State of Maine
Analysis of Impediments to Fair Housing Choice

February 2016

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Analysis of Impediments to Fair Housing Choice (AI)
Jurisdiction: Maine
Date: February , 2015

I. Executive Summary

A. Introduction

The State of Maine is committed to affirmatively furthering fair housing. As a recipient of federal housing funding from the U.S. Department of Housing and Urban Development (HUD), Maine is required to analyze the impediments to fair housing choice and then take action to overcome the identified impediments. This Analysis of Impediments to Fair Housing (AI) is intended to satisfy this requirement and to assure that barriers to full and equal access to safe, decent, affordable housing are addressed.

Impediments to fair housing choice include:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices (direct discrimination).
- Any actions, omissions, or decisions which have the effect of restricting housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin (indirect discrimination).

The State AI is intended to:

- Serve as the substantive, logical basis for housing planning and development;
- Provide essential and detailed information to policymakers, administrative staff, housing providers, lenders and fair housing advocates; and
- Assist in building public support for fair housing efforts.

B. Lead Agency

The Maine State Housing Authority (MaineHousing) is responsible for the preparation and implementation of the AI.

C. Consultation

Over the course of the past year, MaineHousing has held discussions that focused in part on potential impediments to affordable housing in Maine with our partners in the Department of

Economic and Community Development, Maine Human Rights Commission, and with lenders, developers, realtors, and providers of services to older adults.

D. Methodology

The methodology for the State of Maine AI included the following:

- **Demographic Analysis.** Examined the racial, ethnic and poverty distribution and concentration patterns of population in Maine. Income, housing age and condition by tenure and area were also examined. The primary data source was the U.S. Census Bureau, with additional data provided by the Maine Department of Labor, Maine Office of Policy and Analysis, Bureau of Economic Affairs, FRED and others. Housing affordability for owners and renters by area was also examined.
- **Participation.** MaineHousing held two public forums on July 27th and 28th, 2015 at which comments were welcomed on accessible housing, affordability, and other potential impediments to developing or rehabilitating needed affordable housing units.
- **Lending Practices.** Looked for discernable patterns of denial for housing financing in Maine using HMDA data.

E. Identification of Impediments

Concerns and potential impediments are defined as:

- A concern is an issue that may create an impediment.
- An impediment has the effect of limiting the availability of housing choice on the basis of race, color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status.

F. Based on the research conducted for the State of Maine AI, MaineHousing found the following potential impediments to fair housing.

1. **Lack of affordable housing.** Maine is experiencing shifts in the affordability of housing. Homeownership is becoming increasingly more affordable while renting is becoming less affordable. As more people move to certain regions or communities in Maine, both the availability and affordability of housing in these areas are declining.
2. **Racial, ethnic and cultural Barriers.** While Maine's population is predominantly white, there is a recent increase in minority populations.
3. **Community planning and zoning decisions that impede affordable housing.** The demand for affordable housing in certain regions of the state is challenging local governments to re-examine planning and zoning policies and regulations.
4. **Lack of availability and access to housing for disabled individuals.** The need for accessible housing will continue to increase as a result of an aging population, coupled with a disability rate higher than the national rate.

5. **Limited access to neighborhood opportunities and community assets.** Changing demographics and mobility trends underscore the need for housing to be accessible to community assets.
6. **Lack of understanding of fair housing and affirmatively furthering fair housing.** Educational efforts need to continue to assist public and private entities to respond to state and federal laws regarding housing discrimination.

II. Background

A. Fair Housing Laws

The Maine Human Rights Act contains the State's fair housing and accessibility laws. The Maine Human Rights Act has been certified by HUD as substantially equivalent to Title VIII of the Civil Rights Act of 1968, as amended (the "Fair Housing Act") pursuant to 24 CFR Part 115. The Maine Human Rights Commission (the "Commission") administers the Maine Human Rights Act and, as the State's certified agency, participates in and receives funding under the Fair Housing Assistance Program to investigate and process discrimination complaints and to provide training and technical assistance under the Fair Housing Act. The Maine Human Rights Act has also been certified by the Department of Justice (DOJ) as equivalent to the Americans with Disabilities Act of 1990 (ADA) pursuant to 28 CFR Part 36, Subpart F.

The Maine Human Rights Act went through the re-certification process with HUD and DOJ beginning in 2011. The Commission submitted legislation in early 2011 to make necessary changes to the Maine Human Rights Act to qualify for re-certification by both agencies. The changes to the accessibility requirements for public accommodations were enacted on June 13, 2011 pursuant to 2011 Public Law Chapter 322 with an effective date of September 28, 2011. The changes to the fair housing requirements were more controversial and were not enacted until April 10, 2012 pursuant to 2011 Public Law Chapter 613 with an effective date of September 1, 2012.

There are some significant differences between the Maine Human Rights Act and the Fair Housing Act as follows.

- Ancestry and sexual orientation are additional protected classes under the Maine Human Rights Act. Ancestry has been a protected class since the Maine Human Rights Act was originally enacted on July 1, 1972 pursuant to 1971 Public Law Chapter 501. Sexual orientation was added in 2005 pursuant to 2005 Public Law Chapter 10, which was originally enacted on March 31, 2005 with an effective date of June 29, 2005, but was immediately challenged by referendum. Maine voted to uphold the law on November 8, 2005. The Maine Human Rights Act prohibits discrimination on the basis of sexual orientation in employment, housing, credit, public accommodations and education. The term "sexual orientation" includes both actual and perceived sexual orientation and also

includes gender identity or expression. Religious organizations that do not receive public funding are exempt with respect to housing, employment and educational opportunities, but this exemption does not extend to any for-profit organization owned, controlled or operated by a religious organization.

- The Maine Human Rights Act also prohibits landlords and public accommodations from refusing to rent to or imposing different rental terms on individuals who receive federal, state or local public assistance "primarily because of the individual's status as a recipient. As recently confirmed by the Maine Law Court on January 23, 2014 in Dussault v. RRE Coach Lantern Holdings, LLC, et al., Docket No. Cum-11-591, 2014 ME 8, source of income does not have the same level of protection as other protected classes under the Maine Human Rights Act. In the Dussault case, a private landlord refused to rent to a Section 8 voucher holder. The Court ruled that the applicant did not make a prima facie case of discrimination under the Maine Human Rights Act because the landlord's reason for refusing to rent to the applicant was that the landlord did not want to be bound by the Section 8 lease addendum, which restricts the landlord's rights and imposes more obligations on the landlord than the landlord's standard lease, not that the applicant was a Section 8 voucher holder. The Maine Law Court's decision essentially rendered the protections under the Maine Human Rights Act ineffective with respect to Section 8 housing choice voucher holders.

- There are fewer exemptions under the Maine Human Rights Act. Like the Fair Housing Act, there are exemptions for (i) housing for older persons from the prohibition against familial discrimination, and (ii) occupancy limitations in non-commercial housing owned and operated by religious organizations for its membership unless the membership is restricted because of race, color or national origin.

  However, the exemptions for single-family housing and multi-family housing are narrower under the Maine Human Rights Act. The prohibition against discriminatory advertising applies to all housing under the Fair Housing Act and the Maine Human Rights Act. All other requirements of the Fair Housing Act do not apply to (i) the sale or rental of single family homes by an owner who does not own more than three (3) homes at one time and without a broker and (ii) rooms or units in owner-occupied multifamily housing with 4 or fewer units. Only the rental of a single-family unit in an owner-occupied two-family dwelling and the rental of four or fewer rooms in an owner-occupied single-family dwelling without a broker are exempt from the other requirements under the Maine Human Rights Act. The Maine Human Rights Act does not exclude the sale or rental of single family homes or the rental of units in owner-occupied multifamily housing with three or four units like the Fair Housing Act. Expansion of these exemptions to mirror the exemptions under the Fair Housing Act was discussed as part of the 2011 changes to the Maine Human Rights Act, but no

changes were made because they have existed since the Maine Human Rights Act was originally enacted in 1972. Legislation submitted this year to address service animals in housing (LD 221 discussed below) also included a provision to expand the exemptions under the Maine Human Rights Act to include units in owner-occupied one-to-four unit multifamily housing. The legislation was carried over and will be considered in the next year.

- The definition of disability under the Maine Human Rights Act is significantly broader than the definition of disability under the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, as amended (Section 504), and the ADA. The definition was expanded on June 21, 2007 pursuant to 2007 Public Law Chapter 385 in response to the Maine Law Court's decision in Whitney v. Wal-Mart, 2006 ME 37. In addition to persons with physical or mental impairments that substantially limit one or more major life activities, who have a record of such impairments or are regarded as having such impairments covered under the federal laws, the State's definition includes persons (i) with conditions that significantly impair physical or mental health, which means having an actual or expected duration of more than 6 months and impairing health to a significant extent as compared to what is ordinarily experienced in the general population; (ii) with a physical or mental impairment that requires special education, vocational rehabilitation or related services; (iii) who have, without regard to severity, any one of nearly thirty specified medical conditions, including absent, artificial or replacement limbs, hands, feet or vital organs; alcoholism; amyotrophic lateral sclerosis; bipolar disorder; blindness or abnormal vision loss; cancer; cerebral palsy; chronic obstructive pulmonary disease; Crohn's disease; cystic fibrosis; deafness or abnormal hearing loss; diabetes; substantial disfigurement; epilepsy; heart disease; HIV or AIDS; kidney or renal diseases; lupus; major depressive disorder; mastectomy; mental retardation; multiple sclerosis; muscular dystrophy; paralysis; Parkinson's disease; pervasive development disorders; rheumatoid arthritis; schizophrenia; and acquired brain injury; (iv) who have a record of any of the covered physical or mental impairments; or (v) who are regarded as having or is likely to develop any of the covered physical or mental impairments. The existence of a physical or mental disability is determined without regard to the ameliorative effects of mitigating measures such as medication, auxiliary aids or prosthetic devices.

- The accessibility requirements for public accommodations under the Maine Human Rights Act are essentially the same as the requirements under the ADA. However, the accessibility requirements for housing are notably different than the requirements under the Fair Housing Act, Section 504 and the ADA.

  The requirements for multi-family housing with four or more units are similar to the

Federal Fair Housing with the following exceptions.

- The Fair Housing Act only applies to buildings that have never been used before, essentially new construction. In 2011 changes to the Maine Human Rights Act expanded these requirements to projects involving substantial rehabilitation (i.e. rehabilitation equal to 75% or more of the replacement cost of the housing). The change codified the Commission's practice of applying these requirements to projects that converted vacant or gutted buildings into housing, such as the conversion of historic buildings into housing. Prior to the 2011 changes, the Commission through its rules required projects involving "alterations affecting 80% of the space of the internal structure of a facility" to comply with the new construction requirements. This standard was difficult to apply, so the Commission chose the substantial rehabilitation definition under Section 504 instead because it was familiar to housing developers.

- The Fair Housing Act allows providers to choose among ten different accessibility standards, referred to as safe harbors in the regulations. The 2011 changes to the Maine Human Rights Act updated the accessibility standard from the 1986 version of ANSI A117.1 to the "most current version of ANSI A117.1." The Commission designates the most current version of ANSI A117.1 in its regulations, which is the requirements for Type B units in ICC/ANSI A117.1 – 2009 (not currently designated as a safe harbor under the Fair Housing Act, but provides equivalent or greater accessibility than the designated safe harbors).

The above accessibility requirements and standards are interpreted consistently with the guidance governing the Fair Housing Act, including the Fair Housing Act Design Manual.

The Maine Human Rights Act also imposes additional accessibility requirements for publicly-funded housing as follows.

- The definition of publicly-funded housing is different than the covered housing under Section 504 and the ADA. Like the ADA, it includes all publicly-assisted housing, not just federally-assisted housing under Section 504, but the threshold is higher than Section 504 and the ADA. Publicly-funded housing is housing that consists of 20 or more units in one or more buildings on a single parcel of land. Section 504 applies to housing with 5 or more units in one or more buildings covered by a single contract or designated as whole for processing purposes, so it covers buildings on scattered sites that are operated as a single project. The ADA applies to all housing, including scattered site housing developed under a single contract or treated as a whole, and if the scattered-site

project has more than 15 units, each site is considered a separate project subject to the requirements. The narrower focus of the State's definition to units located on a single parcel of land has limited application to scattered site projects – it only applies to each site that has more than 20 units.

- A greater number of accessible units are required in publicly-funded housing than are required under Section 504 and the ADA. Section 504 and ADA require 5% of the units to be accessible for persons with mobility impairments and an additional 2% of the units to accessible for persons with visual or hearing impairments. For new construction of publicly-funded housing, at least 10% of the ground level units and 10% of the upper floor units in a building with an elevator must be accessible. The 2011 changes expanded the definition of new construction to include projects involving substantial rehabilitation (i.e. rehabilitation equal to 75% or more of the replacement cost of the housing) and required an additional 2% of the units in new construction projects to be accessible for persons with visual and hearing impairments, which are similar to the requirements under Section 504 and the ADA. For other alterations to projects, at least 10% of the ground level units and 10% of the upper floor units in a building with an elevator must have accessible routes, accessible doors and adaptable bathrooms.

- The 2011 changes updated the applicable accessibility standard for publicly-funded housing. Projects constructed or altered on or after September 1, 2012 must comply with the most current version of ANSI A117.1 designated in its regulations, which at this time are the requirements for Type A units in ICC/ANSI A117.1 – 2009. Prior to September 1, 2012, the 1986 version of ANSI A117.1 was the applicable accessibility standard.

The application of all of the different federal and state accessibility requirements to the housing funded by MaineHousing can be complicated and confusing for developers and their design professionals. This complexity causes confusion about which requirements apply and often leads to noncompliance, which is a barrier to accessible housing. Consolidating and creating consistency among the requirements will reduce confusion and increase compliance. As mentioned above, the use of the Section 504 definition of substantial rehabilitation creates consistency among state and federal accessibility laws. HUD's determination that the 2010 Standards of Accessible Design with modifications as set forth in Docket No. FR-5784-N-01 published on May 23, 2014 in Federal Register, Vol. 79, No. 100, Pages 29671-29676, is an equivalent or greater accessibility standard than UFAS ("HUD's Deeming Notice") was a step toward creating consistency between the federal requirements under Section 504 and the ADA. However, there remain differences in the scoping requirements between Section 504 and ADA that yield

some interesting results. The ADA defers to the scoping requirements under Section 504 for projects subject to Section 504. The definition of project under Section 504 is limited to housing with 5 or more dwelling units, whereas the definition of project under the ADA applies to all housing regardless of the number of dwelling units. As a result, federally-assisted housing is subject to less restrictive requirements than other publicly-assisted housing – only federally-assisted housing with more than 5 dwelling units is subject to Section 504 or the ADA, but all other housing with less than 5 dwelling units is subject to the ADA.

- The treatment of service animals has transformed significantly since 2008. Service animals were first addressed in the Maine Human Rights Act pursuant to 2007 Public Law Chapter 664 with an effective date of July 18, 2008. The law, which enacted recommendations of a task established to study service animals, added a broad definition of service animals that applied to both housing and public accommodations. A service animal was defined as any animal that is determined necessary by a qualified provider to mitigate the effects of a physical or mental disability or is individually trained to do work or perform tasks for the benefit of an individual with a physical or mental disability. On September 29, 2011 pursuant to 2011 Public Law Chapter 369, the definition of service animal for public accommodations was limited to service dogs to bring it into line with the ADA. The definition of service animal for purposes of housing was maintained at that time.

  Legislation was submitted in 2015 to address service animals. One piece of legislation was submitted to create a task force to study training and certification requirements for service animals and housing issues related to service animals, which was enacted as Resolve Chapter 36 on June 27, 2015. Another piece of legislation (LD 221) was submitted by the landlords to significantly limit the service animal requirements in housing. The legislation would (i) require providers to be licensed in Maine, (ii) allow a landlord to deny a service animal if a qualified provider does not provide, upon request, a written professional assessment that describes the service animal and how it meets the requirements of the statute, (iii) allow a landlord to charge a higher security deposit or more rent to or require renters insurance from tenants with service animals, and (iv) allow a landlord to deny a service animal if the animal wasn't licensed, was the subject of a citation by law enforcement, caused insurance cancellation or nonrenewal or the animal was excluded from coverage or has bitten, attacked or poses a threat to any person or other animal, or the tenant doesn't clean up after or control the animal or "doesn't tell the truth on the application or lease." The legislation was carried over and will be considered by the task force established by Resolve Chapter 36.

- Since 1997 Maine law has provided zoning protections for group homes. 30 M.R.S.A. §4357-A codifies the State's policy that persons with disabilities should not be excluded

by municipal zoning ordinances from the benefits of normal residential surroundings and provides that community living arrangements (group homes) are deemed to be single-family use of property for the purposes of zoning. "Community living arrangement" is defined as housing for 8 or fewer persons with disabilities that is approved, authorized or certified by the State, and may include a group home, a foster home or intermediate care facility.

