

Self sufficiency and long term liberty



PROJECT

SAFE RETURN PROJECT

SAFE P



Housing The Problem

- Homelessness is a critical issue in Richmond, informedly incarcerated people are disproportionately affected by homelessness
- Not having a home can prevent a formerly incarcerated person from getting a job and reintegrating with community after incarceration
- A survey of 100 formerly incarcerated Richmond residents found that only 53% had stable housing 3-18 months after their release
- True public safety is providing access and stability to our most vulnerable population; this includes those impacted by the criminal justice system



Housing Recommendations

- Removing barriers to housing for formerly incarcerated individuals and their families by limiting the use of information about past convictions to deny access to public and subsidized housing in Richmond
- Prohibiting housing providers from using a “blanket ban” on applicants with past convictions
- Housing providers are required to provide the applicant with the background check and rationale for denying them housing



The Process

- Researching the issue
- An analysis of finding and the development of a report.
- The report was then published October 2014 in north Richmond at a community forum where public officials committed to work with the fi (**formerly incarcerated**) to pass fair housing policies.
- In 2015 we had some issues getting the policy through the council because the political landscape was not in our favor.
- In 2016 Jovanka Beckles and Jeal Myrick put forward the resolution to direct city staff to work with safe return project and other re-entry partners.
- We organized collectively with safe return project, Haas institute, national housing law project, bay area legal aid, the Dellums Institute for social justice to draft language, gain allies on the council for a vote.



The Win!!!!

DECEMBER 20th 2016 THE RICHMOND CITY COUNCIL PASSED A HISTORIC “FAIR CHANCE ACCESS TO AFFORDABLE HOUSING ORDINANCE” THAT PROHIBITS AFFORDABLE HOUSING PROVIDER IN THE CITY FROM USING BLANKET BANS AND SIMILAR RESTRICTIONS PREVENTING INDIVIDUALS WITH RECORD AND THEIR FAMILIES FROM ACCESSING LOW-INCOME AND AFFORDABLE HOUSING.

- This law also has a provision that would lower the risk of an individual family member losing their housing by reducing the barriers of returning family member that are seeking to be added to an already existing lease. Via developing a more restorative process (e.g., family first anchor)

Fair Chance Overview

- Identifying stakeholder concerns
- Drafting the ordinance: key elements
- Implementation
- Enforcement

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
REQUIRING PROVIDERS OF PUBLIC OR SUBSIDIZED HOUSING TO
ENSURE EQUAL OPPORTUNITY FOR HOUSING APPLICANTS WITH
PAST CRIMINAL CONVICTIONS

The Council of the City of Richmond do ordain as follows:

Section I. Amendment of Article VII of the Richmond Municipal Code

Article VII of the Municipal Code of the City of Richmond is hereby amended to add Chapter 7.110. Chapter 7.110 shall read as follows:

Chapter 7.110

FAIR CHANCE ACCESS TO AFFORDABLE HOUSING

Sections:

- 7.110.010 Title**
- 7.110.020 Authority**
- 7.110.030 Findings**
- 7.110.040 Procedure for Use of Criminal History Information in Housing Decisions**
- 7.110.050 Professional Audit Advisory Committee**
- 7.110.060 Notice and Posting Requirements for Housing Providers**
- 7.110.070 Implementation and Enforcement**

- Applies to all affordable housing providers in Richmond
- Limits what criminal history a landlord can inquire about during the application process (including addition of household members)
- Housing provider must do an individualized assessment of housing application and consider mitigating circumstances and other factors such as whether the conviction is directly related to health and safety
- Two-year look back period
- Notice requirements
- Appeal rights

Implementation and Enforcement

- Six-month implementation period
- Notice of ordinance and posting requirements
- Housing providers required to publish written policies of admissions criteria and appeal process
- Housing providers must submit documents to city related to denials
- City Manager to provide reports to city council on implementation including data on housing applications and denials
- City must hire and train Appeal Hearing Officers.

- NHLP, *A Home Upon Reentry*: www.nhlp.org
- Seattle ordinance, amended chapter 14 of the city's municipal code
- Vera Institute of Justice, *Opening Doors*, September 2017
- California draft FEHA regulations
- HUD Notices PIH 2015-19/H 2015-10 and FAQ
- Legal Opinion from the HUD Office of General Counsel on the application of the FHA to criminal record screening



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