



January 10, 2020

The Honorable Ben Carson  
Secretary  
U.S. Department of Housing and Urban Development  
451 7th Street S.W.  
Washington, DC 20410

Dear Secretary Carson:

We write to urge your immediate action to address the U.S. Department of Housing and Urban Development's (HUD) procedures and policies regarding the oversight of Section 8 Housing as well as the promotion of fair housing opportunities. These policies and procedures must be in accordance with the clear Congressional directive, pursuant to the Fair Housing Act, to increase and preserve the supply of affordable housing while ending discrimination and segregation.

Having worked closely with HUD, the city of Hartford and housing advocates, we found HUD's policies and oversight woefully insufficient to ensure tenants affected by the deterioration of three North End community apartment complexes – Clay Arsenal Renaissance Apartments (CARA), Barbour Gardens and Infill -- live in safe, affordable quality housing.

The current HUD policies have adversely impacted the city of Hartford's North End community by allowing dilapidated, unsafe housing to negatively affect the quality of life in these neighborhoods for thousands of families.

The relocation process was inadequate and did not focus on the immediate and long term needs of the tenants which further imposed substantial hardship on many of them during a time of crisis.

As discussed below, we strongly urge HUD to:

- Strengthen the process for selecting landlords eligible for HUD's Housing Assistance Payment (HAP) contracts under the Section 8 program
- Revise and reinvigorate its inspection process to hold landlords accountable for maintaining their apartments in secure, clean condition, consistent with all health, building and fire safety codes
- Revamp the relocation process to ensure that it is tenant-centric, sensitive to the varied needs of tenants and their families and complies with HUD's responsibility to

affirmatively further fair housing and provide meaningful housing choice to families with vouchers

- Require that HUD housing assistance policies encourage mixed income neighborhoods, breaking up concentrations of poverty and facilitating opportunity for tenants to live in diverse neighborhoods

### *I. Overview – Hartford’s North End*

CARA, Barbour Gardens and Infill are apartment buildings located in Hartford’s North End.

Over the past century, this neighborhood has seen radical economic change. Now blighted by what local officials have called “pervasive poverty,<sup>1</sup>” the neighborhood hosts the city’s highest rates of obesity and infant mortality. Its per capita income is half of Hartford’s average.<sup>2</sup> Despite financial troubles, however, the area remains home to near 15,000 residents.<sup>3</sup> Though current urban decay belies former vitality, the North End sustains a rich patchwork of Puerto Rican and African American influence, hinting at the region’s vibrant cultural legacy.

The neighborhood began to grow at the turn of the 20th century, with an influx of Irish and Jewish immigrants.<sup>4</sup> As population levels expanded, so too did industry, development spreading north from railroad tracks near Albany Avenue. A lumberyard was established in the late 1800s, followed by a gold-leafing factory — the largest in the state — a few decades later.<sup>5</sup> (The same company, M. Swift and Sons, worked on repairs to the capitol building’s iconic gold dome in the 1970s.<sup>6</sup>)

As the region urbanized, housing changes began to reflect the pressures of a rising population. Once dominated by single family homes, the North End started welcoming multi-family units in early 1900.<sup>7</sup> By mid-century, renting had become the norm; in 1965, only 4% of families in the Clay Arsenal neighborhood owned their properties.<sup>8</sup>

By that time, the area had started to slip into poverty, despite its early industrial growth. At the end of the 1960s, unemployment had risen to two and a half times the city average and housing conditions worsened.<sup>9</sup>

Still, residents of the region held onto a pride for their neighborhood, continuing to celebrate its cultural richness

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<sup>1</sup> *Hartford Courant*, “Hartford’s North End Designated ‘Promise Zone’”

<sup>2</sup> 2017 American Community Survey

<sup>3</sup> 2017 American Community Survey

<sup>4</sup> 1977 National Registry of Historic Places Inventory Nomination Form, Clay Hill District

<sup>5</sup> connecticutmills.org

<sup>6</sup> *Hartford Courant*, “Hartford’s North End Designated ‘Promise Zone’”

<sup>7</sup> 1977 National Registry of Historic Places Inventory Nomination Form, Clay Hill District

<sup>8</sup> 1965 *Hartford Conn. Community Renewal Program*

<sup>9</sup> 1965 *Hartford Conn. Community Renewal Program*

Given the economic, social and health challenges facing the North End, HUD should assist in the city's efforts to improve economic and living conditions. Instead, with the agency's lack of action and attentiveness to the conditions at CARA, Barbour Gardens and Infill has been an anchor dragging down the North End community rather than helping to raise it up.

HUD, with its significant resources, can be a force for positive change in the North End but it must first change its policies and practices.