- Protections similar to those under the federal Violence Against Women's Act were added to Maine law effective October 15, 2015 pursuant to 2015 Public Law Chapter 293. These protections are found in the laws governing residential leases rather than in the Maine Human Rights Act.

- The Commission's process for handling discrimination complaints under the Maine Human Rights Act is similar to HUD's process for handling discrimination complaints under the Fair Housing Act. Because these processes are substantially equivalent, the Commission contracts with HUD and receives funding pursuant to the Fair Housing Assistance Program to investigate and process complaints under the Fair Housing Act for HUD.

  The time period for submitting a complaint under the Maine Human Rights Act is 300 days, which is slightly shorter than the year under the Fair Housing Act. As part of the 2011 changes to the Maine Human Rights Act to become re-certified as substantially equivalent to the Fair Housing Act, the definition of "aggrieved person" was expanded to clarify that testers and groups representing protected classes could file complaints, not just those persons who were the subject of discrimination. Like HUD, the Commission favors resolving complaints by settlement agreement during the initial fact-finding or investigative stage before making a determination. If the complaint is not resolved, the investigator will submit an investigator's report which includes a recommendation to the Commission as to whether there are reasonable grounds to believe that unlawful discrimination occurred. The Commission will hold a hearing to consider the recommendation and make a final decision. If the Commission does not find reasonable grounds to believe that unlawful discrimination has occurred, it shall enter an order so finding, and dismiss the complaint. If the Commission finds reasonable grounds to believe that unlawful discrimination has occurred, but finds no emergency, it will again attempt a conciliation agreement. If conciliation efforts are not successful, the Commission may file a civil action in State court seeking such relief as is appropriate, including temporary restraining orders, under the Maine Human Rights Act.

- Pine Tree Legal Assistance, a nonprofit organization that provides civil legal assistance to low-income persons in Maine, also participates in and receives funding under the Fair

Housing Assistance Program to operate a testing program in Maine.

Virtually all of the multi-family and supportive housing and shelters funded by MaineHousing are indirectly or directly assisted with federal funds and are subject to the following federal requirements also.

- Federal Fair Housing Act, which prohibits discrimination in housing on the basis of race, color, national origin, sex, religion, familial status and disability

- Americans with Disabilities Act of 1990, as amended – Title II because MaineHousing-funded housing is considered State-funded housing and Title III for public accommodations – rental offices and other public areas in housing and shelters

- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of disability in federally-assisted housing

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination in housing on the basis of race, color and national origin by federally-assisted entities, including HUD's guidance set forth in Docket No. FR-4878-N-02 published on June 22, 2007 in Federal Register Vol. 72, No. 13, pages 2732-2754 requiring recipients of HUD funding to take reasonable steps to provide meaningful access by persons with limited English proficiency (LEP) to their programs, services and activities. Recipients are required to conduct a cost-benefit analysis, based on the number of LEP persons, the importance of their programs, services and activities and the resources available to the recipients to determine what steps must be taken by the recipient. MaineHousing adopted a language access plan, which is updated periodically, describing MaineHousing's assessment and commitment to providing equal access by persons with LEP to its programs, services and activities through interpretation, translation upon request, outreach and education/training.

- Section 109 of Title I of Housing and Community Development Act of 1974 prohibits discrimination in housing on the basis of race, color, national origin, sex or religion by entities who receive funding under HUD's Community Development and Block Grant Programs, including the HOME Investment Partnerships Program.

- Age Discrimination Act of 1975 prohibits discrimination in housing on the basis of age by federally-assisted entities.

- Violence Against Women's Act of 1994, as amended, which provides protections for victims of domestic violence, stalking and sexual assault in Section 8 tenant-based and project-based programs, and the Violence Against Women Reauthorization Act of 2013,

which extends these protections to other HUD-assisted housing and projects that receive low-income housing tax credits.

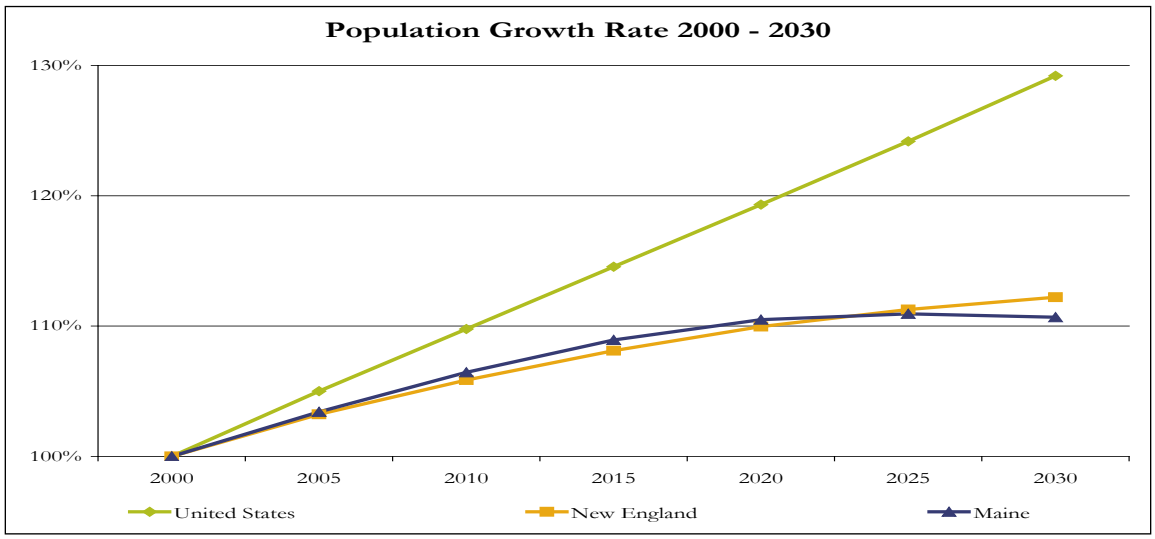
HUD's regulations, effective March 5, 2012, which prohibit discrimination because of sexual orientation, gender identity or marital status in all HUD-assisted housing.

B. Demographic and Income Profile

1. Population Trends

Although Maine's population has increased by an estimated 37% since 1960, its growth has flattened over the past two decades. The most significant recent change is the aging of the population. Maine is now considered the oldest state in the nation. Growth among non-white populations though positive, is slow. Maine is the largest state, geographically, in the New England region. The state ranked 40th in total population among the states in 2010.

Figure 1: Population Growth Rates, Census

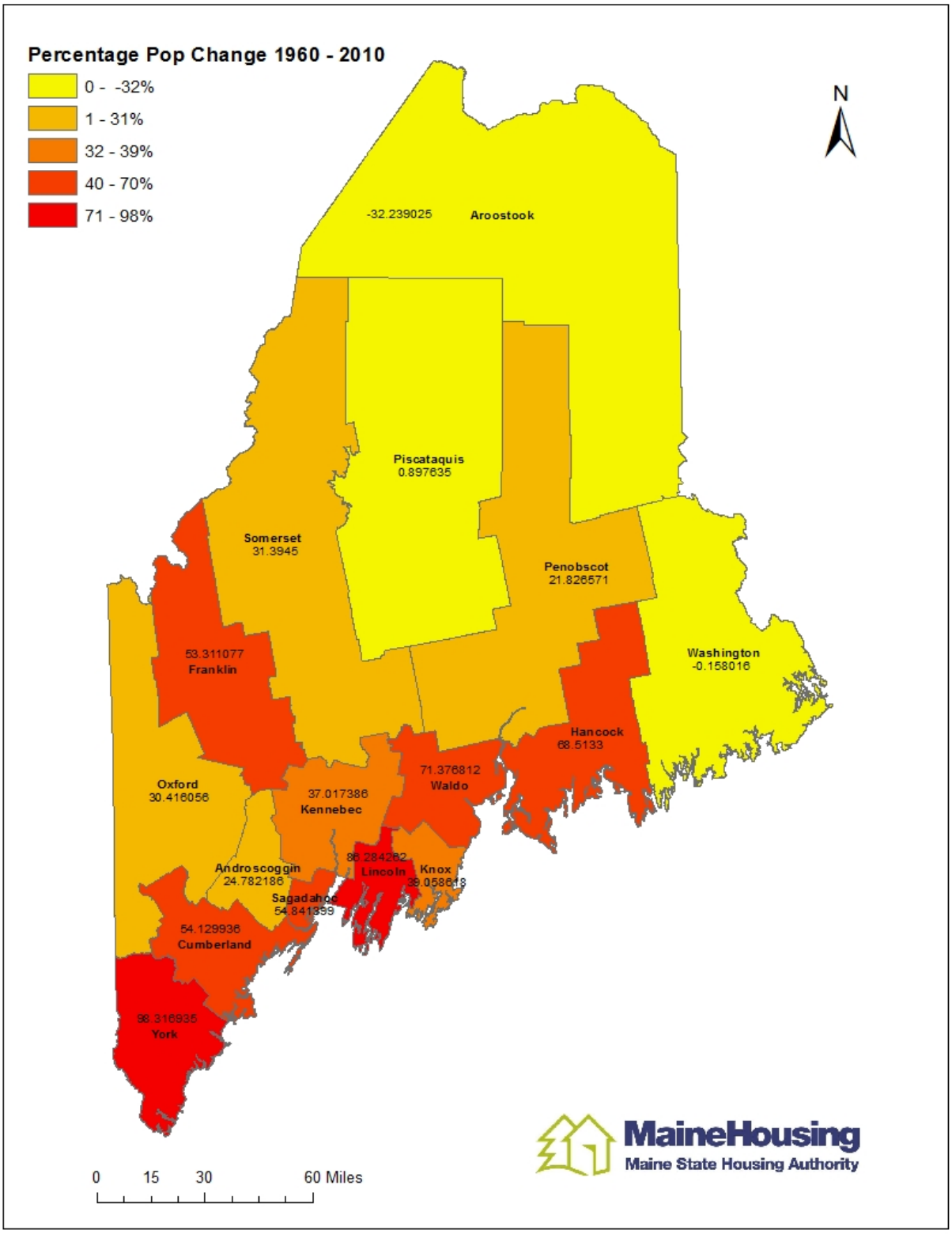


Over the course of 50 years, Maine has seen its most significant population growth in the coastal and southern portions of the state. Of Maine's sixteen counties, York county saw a 98% increase in population since 1960, followed by Lincoln and Hancock counties. (see table and map below)

Table 1 Population Trends: Maine Counties, 1960 – 2010, National Historical Geographic Information System (NHGIS)

County	1960	1970	1980	1990	2000	2010	% Change 1960 - 2010
Maine	969,265	992,048	1,116,334	1,227,928	1,274,923	1,328,361	37.0%
Androscoggin	86,312	91,279	91,331	105,259	103,793	107,702	24.8%
Aroostook	106,064	92,463	91,331	86,936	73,938	71,870	-32.2%
Cumberland	182,751	192,528	215,789	243,135	265,612	281,674	54.1%
Franklin	20,069	22,444	27,098	29,008	29,467	30,768	53.3%
Hancock	32,293	34,590	41,781	46,948	51,791	54,418	68.5%
Kennebec	89,150	95,247	109,889	115,904	117,114	122,151	37.0%
Knox	28,575	29,013	32,941	36,310	39,618	39,736	39.1%
Lincoln	18,497	20,537	25,691	30,357	33,616	34,457	86.3%
Oxford	44,345	43,457	48,968	52,602	54,755	57,833	30.4%
Penobscot	126,346	125,393	137,015	146,601	144,919	153,923	21.8%
Piscataquis	17,379	16,285	17,634	18,653	17,235	17,535	0.9%
Sagadahoc	22,793	23,452	28,795	33,535	35,214	35,293	54.8%
Somerset	39,749	40,597	45,028	49,767	50,888	52,228	31.4%
Waldo	22,632	23,328	28,414	33,018	36,280	38,786	71.4%
Washington	32,908	29,859	34,963	35,308	33,941	32,856	-0.2%
York	99,402	111,576	139,666	164,587	186,742	197,131	98.3%

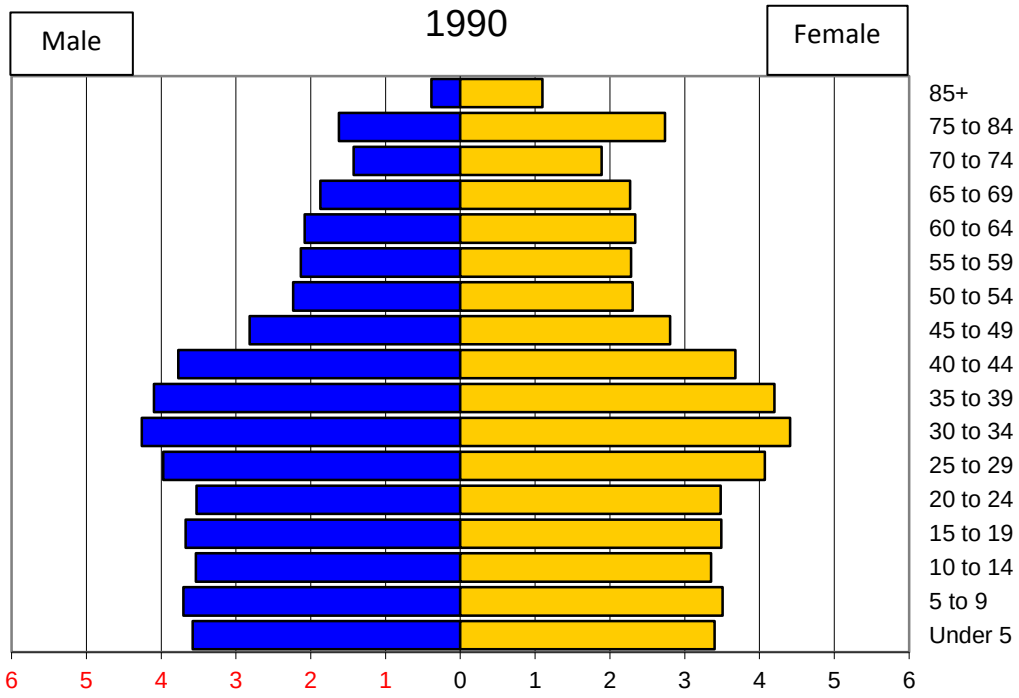
Map: Percentage Change for Maine Counties, 1960 – 2010 (NHGIS)

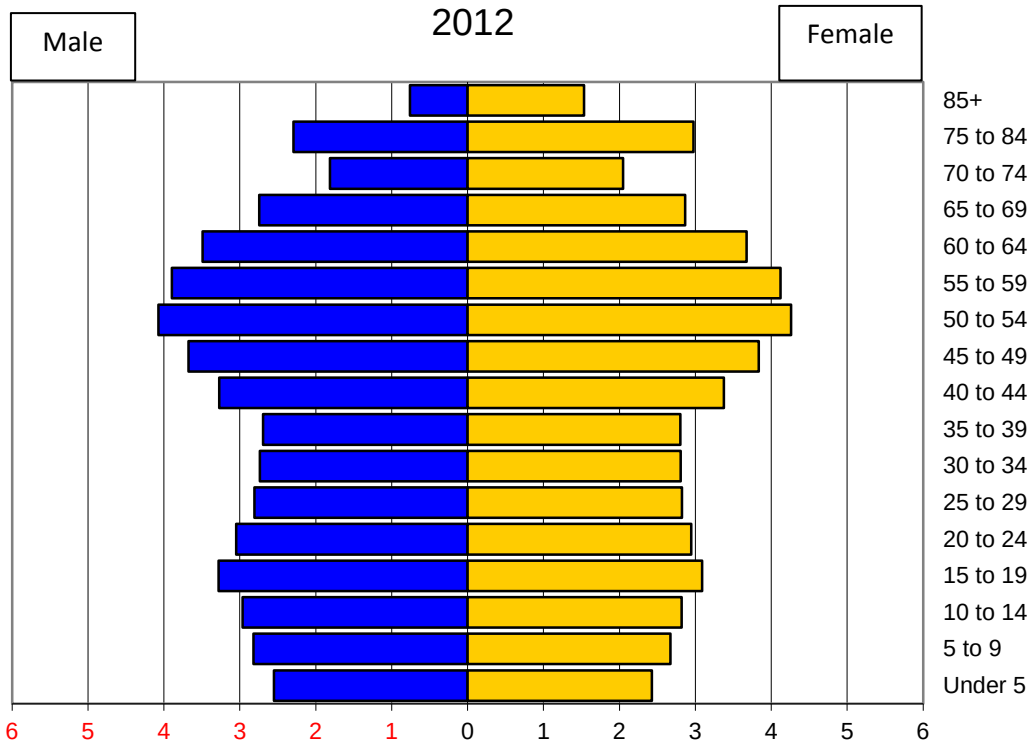


2. Age

Maine's population growth is slowing and moving south towards the coast. At the same time, Maine population is growing older. The state has the oldest median age of any state in the nation at 43.2 years, in contrast to the nationwide median of 37.3 years.

