



City of Passaic Analysis of Impediments to Fair Housing  
And  
Language Action Plan

October 2020

# **ANALYSIS OF IMPEDIMENTS**

## **Overview**

The Analysis of Impediments to Fair Housing is required of all state and local governments that receive federal funds from the U.S. Department of Housing and Urban Development (HUD). This includes grants in the form of the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME). Each state or local unit of government (often referred to as an Entitlement Community) that receives these funds must certify to HUD that it will affirmatively further fair housing and that it will conduct an analysis to identify impediments to fair housing choice within the Participating Jurisdiction (PJ). HUD recommends that the Entitlement Community update its Analysis of Impediments every three to five years.

The Analysis of Impediments is a summary of many housing-related and equal opportunity practices evident throughout the Entitlement Community that inadvertently or deliberately prevent people from living where they choose.

HUD interprets the obligation to “affirmatively further fair housing” to mean that the Participating Jurisdiction will:

- Analyze and implement efforts to eliminate housing discrimination in the PJ;
- Promote fair housing choice for all persons;
- Provide opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability, and national origin;
- Promote housing that is structurally accessible to, and usable by all persons, particularly persons with disabilities;
- Foster compliance with the nondiscrimination provision of the Fair Housing Act

This document will provide demographic profile areas within the City of Passaic (the City), identify existing impediments to fair housing, and suggest actions to remove such barriers.

## **Applicable Fair Housing Laws**

There are several federal statutory provisions related to fair housing, which the City must consider as we administer our CDBG and HOME programs.

1. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AS AMENDED (42 U.C.A. 2000D)  
States that no person may be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, or national origin. Its implementing regulations may be found in 24 CFR Part 1.

2. TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 AS AMENDED (42 U.C.A. 2000E) Prohibits discrimination in employment against any individual on the basis of race, color, religion, sex or national origin, and allows victims of intentional discrimination to seek punitive and compensatory damages through jury trials.
3. TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968, AS AMENDED "THE FAIR HOUSING ACT" (42 U.C.A. 3601) Prohibits discrimination in the sale or rental of units in the private housing market against any person on the basis of race, color, religion, sex, national origin, familial status or handicap. Its implementing regulations may be found in 24 CFR Part 100-115.
4. EQUAL OPPORTUNITY IN HOUSING (EXECUTIVE ORDER 11063, AS AMENDED BY EXECUTIVE ORDER 12259) - Prohibits discrimination in housing or residential property financing related to any federally assisted activity against individuals on the basis of race, color, religion, sex or national origin. Implementing regulations may be found in 24 CFR Part 107.
5. SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED (29 U.C.A. 794) - States that no otherwise qualified individual may be excluded, solely because of his/her handicap, from participation in, the benefits of, or subject to discrimination under any program or activity receiving federal financial assistance. The implementing regulations may be found in 24 CFR Part 8.
6. AMERICANS WITH DISABILITIES ACT (42 U.S.C 12131; 47 U.S.C. 155, 201, 218 AND 225) – Provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services and telecommunications. The Act, also referred to as the ADA, also states that discrimination includes failure to design and construct facilities (built for first occupancy after January 26, 1993) that are accessible to and usable by persons with disabilities. The ADA also requires the removal of architectural and communications barriers that are structural in nature in existing facilities. Removal must be readily achievable, easily accomplishable and able to be carried out without much difficulty or expense.
7. AGE DISCRIMINATION ACT OF 1975, AS AMENDED (42 U.S.C. 6101- 07) - Prohibits age discrimination in programs receiving federal financial assistance. Its implementing regulations may be found in 24 CFR Part 146.
8. EQUAL EMPLOYMENT OPPORTUNITY, EXECUTIVE ORDER 11246, AS AMENDED - Prohibits discrimination against any employee or applicant for employment because of race, color, religion, sex, or national origin. Provisions to effectuate the prohibition must be included in all construction contracts exceeding \$10,000. Implementing regulations may be found at 41 CFR Part 60.
9. MINORITY AND WOMAN BUSINESS OPPORTUNITIES (EXECUTIVE ORDERS 11625, 12138, AND 12432) - To ensure that all federal agencies with substantial procurement or grant making authority adopt minority and woman business development

plans (See EO-1). The implementing regulations may be found in 24 CFR Section 511.13(c).