## *II. Strengthen the process for awarding HAP contracts under Section 8*

HUD's management decisions regarding HAP contracts have broad implications. The conditions at Barbour Gardens, Infill and CARA proved that the landlords and owners were unable or unwilling to maintain the housing in accordance with quality, affordable housing standards. CARA's property owner was approved for 26 HAP contracts in Hartford even though he was under scrutiny for continual neglect of apartments in New York City and such information had been brought to the attention of HUD.

The experience at CARA disrupted tenant lives, potentially endangered their health and safety and contributed to neglect in the neighborhood.

- HUD must create criteria and implement a review process that ensures that landlords, owners, LLC's or members of LLC's with a track record like CARA are never granted another HAP contract.

## *III. Revise and Reinvigorate Section 8 Inspection process*

As a major actor in the Hartford housing market, HUD has failed in its role to provide quality, affordable housing. Rather, HUD has contributed – even aided and abetted through its inaction and inattentiveness – to the deterioration of housing conditions in many rental units. The deterioration has had a direct, negative impact on the North End neighborhood.

As we noted in our March 21, 2019 letter, the ineffective HUD inspection process directly led to the progressive deterioration of living conditions at CARA, Barbour Gardens and Infill.

These failures are particularly distressing because HUD itself identifies North Hartford as a Promise Zone, and chose to locate one of its EnVision Centers in the neighborhood as well.

The system is obviously broken: (a) Section 8 funding has been maintained without penalty for years despite HUD inspectors finding major problems; (b) inspection results have swung wildly from almost perfect to scores of 8 or 9; (c) HUD inspections have cited problems and independent follow up has not been pursued; and (d) inspections still provide passing grades while municipal officials, at the same time, have cited significant code violations.

Further, housing inspectors approved an apartment for the relocation of Section 8 tenants only to have the same apartment fail a subsequent inspection soon after the tenant moved in, causing the relocated tenant to be forced to move again – this time without any relocation assistance.

We appreciate your April 8, 2019 response to our concerns in which you indicate that HUD is currently undertaking a ‘wholesale reexamination’ of the HUD inspection process and where you agreed that the CARA, Barbour Gardens and Infill experience with HUD inspections ‘underscores the need for the current review .. and rapid deployment of a redesigned model. However, given the pervasiveness and continued problems posed by the experience at CARA, Barbour Gardens and Infill, we request the following updates:

- Can you provide an update on the progress of this redesigned inspection process and projected timetable for implementation in Connecticut?
- Can you provide more details on this redesigned inspection process and provide assurance that the redesigned inspection process will include communication and coordination with local code officials? Will the process ensure that HUD exercises its leverage to ensure the landlord corrects cited problems in a timely manner? Will the process ensure that landlords and property owners are consistently aware of their obligation to provide safe, sanitary housing?
- Perhaps as frustrating was the inability of HUD to hold the landlord accountable because the owner was an LLC with unknown individual owners and only a facility manager as a contact. For purposes of holding individuals responsible for their mismanagement of their apartment building, HUD must insist as a precondition for Section 8 approval that individual owners be listed with HUD.

#### *IV. Tenant Oriented Relocation Process*

As difficult as living conditions may have been for the tenants, mandatory relocation can create significant unforeseen problems for tenants.

A process must be designed to ensure all tenants have a meaningful chance to secure housing of the type and quality and in the location that best meets their needs. These needs include size of the apartment, safety of the neighborhood, quality of the schools, mass transportation options, closeness to work or school and proximity to family, friends and others in the tenant’s support system.

The relocation process needs to be both efficient and empathetic with tenants being provided timely information and support services to guide the decision-making process. Moreover, the relocation process should be transparent and ensure that all tenants have equal opportunity to choose to live in areas where there are opportunities to succeed economically and socially.

The relocation process was implemented jointly for tenants of Barbour Gardens and Infill. The first notice of relocation was sent on April 17, 2019. By June 6, 2019, all 52 Infill tenants and 66 of the 69 Barbour Gardens tenants were interviewed (the remaining three were either no-shows, deemed ineligible or declined assistance). At the interview, the contractor asked for information on the tenant's needs and provided relocation information.

The last tenant was relocated around October 7, 2019, or approximately 6 months later. The original deadline of August 19, 2019 was extended to September 30, 2019 and then until the last tenant moved.

The following chart shows the number of tenants who had successfully relocated to another home by date:

Building	July 11	August 15	Sept. 12	Oct. 2
Infill	5	31	47	51
Barbour Gardens	28	50	59	63

As for the effectiveness of relocating tenants to areas of higher economic opportunity, the majority of tenants remained in Hartford.