Figure 2, 3, & 4 Population by Age and Gender, Maine Office of Policy and Management




2012
Male
Female
85+
75 to 84
70 to 74
65 to 69
60 to 64
55 to 59
50 to 54
45 to 49
40 to 44
35 to 39
30 to 34
25 to 29
20 to 24
15 to 19
10 to 14
5 to 9
Under 5
6 5 4 3 2 1 0 1 2 3 4 5 6

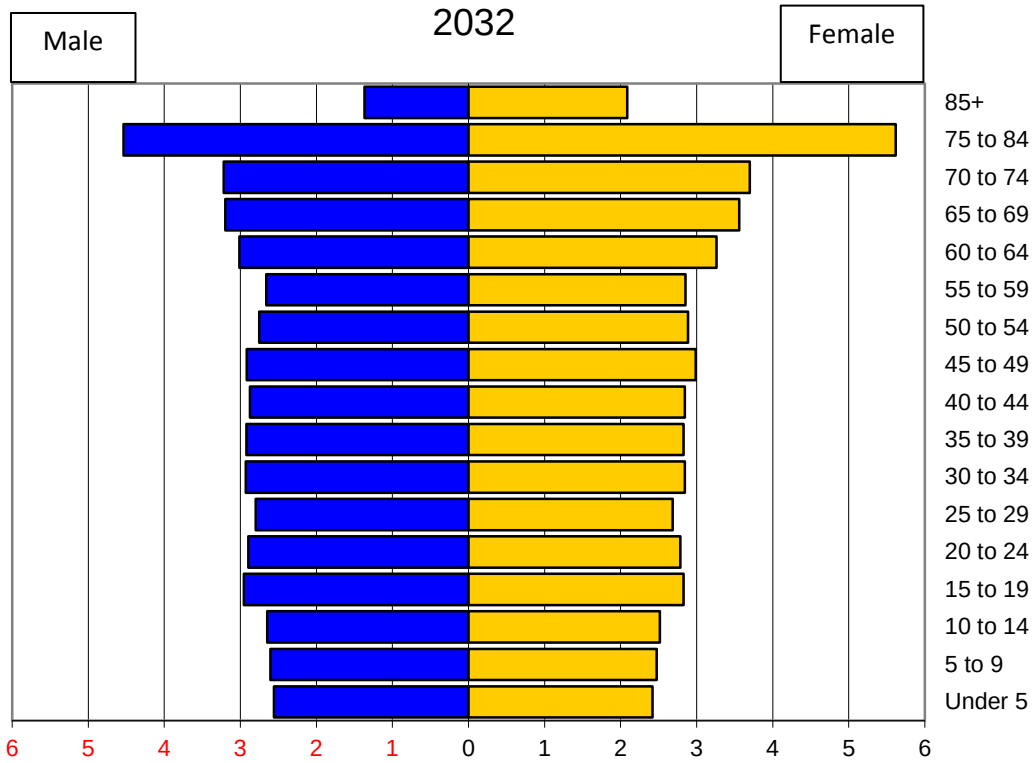

2032
Male
Female
85+
75 to 84
70 to 74
65 to 69
60 to 64
55 to 59
50 to 54
45 to 49
40 to 44
35 to 39
30 to 34
25 to 29
20 to 24
15 to 19
10 to 14
5 to 9
Under 5
6 5 4 3 2 1 0 1 2 3 4 5 6

Table 2, Worker – Senior Ratio, ME DoL

As population growth slows and the ratio of working-age Maine nonworking-age residents will also continues to age, Today, for every person over the age of 65 in Maine, there are an estimated 3.4 working-age persons. By 2030, that ratio is expected to diminish to one senior to 2.8 workers. Maine will have to entice larger numbers of working age people to stem the current demographic tide.

Working-age to senior ratio*	2015	2030
United States	4.2	2.8
Androscoggin	4.1	2.8
Penobscot	4.0	2.6
Cumberland	3.9	2.4
Kennebec	3.6	2.3
York	3.5	2.0
Maine	3.4	2.2
Oxford	3.3	2.0
Somerset	3.3	2.0
Franklin	3.2	2.0
Sagadahoc	3.1	1.8
Waldo	3.1	1.9
Aroostook	2.9	1.9
Hancock	2.8	1.7
Knox	2.7	1.8
Washington	2.6	1.8
Piscataquis	2.4	1.5
Lincoln	2.2	1.3

**Age 16 to 64 divided by 65 and over.*
Sources: U.S. Census Bureau; Governor's Office of Policy and Management.

3. Race

Comparatively speaking, Maine is not a racially diverse state. In 2010, 95.2% of the population was white. Although both the African and Asian American presence in Maine increased measurably between 1990 and 2010, these minorities comprise only 2.2 % of the State's total population. Like its northern New England sister states of Vermont and New Hampshire, Maine's population of African Americans (1.2%) and Asians (1%) is much less than the national distribution of 13% and 5% respectively.

Table 3 Maine and Race, Census

Maine Population By Race - US Census Bureau Data						
Race	1990	2000	2010	% of Total 2010	Percentage Increase 1990 to 2000	Percentage Increase 2000 to 2010
White	1,206,956	1,236,014	1,264,971	95.2%	2%	2%
African American or African American	4,959	6,760	15,707	1.2%	36%	132%
Asian	6,588	9,111	13,571	1.0%	38%	49%
American Indian or Alaska Native	5,901	7,098	8,568	0.6%	20%	21%
Native Hawaiian or Pacific Islander	N/A	382	342	0.0%	N/A	-10%
Other	6,287	2,911	4,261	0.3%	-54%	46%

Two or More Races	N/A	12,647	20,941	1.6%	N/A	66%
Total State Population	1,230,691	1,274,923	1,328,361		3.6%	4.2%
Total Minorities*	23,735	38,909	63,390		63.9%	62.9%
Percentage Minority	1.9%	3.1%	4.8%			

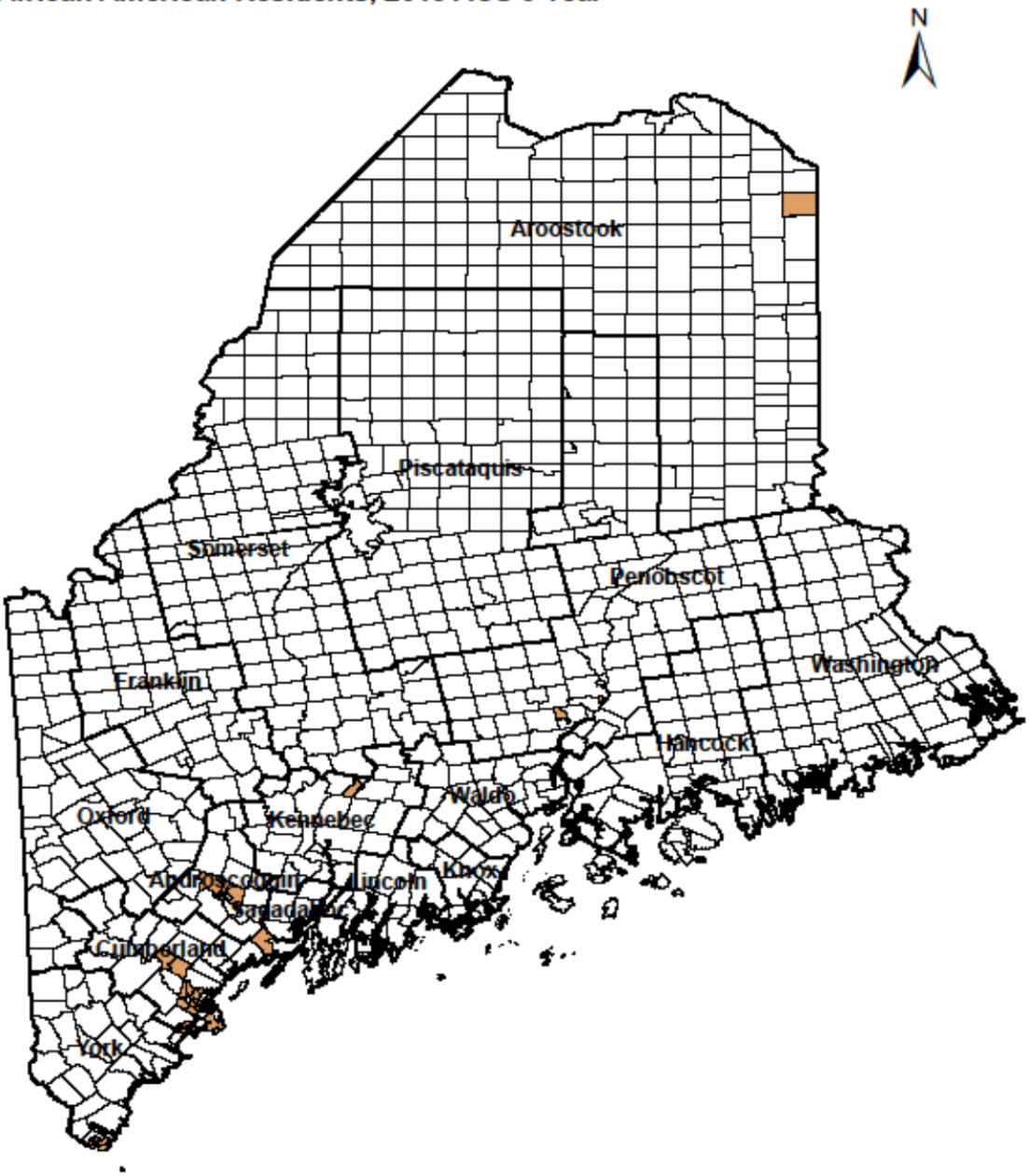
Sources: U.S. Census Bureau Summary Files DP-1 for the 1990, 2000 & 2010 Decennial Censuses

* Obtained subtracting white from total state population.

Since the African American population more than doubled in size from 2000 to 2010, MaineHousing defines an area of racial concentration as a census tract having more than double the statewide proportion of each minority. African Americans account for 1.2% of the Maine's population. An area of concentration therefore would be a tract with 2.4% or more African American residents. Using the same method, concentrated tracks would have 2% or more Asian; 1.2% American Indian or 2.8% Hispanic residents.

Areas of minority concentration in the State include 38 tracts of African American concentration, 63 tracts of Asian concentration, 41 tracts of American Indian concentration and 41 tracts of Hispanic concentration. Areas of minority and ethnic concentration in the State are illustrated geographically on Maps 1 – 4 on the following pages. Cumberland County had the highest number of areas of concentration of minority groups at 52, followed by Penobscot and Aroostook with 20 and 11 concentrated areas. Only six counties had concentrations of African Americans, primarily located in the southern and central regions of Maine. Asian concentrations were found in 13 counties scattered throughout the state. Eight counties had concentrations of American Indians located in the northeast.

Map 1: Areas of Minority Concentration (≥ 2.4%)
African American Residents, 2013 ACS 5 Year



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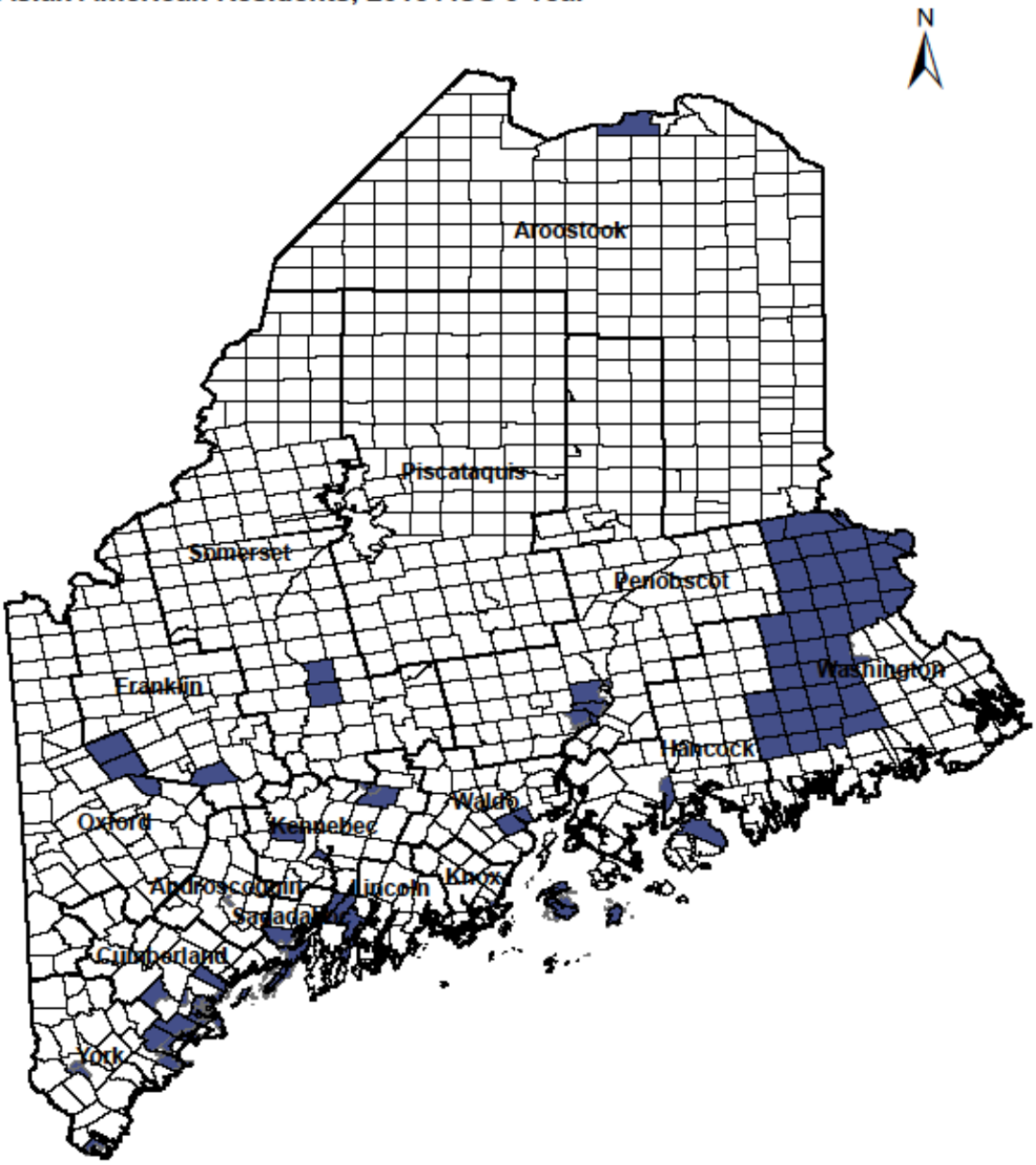
Map 2: Areas of Minority Concentration (≥ 2.0%)
Asian American Residents, 2013 ACS 5 Year