10. AFFIRMATIVE MARKETING (24 CFR 511.13(B)) FOR RENTAL PROPERTIES CONSISTING OF FIVE (5) OR MORE UNITS – Requires the establishment procedures to inform the public, owners and potential tenants of federal Fair Housing laws and an affirmative marketing program; develop requirements for owners assisted under rental programs; outline procedures by which owners will solicit applications from eligible potential tenants; maintain records of grantee and owner efforts to affirmatively market rehabilitation units; and develop a system for evaluating owners' affirmative marketing efforts.
11. SECTION 3 OF HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED, 12 U.S.C. 1701u. - The purpose of which is to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low and very-low income persons, particularly those who are recipients of government assistance for housing.
12. SITE AND NEIGHBORHOOD STANDARDS FOR NEW CONSTRUCTION (24 CFR 882.709) - The purpose of which is to ensure that all proposed new construction sites are approved by HUD.

### **General Population and Household Dynamics**

Table 1 depicts population and household information for the City and for Passaic County (the County) for comparison. Information is compiled from the U.S. Bureau of the Census for the 2000 and 2010 Census and Esri, an online provider of demographic information. Esri information includes current-year estimates five-year projections. Since the 2000 Census, the City and County have been seeing increases in population. These trends are expected to continue through 2025. After a slight decline in households between 2000 and 2010, which is more than likely a result of the Great Recession, households have been growing in the City and are projected to continue growing through 2025. Unlike national trends, average household size has been increasing in both the City and the County. The average household size is significantly higher in the City than in the County. According to the Census, the City has a very large segment of households with five or more people (29.3%) suggesting overcrowding may be an issue in the City and also suggesting the need for larger homes.

**Table 1**  
**Selected Demographic Characteristics**  
**City of Passaic and Passaic County**

	<u>City of Passaic</u>	<u>Passaic County</u>
<b><u>Population</u></b>		
2000 Census	67,874	489,049
2010 Census	69,781	501,226
2020 Esri Estimate	71,515	509,679
2025 Esri Projection	72,277	512,996
<b><u>Households</u></b>		
2000 Census	19,456	163,856
2010 Census	19,409	166,785
2020 Esri Estimate	19,698	168,687
2025 Esri Projection	19,859	169,421
<b><u>Average Household Size</u></b>		
2000 Census	3.46	2.92
2010 Census	3.57	2.94
2020 Esri Estimate	3.61	2.96
2025 Esri Projection	3.62	2.97
<b><u>Households by Size - 2010 Census</u></b>		
1 Person	19.5%	22.6%
2 Person	19.5%	26.6%
3 Person	16.0%	17.6%
4 Person	15.6%	16.4%
5 or more Person	29.3%	16.7%

*SOURCES: US Bureau of the Census; Esri*

Table 2 provides information on the population in the City and County by relationship to householder and Table 3 includes information on households by household types.

**Table 2**  
**Population by Relationship to Householder**  
**City of Passaic and Passaic County**

<b><u>Relationship</u></b>	<b>City of Passaic</b>		<b>Passaic County</b>	
	<b><u>Number</u></b>	<b><u>Percent</u></b>	<b><u>Number</u></b>	<b><u>Percent</u></b>
Total population	70,131	100.0%	504,041	100%
In households	69,739	99.4%	495,127	98.2%
Householder	19,646	28.0%	163,670	32.5%
Spouse	8,125	11.6%	79,910	15.9%
Child	28,317	40.4%	176,173	35.0%
Own child under 18 years	22,373	31.9%	120,729	24.0%
Other relatives	2,662	3.8%	11,581	2.3%
Under 18 years	1,175	1.7%	3,597	0.7%
65 years and over	269	0.4%	2,365	0.5%
Nonrelatives	3,963	5.7%	22,427	4.4%
Under 18 years	163	0.2%	1,100	0.2%
65 years and over	193	0.3%	1,907	0.4%
Unmarried partner	1,736	2.5%	10,035	2.0%
In group quarters (2010)	458	0.7%	11,019	2.2%
Institutionalized population (2010)	232	0.3%	3,291	0.7%
Male	53	0.1%	1,672	0.3%
Female	179	0.3%	1,619	0.3%
Noninstitutionalized population (2010)	226	0.3%	7,728	1.5%
Male	197	0.3%	3,597	0.7%
Female	29	0.0%	4,131	0.8%

