONSOLIDADO DEL CONDADO ORANGE 2011-2016
PLAN DE ACCIÓN PARA EL AÑO FISCAL 2011-2012
Y
ANÁLISIS DE IMPEDIMENTOS DE VIVIENDA EQUITATIVA 2011-
2016

Una sesión pública ha sido prevista para el 15 de junio de 2011 a las 6:00 p.m. en la División de Vivienda y Desarrollo Urbano (Housing and Community Development Division) del Condado Orange, 525 E. South St., Orlando, FL 32801. La División de Vivienda y Desarrollo Urbano del Condado de Orange llevará a cabo una sesión pública para recibir comentarios sobre las actividades propuestas que serán incluidas en el Plan Consolidado, el Plan de Acción, el Análisis de Impedimentos de Vivienda Equitativa del Condado Orange, y sobre el rendimiento al implementar estas actividades bajo el Plan Consolidado. Todos los comentarios de los ciudadanos serán incorporados en el Plan de Acción, el cual será presentado al Departamento de Vivienda y Desarrollo Urbano de EE.UU (U.S. Department of HUD), el 15 de agosto de 2011.

El Plan Consolidado es el plan estratégico de programas federales para el desarrollo comunitario y de vivienda en la comunidad del Condado Orange. El Plan de Acción es el plan anual de operación, diseñado para cumplir objetivos específicos identificados en el Plan Consolidado. El Plan de Acción enumera las actividades que el Condado de Orange intenta proseguir a través de los siguientes programas federales: Community Development Block Grant (CDBG por sus siglas en inglés; HOME Investment Partnership (HOME por sus siglas en inglés), y Emergency Solutions Grant (ESG por sus siglas en inglés), y las estrategias para alcanzar los objetivos identificados en el Plan Consolidado. El Plan de Acción cubrirá el periodo de Octubre 1, 2011 a Septiembre 30, 2012.

A continuación proporcionamos la lista de actividades incluidas en el Plan de Acción para el Año Fiscal de 2011-2012:

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Mejoras de Infraestructura

Coalition for the Homeless of Central Florida, Inc.	<u>\$2,712,000</u>
Sub-Total Mejoras de Infraestructura	\$2,712,000

Servicios Públicos

Boys and Girls Clubs of Central Florida, Inc.	\$ 39,858
Center for Independent Living in Central Florida, Inc.	\$ 36,642
Central Florida Urban League	\$ 52,000
Coalition for the Homeless of Central Florida	\$ 54,000
Community Coordinated Care for Children, Inc.	\$ 171,800
Covenant House of Florida, Inc.	\$ 36,000

Harbor House of Central Florida, Inc.	\$ 20,000
Health Care Center for the Homeless, Inc.	\$ 72,000
Homeless Services Network of Central Florida	\$ 28,762
Jewish Family Services of Greater Orlando, Inc.	\$ 45,800
Lighthouse of Central Florida, Inc.	\$ 37,500
Primrose Center, Inc.	\$ 34,750
Quest, Inc.	\$ 52,760
Seniors First, Inc. (Meals on Wheels)	\$ 116,989
The Center for Drug Free Living, Inc.	<u>\$ 33,865</u>
Sub-Total Servicios Públicos	\$ 832,726

Actividades de Vivienda

Administración Programas de Rehabilitación de Vivienda	\$ 332,810
Proyectos de Rehabilitación de Vivienda	\$ 450,000
Seniors First (H.E.A.R.T. Program)	<u>\$ 117,396</u>
Total- Actividades de Vivienda	\$ 900,206

Administración

\$1,111,351

Presupuesto Total de CDBG

\$5,556,283

PROYECTOS DE CONTINGENCIA

Harbor House	<u>\$ 177,440</u>
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Presupuesto Total de Proyectos de Contingencia

\$ 177,440

PROGRAMA DE EMERGENCIA PARA LOS REFUGIOS DE INDIGENTES

Costo de Operaciones

Coalition for the Homeless of Central Florida, Inc.	\$ 62,000
Covenant House of Florida, Inc.	\$ 25,200
Harbor House of Central Florida, Inc.	<u>\$ 18,000</u>
Sub-Total Operaciones	\$105,200

Servicios Esenciales

Catholic Charities of Central Florida, Inc.	\$ 28,800
Family Promise of Greater Orlando, Inc.	<u>\$ 27,850</u>
Sub-Total Servicios Esenciales	\$ 56,650

Servicios de Prevención

Heart of Florida United Way	\$ 72,918
The Salvation Army	<u>\$ 35,000</u>
Sub-Total Servicios de Prevención	\$107,918

Administración

\$ 0

Presupuesto Total para el Programa de Refugios Para Indigentes

\$269,768

PROGRAMA HOME

Asistencia del Pago Inicial para la Compra de Hogares	\$1,000,000
Organizaciones de Desarrollo Comunitario y Vivienda	\$ 375,000
Administración	\$ 247,814
Asistencia de Renta para Inquilinos	<u>\$ 856,385</u>

Presupuesto Total del Programa HOME **\$2,479,199**

ANÁLISIS DE IMPEDIMENTOS DE VIVIENDA EQUITATIVA 2011-2016

El Análisis de Impedimentos de Vivienda Equitativa es un plan de 5 años sobre las barreras que impiden obtener vivienda equitativa y las acciones para superar estas barreras.

El público tendrá la oportunidad de revisar y hacer comentarios sobre el Plan Consolidado, Plan de Acción y Análisis de Impedimentos de Vivienda Equitativa, entre el 15 de Junio de 2011 y el 15 de Julio de 2011. El Plan estará disponible para revisión del público en las siguientes localidades y en la página de la red de Internet <http://www.ocfl.net/housing> :

Orange County Housing and Community Development Division

525 E. South Street, Orlando, FL 32801
(407) 836-5150

Orange County Public Library
Planning and Local Government Section, Second Floor
101 E. Central Ave., Orlando, FL 32801
(407) 836-7323

Todos los comentarios relacionados con el Plan deberán ser presentados a:

Frantz Dutes, Assistant Manager
Housing and Community Development Division
525 E. South Street
Orlando, FL 32801
(407) 836-5170
E-mail: Frantz.Dutes@ocfl.net

Para más información referente a la vista pública ó el Plan Consolidado, favor de comunicarse a la División de Vivienda y Desarrollo Urbano al teléfono 407-836-5191.

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities ACT (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Housing and Community Development Division at (407) 836-5150.