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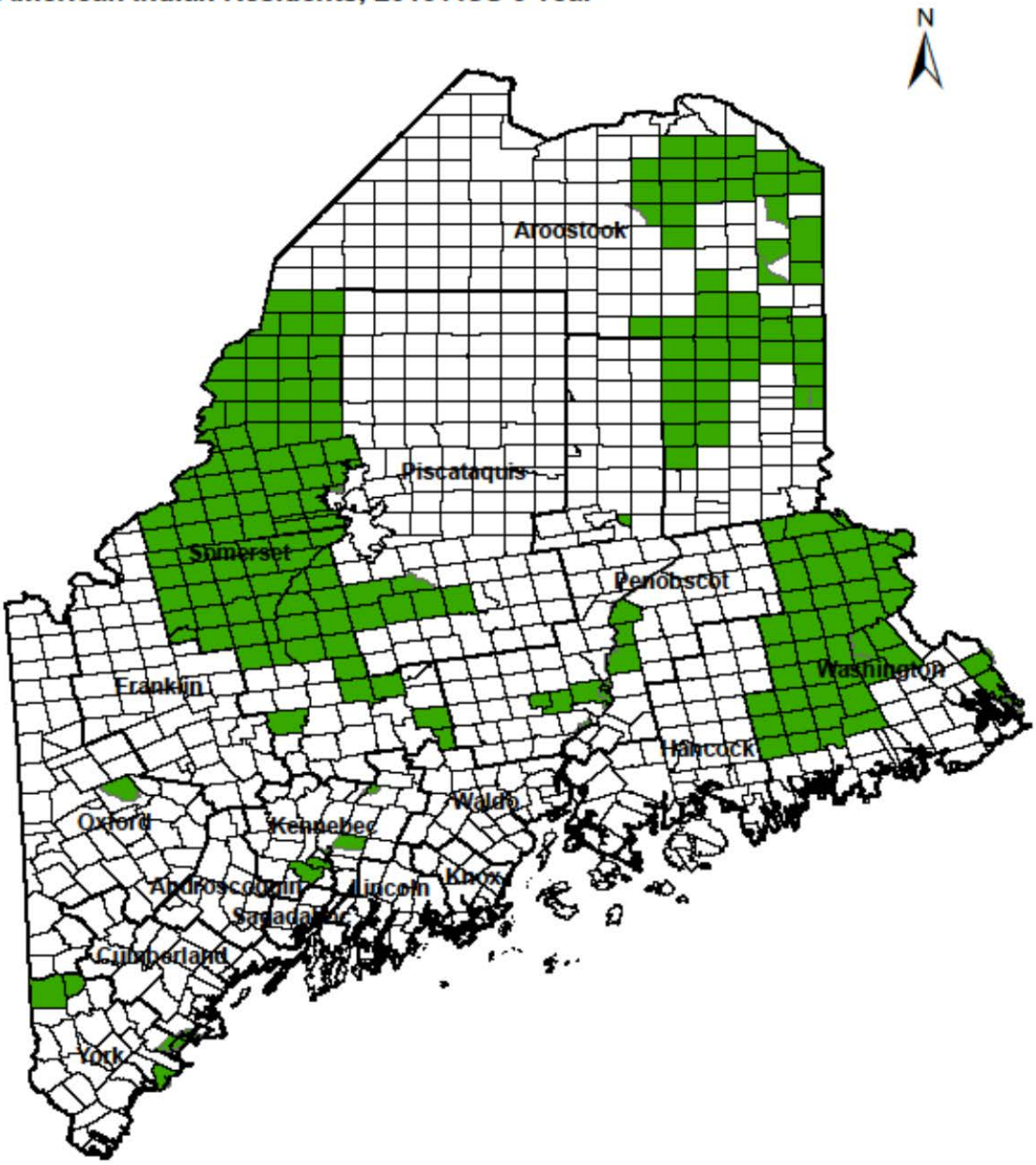
Map 3: Areas of Minority Concentration (≥ 1.2%)
American Indian Residents, 2013 ACS 5 Year



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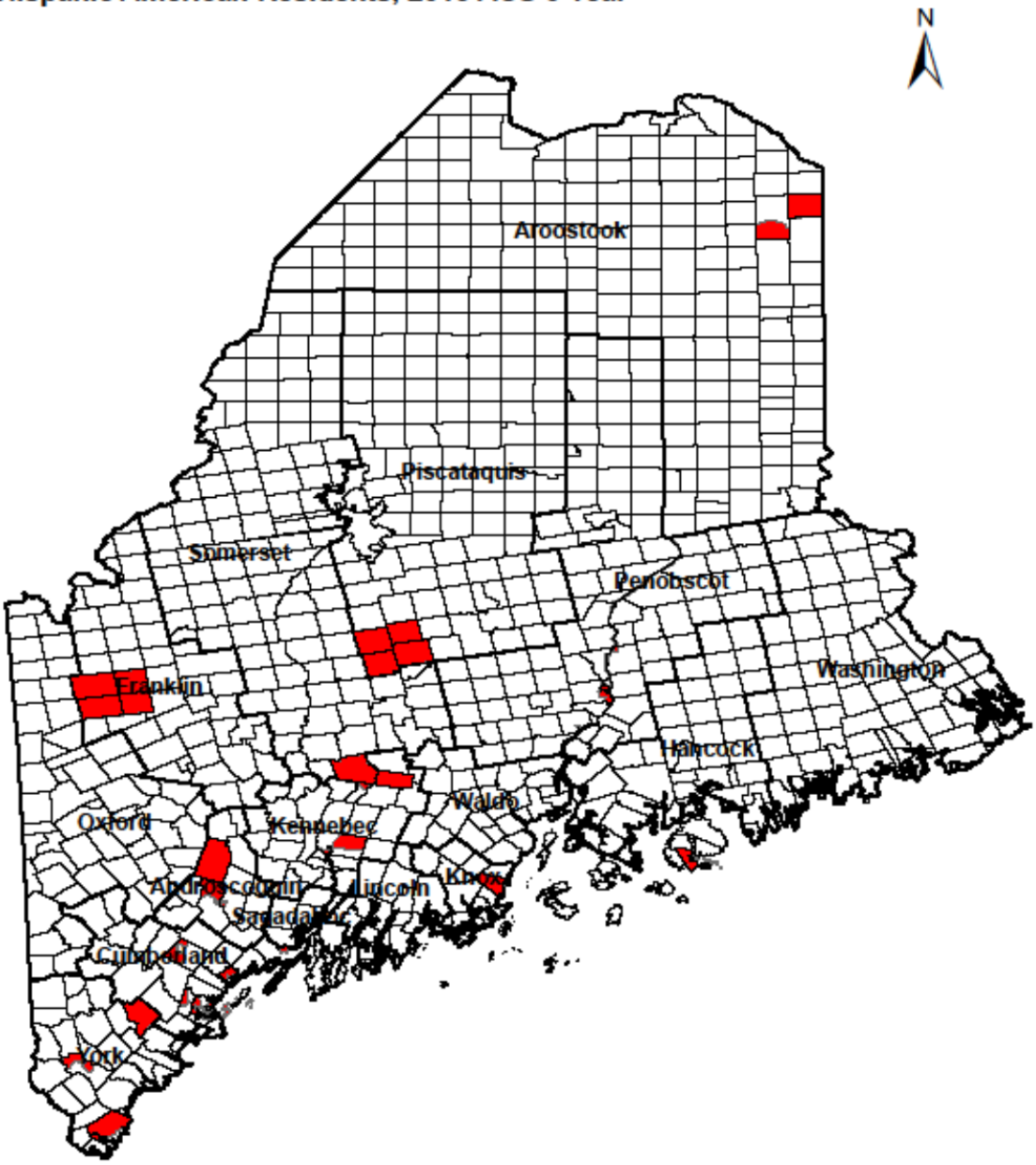
Map 4: Areas of Minority Concentration (≥ 2.6%)
Hispanic American Residents, 2013 ACS 5 Year



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4. Race/Ethnicity and Income

Household income is one of several factors used to determine eligibility for housing assistance. In Maine, the median housing income for Whites and Asians was higher than African Americans, American Indians, and Hispanics. Comparatively, American Indians with an income of $21,923 had the lowest median income, or 50% less than that of Whites.

The U.S. Census Bureau determines the poverty status of households by using a set of dollar values thresholds that vary by family size and composition. As shown in Figure 8 below, African Americans have the highest rate of poverty of those listed, but do not have the lowest median income.

Table 4 Median Incomes and Poverty by Race and Ethnicity

	Median Household Income	Poverty Rate
Maine	$46,933	12.6%
Whites	$47,412	11.8%
African Americans	$35,325	42.6%
American Indian/Alaska Native	$21,923	35.9%
Asians	$44,034	16.7%
Hispanics	$35,167	25.5%

Source: U.S. Census Bureau 2010 ACS 5 Year(B19013, B19013A, B19013B, B19013C, B19013D, B19013I, B17001, B17001A, B17001B, B17001C, B17001D, B17001I

The median household income for Cumberland, Sagadahoc and York counties, all in the southern region of the state, was just over $50,000, and the poverty rates there hovered under 11%. These income and poverty numbers contrast sharply with those of Aroostook, Penobscot, Piscataquis, Washington and other northern counties that see median incomes from $30,000 to $40,000, with poverty rates at or above 15%. Generally, counties that have seen population increases have lower levels of poverty.

Table 5 Median Income and Poverty Rates, 2010 County

Table 5 Median Household Income and Poverty Rates by County, 2010

		Median Household Income	Poverty Rate
	Maine	$46,933	12.6%
	Androscoggin	$44,470	14.3%
	Aroostook	$36,574	15.4%
	Cumberland	$55,658	10.5%
	Franklin	$39,831	15.5%
	Hancock	$47,533	11.5%
	Kennebec	$45,973	12.5%

	Knox	$45,264	12.5%
	Lincoln	$47,678	10.8%
	Oxford	$39,748	13.2%
	Penobscot	$42,658	15.7%
	Piscataquis	$34,016	16.2%
	Sagadahoc	$55,486	8.8%
	Somerset	$36,647	18.4%
	Waldo	$41,312	14.6%
	Washington	$34,859	19.8%
	York	$55,008	8.5%

Source: U.S. Census Bureau, 2006-2010 ACS (B19013,B17001)

The percentage of all White households in Maine is evenly distributed, between 20% and 27%, across all income ranges (see table 6 below) . In contrast, the percentage of minority households at the high income range is much lower, 10% to 17%, then increases considerably to between 31% to 53% at the lower range. This is a pattern that repeats itself nationally with the exception of Asian American households where nationally 46% are in the $75,000 and higher income range and only 4 % are under $25,000. The most uneven distribution in Maine occurs among American Indian population, with over half the population living with a household income of less than $25,000,considered to be an extremely low or severely low income. An estimated 143,044 of all Maine households fall into the extremely or serverely low income categories.

Table 6 Household Income by Race

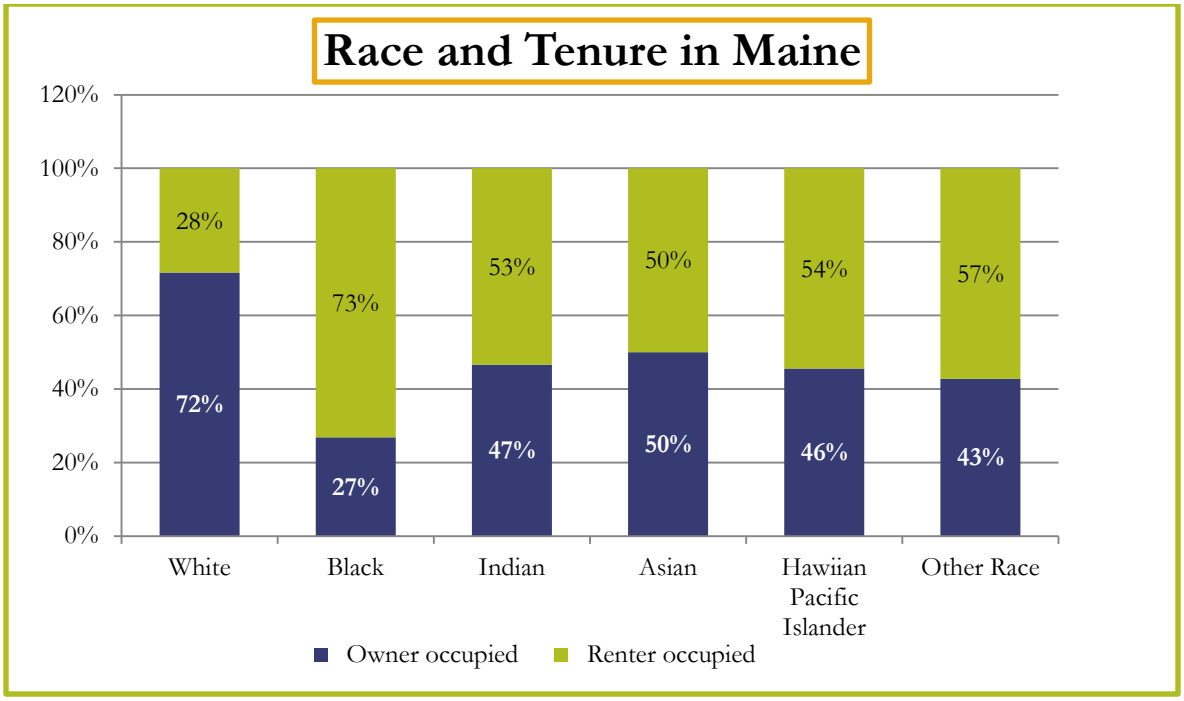
		$0 to $24,999		$25,000 to $49,999		$50,000 to $74,999		$75,000 +	
	Total	#	%	#	%	#	%	#	%
All Households	551,125	143,044	26.0%	148,593	27.0%	111,303	20.2%	148,185	26.9%
White Households	533,837	135,870	25.5%	144,068	27.0%	108,647	20.4%	145,252	27.2%
African American Households	3,741	1,416	37.9%	1,341	35.8%	546	14.6%	438	11.7%
American Indian/Alaska Native	2,910	1,559	53.6%	657	22.6%	297	10.2%	397	13.6%
Asian Households	4,003	1,249	31.2%	943	23.6%	699	17.5%	1,112	27.8%
Hispanic Households	4,426	1,719	38.8%	1,233	27.9%	673	15.2%	801	18.1%

Source: U.S. Census Bureau, 2006 - 2010 ACS (B19001,B19001A, B19001B, B19001C, B19001D, B19001D & B19001I)

5. Race and Tenure

Homeownership is often seen as a measure of wealth and the capacity to build wealth, and generally as more conducive to raising successful children and building stronger families. In Maine, the White population enjoys a higher homeownership rate at 71% than we see nationally at 64%. Among minorities in Maine the home ownership rate ranges from a low of 27% for African Americans to 50% for Asian Americans.

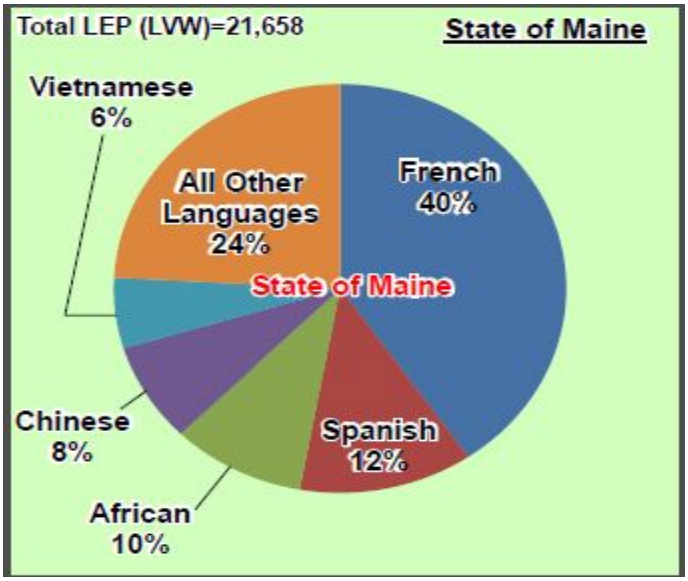
Graph 1



6. Language

An estimated 93% of Maine residents speak only English. The 2012 American Community Survey found an estimated 21,658 residents speak English "less than very well" in Maine. Chart 1 below provides a breakdown of Limited English Proficiency statewide.