*SOURCES: US Bureau of the Census*

**Table 3**  
**Household by Household Type**  
**City of Passaic and Passaic County**

<u>Households by Type</u>	<u>City of Passaic</u>		<u>Passaic County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Total households	19,646	100.0%	163,670	100.0%
Family households (families)	14,523	73.9%	118,949	72.7%
With own children under 18 years	7,815	39.8%	53,017	32.4%
Husband-wife family	8,184	41.7%	80,179	49.0%
With own children under 18 years	4,394	22.4%	34,801	21.3%
Male householder, no wife present	1,663	8.5%	9,488	5.8%
With own children under 18 years	695	3.5%	3,872	2.4%
Female householder, no husband present	4,676	23.8%	29,282	17.9%
With own children under 18 years	2,726	13.9%	14,344	8.8%
Nonfamily households	5,123	26.1%	44,721	27.3%
Householder living alone	4,566	23.2%	37,962	23.2%
Male	2,106	10.7%	15,602	9.5%
65 years and over	773	3.9%	4,421	2.7%
Female	2,460	12.5%	22,360	13.7%
65 years and over	1,247	6.3%	11,955	7.3%
Households with individuals under 18 years	9,024	45.9%	59,697	36.5%
Households with individuals 65 years and over	4,900	35.3%	48,937	40.6%
Average household size	3.5		3.0	
Average family size	4.2		3.6	

**SOURCES: US Bureau of the Census**

Table 4 provides information on population by age. The City has much higher percentages of children and youth than the County as a whole, evidencing the need for funding for education and programs that assist families with children. Contrary to national trends and the County, the City's elderly population age 55 and older is a small percentage of the total.

**Table 4**  
**Population by Age**  
**City of Passaic and Passaic County**

<u>2020 Estimated Population by Age</u>	<u>City of Passaic</u>		<u>Passaic County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Under 5 Years	6,579	9.2%	32,110	6.3%
5 to 9 Years	6,222	8.7%	32,619	6.4%
10 to 14 Years	5,864	8.2%	34,148	6.7%
15 to 19 Years	5,507	7.7%	34,658	6.8%
20 to 24 Years	5,650	7.9%	35,678	7.0%
25 to 29 Years	6,079	8.5%	36,697	7.2%
30 to 34 Years	5,721	8.0%	35,168	6.9%
35 to 39 Years	5,221	7.3%	34,148	6.7%
40 to 44 Years	4,219	5.9%	31,090	6.1%
45 to 49 Years	3,933	5.5%	31,090	6.1%
50 to 54 Years	3,504	4.9%	32,619	6.4%
55 to 59 Years	3,433	4.8%	33,639	6.6%
60 to 64 Years	3,004	4.2%	30,071	5.9%
65 to 69 Years	2,360	3.3%	24,465	4.8%
70 to 74 Years	1,788	2.5%	19,877	3.9%
75 to 79 Years	1,144	1.6%	13,252	2.6%
80 to 84 Years	715	1.0%	8,665	1.7%
85+ Years	787	1.1%	10,194	2.0%
<b><u>Median Age</u></b>				
2010		29.2		36.1
2020		30.0		37.1
2025		31.2		38.2

*SOURCES: US Bureau of the Census; Esri*

Table 5 provides information on population by race and ethnicity. The City has a large Hispanic population, which indicates language barriers could exist in the City. Also, the data suggests the need for culturally sensitive programs.

**Table 5**  
**Population by Race and Ethnicity**  
**City of Passaic and Passaic County**

<u>2020 Estimated Population by Race</u>	<u>City of Passaic</u>		<u>Passaic County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
White Alone	29,750	41.6%	300,201	58.9%
African American Alone	7,438	10.4%	63,710	12.5%
American Indian Alone	715	1.0%	3,568	0.7%
Asian or Pacific Islander Alone	2,932	4.1%	28,032	5.5%
Some Other Race Alone	26,389	36.9%	91,742	18.0%
Two or More Races	4,219	5.9%	22,426	4.4%
Hispanic Origin-All Races*	54,924	76.8%	223,239	43.8%
 <u>2020 Estimated Population by Ethnicity</u>				
<u>Non-Hispanic Population</u>	16,594	23.2%	286,426	56.2%
White Non-Hispanic	8,670	12.1%	199,857	39.2%
Black Non-Hispanic	4,334	6.1%	50,240	9.9%
American Indian/Alaska Native Non-Hispanic	42	0.1%	681	0.1%
Asian Non-Hispanic	2,804	3.9%	27,194	5.3%
Pacific Islander Non-Hispanic	4	0.0%	69	0.0%
Other Race Non-Hispanic	156	0.2%	1,209	0.2%
Two or More Races Non-Hispanic	584	0.8%	7,176	1.4%
 <u>Hispanic Population</u>	 54,921	 76.8%	 223,253	 43.8%
White Hispanic	21,094	29.5%	100,526	19.7%
Black Hispanic	3,118	4.4%	13,379	2.6%
American Indian/Alaska Native Hispanic	680	1.0%	2,749	0.5%
Asian Hispanic	130	0.2%	661	0.1%
Pacific Islander Hispanic	29	0.0%	144	0.0%
Other Race Hispanic	26,253	36.7%	90,708	17.8%
Two or More Races Hispanic	3,617	5.1%	15,086	3.0%

