



BOARD OF DIRECTORS

Agenda Item 6

Administrative Committee

Chairman Malcolm Young

April 10, 2013

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Louisiana Housing Corporation

April 3, 2013

ADMINISTRATIVE COMMITTEE MEETING

AGENDA

Notice is hereby given of a regular meeting of the Administrative Committee to be held on **Wednesday, April 10, 2013 @ 9:00 A.M.**, Louisiana Housing Corporation Building, **Committee Room 2**, located at 2415 Quail Drive, Baton Rouge, Louisiana, by order of the Chairman.

1. Call to Order and Roll Call.
2. Approval of the **Minutes of the February 13, 2013 Committee Meeting.**
3. LHC Celebrates **Fair Housing Month.**
4. Resolution recognizing and declaring **the month of April, 2013 as "Fair Housing Month"**; and providing for other matters in connection therewith.
5. Resolution directing **the Interim Executive Director, as of March 27, 2013, that the LHC shall have no new hires, shall not grant any raises/merit increases, and shall close all unfilled positions;** and providing for other matters in connection therewith.
6. Other Business.
7. Adjournment.


Don J. Hutchinson
LHC Interim Executive Director

If you require special services or accommodations, please contact Board Coordinator and Secretary Barry E. Brooks at (225) 763 8773, or via email bbrooks@lhc.la.gov.

Pursuant to the provisions of LSA-R.S. 42:16, upon two-thirds vote of the members present, the Board of Directors of the Louisiana Housing Corporation may choose to enter executive session, and by this notice, the Board reserves its right to go into executive session, as provided by law.

Administrative Committee Meeting Minutes
Wednesday, February 13, 2013
2415 Quail Drive
Committee Room 2
Baton Rouge, LA 70808
9:00 a.m.

Committee Members Present

Chairman Malcolm Young
Mayson H. Foster
Ellen M. Lee

Committee Members Absent

Dr. Daryl Burckel
Treasurer John N. Kennedy

Board Members Present

Willie Spears

Board Members Absent

Michael L. Airhart
Matthew P. Ritchie
Guy T. Williams

Staff Present

Jessica Guinn
Leslie Strahan
Keith Cunningham
Barry Brooks
Brenda Evans
Ricky Patterson
Nicole Sweazy
Brad Sweazy
Rene Landry
Anita Tillman
Don Hutchinson
Jonathan Wesley
Todd Folse
Charlette Minor
Jeff DeGraff

Janel Young
Christine Bratkowski
Ted Guillot

Others Present

Carliss Knesel, Whitney Bank
Charlotte Bourgeois, LAAHP
Charles Southall, First Emanuel Baptist Church
Jonah Dowling, First NBC Bank
Cynthia Fontenot, St. Landry CAA

Minutes

Call to Order and Roll Call. The Administrative Committee Meeting was called to order by Chairman Malcolm Young at 9:03 a.m. The roll was called by Ms. Rebekah Ward and a quorum was established.

Approval of Minutes. There was a motion to approve the January 9, 2013 Administrative Committee Meeting Minutes by Mr. Foster, seconded by Mr. Spears. Motion passed unanimously.

Discussion of Louisiana Disaster Housing Task Force on Hurricane Isaac. Ted Guillot was introduced by Bradley Sweazy as a Team Leader for the Disaster Housing Task Force. Mr. Guillot gave a brief update, stating that the state received a \$7.4 million case management grant from FEMA. The funds were directed to the Department of Children and Family Services which will be working with the task force to appropriate those funds to parishes. Mr. Guillot and Mr. Sweazy answered questions from Board Members related to the disaster recovery framework, clarifying that parishes will have ownership of the program with oversight from the LDHTF.

Discussion of LHC Compliant and Non-Compliant Properties. Chairman Young opened the discussion, deferring to Keith Cunningham to provide updates on compliant and non-compliant properties. Mr. Cunningham gave an update on Cornerstone Homes and Place Vendome II. An LIHTC Owners Compliance Manual was distributed to Board Members on flash drives and briefly reviewed by Mr. Cunningham.

Action Items.

- *A resolution to authorize the Louisiana Housing Corporation ("Corporation") to issue a Request for Proposals ("RFP") for a Housing Needs Assessment; and providing for other matters in connection therewith.*

Mr. Young introduced this agenda item, deferring to Mr. Cunningham and Mr. Sweazy to provide more information. Mr. Sweazy stated that the need for a Housing Needs Assessment was identified during strategic planning. A brief discussion ensued concerning potential candidates for the RFP. Mr. Young clarified that this Housing Needs Assessment would be complete prior to the 2015 QAP. Mr. Spears made a motion to approve the resolution, which was seconded by Mr. Foster. Motion

passed unanimously. Mr. Foster requested that a review group of Board Members authorize the final RFP before it is published.