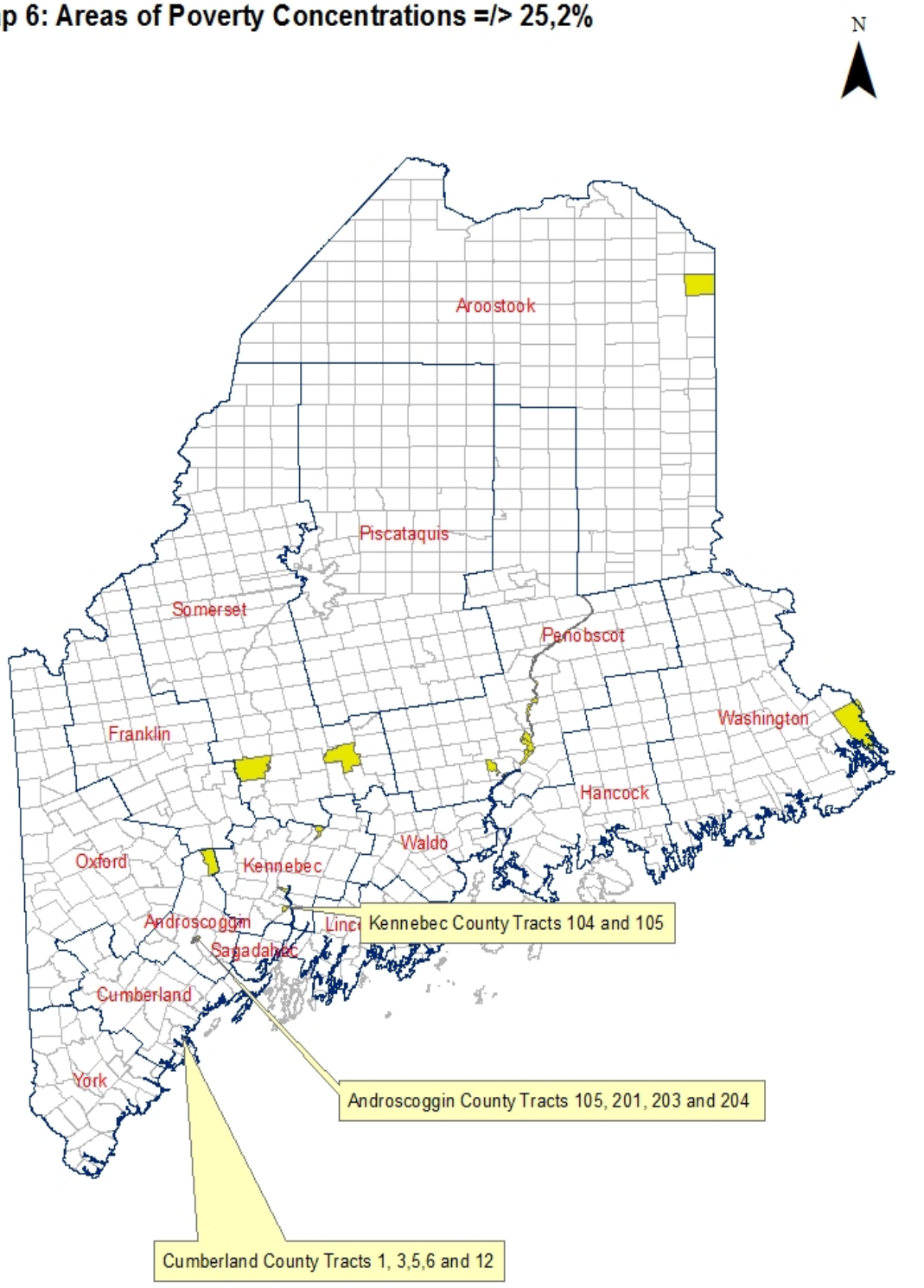
Chart 1 US Census LEP



7. Concentrations of Poverty

There are 27 census tracts in Maine with twice the rate or more of poverty than the state of Maine as a whole (≥ 25.2%). Of these, 19 are also areas of high concentrations of minority populations. Map 6 on the following page illustrates areas of high poverty in Maine. Concentrations of poverty exist in half of Maine's 16 counties with no discernable regional pattern. Map 7 on the following page illustrates areas with both a high concentration of poverty and race concentration.

Map 6: Areas of Poverty Concentrations =/> 25,2%



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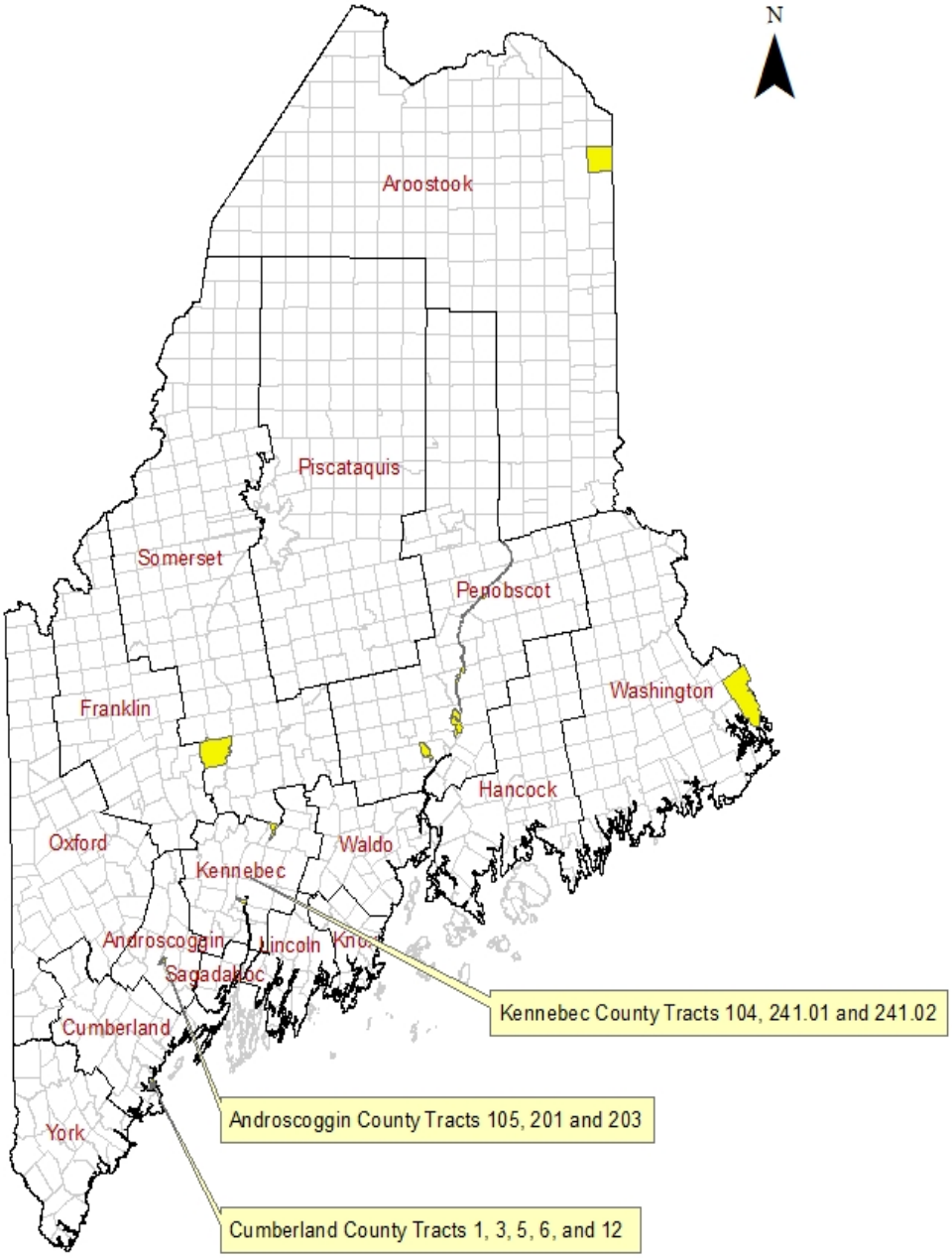
Map 7: Areas of Poverty and Race Concentration



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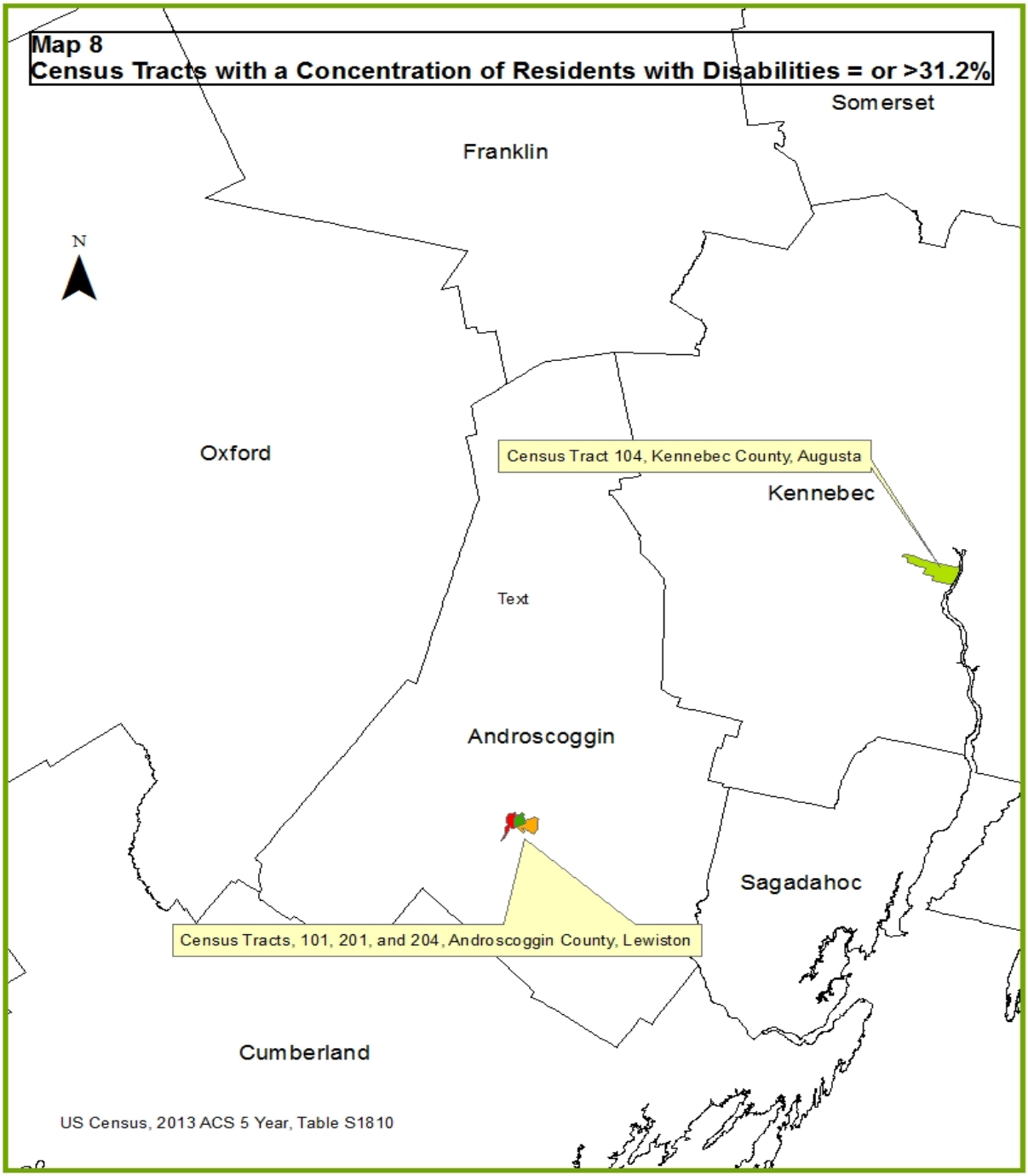
Maine State Housing Authority

8. Disabilities

The State of Maine has a disabled population of 15.6%. Four Census tracts contain a concentration of residents with a disability equal to or greater than double the state percentage, or 31.2%. Two of the state's larger communities, Lewiston and Augusta, have these concentrations.



C. Household Income and Affordability

1. Median Household Income

Median household income in Maine was $48,453 in 2013. However, median income varies by household type, from a statewide high of $70,000 for families to a low of $27,000 for non-families. It also varies by county in Maine as illustrated in Table 7 below.

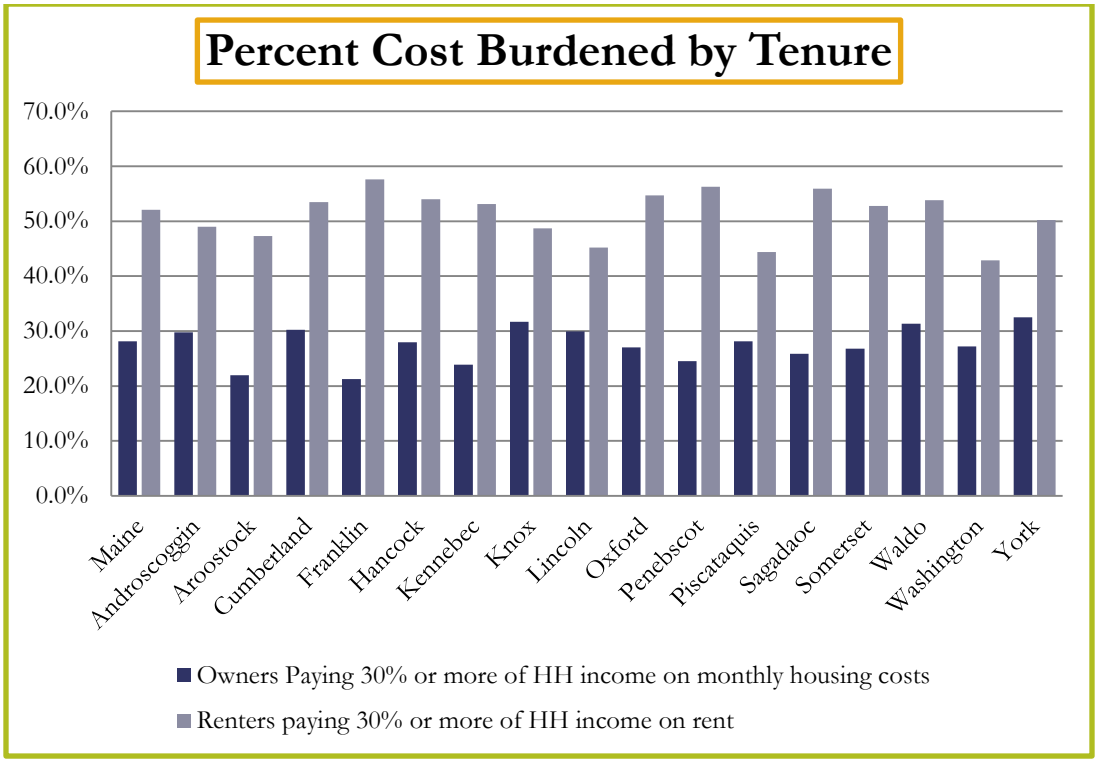
Table 7 Median Incomes by Household Type

	Median income (dollars)			
	Households	Families	Married-couple families	Nonfamily households
Maine	$48,453	$61,107	$70,070	$27,527
Androscoggin	$44,921	$57,444	$69,296	$26,344
Aroostook	$37,855	$50,779	$57,763	$19,505
Cumberland	$57,461	$75,432	$86,598	$34,918
Franklin	$41,626	$50,251	$56,984	$24,192
Hancock	$47,460	$60,022	$68,289	$27,119
Kennebec	$46,808	$59,915	$68,893	$26,944
Knox	$49,755	$60,581	$66,601	$28,313
Lincoln	$50,181	$59,398	$67,126	$31,940
Oxford	$40,674	$49,920	$57,748	$23,837
Penobscot	$43,734	$56,155	$64,297	$26,085
Piscataquis	$36,646	$45,917	$52,159	$19,879
Sagadahoc	$56,733	$69,561	$75,774	$32,348
Somerset	$38,642	$50,051	$57,697	$22,087
Waldo	$42,221	$52,614	$60,707	$22,843
Washington	$37,236	$45,117	$52,095	$20,281
York	$57,348	$70,642	$78,255	$31,471

US Census, 2013 ACS 5 Year, Table S1901

The percentage of renters who are cost burdened is greater than homeowners. More than half of renters are cost burdened -- defined as paying more than 30% of income on housing-related costs. The median income for an owner in Maine is $59,427, while the median income for a renter is only $26,416, contributing to the burden of housing related costs.