*Note: \*Statistics include persons of Hispanic origin, regardless of race.*

*SOURCES: US Bureau of the Census; Esri*

Table 6 includes information on education attainment, which documents a significant issue facing the City. Over 20% of the population age 25 and older has less than a 9<sup>th</sup> grade education and close to 12% never graduated high school, which is much higher compared to the County (8.5% and 6.9%, respectively). This indicates that programs designed to assist children stay in school and GED classes are important in the City.

**Table 6**  
**Population by Education Attainment**  
**City of Passaic and Passaic County**

<u>2020 Educational Attainment*</u>	<u>City of Passaic</u>		<u>Passaic County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Less than 9th Grade	14,518	20.3%	43,323	8.5%
9th to 12th Grade, No Diploma	8,367	11.7%	35,168	6.9%
High School Graduate	22,170	31.0%	153,923	30.2%
GED/Alternative Credential	1,430	2.0%	11,723	2.3%
Some College, No Degree	9,368	13.1%	81,549	16.0%
Associate Degree	2,861	4.0%	27,523	5.4%
Bachelor Degree	8,439	11.8%	103,975	20.4%
Graduate or Professional Degree	4,362	6.1%	51,987	10.2%

*Note: \*Statistics are for population age 25 and older*

*SOURCES: US Bureau of the Census; Esri*

Table 7 includes Esri 2020 estimates of households by household income. The City has great concentrations of low-income households as compared to the County with 16% of City households earning less than \$15,000 in annual household income and an additional 16/7% earning between \$15,000 and \$25,000. These high concentrations of low-income households in the City indicate a significant need for programs designed to reduce poverty and create affordable housing.

**Table 7**  
**Households by Household Income - 2020 Estimates**  
**City of Passaic and Passaic County**

<b>Income Band</b>	<b>City of Passaic</b>		<b>Passaic County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under \$15,000	3,152	16.0%	14,676	8.7%
\$15,000 - \$24,999	3,290	16.7%	15,351	9.1%
\$25,000 - \$34,999	2,167	11.0%	11,808	7.0%
\$35,000 - \$49,999	2,364	12.0%	16,194	9.6%
\$50,000 - \$74,999	3,191	16.2%	24,460	14.5%
\$75,000 - \$99,999	2,127	10.8%	23,279	13.8%
\$100,000 - \$149,999	1,989	10.1%	29,014	17.2%
\$150,000 - 199,999	689	3.5%	14,844	8.8%
\$200,000 and over	<u>729</u>	<u>3.7%</u>	<u>19,062</u>	<u>11.3%</u>
<b>Total</b>	19,698	100.0%	168,687	100.0%
<b>Median Household Income</b>				
2020 Esri Estimate	\$41,780		\$76,626	
2025 Esri Projection	\$44,567		\$80,856	
<b>Average Household Income</b>				
2020 Esri Estimate	\$62,296		\$103,247	
2025 Esri Projection	\$67,347		\$113,609	

*SOURCES: US Bureau of the Census; Esri*

Tables 8, 9 and 10 all are related to the housing stock in the City and the County. As shown in Table 8, the City has a very large percent of rental housing (over 76% of the occupied housing units) as compared to the County (47%). This indicates that households might have issues identifying houses to buy in the City. The City's relatively low vacancy rates compound the problem and also make it much more difficult to create new housing opportunities.

