State of California
Analysis of Impediments to Fair Housing Choice

Round 2 Public Webinars
April 2020
Agenda

1. Introduction
2. Fair Housing Overview
3. Assessment Process
   • Assessment Timeline
   • Community Engagement Milestones
   • Public Comment Period
4. 2020 Draft Impediments
5. Findings, Themes, and Recommendations
6. Questions
7. Public Comment
Introduction

Department of Housing and Community Development (HCD)

1. Promotes fair housing through federally funded Housing and Urban Development (HUD) programs.
2. Provides further assistance through state fair housing initiatives.
3. Ensures local jurisdictions who receive HUD funding further fair housing goals.

Analysis of Impediments (HUD Requirement)

1. Process occurs every five years in connection with the development of the Consolidated Plan.
2. Fair Housing Act requires an Analysis of Impediments to Fair Housing (AI) to receive annual HUD funding.
3. Requires engagement of stakeholders and general public.
4. Must discuss and identify barriers to fair housing choice and issues impacting federal protected classes.
Fair Housing Framework

Fair Housing Agencies

Federal Policy and Enforcement

HUD provides funding, enforces federal fair housing laws, and investigates housing discrimination.

State Policy, Funding, and Programs

HCD provides leadership, policies and programs to preserve and expand safe and affordable housing opportunities.

State Enforcement and Legal Framework

Department of Fair Employment and Housing (DFEH) is the state agency charged with enforcing state and federal fair housing laws, refining legal framework, and investigating housing discrimination.
# Fair Housing Overview

## Federal and State Protected Classes

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<th>Federal</th>
<th>California</th>
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<tr>
<td>Race</td>
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<td>Genetic Information</td>
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*Covered under the Unruh Civil Rights Act, which applies to most housing accommodations in California.*
Assessment Timeline

PROJECT KICK-OFF & DATA GATHERING
- Aug-Nov 2019

STAKEHOLDER ENGAGEMENT AND ANALYSIS
- Dec-Feb 2020
  - Round 1 of Public Meetings
- Mar-April 2020
  - Round 2 of Public Webinars and Public Comment Period

APPROVALS & PUBLICATION
- May 2020
  - Consolidated Plan Deadline is June 30th, 2020

INITIAL ANALYSIS

FINAL ANALYSIS & PUBLIC COMMENTS

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Community Engagement Milestones

- Survey
- Round 1 of Public Meetings
- Consultations + Soundboard
- Round 2 Public Meetings via Webinars*

*In response to COVID-19, HCD rescheduled the six round two public meetings into six regional public webinars.

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Survey
All Responses
828 total responses

English: 803
Spanish: 19
Chinese: 3
Vietnamese: 2
Tagalog: 1
Korean: 0
Survey

What are the most important factors you consider when you choose a place to live?

Access to opportunity

Public Transit

Proximity to public facilities
Consultations
Stakeholders were also invited for one-on-one consultation

42 Individual stakeholders

Types of Groups
- Advocacy Groups
- Banks and Other Financial Institutions
- Educational Institutions
- Fair Housing Organizations
- Housing Providers
- Chief Executives
- Other Governmental Organizations

Key Findings
- Lack of adequate housing development
- Lack of affordable housing
- Displacement and rising homelessness
Public Meetings- Round 1

Feedback varied across the state, below are highlights of local housing issues.

**Sacramento:**
- Gentrification and displacement
- Increasing homelessness
- Housing voucher discrimination (source of income)
- Barriers to renting (credit and income requirements)

**San Francisco:**
- Gentrification and displacement
- Increasing homelessness
- Need for supportive housing and social services

**Oroville:**
- Housing impacts of local fires
- Increasing homelessness
- Voucher discrimination (source of income)
- Barriers to renting (credit and income requirements)

**Fresno:**
- Lack of access to water
- Need for infrastructure investment
- Need for greater community outreach around fair housing issues

**Los Angeles:**
- Lack of affordability
- Increasing homelessness
- Gentrifications and displacement
- Need for more tenant enforcement and protections
- Issues affecting low-income households
- Issues affecting LGBTQ community, access to shelters
- Additional funding needed for affordable housing

Department of Housing and Community Development - April 2020
# Round 2 Public Meetings via Webinar

