

# Housing Committee JOINT FAVORABLE REPORT

**Bill No.:** HB-5209

**Title:** AN ACT CONCERNING HOUSING AUTHORITY JURISDICTION.

**Vote Date:** 3/15/2022

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/1/2022

**File No.:**

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## **SPONSORS OF BILL:**

Housing Committee

**REASONS FOR BILL:** Unlike private developers, housing authorities are not allowed to build affordable housing outside of their jurisdiction. Often, private developers struggle to find ways to make housing affordable. Housing authorities are given federal subsidy to make development projects more affordable. This bill would allow housing authorities to act like a developer, while still requiring them to follow the same zoning restrictions of the municipality. The benefit being that the housing authority will have a greater ability to build affordable housing since their projects aren't dictated by profit. Expanding jurisdiction of these housing authorities is meant to expand the amount of affordable housing available in areas.

## **SUBSTITUTE LANGUAGE:** LCO: 3111

The substitute language removes the requirement for neighboring municipalities to agree "by proper resolution to the expansion of the area of operation" of a housing authority expanding into a neighboring municipality.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

None Expressed

## **NATURE AND SOURCES OF SUPPORT:**

Karen DuBois-Walton, President of Elm City Communities/Housing Authority of the City of New Haven. Support stems from my concern about the lack of affordable housing in our state and the continued segregation of our communities. Further, my support stems from my knowledge that allowing PHAs to develop as any other developer can is a reasonable and sensible step forward that can be taken this session. However, my support rests upon the understanding that needed language changes are needed to the bill currently submitted

[Elias Estabrook](#), Commissioner on the City of New Haven's Affordable Housing Commission. Support of an amendment to HB-5209 would allow public housing authorities (PHAs) to operate in high-opportunity areas within 20 miles of their municipality, without the permission of the legislative body of the town in which these PHAs intend to develop and operate. The bill as amended allows housing authorities to act as a developer like any other developer.

[Hartford Foundation for Public Giving](#) supports the bill in order to provide the residents with access to housing options in high and very high opportunity communities

[Anthony Johnson](#), Connecticut Chapter of the National Association of Housing and Redevelopment Officials. Support comes from appreciation of the Housing Committees work to provide equitable language that protects the interests of municipal government and Connecticut's longstanding and constitutional codified tradition of home rule, which is why ConnNAHRO is testifying in support of this bill. We do not however support the substitute language offered by Elm City Communities. No such language was ever shared for our review.

[Erin Kemple](#), Executive Director of the Connecticut Fair Housing Center. Supports this bill (with amendments). Because the State of Connecticut is a recipient of funds from the US Department of Housing and Urban Development (HUD), it has an obligation to affirmatively further fair housing. However, H.B. 5209, as it came out of LCO, reinforces the requirement that housing authorities obtain the approval of the town's legislative body. We support the language proposed by Elm City Communities (the New Haven Housing Authority), which corrects this problem.

[Zachary McKeown](#), Senior Legislative Associate of CCM. Supports this bill with the language that allows a housing authority to adopt an expanded area of operation provided the governing body of the municipality to be included in the expanded area of operation adopts an agreement authorizing such housing authority to operate in that municipality.

[Anika Singh Lemar](#), Clinical Professor of Law | Yale Law School. Supports this bill with amendments that ought to ensure that Housing Authorities can act just as other developers and funders can, without seeking approval of a neighboring town's political body. They would remain subject to local zoning and other (eg inland wetlands) approvals but would need local political approval simply to act.

[Carol J. Martin](#), Executive Director of the Housing Authority for Fairfield and Westport. Supports the bill with the following changes: proposed text lines 222-through 233 should be removed from the proposed bill because it treats housing authorities differently than any other developer seeking to develop affordable housing.

[Raphael L. Podolsky](#), Connecticut Legal Services. Supports this bill with the following amendments: 5209, as it came out of LCO, erroneously is the exact opposite of the bill's intended purpose – it reinforces the requirement that housing authorities obtain the approval of the town's legislative body. We support the substitute language proposed by Elm City Communities (the New Haven Housing Authority), which corrects this error.

[Kevin Alvarez](#), Director of Legislative Affairs, City of New Haven. Supports this bill with the following amendments: As currently written in Section 2, parts b and c, this bill would expand the jurisdiction of a Housing Authority only in the cases of a municipality passing a resolution to affirm that expansion. This provision undermines the entire intention of the bill by reinforcing the central problem it seeks to address: the lines by which Housing Authorities operate are arbitrary, inefficient, and a poor way to allocate resources effectively.

[Will Viederman](#), Housing Policy Manager at Elm City Communities/the Housing Authority of New Haven. Supports this bill with the amendments that would not compound affordable housing into neighboring towns that have already had resource constraints or limited opportunity. Rather, by constraining any new areas of operation to high opportunity census tracts, the state can ensure that new affordable housing is placed where there is the most resource to integrate new residents.

[Eli Sabin](#) Legislative affairs associate Connecticut Voices for Children. Supports this bill because enabling public housing authorities to build affordable housing and administer housing vouchers in areas with more resources will disrupt patterns of segregation and expand housing choice and opportunity for low-income families and children.

[Betsy Gara](#), Executive Director Connecticut Council of Small Towns. Supports this bill because it requires the approval or input of the municipality regarding the expanded area of jurisdiction. The bill further provides that if the governing body of such municipality does not adopt an agreement with a housing authority that requests such agreement, the governing body's failure to adopt the agreement cannot be construed to be a violation of section 8-30g or of any other provision of the general statutes

#### **NATURE AND SOURCES OF OPPOSITION:**

None Expressed

**Reported by:** Jason Snukis

**Date:** March 21, 2022