**Table 8**  
**Housing Units by Tenure and Occupancy**  
**City of Passaic and Passaic County**

	City of Passaic		Passaic County	
	Number	Percent	Number	Percent
<b>Number, Occupancy, Tenure of Housing Units</b>				
2020 Estimated Total Units	20,757	100.0%	179,332	100.0%
Occupied Units - 2020 Estimates	19,761	95.2%	169,552	94.5%
Owner Occupied	4,583	23.2%	88,982	52.5%
Renter Occupied	15,178	76.8%	80,570	47.5%
Vacant Units - 2020 Estimates	996	4.8%	9,780	5.5%
2025 Esri Projection - Total Units	20,996	100.0%	181,427	100.0%
2025 Esri Projection - Occupied Units	20,017	95.3%	171,496	94.5%

*SOURCES: US Bureau of the Census; Esri*

The majority of the housing units in the City are in the \$200,000 to \$500,000 range (67%). These prices are not affordable to many low-income households. Many of the units valued at under \$100,000 will need substantial repairs thus adding to the affordability concern and the need for housing subsidies to increase the homeownership rates. The median price of the City's housing stock is projected to increase by 11% over the next five years.

**Table 9**  
**Housing Units by Value**  
**City of Passaic and Passaic County**

	City of Passaic		Passaic County	
	Number	Percent	Number	Percent
<b>Value of Owner-Occupied Units, 2020 Esri Estimates</b>				
Less than \$50,000	133	2.9%	1,688	1.9%
\$50,000 - \$99,999	78	1.7%	605	0.7%
\$100,000 - \$149,999	206	4.5%	2,167	2.4%
\$150,000 - \$199,999	306	6.7%	4,604	5.1%
\$200,000 - \$299,999	1,130	24.7%	21,577	23.9%
\$300,000 - \$499,999	1,939	42.4%	43,155	47.8%
\$500,000 - \$999,999	713	15.6%	15,799	17.5%
\$1,000,000 and above	<u>69</u>	<u>1.5%</u>	<u>686</u>	<u>0.8%</u>
Total	4,573	100.0%	90,282	100.0%
<b>Median Value of Housing Units</b>				
2020 Esri Estimate	\$337,272		\$352,645	
2025 Esri Projection	\$375,360		\$376,263	

*SOURCES: US Bureau of the Census; Esri*

Table 10 provides information on the year the housing stock was built and the type of housing units. Over 65% of the housing stock was built before 1960 and is now over 60 years old. Many of these units will require upgrades indicating that housing rehab programs for the existing housing stock are important. Also of note is that over 87% of the housing units were built prior to 1980. Many of these homes will have lead-based paint issues.

**Table 10**  
**Housing Units by Year Built and Units in Structure**  
**City of Passaic and Passaic County**

	City of Passaic		Passaic County	
	Number	Percent	Number	Percent
<b>Housing Units by Year Built, 2014-18 ACS Estimates</b>				
2010 or Later	289	1.3%	2,884	1.6%
2000 to 2009	603	2.8%	9,875	5.6%
1990 to 1999	740	3.4%	10,196	5.8%
1980 to 1989	1,040	4.8%	11,594	6.5%
1970 to 1979	2,008	9.3%	17,341	9.8%
1960 to 1969	2,728	12.7%	27,515	15.5%
1950 to 1959	2,707	12.6%	35,841	20.2%
1940 to 1949	4,277	19.9%	23,175	13.1%
Built 1939 or Earlier	<u>7,148</u>	<u>33.2%</u>	<u>38,611</u>	<u>21.8%</u>
Total	21,540	100.0%	177,032	100.0%
Median Year Built - 2020 Esri Estimate	1948		1957	
<b>Housing Units by Structure Type, 2014-18 ACS Estimates</b>				
1 Detached	2,599	12.1%	73,450	41.5%
1 Attached	812	3.8%	9,025	5.1%
2 Units	5,512	25.6%	39,805	22.5%
3 to 4 Units	2,419	11.2%	16,974	9.6%
5 to 19	6,468	30.0%	19,253	10.9%
20 or more	3,656	17.0%	18,148	10.3%
Mobile Home & Other	<u>74</u>	<u>0.3%</u>	<u>377</u>	<u>0.2%</u>
Total	21,540	100.0%	177,032	100.0%

*SOURCES: US Bureau of the Census; American Community Survey (ACS) 2014-2018; Esri*

The largest categories of housing units in the City include structures with five to 19 units (30%) and structures with two units (26%) with only 16% of the units consisting of single-family detached and attached houses and an additional 4% consisting of single-family attached units. An additional 17% of the housing stock is in structures with 20 or more units. The nature of the housing stock is why rental housing in the City is so prevalent.

Tables 11, 12 and 13 provide information from the 2012-16 Comprehensive Housing Affordability Strategy (CHAS). Table 11 includes information on housing tenure by household income as a percent of AMI. Larger percentages of low-income households are renters versus households above 100% AMI where the majority are homeowners.