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<tr>
<th>Region</th>
<th>Venue</th>
<th>Date/Time</th>
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<tr>
<td>California Statewide</td>
<td>Webinar</td>
<td>April 6 – 1:30 pm to 3:30 pm</td>
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<tr>
<td>Northern California</td>
<td>Webinar</td>
<td>April 6 – 6:00 pm to 8:00 pm</td>
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<tr>
<td>San Francisco Bay Area</td>
<td>Webinar</td>
<td>April 7 – 6:00 pm to 8:00 pm</td>
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<tr>
<td>Sacramento and Eastern Central California/Sierras</td>
<td>Webinar</td>
<td>April 8 – 2:30 pm to 4:30 pm</td>
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<td>Central Coast and San Joaquin Valley</td>
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<td>April 9 – 6:00 pm to 8:00 pm</td>
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<td>San Diego</td>
<td>Webinar</td>
<td>April 13 – 6:00 pm to 8:00 pm</td>
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<tr>
<td>Greater Los Angeles</td>
<td>Webinar</td>
<td>April 14 – 5:00 pm to 7:00 pm</td>
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HCD invites public comments on the Draft 2020 AI for a 45-day period from Monday, April 6 through Thursday, May 21, 2020, at 5:00pm.

Send written comments to:
Attn: 2020 Analysis of Impediments
CA Dept. of Housing & Comm. Dev.
Housing Policy Division, Fair Housing
2020 West El Camino
Sacramento, CA 95833

Send comments via email to:
AiFairHousing@hcd.ca.gov

Public comments are due by 5:00pm on May 21, 2020.
California’s Plan to Affirmatively Further Fair Housing

Analysis of Impediments to Fair Housing Choice

As a recipient of funding from the U.S. Department of Housing and Urban Development (HUD), the State of California is required to conduct a five-year Consolidated Plan (ConPlan) to develop housing programs and priorities for federal grant program years 2020-2024. Per Code of Federal Regulation 24 Part 91 (24 CFR § 91), a condition of the ConPlan requires grantees to Affirmatively Furthering Fair Housing (AFFH) and conduct an Analysis of Impediments to Fair Housing Choice (Al).

The Al broadly identifies barriers to housing choice and develops strategies and recommendations to overcome identified impediments. The Al guides state and federal resource allocations to encourage fair housing access and increased opportunity.

More specifically, the Al presents a profile for the state, regions and counties, analyzing:

- Segregation and integration
- Access to opportunity
- Housing needs among protected classes and lower income households
- Conditions in the private market and public sector that may limit the range of housing choices or impede access to housing
- Allocation and distribution of state-administered federal programs from an affirmatively furthering fair housing perspective

HCD’s 2020 Draft Al is now available!

Informed by initial public outreach, stakeholder interviews, a community needs survey with more than 800 responses, and extensive data gathering and analysis, the Draft 2020 Al explores impediments to fair housing choice and issues affecting protected classes in California. HCD invites public comments on the Draft 2020 Al for a 45-day period from Monday, April 6 through Thursday, May 21, 2020, at 5:00pm.

HCD accepts comments through the following methods:

- Visit hcd.ca.gov
- Policy & Research
- Plans & Reports
- https://www.hcd.ca.gov/policy-research/plans-reports/index.shtml
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2020 Impediments

Impediments to Fair Housing Choice

According to HUD’s Fair Housing Planning Guide, impediments to fair housing choice are defined as:

1. Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices.

2. Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.
2020 Impediments Process

Process Overview

1. Review previous impediments & actions
2. Review data trends
3. Include stakeholder feedback
4. Combine data inputs to draft and refine impediments
5. Assess missing policy or impediment gaps
6. Include actions and recommendations to remedy barriers
2020 Impediments Actions
Framework for Recommendations and Actions

- **Improvements** and continuation of current actions
- **Enforcement** of current or new policy or legislative tools
- **Best practices** or actions from other efforts
- **Long-term** actions or policies
1. **Supply and Production of Affordable Homes:** Inadequate supply and production of affordable homes available to low-income households and persons in protected classes.

2. **Housing Preservation:** Vulnerable supply of affordable housing stock threatens housing options for lower-income and protected households.