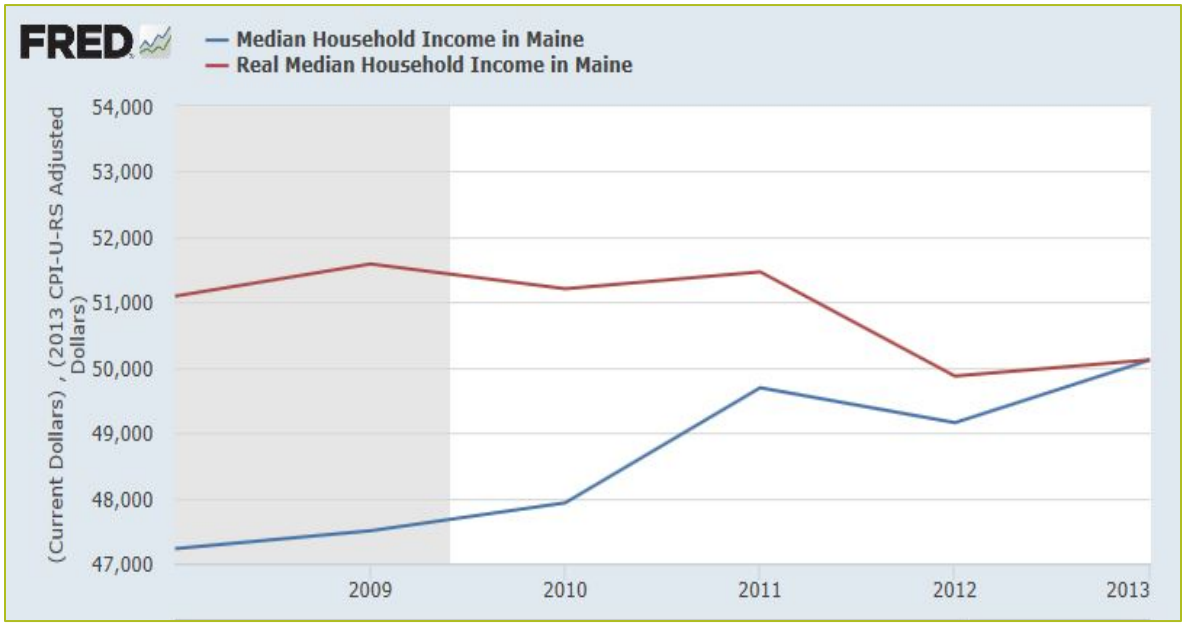
Graph 2 Cost Burdened Households 1



2. Income Change

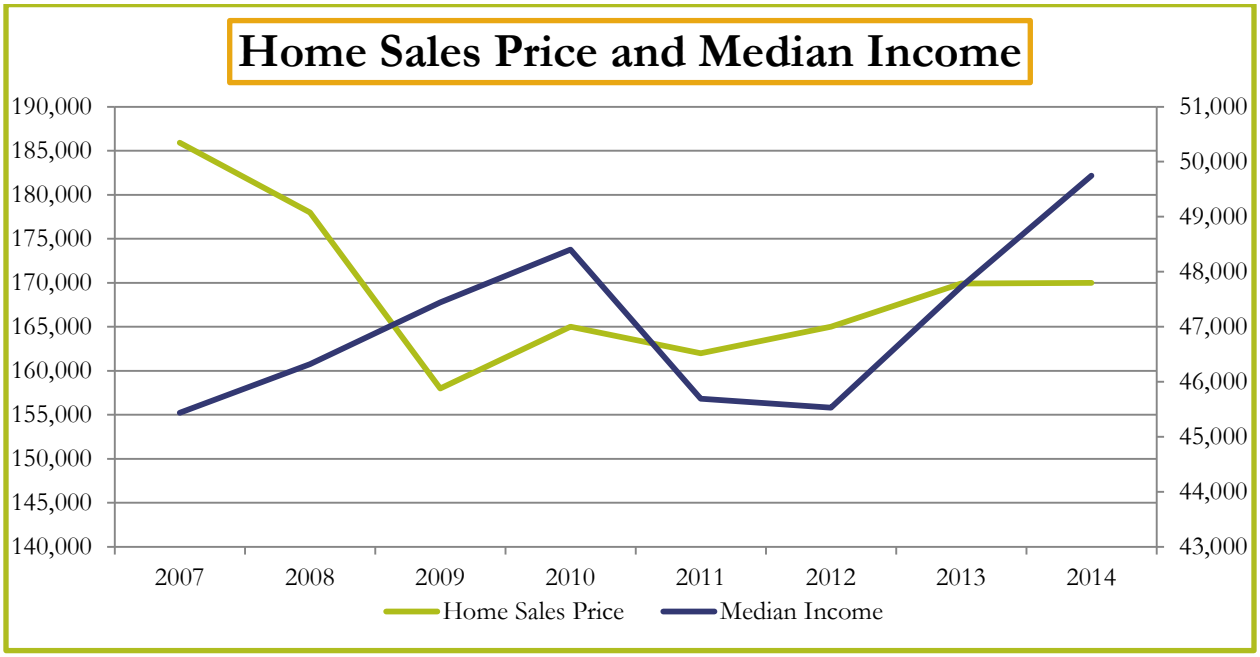
Nominal and real median household incomes are growing in Maine, though real income has only recently begun to increase. This increase will likely diminish the cost burden for owners and renters, depending on changes in average rents and median home prices. Homes have become more affordable due to price declines over the past several years, although the market is now improving. Rents have been rising faster than income (see Graphs 3 and 4).

Graph 3



Federal Reserve Bank of St. Louis, Economic Research

Graph 4 Home Affordability



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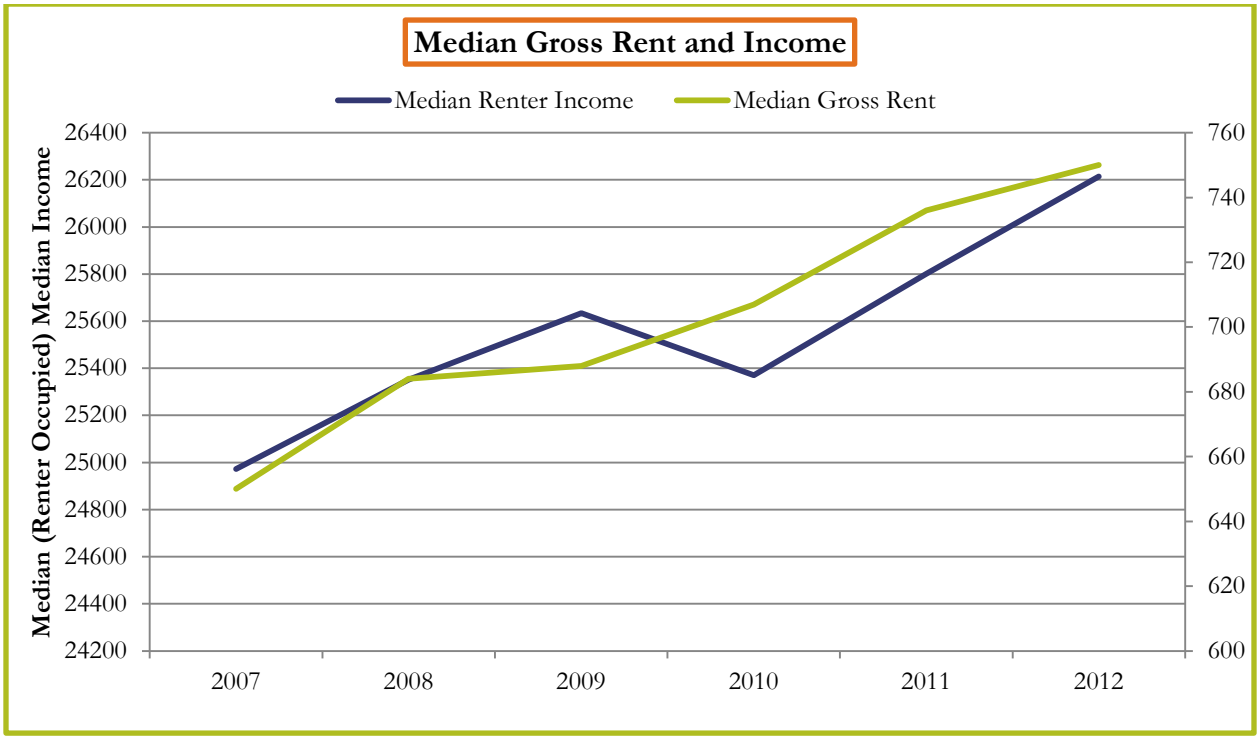
Graph 5



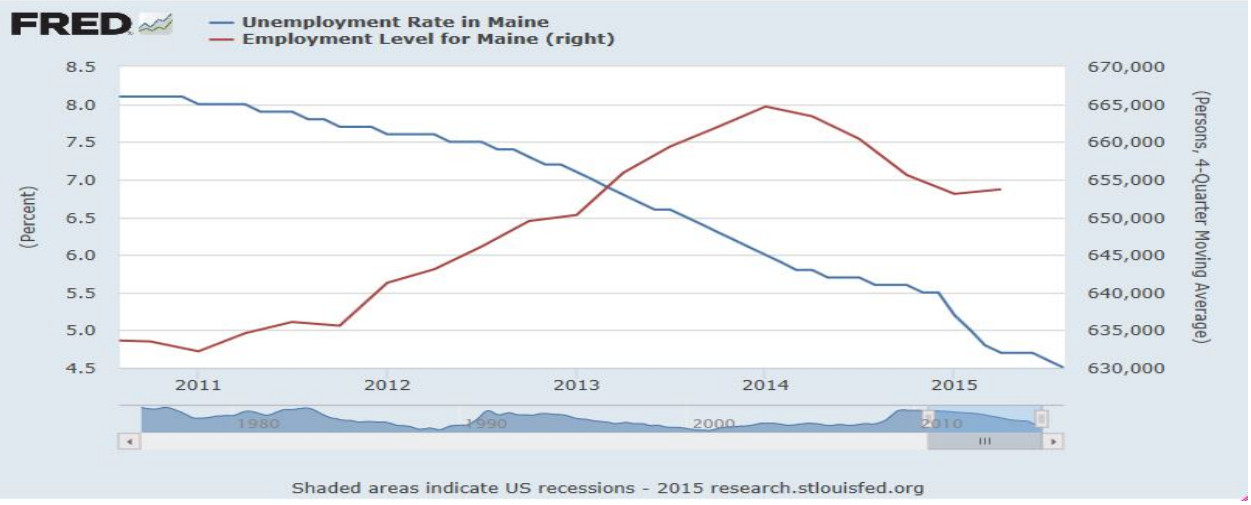
US Census Table B25046 Median Gross Rent 5 & 3 yr. est for 2007-2012; Table 25119 Median Household Income (Renter occupied) 5 & 3 Yr. est. for 2007-2012

D. Employment

1. Unemployment

The unemployment rate is declining, but the level of employment is currently flat, meaning that while more people are employed, there are no more jobs being added to the economy. If this pattern continues, real income will continue to increase, although at a slower pace due to low to moderate upward pressure on wages that a more robust labor market would create.

Graph 6



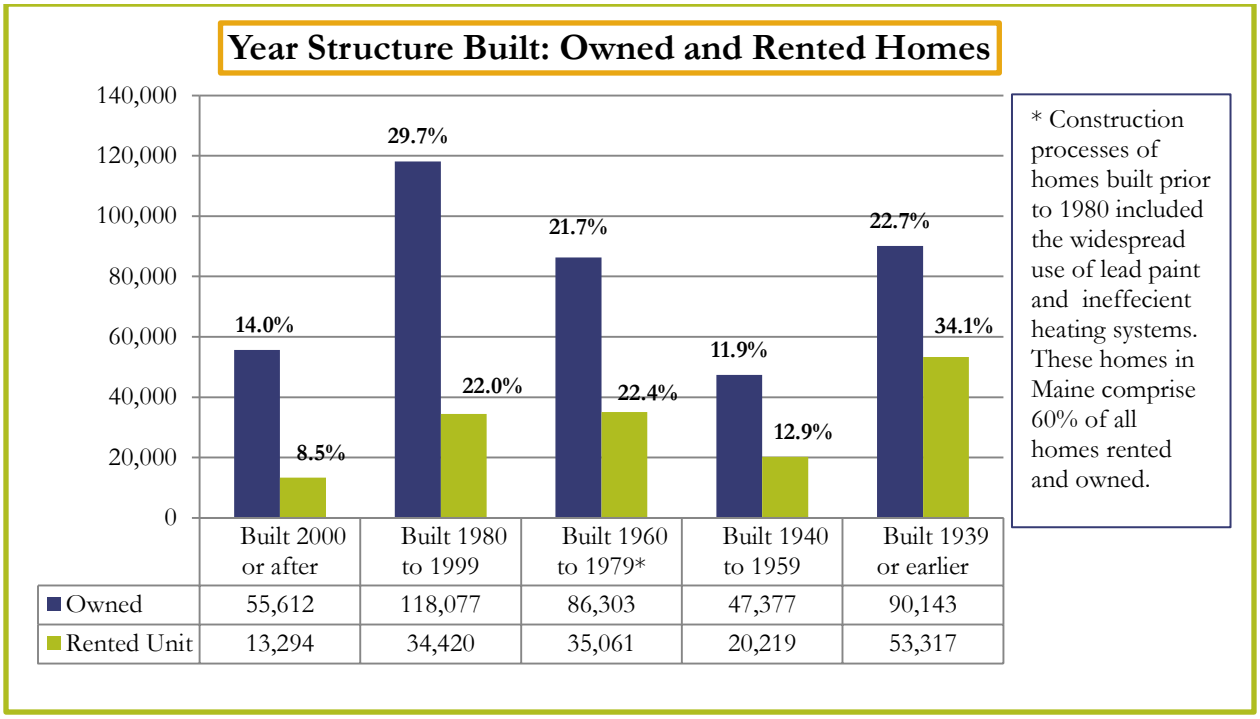
Federal Reserve Bank of St. Louis, Economic Research

E. Housing Profile

1. Age of Housing and Heating

Maine has the 8th oldest housing stock in the nation based on the percentage of homes built prior to 1939. More rental housing stock was built prior to 1980 than single family homes. Older homes pose greater health risks, and are of lower quality in terms of safety and inefficient heating. The use of fuel by tenure suggests a reason why renters are more cost burdened. Renters are unable to rely on fuel alternatives and often use expensive electricity.

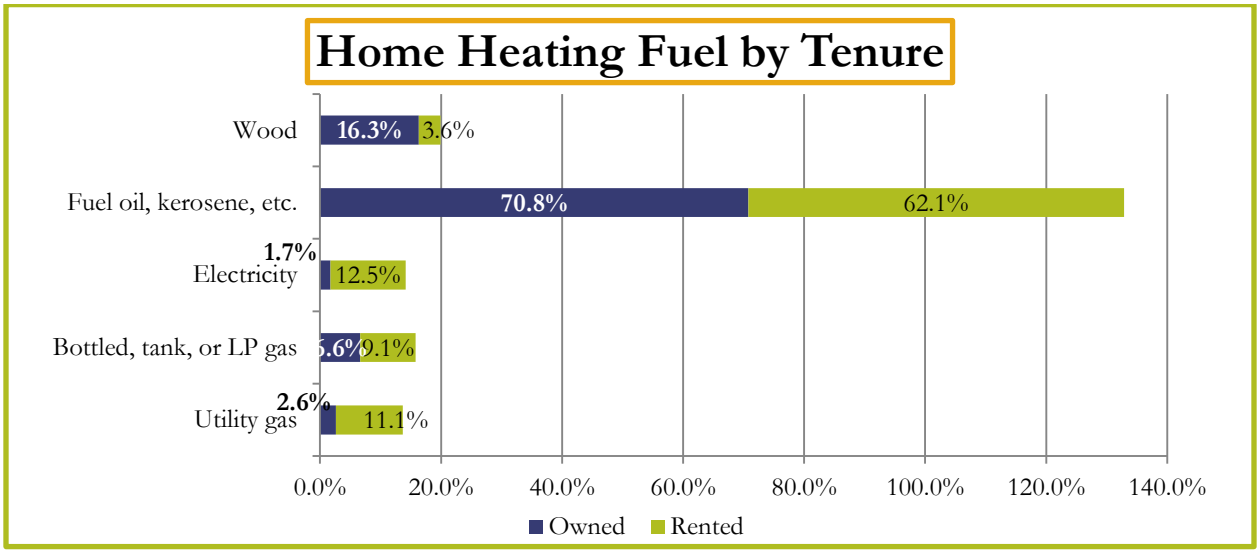
Graph 7



	Built 2000 or after	Built 1980 to 1999	Built 1960 to 1979*	Built 1940 to 1959	Built 1939 or earlier
Owned	55,612	118,077	86,303	47,377	90,143
Rented Unit	13,294	34,420	35,061	20,219	53,317