**Table 11**  
**Households by Tenure and Percentage Area Median Income (AMI)**  
**City of Passaic and Passaic County**

	City of Passaic		Passaic County	
	<u>Owner</u>	<u>Renter</u>	<u>Owner</u>	<u>Renter</u>
<30% AMI	625	7,430	7,440	29,600
30%-50% AMI	840	2,975	8,585	15,225
50%-80% AMI	695	1,940	9,120	10,530
80% -100% AMI	515	965	9,030	5,990
>100% AMI	<u>1,835</u>	<u>1,530</u>	<u>51,735</u>	<u>14,285</u>
Total	4,505	14,845	85,910	75,625

*SOURCES: Comprehensive Housing Affordability Strategy (CHAS) 2012-2016*

As expected, the information in Table 12 shows that there are significant number of extremely low-income households who are cost burdened paying over 30% of their income for housing and paying over 50%. Given the housing tenure of many City residents, creating more affordable rental housing is important, especially for households earning below 30% AMI. These households will require deep subsidies such as public housing units or Housing Choice Vouchers.

**Table 12**  
**Cost Burden Households by Percentage Area Median Income (AMI)**  
**City of Passaic and Passaic County**

	City of Passaic		Passaic County	
	<u>Cost burden &gt; 30%</u>	<u>Cost burden &gt; 50%</u>	<u>Cost burden &gt; 30%</u>	<u>Cost burden &gt; 50%</u>
<30% AMI	6,355	5,430	29,750	25,805
30%-50% AMI	2,950	1,055	19,680	9,120
50%-80% AMI	1,150	210	11,250	3,075
80% -100% AMI	315	55	5,555	1,245
>100% AMI	<u>295</u>	<u>35</u>	<u>9,445</u>	<u>880</u>
Total	11,065	6,785	75,680	40,125

*SOURCES: Comprehensive Housing Affordability Strategy (CHAS) 2012-2016*

Given the aging housing stock, the large percentages of renter households and the large numbers of extremely low- to low-income households, it is not surprising that the City has large numbers of households, especially those with household income below 50% AMI who are experiencing housing problems. The numbers of households with housing problems are shown in Table 13. This information further documents the need for programs designed to renovate existing housing units and create more affordable housing.

**Table 13**  
**Households with Housing Problems by Percentage Area Median Income (AMI)**  
**City of Passaic and Passaic County**

	City of Passaic		Passaic County	
	<u>1 or More Housing Problems</u>	<u>None of the 4 Housing Problems</u>	<u>1 or More Housing Problems</u>	<u>None of the 4 Housing Problems</u>
<30% AMI	6,680	670	30,665	3,330
30%-50% AMI	3,380	430	20,605	3,200
50%-80% AMI	1,540	1,095	12,385	7,265
80% -100% AMI	555	925	6,445	8,575
>100% AMI	<u>870</u>	<u>2,500</u>	<u>11,425</u>	<u>54,595</u>
Total	13,025	5,615	81,530	76,960

*Note: The four housing problems are: incomplete kitchen facilities; incomplete plumbing facilities more than 1 person per room; and cost burden greater than 30%.*

*SOURCES: Comprehensive Housing Affordability Strategy (CHAS) 2012-2016*

Table 14 provides information on the population with disabilities. Over 8% of the City’s civilian noninstitutionalized population have some form of disability. Many of these individuals are seniors age 65 and older. This information shows that there are needs for programs designed to assist seniors, especially seniors with disabilities.

**Table 14**  
**Disability Status by Sex and Age**  
**City of Passaic and Passaic County**

	<b>City of Passaic</b>			<b>Passaic County</b>		
	<b><u>Total</u></b>	<b><u>With Disability</u></b>	<b><u>Percent</u></b>	<b><u>Total</u></b>	<b><u>With Disability</u></b>	<b><u>Percent</u></b>
Total Civilian Noninstitutionalized Population	69,954	5,802	8.3%	500,479	44,421	8.9%
<b><u>By Sex</u></b>						
Male	35,876	2,477	6.9%	243,608	19,473	8.0%
Female	34,078	3,325	9.8%	256,871	24,948	9.7%
<b><u>By Age</u></b>						
Under 5	6,610	26	0.4%	34,408	129	0.4%
5 to 17 years	15,772	706	4.5%	86,399	3,515	4.1%
18 to 34 years	17,524	823	4.7%	116,736	4,483	3.8%
35 to 64 years	23,658	2,095	8.9%	194,550	15,326	7.9%
65 to 74 years	4,113	1,078	26.2%	39,312	8,154	20.7%
75 years and older	2,277	1,074	47.2%	29,074	12,814	44.1%

*SOURCES: US Bureau of the Census; American Community Survey (ACS) 2014-2018*

## **Impediments to Fair Housing**

The City acknowledges its need to continue developing the capacity to meet its housing-related needs. The City has made some progress in identifying new developers who have met with City officials in order to create more affordable homeownership and rental housing. We also continue to transfer more administrative responsibilities to our housing rehabilitation consultant; as well as continuing to identify and address the technical assistance needs of our CHDOs.