- *A resolution to authorize the Louisiana Housing Corporation (“Corporation”) to issue a Request for Proposals (“RFP”) for Cost Containment Guidelines; and providing for other matters in connection therewith.*

Mr. Young introduced the agenda item for discussion. Mr. Cunningham gave a brief overview of necessity for the RFP for Cost Containment Guidelines, with further information provided by Mr. Sweazy. Ms. Charlotte Bourgeois with the Louisiana Association of Affordable Housing Providers (LAAHP) stated that cost containment guidelines set by a third party have been beneficial in other states to establish overall cost standards for construction, developer fees, historic, rural, rehab, etc., and to avoid vetting during Board meetings over cost related items. Mr. Foster made a motion to approve the resolution, which was seconded by Mr. Spears. Motion passed unanimously.

- *A resolution approving contract negotiations between LHC and St. John the Baptist Parish for consulting and compliance services; and providing for other matters in connection therewith.*

Mr. Foster moved to approve the resolution, which was seconded by Ms. Lee, opening the floor for discussion. Ms. Lee asked a question concerning the justification for this resolution. Mr. Sweazy explained that the resolution would allow the LHC to provide oversight to St. John the Baptist Parish concerning their housing related issues. Discussion ensued concerning revenues and costs. Upon conclusion of the discussion, a vote was taken and the motion passed unanimously.

Adjournment. There being no further business to discuss, Chairman Young adjourned the meeting at 9:40 a.m.

Committee Secretary, Rebekah Ward



**LOUISIANA
HOUSING**
CORPORATION

Affirmatively Furthering Fair Housing in Louisiana

April 2013

FOREWORD

Louisiana Housing Corporation (LHC)



LHC was created by the Louisiana Housing Corporation Act in 2011 as a public body corporate and politic, and instrumentality of the state. (R.S. 40:600.88 et seq.) Our mission is to administer federal and state funds through programs designed to advance the development of energy efficient and affordable housing for Louisiana families.

State of Louisiana

The state of Louisiana passed the Louisiana Equal Housing Opportunity Act in 1991 which declares that persons in this state who seek a place to live should be able to find such housing whenever it is available and that all persons should therefore be able to compete for available housing on an open, fair, and equitable basis, regardless of race, color, religion, sex, handicap, familial status, or national origin.



It is the policy of Louisiana that there is a legitimate governmental interest in protecting the welfare of the people of Louisiana by enacting equal housing opportunity legislation to discourage discriminatory housing practices and to provide, within state and federal constitutional limitations, for fair and equal housing opportunity throughout the state.

U.S. Department of Housing and Urban Development (HUD), Office of Fair Housing and Equal Opportunity (FHEO)



The FHEO creates equal housing opportunities for all persons living in America by administering laws that prohibit discrimination in housing on the basis of race, color, religion, sex, national origin, disability, and familial status.

The Office of Fair Housing and Equal Opportunity administers federal laws and establishes national policies that make sure all Americans have equal access to the housing of their choice.

Particular activities carried out by the Office of Fair Housing and Equal Opportunity include implementing and enforcing the Fair Housing Act and other civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and the Architectural Barriers Act of 1968.



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WHERE DO WE STAND?

Our policy on fair housing is simple: Everyone should have an equal opportunity to live in safe, sanitary, decent, energy efficient, and affordable housing.

The *2010 Analysis of Impediments to Fair Housing Choice: State of Louisiana*, performed by the Office of Community Development, documented the state's historical challenges in providing fair and equitable access to housing opportunities and recommendations for mitigating impediments.

HUD defines impediments to fair housing choice in terms of their applicability to state and federal law. In Louisiana, this would include:

- Any actions, omissions or decisions taken on the basis of race, color, religion, sex, disability or handicap, familial status, national origin, or religion (protected classes) which restrict housing choices or the availability of housing choice.
- Any actions, omissions or decisions which have the effect of restricting housing choices or the availability of housing choice on the basis of the protected classes listed previously.

A fair housing survey was conducted throughout Louisiana and showed that most respondents were aware of fair housing laws and find them easy to understand. Many respondents noted issues of government actions or policies representing barriers to fair housing or specific areas within the entitlement that have fair housing problems. There was also substantive confusion about the difference between affordable housing planning and production and landlord/tenant law and affirmatively furthering fair housing.

