CITY OF PARMA OHIO

LAW DEPARTMENT

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Timothy G. Dobeck
Law Director
Prosecutor

November 23, 2010

President of Council
All Members of Council

RE: Special Council Meeting
November 29, 2010

Dear President and All Members of Council:

As part of the Special Council Meeting scheduled for Monday, November 29th, there will be two items for your consideration: an ordinance amending Chapter 1719 of the Parma Codified Ordinances (Fair Housing Ordinance), and a resolution giving the Law Director authority to voluntarily withdraw from the Fair Housing Assistance Program (FHAP).

Since 1997, Parma has participated in the U.S. Department of Housing & Urban Development's Fair Housing Assistance Program (FHAP). As a FHAP agency, Parma has received federal funding to enforce its Fair Housing Ordinance through investigation of housing discrimination complaints. Chapter 1719 was deemed to be "substantially equivalent" to the Federal Fair Housing Act.

In consideration for this funding, HUD has established a required minimum number of fair housing complaints which each FHAP agency is expected to process, taking into consideration that city's population. For cities like Parma with a population between 60,000 and 300,000, that required minimum is five (5) complaints per year.

The City has attempted to generate fair housing complaints, and to inform the public of its investigation services, through an extensive education and outreach program. This has included the following:

1. Information disseminated on the City's website and through brochures distributed throughout the City

2. Information provided under the heading, "*Fair Housing is the Law*" on the front page of the Mayor's quarterly newsletter

3. Regular Fair Housing and Landlord-Tenant training seminars (with assistance of Housing Resource and Advocacy Center)

4. Regular testing for discriminatory housing practices (with assistance of Housing Resource and Advocacy Center)

Despite its efforts, the City has not generated the requisite five complaints per year as mandated by HUD. Other local FHAP communities in Cuyahoga County are also facing pressure from HUD to increase their number of complaints.

Since the City has not generated what HUD considers a reasonable number of complaints, HUD has indicated that it will withdraw the City's participation in the Fair Housing Assistance Program. In the alternative, HUD has provided the option for the City to voluntarily withdraw from FHAP at any time, by sending a letter to HUD indicating as such. The purpose of the proposed resolution is to give my office the authority to voluntarily withdraw.

Our office has recently submitted a proposal to HUD to outsource all such complaints to a local fair housing agency, in an attempt to continue the City's participation in the FHAP program. HUD was not in favor of this alternative.

It is the purpose of the City's Fair Housing Ordinance to provide for fair housing throughout the City, and to assure that all persons have full and equal opportunity to consider all available housing within the City, without discrimination on the basis of race, color, religion, sex, ancestry, handicap, familial status, or national origin. The City's voluntary withdrawal from the FHAP program will not affect the continued enforcement of its fair housing ordinance, which is an invaluable service to all residents and prospective residents of Parma.

The most significant change to the ordinance will be the added option of referring a potential victim of housing discrimination to the Ohio Civil Rights Commission, or to the Cleveland HUD office, for further investigation.

The City shall continue its education and outreach efforts to promote its fair housing laws, and to inform the public of the fair housing enforcement resources available to them. Our office will continue to provide information on the City's website and through distribution of brochures. The Mayor will continue to advertise prominently, on the front page of his quarterly newsletter. Through the Department of Community Development, the City will continue to conduct regular Fair Housing and Landlord-Tenant training seminars, as well as conduct testing for discriminatory housing practices. Should the number of fair housing complaints significantly increase as a result of these efforts, the City maintains the option to apply for recertification as a FHAP agency.

With the assistance of established fair housing agencies, the City of Parma will continue to enforce its fair housing ordinance, and will continue to assure full, equal and nondiscriminatory housing opportunities within the City.

Thank you.

Sincerely,

Tim Dobeck

Timothy G. Dobeck
Law Director

TGD/BMC/vaz

cc: Mayor Dean DePiero
All Members of the Fair Housing Review Board