US Census, 2013 ACS 5 Year, Table B25036

Graph 8

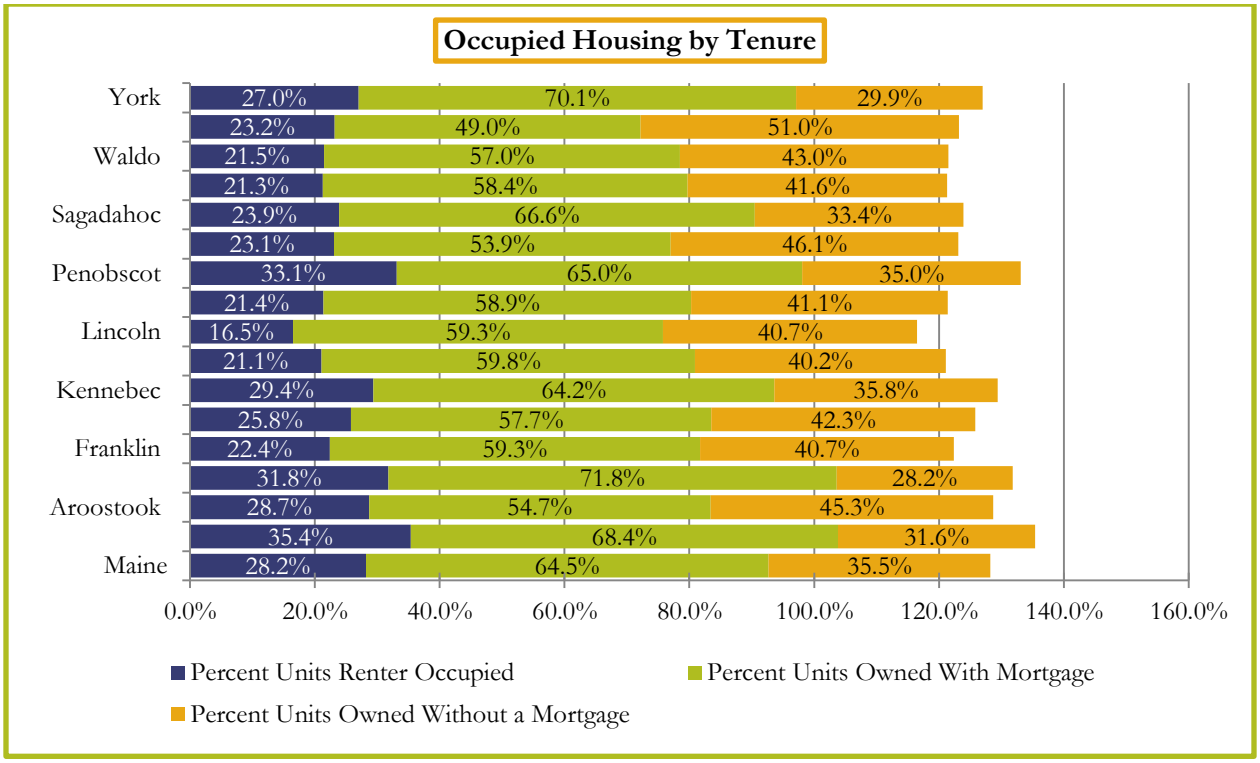


US Census, 2013 ACS 5 Year, Table 25117

2. Units Occupied

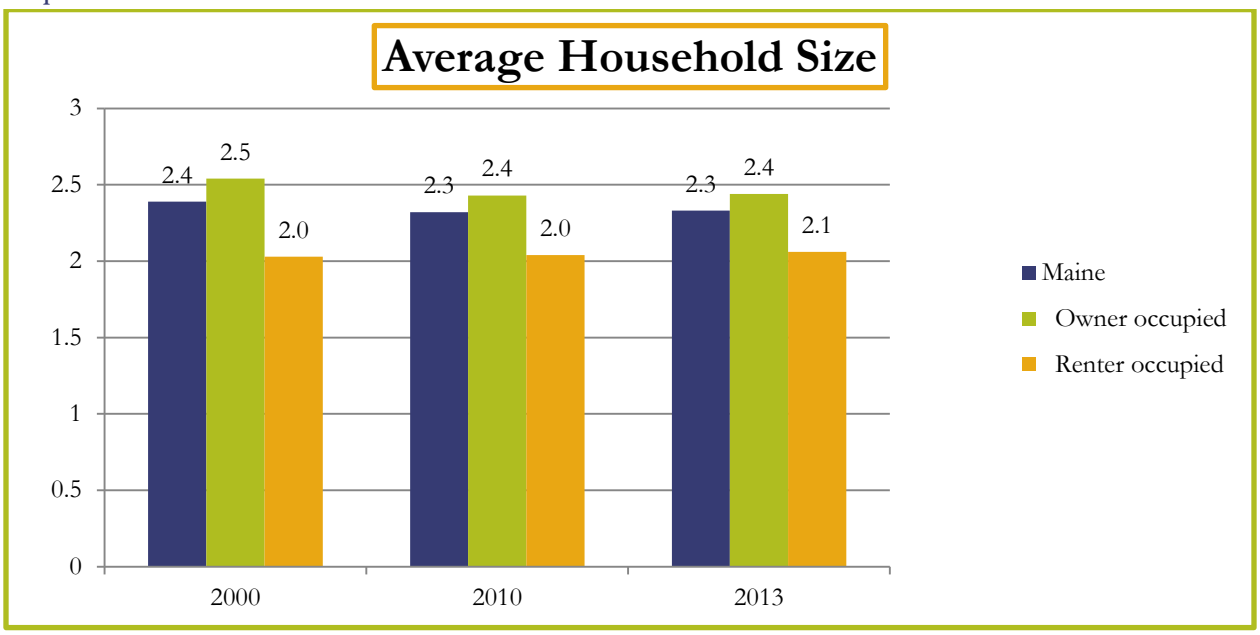
Maine's home ownership rate at 71% is among the highest in the nation. In terms of average household size by tenure, little has changed since 2000.

Graph 9



US Census, 2013 ACS 5 Year, Table DP04

Graph 10

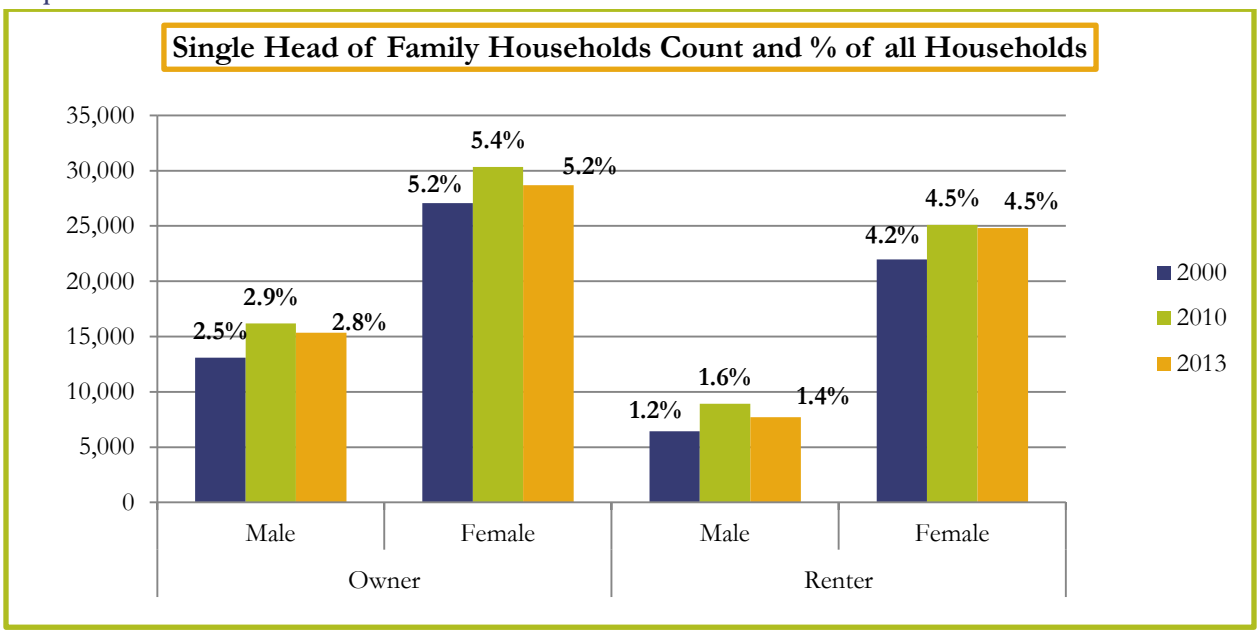


US Census, 2000 SF(1) Table H12; 2010 SF (1) Table H12; 2013 ACS 5 Year, Table 25010

Married family households have the highest median income compared to other family households. Graph 11 highlights single households by gender and tenure. Overall the number of single head of

family households, traditionally the most economically challenged, have declined both as owners and renters.

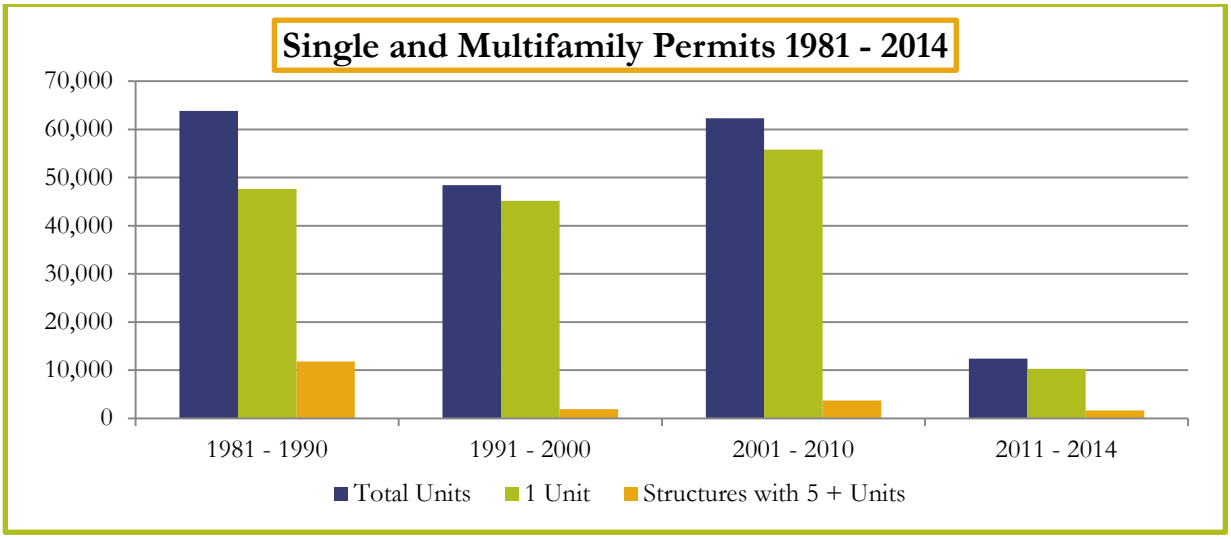
Graph 11



US Census, 2000 SF(1) Table H017; 2010 SF (1) Table H18; 2013 ACS 5 Year, Table 11012

Finally, the data on occupied housing by tenure, year structure built and other data provide evidence of Maine's strong preference for home ownership. In looking at permit data and the number of rental units or structures with five or more units, it's clear that single family construction has far outpaced Multi-family unit construction.

Graph 12



US Census, Building Permits Survey New Privately-Owned Housing Units Authorized by Building Permits

III. Evaluation of Current Fair Housing Enforcement

A. Fair Housing Complaints

1. Basis

Disability is the most common basis for an allegation of a fair housing violation. In 2014, 41 % of allegations were based on disability, accounting for a total of 245 housing discrimination cases considered by the Maine Human Rights Commission.

Table 9

Maine Human Rights Commission Housing Discrimination Cases						
	FY 2014		2010 - 2014		City Town	Allegations
Basis of Allegation	Count	Percent	Count	Percent	Portland	91
Disability	245	41%	880	45%	South Portland	73
Race	43	7%	141	7%	Westbrook	44
Familial Status	35	6%	179	9%	Auburn	40
Gender/Sex/Orientation	51	9%	219	11%	Augusta	40
Retaliation	55	9%	127	7%	Limington	34
National Origin	53	9%	90	5%	Bangor	30
Religion	29	5%	58	3%	Lewiston	24
Other	82	14%	243	13%	Richmond	22
Total	593		1937		South Paris	20
					Rumford	16
					Yarmouth	16
					Total	450

Maine Human Rights Commission

2. Disposition

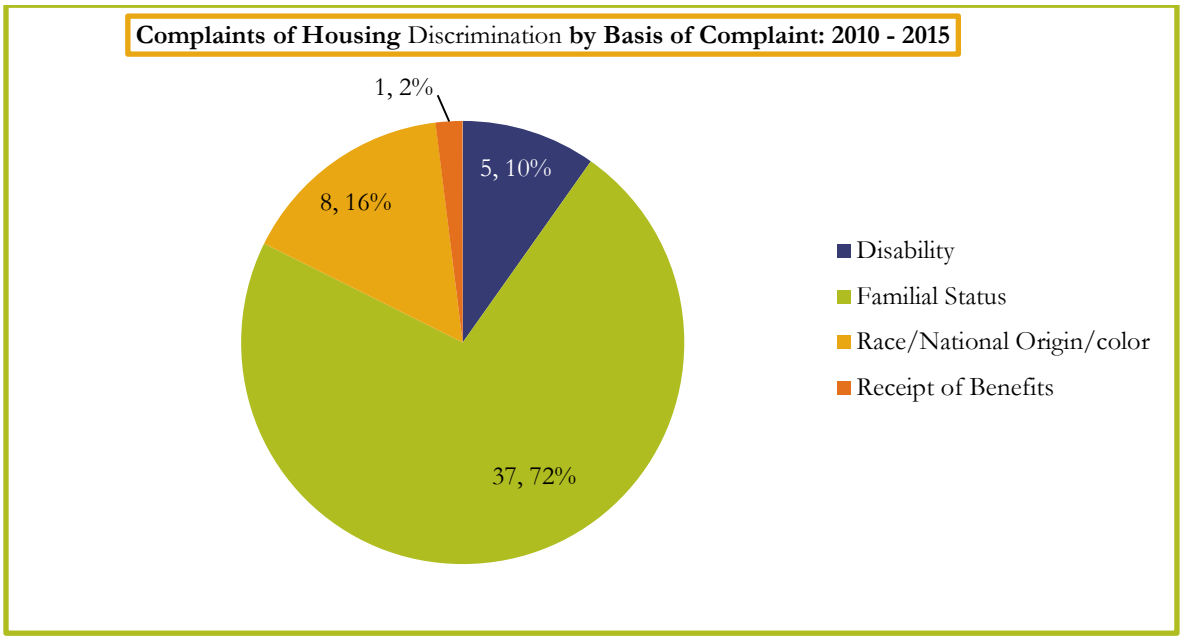
Table 10

Disposition of MHRC Housing Discrimination Cases				
	2014		2010 - 2014	
Action	Number of Cases	Percent	Number of Cases	Percent
Administrative Closure	85	14%	316	16%
Closed Due To Court Decision	0	0%	1	0%
Conciliation Failure	4	1%	5	0%
CP Failed To Respond To 30-Day Letter	0	0%	5	0%
No Cause Finding Issued	393	66%	892	46%
Settlement With Benefits	44	7%	366	19%
Successful Conciliation	20	3%	36	2%
Withdrawal With Benefits	47	8%	314	16%
Total	593		1937	

Maine Human Rights Commission

Some of the complaints brought to the Maine Human Rights Commission are the results of a fair housing testing program in which individuals are paid to ensure people are not being discriminated against in their pursuit of housing. Over 274 tests were conducted by Pine Tree Legal over the course of 5 years. Seventy-two percent of the complaints involved familial status or cases where the alleged complaint was based on the potential occupant being a family and 16% of complaints involved race, national origin, or color. Pine Tree Legal cases are based on investigations the organization initiates based on it's own assessment as well as client complaints. The results are shown in Table 11 on the next page.

Table 11



PineTree Legal Assistance of Maine

Minorities in Maine do not fare as well as Whites in the pursuit of home ownership. Table 12 shows the distribution of loans originated and denied by race as a percent of all loans in Maine. Whites account for nearly all loans. Table 13 details the same data as percentage of each race; the application denial rate for minorities is higher, and for some minorities, considerably higher. The leading reason for denials for minority applications is debt-to-income ratio, followed by credit history, as shown in Table 14.

Table 12

Loan Originations and Denials by Race 2014					
Actions	White	African American	Asian	American Indian	Hawaiian/Pacific Islander
Applications	98%	1%	1%	0%	0%
Application Denied	96%	1%	2%	1%	1%
Loan Originated	98%	1%	1%	0%	0%

HMDA Data

Table 13

Loan Denial and Origination Rates 2014					
	White	African American	Asian	American Indian	Hawaiian/Pacific Islander
Application Denied	15%	27%	21%	44%	38%
Loan Originated	85%	73%	79%	56%	62%

HMDA Data

Table 14

Reasons for Denial by Race 2014					
	American Indian or Alaska Native	Asian	African American or African American	Native Hawaiian or Other Pacific Islander	White
Lack of Collateral	44.4%	12.5%	40.0%	0.0%	15.8%
Poor Credit history	33.3%	18.8%	10.0%	16.7%	28.1%
Credit application incomplete	0.0%	6.3%	0.0%	0.0%	4.9%
Debt-to-income ratio too high	11.1%	50.0%	20.0%	50.0%	32.9%
Poor Employment history	11.1%	0.0%	10.0%	0.0%	2.6%
Insufficient cash (down payment, closing costs)	0.0%	0.0%	0.0%	0.0%	3.0%
Other	0.0%	6.3%	0.0%	33.3%	9.7%
Mortgage insurance denied	0.0%	0.0%	20.0%	0.0%	0.3%
Unverifiable information	0.0%	6.3%	0.0%	0.0%	2.6%

HMDA Data

IV. Market Effects

A. Home Purchases by Loan Type

The housing market has not recovered in terms of permits, starts and completions in Maine or the nation. Conventional home purchase loans have returned to 2007 loan levels, while those loans requiring low to no down payment have grown (see Table 15 below). This trend reflects a diminished capacity of potential buyers to save enough to enter the market without some assistance.