Furthermore, respondents expressed concerns about discrimination in the rental markets as well as an overall lack of understanding of fair housing law. Respondents, who were supposed to represent an expert community, did not seem to fully be aware of the fair housing responsibilities of the Louisiana Department of Justice. Last, the majority of respondents noted that there is a lack of fair housing outreach and education efforts in their community.¹

The Louisiana Housing Corporation Act (Act 408 of the 2011 Regular Session) directs the LHC to increase the production and availability of affordable, accessible, decent, safe and sanitary residential housing that is in compliance with federal laws, including the federal Fair Housing Act. Ensuring compliance with fair housing laws does not necessarily translate to a responsibility to enforce such laws through the processing of fair housing complaints. However, it shall be the policy of the LHC to provide fair housing outreach and assistance to the housing development community to ensure compliance with federal and state fair housing laws.

¹ Louisiana Office of Community Development, *2010 Analysis of Impediments to Fair Housing: State of Louisiana*, prepared by Western Economic Services, LLC, April 28, 2010, available at <http://www.doa.louisiana.gov/cdbg/dr/aoi/AOI-Louisiana-2010.pdf>.

WHAT WILL WE DO?

Fair Housing Initiatives Program (FHIP)

Fair housing organizations and other non-profits that receive funding through the Fair Housing Initiatives Program (FHIP) partner with HUD to help people identify government agencies that handle complaints of housing discrimination. FHIP has four initiatives that promote fair housing laws and equal housing opportunity awareness. Most relevant to the objectives of the LHC is the Education and Outreach Initiative (EOI), which provides funding to state and local government agencies and non-profits for initiatives that explain to the general public and housing providers what equal opportunity in housing means and what providers need to do to comply with the Fair Housing Act (FHA). Grantees may be state or local governments, qualified fair housing enforcement organizations, and other organizations representing groups of persons protected by the FHA. Educational activities can be national, regional, local, or community-based in scope. Activities may include developing education materials, analyzing local impediments to housing choice, providing housing counseling and classes, convening meetings that bring together the housing industry with fair housing groups, developing technical materials on accessibility, and mounting public information campaigns.

With the LHC's designation as the "one stop shop" responsible for the formulation and administration of housing programs and a strong interest in ensuring that such programs are in compliance with the state and federal fair housing laws, it would be beneficial to both the LHC and other state and local entities to seek to create relationships that will better coordinate the state's approach to fair housing and reach the mission to provide equal opportunity housing to the citizens of the state of Louisiana.

The Louisiana Housing Corporation shall engage in affirmatively furthering fair housing in Louisiana in key four ways:

- 1. Communicate**

LHC will effectively foster continuous communication between fair housing entities and agencies that are interested in affirmatively furthering fair housing.

- 2. Educate**

LHC will educate consumers and housing providers (i.e., developers, lenders, realtors, property managers, etc.) by conducting outreach and educational events on fair housing laws, documentation procedures, and financial literacy.

- 3. Respond**

LHC will respond to fair housing questions or concerns with accurate and consistent actions and proper documentation.

- 4. Coordinate**

LHC will take the lead in coordinating with other agencies to avoid duplication of services and to maximize statewide impact and design a statewide program.

COMMUNICATE

Housing Discrimination Monitoring for Fair Housing Compliance

- Monitor every phase of housing transactions, including advertising, appraisals, and brokerage services, multiple listing services, internet advertising, and other transactions
- Also track mortgage lending, hate crimes in housing, and housing rental/sales practices, measuring levels of legal compliance and addressing problems or concerns that may arise

EDUCATE

Outreach

- Implement activities to inform the general public about rights, resources, and remedies for addressing housing discrimination problems

General Education

- Operate hotline for quick response to public inquiries
- Conduct community presentations
- Develop written information, PSAs/newsletters, and the like
- Educate tenants and future homebuyers through educational series

Special Program Education

- Present Laws and Litigation Conference
- Annual National Fair Housing Month
- Annual Louisiana Housing Conference
- Offer Continuing Education Credits for the real estate, legal, and other professions

Technical Assistance and Training

- Operate hotline and field questions from members of the property owner/manager, lender, and development industries
- Register and participate at industry expos
- Develop or review written fair housing policies
- Submit articles for industry publications surrounding the unique fair housing challenges faced by Louisiana's housing providers

RESPOND

Housing Discrimination Complaint Processing

- Screen for jurisdictional questions



- Intake, investigate, and complete enforcement referrals for bona-fide housing discrimination complaints
- Conciliate fair housing cases as needed, working in conjunction with the Louisiana Attorney General's Office and the four local law school clinics