3. **Housing Instability and Homelessness:** Unequal access to supportive services, shelter, and affordable housing opportunities increases risk for persons experiencing homelessness, especially protected classes.

4. **Fair Housing Education and Enforcement:** Limited community awareness of fair housing protections and enforcement resources.
5. **Tenant Protections and Anti-Displacement:** Lack of uniform enforcement and adequate anti-displacement protections have left protected classes, such as communities of color, more vulnerable to displacement.

6. **Disparities in Housing Quality and Infrastructure:** Low-income households, rural communities, and persons in protected classes, are disproportionately experiencing severe housing problems, a lack of adequate housing options, and disparities in infrastructure.

7. **Climate and Environmental Vulnerabilities:** Low-income households and protected classes are often disproportionately impacted by climate change, environmental injustice, or unsustainable land use and development practices.
8. **Historic and Lasting Impact of Segregation:** Housing choice is often limited for persons of protected classes, including communities of color, to segregated concentrated areas of poverty. Despite the repeal of explicitly racist and discriminatory housing laws, there remains a lasting legacy of segregation and exclusion.

9. **Local Resistance and Exclusionary Land Use Policies Constrain Access to Opportunity:** Denying, preventing, or rendering infeasible multifamily housing development, alternative housing strategies, and affordable housing limits access for low-income households, protected classes, and persons experiencing homelessness.

10. **Insufficient Accessible Housing Stock:** Lack of adequate accessible housing options, specifically for persons with mobility and sensory disabilities, limits housing choice for low-income households and people with disabilities.
Impediment 1: Supply & Production of Affordable Homes (1 of 2)

Annual Production of Housing Units 1954-2018

Permits

- Multifamily (2+ Units)
- Single Family

Source: Construction Industry Research Board/California Homebuilding Foundation Reports 2005, 2013, 2015; Graphic by HCD
Impediment 1: Supply & Production of Affordable Homes (2 of 2)

- Over 2 million households earning 30 percent or less of Area Median Income pay one-third or more of their income toward housing.

- Rising rents, low housing production, and stagnant wages only intensify these existing financial challenges, particularly for low- and extremely low-income families.

- California’s limited affordable housing supply faces additional challenges as subsidy contracts or regulatory agreements expire and affordable units are converted to market rate.
Impediment 2: Housing Preservation (1 of 2)

California Housing Partnership Preservation Database, January 2020: Loss of Affordable Rental Homes, California, 1997-2019

- HUD Affordable Homes Lost
- LIHTC Affordable Homes Lost

![Bar chart showing the loss of affordable rental homes from 1997 to 2019](chart.png)
Impediment 2: Housing Preservation (2 of 2)

California Housing Partnership Preservation Database, January 2020: Affordable Rental Homes at Risk, California

- **HUD**
  - Moderate: 4,603
  - High: 10,574
  - Very High: 5,839

- **LIHTC**
  - Moderate: 5,528
  - High: 1,171
  - Very High: 1,373

- **CalHFA**
  - Moderate: 10,604
  - High: 1,185
  - Very High: 1,564

- **USDA**
  - Moderate: 347
  - High: 116
  - Very High: 156

**Source:** California Housing Partnership Preservation Database, January 2020
Impediment 2: Housing Preservation

Change in All Housing Units for 30% or less Area Median Income Households, California, 2017

Structure Type

- 1-Unit Detached
- 1-Unit Attached
- 2 Units
- 3 or 4 Units
- 5-9 Units
- 10-19 Units
- 20-49 Units
- 50+ Units
- Mobile Home
- Boat, RV, van, etc.

Percent Change 2010-2017

-1%  -3%  -7%  -9%  -6%  -9%  -7%  7%  -7%  -19%


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Impediment 3: Housing Instability and Homelessness (1 of 3)

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Percent of Income Spent on Housing Costs</th>
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<tbody>
<tr>
<td>100% AMI</td>
<td>2% 13%</td>
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<tr>
<td>80 to 100% AMI</td>
<td>7% 36%</td>
</tr>
<tr>
<td>50 to 80% AMI</td>
<td>16% 53%</td>
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<tr>
<td>30 to 50% AMI</td>
<td>39% 75%</td>
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<tr>
<td>&lt;30% AMI</td>
<td>67% 79%</td>
</tr>
</tbody>
</table>