The City continues to review alternative strategies to maximize the use of our HUD funds, such as using alternative public funding sources and private investment and increasing the efficiency of program operations. As stated above, the City has identified new developers in the hopes of increasing the supply of affordable housing in this increasingly high value real estate market. The City has most recently partnered with Habitat for Humanity who has to date completed one new affordable home, with 2 additional homes nearing completion and a new development in the planning stages that will create four affordable housing units for low-income veterans. The City continues to utilize a grant writing consulting firm to assist in acquiring new grants to facilitate the urgency of affordable housing needs.

The potential barriers that could adversely affect the City's capacity to realize its vision are unfortunately the same as in years past. They include the following:

1. The shortfall in available resources needed to address the City's community development needs. Over the past 5 years the City has experienced a continued decline in our CDBG and HOME funding.
2. Also consistent with years past is the availability of financing for perspective homebuyers. The City has experienced a decrease in the willingness of lenders to lend as market volatility increases. Further, the willingness to lend has escalated due to the current pandemic which has culminated into loss of businesses; jobs and/or downsizing.
3. As stated above, the high cost of housing, including acquisition and renovation of existing units and construction of new units has put a significant constraint on the City's ability to effectively implement our First Time Homebuyer Program.
4. Due to the built out nature of the City, many development partners still struggle with the lack of vacant land available, which greatly impedes new construction.
5. The age and condition of the housing stock is also a barrier to implementing new affordable housing strategies. Many existing housing units require substantial improvements in order to satisfy HUD's requirements under the HOME program and often these added costs make the housing units less affordable.
6. As stated above, the City's existing housing stock consists primarily of structures with two or more units, which do not lend themselves very well to homeownership opportunities. Given the need to increase our homeownership rates in the City, this is a very large impediment.

7. The City faces additional restraints, which are regulatory in nature.
  - a. At the local level, the City's high real estate tax rate provides a strong disincentive for property owners to maintain and improve the housing stock. The tax rate also stymies the development of affordable housing. Land use, zoning, and subdivision controls may have a desirable impact upon the quality of the City's housing stock, but they also discourage the development of new affordable housing. Rent controls may limit rent levels to affordable levels, but they adversely affect the quality of the housing stock by limiting incentives for landlords to improve their properties. High real estate taxes and land use, zoning, and subdivision controls also discourage the development and retention of businesses.
  - b. State regulations mandating building and fire controls also provide disincentives to the development of affordable housing and businesses. While safety of the structures is paramount, the regulations do discourage developers from new construction and extensive rehabilitation projects. Building materials and techniques must meet standards. Fees are required for building permits. Inspections related to building permits can create delays. Multi-family dwellings must have automatic fire suppression systems. Major improvements to existing structures may trigger requirements for sprinkler systems and handicapped accessibility. Environmental controls can effectively prevent the adaptive reuse of vacant industrial properties.
  - c. As stated in the past, HUD's administrative requirements for entitlement grant programs are excessive and place a financial hardship on small municipalities like the City, which have limited resources for staffing to implement these programs. Federal regulations regarding lead-based paint dramatically increase project costs for the Housing Rehabilitation and First Time Homebuyer Programs; resulting in a reduced number of individuals assisted every year to compensate for the increased costs.
8. The capacity of housing developers is also an impediment to creating more affordable housing programs. The City spends considerable time and resources working with developers to ensure they are adhering to our requirements and they are ensuring equal housing opportunities.
9. Language barriers continue to be a challenge for many local residents. As stated below, many City residents speak a language other than English as their primary language. The City has bi lingual staff to assist many of our Spanish-speaking residents.