COORDINATE

Advocacy

- Serve as the community voice speaking out for broad fair housing compliance in the State of Louisiana
- Advocate at the federal level meeting with members of Congress; the state level meeting with Louisiana Senators and Representatives; and the local level meeting with mayors, council members, police jurors, etc., throughout the state
- Interact with lenders, insurers, builders/sellers, and a broad range of industry professionals

Build Associations, Collaborations, and Coalitions

- Build associations, coalitions and collaborations among all fair housing stakeholders for more effective use of local and regional funding and other resources
- Bring public and private resources together for mutually supportive programs

LOUISIANA HOUSING CORPORATION

The following resolution was offered by _____ and seconded by _____ :

RESOLUTION

A resolution recognizing and declaring the month of April, 2013 as “Fair Housing Month”; and providing for other matters in connection therewith.

WHEREAS, April has been designated by the United States Department of Housing and Urban Development (“HUD”) as “Fair Housing Month”, and marks the 45th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968), as amended by the Fair Housing Amendments Act of 1988); and

WHEREAS, in 1991, the State of Louisiana enacted the Louisiana Equal Housing Opportunity Act (Louisiana Revised Statutes 51:2601, et seq.); and

WHEREAS, both the Fair Housing Act and the Louisiana Equal Housing Opportunity Act provide that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing; and

WHEREAS, the denial of equal housing opportunity is one of the most serious challenges a community or a state can face, a challenge that must be met and surmounted so as not to erode the vital social structure that holds a community together and gives it shape and dimension; and

WHEREAS, the Board of Directors of the Louisiana Housing Corporation welcomes the opportunity to solidify and reaffirm its continuous commitment to affirmatively further fair housing for the citizens of the State of Louisiana without regard to race, color, national origin, religion, sex, disability, or familial status.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Louisiana Housing Corporation (the “Board”), acting as the governing authority of said Corporation, that in the pursuit of the goal and responsibility of affirmatively furthering fair housing opportunities for

all men and women, the Louisiana Housing Corporation does hereby join in the national celebration by proclaiming April 2013 as “Fair Housing Month”, and encourages all agencies, institutions and individuals, public and private, in Louisiana to abide by the letter and the spirit of the Fair Housing law.

This resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted on this, the 10th day of April 2013.

Chairman

Secretary

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

I, the undersigned Secretary of the Board of Directors of the Louisiana Housing Corporation, do hereby certify that the foregoing two (2) pages constitute a true and correct copy of a resolution adopted by said Board of Directors on April 10, 2013, entitled: A resolution recognizing and declaring the month of April, 2013 as “Fair Housing Month”; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Corporation on this, the 10th day of April, 2013.

Secretary

LOUISIANA HOUSING CORPORATION

The following motion was offered by _____ and seconded by _____ :

RESOLUTION

Directing the Interim Executive Director as of March 27, 2013, that the LHC shall have no new hires, shall not grant any raises/merit increases, and shall close all unfilled positions.

WHEREAS, the Louisiana Housing Corporation (the “LHC” or the “Corporation”), as authorized by the State of Louisiana, shall have the powers necessary or convenient to carry out and effectuate the purposes and provisions of its enabling statutes; and

WHEREAS, the staffing levels and salaries of the Corporation are determined by through the budgeting process of the Corporation; and

WHEREAS, the staffing is currently set at one-hundred and twenty-six full time equivalents; and

WHEREAS, the current staff employed at the Corporation are one-hundred and twenty-one employees.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Louisiana Housing Corporation (the “Board”), acting as the governing authority of said Corporation:

SECTION 1. The Interim Executive Director is directed, as of March 27, 2013, that the LHC shall have no new hires, shall not grant any raises/merit increases, and shall close all unfilled positions without the express authority of the Board.

SECTION 2. The Chairman, Counsel and staff are hereby authorized, empowered, and directed to execute any forms and/or documents required to be executed on behalf of and in the name of the Corporation the terms of which are to be consistent with the provisions of this resolution.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the motion was declared adopted on this, the 10th day of April, 2013.

Chairman

Secretary

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, the undersigned Secretary of the Board of Directors of the Louisiana Housing Corporation (the "Corporation"), do hereby certify that the foregoing two (2) pages constitute a true and correct copy of a resolution adopted by said Board of Directors on April 10, 2013, "Directing the Interim Executive Director as of March 27, 2013, the LHC shall have no new hires, shall not grant any raises/merit increases, and shall close all unfilled positions."

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Corporation on this, the 10th day of April, 2013.

Secretary

(SEAL)