Cost Burdened Households – Renters and Owners by Income Level

- **18% Increase**
  - Median Gross Rent 2017: $1,358
  - Median Household Income 2017: $67,169

- **10% Increase**
  - Median Gross Rent 2010: $1,147
  - Median Household Income 2010: $60,883

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Impediment 3: Housing Instability and Homelessness (2 of 3)

- Between 2016 and 2018 - 10 percent increase in persons experiencing homelessness, 24 percent of all homeless individuals nationally

- 2018 PIT – 26 percent of persons counted were experiencing chronic homelessness
Impediment 3: Housing Instability and Homelessness (3 of 3)

- Through public meetings, stakeholders discussed California’s rising rate of homelessness driven by lack of housing supply, rapidly rising housing costs, and the effects of increasingly stringent rental requirements driven by high housing demand.

- Inadequate resources to address the immediate needs of persons currently experiencing homelessness and to promote permanent supportive housing options, as well as inadequate resources to prevent homelessness, were identified as barriers to housing.
Impediment 4: Fair Housing Education and Enforcement (1 of 3)

US Department of Housing & Urban Development, Office of Fair Housing and Equal Opportunity
Reason Provided for Fair Housing Complaints
2015-2019

- 54% Disability
- 19% Race
- 10% Familial Status
- 8% National Origin
- 6% Sex
- 2% Retaliation
- 1% Religion

Data.Gov, Fair Housing Act Cases Filed by Year and State, 2000-2016

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Impediment 4: Fair Housing Education and Enforcement (2 of 3)

California Department of Fair Employment and Housing (DFEH) Reason Provided for Fair Housing Complaints 2015-2017

- 51% Disability
- 16% Race/Color/Ancestry
- 10% Familial Status
- 7% Retaliation and Other
- 6% National Origin
- 3% Sex/Gender
Impediment 4: Fair Housing Education and Enforcement (3 of 3)

• Feedback from stakeholders indicates that additional assistance and resources to educate, investigate, and enforce fair housing complaints is key to ensuring that fair housing and civil rights protections are accessible and effective.

• From 2015 to 2019, the greatest number of fair housing complaints were attributed to discrimination based upon disability, followed by discrimination based upon race, and then by discrimination based upon familial status.

• With the highest number of alleged fair housing violations reported in the major urban areas of Los Angeles, Sacramento, and San Francisco, ensuring that increased education, investigation, and enforcement activities are deployed to these communities will be important.
Impediment 5: Tenant Protections and Anti-Displacement (1 of 2)

Source: Gentrification and Decline Map, University of Minnesota Law School’s Institute of Metropolitan Opportunity, 2019

Unlawful Detainer Filings By County, 2010-2018

Source: Judicial Council of California, 2019
Impediment 5: Tenant Protections and Anti-Displacement (2 of 2)

- Stakeholders identified displacement and tenant protections as impediments identified in the 2012 Analysis of Impediments that remain relevant for the 2020 AI.

- Patterns of displacement and concentration of poverty suggest that as low-income residents are being displaced from urban neighborhoods, increased concentrations of poverty are arising in traditionally suburban and rural areas.

- Through community engagement efforts, stakeholders noted the connection between rising housing costs and evictions, displacement, and the homeless crisis that is occurring most dramatically in cities with the highest housing costs.
Impediment 6: Disparities in Housing Quality & Infrastructure (1 of 2)

- Housing Problems are defined as:
  - Incomplete kitchen facilities; incomplete plumbing facilities;
  - More than 1.5 people per room (as opposed to 1 person per room); and
  - Housing cost burden greater than 30 percent.
- 48 percent of households in California experience one or more of these housing problems.
Impediment 6: Disparities in Housing Quality & Infrastructure (2 of 2)

Proportion of All Owner Households With At Least One Housing Problem
- 22-27%
- 28-31%
- 32-35%
- 36-40%

Proportion of All Renter Households With At Least One Housing Problem
- 24-38%
- 39-48%
- 49-54%
- 55-58%
- 59-63%

Impediment 7: Climate and Environmental Vulnerabilities (1 of 2)