Table 15

Owner-Occupied Home Purchase Loan Applications by Loan Type State of Maine HMDA Data									
Loan Type	2007	2008	2009	2010	2011	2012	2013	2014	Total
Conventional	22,527	11,329	8,924	7,825	7,452	8,839	10,296	10,993	88,185
FHA-insured	1,671	3,416	5,021	5,066	3,933	3,940	3,156	3,009	29,212
FSA/RHS-guaranteed	417	1,019	3,055	2,420	2,647	3,336	4,199	4,025	21,118
VA-guaranteed	690	769	1,046	1,270	1,258	1,361	1,590	1,874	9,858
Total	25,305	16,533	18,046	16,581	15,290	17,476	19,241	19,901	148,373

HMDA Data

V. Identification of Impediments to Fair Housing Issues

Based on our research, the following constitute the potential impediments or barriers to fair housing choice. Actions or steps to remediate these impediments are outlined in the action plan found in Section VI.

1. Lack of Affordable Housing

- The number of affordable multifamily housing units is inadequate to meet the need of low income households.
- An estimated 20,000 applicants remain on voucher waiting lists in Maine at the local and state housing authorities combined. The average time on such lists is in excess of more than one year.
- Failing to preserve the existing supply of affordable housing units and other public housing developments now aging will diminish supply. An estimated 4,658 units of LIHTC housing, or 55 % of all LIHTC units, were built prior to 2001 and are now eligible for another LIHTC allocation to preserve their affordability and to maintain or improve their physical quality. During the mid- 1960s and 70s, over 4,000 units of public housing were built and are now aging.
- A decline in resources has led to reduced production of new affordable housing and rental housing assistance.

2. Racial, Ethnic and Cultural Barriers

- Income distribution data suggests that Maine's minority populations have lower incomes than the majority White population.
- Data on income distribution by race reveal that minorities in Maine do not move into the mid to upper income brackets ($50,000 or more) at a rate proportional to that of the white population.

- Though the rate of population growth among Maine's minority population has slowed from the rate seen between 2000 and 2010, it has still maintained a growth rate faster than the white population since 2010.

3. **Community Planning and Zoning decisions that impede affordable housing**
   - It is the predominant opinion of developers and other organizations that focus on building affordable elderly, family and supportive housing that local zoning ordinances can limit the size of lots and the number of occupants in a given area.
   - Limits on the number of persons in a given area can limit development of group homes designed to house people with special accommodation needs due to disabilities.
   - Understanding of building codes and Fair Housing laws/requirements can vary by municipality due to different levels of training. Houses that should be compliant with building codes and fair housing laws may not be.
   - There are restrictions on accessory dwelling units.

4. **Lack of availability and access to housing for disabled individuals.**
   - The proportion of Maine's disabled population is higher than the national rate and that of all the other New England states.
   - The majority of housing complaints filed with the Maine Human Rights Commission are based on allegations of disability.

5. **Limited access to neighborhood opportunities and community assets**
   - Due to Maine's geography, there are limits on the availability of public transportation. Residents in rural areas face increased costs associated with obtaining services, products and getting to work.
   - These limits are particularly difficult for low income minority households located in rural Maine.
   - LIHTC projects are not feasible in areas facing diminished transportation options, essential services and jobs.
   - In the provision of rental assistance through Section 8 programs, there is reluctance on the part of an applicant to take a subsidized unit too far from employment and services due to transportation-related costs.

6. **Lack of understanding of fair housing and affirmatively furthering fair housing**
   - Due to a lack of understanding, housing laws are not always followed as indicated by basis of complaint data the Maine Human Rights Commission provided.
   - The different federal and state accessibility requirements are complex and may cause confusion for developers and design professionals often leads to noncompliance.
   - More allegations of housing discrimination were based on disabilities than any other basis.

- Public education efforts rely predominantly on the web as the distribution medium, which may not reach all intended audiences.

MaineHousing
Analysis of Impediments to Fair Housing
Action Plan

MaineHousing submits the following action plan to address impediments identified in its Analysis of Impediments to Fair Housing.

Impediment 1: Lack of Affordable Housing		
Action	**Measurable Objective**	**Timeline**
1.1: Data collection and analysis Identify areas of highest need to prioritize multifamily housing placement	The number of multifamily housing units for elderly The number of multifamily housing units for families	In conjunction with the Qualified Allocation Plan
Results:		
1.2: Data collection and analysis Assess the need for maintaining the level of funding for affordable housing	Changes (increase/decrease) in funding available for programs The number of external requests for data and analysis	Annually
Results:		
1.3: Data collection and analysis Conduct local community housing assessments upon request	The number of requests received and analyses completed	Upon Request
Results:		
1.4: Data collection and analysis Publish housing facts and organize data to assist external partners conducting affordable housing related research	The number of website hits to Housing Facts site The number of website hits to research site	Annually
Results:		
1.5: Program Design Allocate low-income housing tax credits (LIHTC) and funding for new construction and preservation of affordable and mixed-income multifamily	The number of new affordable units and number of affordable units preserved	Annually

Impediment 1: Lack of Affordable Housing		
Action	**Measurable Objective**	**Timeline**
housing in Maine		
Results:		
1.6: Program Design Require deeper affordability than federal minimum affordability for LIHTC and tax-exempt bonds	The percentage and number of units awarded LIHTC and funding that are targeted at or below 50% of AMI	Annually
Results:		
1.7: Program Design Offer subsidy for affordable units to incent developers to provide more affordable units than required by the program, and allow developers to use other sources to provide deeper affordability in lieu of reducing MaineHousing's subsidy	The number of affordable units awarded LIHTC with affordability periods beyond the federally-required minimum and the program-required minimum	Annually
Results:		
1.8: Program Design Require longer period of affordability than required under the federally-required minimum affordability period	The number of units awarded LITHC that are required to be affordable beyond the federally-required minimum affordability period	Annually
Results:		
1.9: Homebuyer Assistance Maintain or increase the difference between MaineHousing's lower interest rate relative to the average bank rate for low and moderate income homebuyers	Change in yearly differential in MaineHousing interest rate compared to market rate	Annually
Results:		
1.10: Homebuyer Assistance Provide down payment	The number of buyers receiving down payment assistance	Annually

Impediment 1: Lack of Affordable Housing		
Action	**Measurable Objective**	**Timeline**
assistance to qualified homebuyers		
Results:		
1.11: Homebuyer Assistance Preserve existing affordable single family homes by providing grants and no interest loans to low-income households to make repairs and improvements	The number of low-income households assisted	Annually
Results:		
1.12: Education and Outreach Distribute materials on affordable housing and fair housing at conferences, workshops, and other appropriate public venues	The number of events at which these materials are distributed The number of brochures and other materials distributed	Ongoing
Results:		
1.13: Education and Outreach Publish data to educate the public on regional change and variations in home ownership and rental affordability	The number of website hits to Housing Facts site	Ongoing
Results:		
1.14: Education and Outreach Sponsor a conference for the affordable housing industry in the State (the Affordable Housing Conference) every other year.	The number in attendance	Biannually
Results:		
1.15: Evaluation Examine MaineHousing Programs and Services to determine their success in	The number of programs that achieve performance goals	Annually

Impediment 1: Lack of Affordable Housing		
Action	**Measurable Objective**	**Timeline**
addressing the lack of affordable housing		
Results:		
1.16: Evaluation Review Affirmative Fair Housing Marketing Plans for new and existing multi-family housing.	Number of plans reviewed.	Once upon project review and then every 1 to 3 years depending on the type of project
Results:		

Impediment 2. Racial, Ethnic and Cultural Barriers		
Action	**Measurable Objective**	**Timeline**
2.1: Assess Maine's effectiveness in reducing racial, ethnic and cultural barriers to housing Examine data on: • incomes of minority populations • changes in the concentration of minority populations in Maine's Census tracts • Research loan origination data for patterns related to race	Summary report shared with MaineHousing program directors and the public	Annually
Results:		
2.2: Ensure program information provided by MaineHousing is available in alternative languages.	The number of website hits to the translation tool Number of language translation services requested Use of Language Line	Ongoing
Results:		
2.3: **Provide the** Fair Housing information and resource **notice**	The number of notices sent	Ongoing

Impediment 2. Racial, Ethnic and Cultural Barriers		
Action	**Measurable Objective**	**Timeline**
with housing information to clients. The notice contains fair housing, legal disabilities rights and LEP resources and is included in application packages used by Homeless Initiatives and the Housing Choice Voucher team.		
Results:		
2.4: Coordinate and fund tenant education and financial literacy training for Navigators who in turn deliver financial literacy training for individuals transitioning from homeless shelters to permanent housing.	The number of navigators trained The number of clients trained	Annually
Results:		
2.5: Coordinate and fund Fair Housing Workshops for immigrants and refugees in Lewiston and Portland. Through the use of headsets, interpreters translate the presenter's remarks and printed literature is made available in different languages.	The number of workshops and immigrants/refugees trained	Annually
Results:		
2.6: Fund English as a Second Language financial literacy group education and one-on-one counseling for individuals who are not proficient in the English language.	Amount of funding and number of groups and individuals counseled	Annually
Results:		
2.7: Fund training to increase the financial expertise of	Amount of funding and number of counselors trained	Annually

Impediment 2. Racial, Ethnic and Cultural Barriers		
Action	**Measurable Objective**	**Timeline**
housing counselors that offer English as a Second Language financial literacy group education in Portland and Lewiston.		
Results:		

Impediment 3. Community Planning and Zoning Decisions that Impede Affordable Housing		
Action	**Measurable Objective**	**Timeline**
3.1: Collaborate with local housing authorities, municipalities, Maine Municipal Association and area planning agencies	The number of requests for assistance	As Needed
Results:		
3.2: Attend local zoning and planning board meetings to educate members about fair housing laws upon request	The number of meetings Number of requests made and number of presentations delivered	As Needed
Results:		
3.3: Develop materials designed to educate the public on the multiple benefits affordable housing can bring to each and every community	Materials Developed	2016
Results:		
3.4: Upon request, review local and regional Analysis of Impediments (AI)	Number of requests fulfilled	As Needed
Results:		
3.5: Support affordable housing projects against NIMBY efforts (discrimination by communities or neighbors) as necessary, to preserve the housing	Number of projects experiencing NIMBYism and number supported by MaineHousing	Ongoing

Impediment 3. Community Planning and Zoning Decisions that Impede Affordable Housing		
Action	**Measurable Objective**	**Timeline**
Results:		

Impediment 4. Lack of Availability and Access to housing for disabled individuals		
Action	**Measurable Objective**	**Timeline**
4.1: Create accessible units	Number of accessible units created	Annually
Results:		
4.2: The QAP incents housing developers to provide more accessible units than required under state and federal law	Number of additional accessible units created	Annually
Results:		
4.3: Educate developers and landlords about accessibility requirements	Number of developers and landlords reached with information	Ongoing
Results:		
4.4: Fund home retro program to make single family homes accessible	Number of homes retrofitted	Annually
Results:		
4.5: Continue to encourage the use of MainehousingSearch.org to identify accessible units	Number flagged for accessibility Hits on mainehousingsearch.org	Ongoing
Results:		
4.6: Research and track the need for accessible units based on the concentration of people with disabilities	Research completed	
Results:		
4.7: Collaborate with members of the Statewide Independent Living Counsel to move individuals with disabilities from institutions to independent living	Number of homeward bound vouchers Number of individuals with disabilities achieving independence	

Impediment 4. Lack of Availability and Access to housing for disabled individuals		
Action	**Measurable Objective**	**Timeline**
Results:		
4.8: Continue to utilize Maine Relay 711 for the hearing impaired.	The number of Maine relay 711 calls	Ongoing
Results:		
4.9: MaineHousing's website, www.mainehousing.org, is accessible to persons with disabilities.	The number of hits to accessibility information pages	Ongoing
Results:		

Impediment 5. Limited access to neighborhood opportunities and community assets		
Action	**Measurable Objective**	**Timeline**
5.1: Conduct an economic impact study of housing in Maine	Number published and distributed	2016
Results:		
5.2: Utilize selection criteria in the LIHTC Qualified Allocation Plan to incent the development of affordable housing in high-opportunity areas Remove inherent disincentives for locating affordable housing in high-opportunity areas (municipal approval not required other than applicable zoning approvals and entire State is designated as difficult-to-develop area to eliminate the economic incentive to locate affordable housing in QCTs)	The number of projects awarded LIHTC that are located in high-opportunity areas	Annually
Results:		
5.3: Qualified Allocation Plan Require a preference to be given	The number of projects awarded LIHTC that are located in high-	Annually

Impediment 5. Limited access to neighborhood opportunities and community assets		
Action	**Measurable Objective**	**Timeline**
to persons on a Section 8 or public housing waiting list in all units in LIHTC projects that are not covered by RD or Section 8 project-based rental assistance	opportunity areas	
Results:		
5.4: Qualified Allocation Plan Incent the development of new housing in areas with access to community assets (location in service center communities with higher need and location near public transportation, schools, employment, services and other amenities important to daily living)	The number of projects awarded LIHTC that are located in service center communities based on need and location near community assets	Annually
Results:		
5.5: Qualified Allocation Plan Incent the development of affordable housing in areas where the differential between the maximum LIHTC rent and the market rent is higher	The LIHTC/market rent differential for projects awarded LIHTC	Annually
Results:		
5.6: Qualified Allocation Plan Encourage economic diversity by incenting the development of new affordable housing in higher income areas and mixed-income housing in qualified census tracts	The number of projects awarded LIHTC that are located in high-income areas and the number of mixed-income projects awarded LIHTC that are located in QCTs	Annually
Results:		
5.7: Design a Tenant Incentive Program designed to assist lower income tenants to move into areas where public transportation is more readily available	Program developed	2016

Impediment 5. Limited access to neighborhood opportunities and community assets		
Action	**Measurable Objective**	**Timeline**
Results:		
5.8: Continue to provide e-HomeAmerica as an on-line option for home buyer education.	% of homebuyers who utilize eHomeAmerica on-line.	Ongoing
Results:		
5.9: Continue to sponsor homeownership education classes that contain information about Fair Housing laws that are relevant to prospective home buyers.	Number of participants in home buyer education classes.	Ongoing
Results:		
5.10: Utilize existing conferences and workshops to educate relevant professionals about fair housing law and enforcement	Number of relevant professionals educated Number of staff trained	Ongoing
Results:		

Impediment 6. Lack of Understanding of Fair Housing and Affirmatively Furthering Fair Housing		
Action	**Measurable Objective**	**Timeline**
6.1: Develop education materials aimed at reducing the number of discriminatory advertisements made by landlords	Number of information pieces distributed including newsletters and brochures	Ongoing
Results:		
6.2: Partner with associations focused on human rights as it pertains to fair housing	Number of joint initiatives	Ongoing
Results:		
6.3: Coordinate fair housing complaint resolution with partners	Number of fair housing interventions	Ongoing
Results:		

Impediment 6. Lack of Understanding of Fair Housing and Affirmatively Furthering Fair Housing		
Action	**Measurable Objective**	**Timeline**
6.4: Continue fair housing public education programs designed to assist landlords, builders, and relevant professionals	Number of relevant professionals receiving training	Ongoing
Results:		
6.5: Maintain MaineHousing's Fair Housing website page which includes information and resources about fair housing and equal access laws.	Number of website hits on the Fair Housing page.	Ongoing
Results:		
6.6: Continue to administer the HUD Housing Counseling Grant	Number of individuals or families counseled	Ongoing
Results:		
6.7: Continue to provide MaineHousing's comprehensive Communications Resource Guide to employees, contractors, agents, and owners/property managers of multi-family projects.	Number of guides distributed.	Ongoing
Results:		
6.8: MaineHousing refers fair housing complaints to appropriate fair housing and equal access agencies in the State.	Number of complaints referred.	Ongoing
Results:		
6.9: MaineHousing has an internal grievance procedure for applicants and participants to file fair housing complaints about programs and services.	Number of internal grievances resolved.	Ongoing
Results:		
6.10: Continue to mediate and	Number of referrals	Ongoing

Impediment 6. Lack of Understanding of Fair Housing and Affirmatively Furthering Fair Housing		
Action	**Measurable Objective**	**Timeline**
resolve applicant and landlord/tenant issues through Community Mediation Services		
Results:		
6.11: Continue to distribute MaineHousing's Rental Housing Guide.	Number of guides distributed. Number of Rental Housing Guide views on the website.	Ongoing
Results:		
6.12: MaineHousing program documents and contracts include language requiring sub-recipients of MaineHousing funding to adhere to Fair Housing and Civil Rights laws and regulations.	Number of documents that don't comply.	Ongoing
Results:		
6.13: Encourage employees and staff working on behalf of MaineHousing to attend local education and training events on the topics of fair housing and equal access.	Number of training events attended.	Ongoing
Results:		