<u>Infill</u>			<u>Barbour</u>		
	Hartford	30		Hartford	41
	East Hartford	4		Bloomfield	7
	West Hartford	4		Manchester	5
	Manchester	3		East Hartford	2
	Windsor	3		Windsor	2
	Dept Housing	2		Vernon	2
	Imagineers	1		West Hartford	1
	New Britain	1		Windsor Locks	1
	Florida	1		East Windsor	1
	Waterbury	1		South Windsor	1
	Windsor Locks	1		Rocky Hill	1
				Meriden	1

Hartford and Inner Ring Suburbs 82.5%

81%

While all tenants were successfully relocated, there are a number of areas where the relocation process could – and must -- be improved to properly implement HUD's obligations under federal law:

- The original timetable was overly ambitious. While designed to move tenants along the process, as an alternative to setting an arbitrary date (which almost 30% did not meet), HUD should consider setting intermediate deadlines for tenants to start looking for apartment options, find a landlord willing to rent an apartment and finally move in. The

timelines should recognize that a number of selected apartments will not pass at least the first HUD inspection leading to further delays in relocating.

- Tenants can face a number of barriers to relocating to an apartment of their choice including discrimination. Tenants should be apprised of their rights, including how to spot potentially unlawful conduct by landlords and how to notify appropriate authorities if they feel they have been unfairly denied housing. Further, the housing agency charged with assisting tenants should take an active role in helping address any barriers that the tenant encounters.
- HUD should adopt a more robust mobility counseling process similar to those in Seattle, Baltimore and Dallas while providing interested parties with information on the census tracts in which the tenants relocated to better determine the effectiveness of mobility counseling. Tenant surveys should be conducted to get their views on the effectiveness of the mobility counseling program.
- HUD should review their notices to tenants for readability and clarity.
- HUD should ensure that the housing agency selected to administer the Section 8 vouchers for the relocating tenants have a large geographic jurisdiction to ensure that tenants have the broadest relocation opportunities. Agencies that are locally based may not have sufficient information for tenants regarding areas outside their jurisdiction.
- HUD should develop a clear protocol for emergency relocation of tenants. Several of the housing units needed to be evacuated due to flooding from a broken pipe. It was unclear to the tenants who was paying for their hotel bill, transportation for their children to school and food. This created much confusion and consternation on the part of tenants.

V. HUD housing assistance to break up concentration of poverty

Hartford's North End community is one of many communities around the country that face the challenges of inter-generational poverty and a lack of economic opportunity. Such concentrations are often associated with limited opportunities for educational success and job opportunities. When HUD encounters a situation like CARA, Barbour Gardens and Infill, there is an opportunity to work with other federal agencies, state and local governments and private organizations to focus on providing incentives for mixed income housing in the North End that help spur economic development and stabilize the area.

Further, the development of mixed income housing in areas without a concentration of poverty would assist in creating greater opportunities for people with lower incomes to succeed. In 2015, the Connecticut Department of Housing in collaboration with the Connecticut Fair Housing Center issued a report on Impediments to Fair Housing Choice.

The report included recommendations for HUD that bear repeating here because there will no doubt be additional opportunities for HUD to effectuate a creative response to a dilapidated housing situation or to promote additional mixed income housing. These recommendations included:

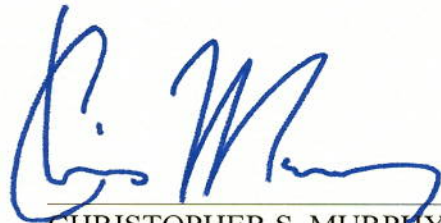
- When awarding grants for TOD developments or other affordable housing, HUD should prioritize fair housing considerations and make access to affordable housing in a variety of locations a paramount objective. Maximize the effectiveness of HUD programs that promote mobility.
- Increase Section 8 HCV Program voucher payment levels so that they are sufficient to support opportunity moves.
- Collaborate with the State to assess whether the use of residency preferences should be discouraged unless they clearly show no adverse impact on people of color, families with children, or people with disabilities.
- Consider reviewing the admissions criteria of all housing currently receiving HUD subsidies or HUD administered financial assistance to ensure that no housing providers are applying illegal independent living requirements. Promote fair housing enforcement and education to the greatest extent possible.
- Increase support for fair housing education and training for landlords regarding fair housing obligations.
- Increase support of testing programs that assess the incidence of housing discrimination.
- Increase support the enforcement of fair housing laws.

We look forward to your response to these critically important recommendations and working with you to provide greater housing opportunities for all.

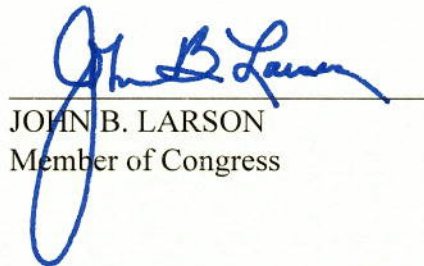
Sincerely,



RICHARD BLUMENTHAL  
United States Senate



CHRISTOPHER S. MURPHY  
United States Senate



JOHN B. LARSON  
Member of Congress



LUKE BRONIN  
Mayor of Hartford