<table>
<thead>
<tr>
<th>CLIMATE IMPACT</th>
<th>DIRECTION</th>
<th>SCIENTIFIC CONFIDENCE FOR FUTURE CHANGE</th>
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<tbody>
<tr>
<td>TEMPERATURE</td>
<td>WARMING</td>
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<td>SEA LEVELS</td>
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<td>SNOWPACK</td>
<td>DECLINING</td>
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<td>HEAVY PRECIPITATION EVENTS</td>
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<td>DROUGHT</td>
<td>INCREASING</td>
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<td>AREA BURNED BY WILDFIRE</td>
<td>INCREASING</td>
<td>Medium-High</td>
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Climate change volatility is likely to increase in the near future, which will disproportionately impact the most vulnerable unable to avoid the worst effects of climate change.

Source: California’s Fourth Climate Change Assessment, 2018
Impediment 7: Climate and Environmental Vulnerabilities (2 of 2)

• In addition to physical vulnerabilities related to flood, wildfire, and earthquakes, many communities and households face social vulnerabilities that are intensified during the short- and long-term recovery period after a disaster.

• Access to information, housing, and social services are disrupted, placing individuals in danger and increasing strain on local housing markets and service providers.

• For households that were struggling to find and/or maintain affordable housing before a major event, a lack of units in close proximity and increased housing costs due to additional market pressures, results in displacement of residents and an increase in homelessness.
Impediment 8: Historic and Lasting Impact of Segregation (1 of 2)

Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) Census Tracts increased statewide from 278 in 2010 to 391 in 2017

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Impediment 8: Historic and Lasting Impact of Segregation (2 of 2)

• Historical patterns of segregation and exclusion continue to influence housing and development patterns statewide.

• Recent demographic changes have increased concentrations of poverty in already concentrated areas of race, ethnicity, and poverty across the state.

• High levels of residential segregation are present in many communities, leading to conditions that exacerbate inequalities. Residential segregation leads to consequences including increased concentrations of poverty and unequal access to jobs, education, and other services.

• California's rural communities face unique challenges requiring a tailored approach to access to housing and community development.
Impediment 9: Local Resistance and Exclusionary Land Use Policies Constrain Access to Opportunity (1 of 2)

$326,000

The median per-unit costs for new affordable housing construction for LIHTC projects completed 2011-2015*

*The median per-unit cost of California’s new construction projects increased by about 11 percent between 2011 and 2015

Source: Government Accountability Office, Low-Income Housing Tax Credit (LIHTC), 2018

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In 2012, stakeholders identified housing affordability, affordable housing supply, local community pushback, and land development standards as impediments to fair housing choice. Through the 2020 AI process, stakeholders confirmed that these impediments to fair housing remain relevant to the 2020 AI.
Impediment 10: Insufficient Accessible Housing Stock (1 of 2)

Persons with a Disability

- 4 million persons or 11 percent of Californian’s have some type of disability.
- Many of these residents face extreme challenges finding housing that is affordable, accessible, and located near transit and supportive services.

Persons who are Elderly

- 5,052,924 persons or 13.2 percent of California’s population are 65 or older.
- Californians over the age of 65 are more likely to have a disability compared to other age groups.
Impediment 10: Insufficient Accessible Housing Stock (2 of 2)

• Lower-income households are more likely to include members with disabilities than higher-income households. Extremely low-income households are more than twice as likely to include an individual with a disability than households earning above moderate-income.

• Through the AI process, stakeholders expressed concern over the lack of adequate affordable housing options and services for special populations, especially for the growing senior population.

• Stakeholders noted that market pressures are impacting existing affordable housing options, causing displacement among persons with a disability and seniors.

• From 2015 to 2019, the greatest number of fair housing complaints as reported by DFEH and FHEO were attributed to discrimination based upon disability.
AI Next Steps

• Review the public comment draft of the Analysis of Impediments to Fair Housing at:
  https://www.hcd.ca.gov/policy-research/plans-reports/index.shtml#aifh

• Submit a public comment to: AiFairHousing@hcd.ca.gov

• Learn more about HCD’s Federal Programs through the Draft Consolidated Plan

• Forthcoming Guidance on AB 686
HCD invites public comments on the draft 2020 AI for a 45-day period from Monday, April 6 through Thursday, May 21, 2020, at 5:00pm.
Thank You!

AiFairHousing@hcd.ca.gov