### **Affirmatively Furthering Fair Housing**

The City is engaged in several initiatives to ensure that we continue to further fair housing in all of our programs. Some of these programs include the following:

1. The Paterson Task Force for Community Action, Inc. (PTF) continues to provide fair housing services to low-income households on a contractual basis for the City. For fair housing enforcement, PTF maintains a local phone line and mailing address to accept and investigate complaints alleging discrimination based on race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, or financing of housing. Activities include receiving housing complaints; conducting investigations of bona-fide housing complaints, whether such complaints shall be brought by or against the City or any individual therein; and attempting through negotiation to successfully resolve such matters PTF identifies. Findings are referred to the appropriate enforcement agency.
2. The City participates in voluntary partnerships with public and private organizations, locally and/or regionally, to promote fair housing choice and affirmative marketing plans. As part of this overall effort to promote fair housing choice, PTF continues to pursue partnerships with various local nonprofit agencies, particularly those included on the City's Consolidated Plan mailing list. Seminars are conducted in areas accessible to City residents for the general public, church groups and various community based organizations. PTF covers topics such as rights of tenants, fair housing, predatory lending, reverse mortgages, landlord/tenant rights and credit repair and credit counseling. They also networks with local and regional banks and mortgage companies to address challenges facing new and existing homeowners.

In accordance with the HOME Program regulations, 24 CFR 92.351(a), the City has adopted procedures to affirmatively market any rental and homebuyer projects containing five or more HOME-assisted units. When the City undertakes such a project, PTF is under contract to carry out the City's affirmative marketing plan. To inform potential tenants and buyers, PTF and the City reach out to one or more tenants' rights groups or public service organizations that serve low-income persons in the area, such as the United Passaic Organization, the NAACP, or the Hispanic Information Center. The City also requires our development partner to affirmatively market all new and rehabilitated housing developments in accordance with the HOME requirements. These requirements are spelled out in our developer agreements.

3. To Increase the supply of affordable housing the City has been focusing our efforts on the production of new or renovated housing units and assisting first-time homebuyers. To date we have been successful in delivering new units; however, we are working to expand our pool of eligible development partners to increase our capacity to create more units. Over the past five years, we have accomplished the following:
  - a. Passaic Affordable Housing Coalition (PAHC) has completed construction and leased up five (5) affordable rental units at 73-79 Van Winkle Avenue.
  - b. PAHC also completed construction and sale of six of the seven two-bedroom bedroom condominium units located at 277 Broadway.
  - c. Morris Habitat for Humanity (MHFH) has completed and sold a one-family three-bedroom affordable home located at 232 Howe Avenue.

- d. MHFH is nearing completion of a two three-bedroom units located at 352 Howe Avenue.
  - e. The City has partnered with Paterson Habitat for Humanity to create four affordable housing units for low-income veterans, which will begin construction soon.
  - f. The City worked with Passaic 585 LLC to create five affordable rental units in a mixed-income development located at 585 Main Street.
  - g. The City worked with The Properties at Casa Bela LLC to create four affordable rental units in a mixed-income development located at 224 Hope Avenue.
  - h. To assist renters to become first-time homebuyers, the City has assisted 26 families through our First Time Homebuyer Program based on income qualifications and residency status.
  - i. Given the age of the existing housing stock, the City would like to have a more productive homeowner rehab program; however, the City's rehab program; despite being advertised via our website, flyers and workshops, has not as yet been able to assist a substantive number of income-qualified residents under our HOME funded program.
4. To develop a resource inventory regarding existing supportive housing services, that include persons who are not homeless but require supportive housing (i.e., elderly, frail elderly, persons with mental, physical, developmental disabilities, persons with substance abuse issues, persons with HIV/AIDS and their families and public housing residents, the County Department of Human Services and the County CEAS have identified existing services available County-wide.
  5. Complete a needs assessment regarding needed supportive housing for City residents that includes special needs groups. The Passaic County Needs Assessment is a project of the Board of Chosen Freeholders, the County Department of Human Services, United Way of Passaic County, and the Passaic County Policy and Planning Committee. At this stage, a County-wide Needs Assessment has been completed. The needs assessment showed the following areas with greatest need for support services: childcare, shelter, food, and persons with HIV/AIDS. The United Way of Passaic County, the Passaic County Department of Human Services, and the City's Department of Human Services expressed willingness in collaboratively addressing the areas of greatest need. Each agency will also seek to individually address needs that are particular to its service area. The City of Paterson Department of Health and Human Services is the lead agency that is responsible for coordinating and administering the Housing Opportunity for Person with Aids (HOPWA) Program, which is a collaborative program open to residents of Passaic and Bergen Counties who are living with HIV/AIDS.
  6. The City and the County are working together to determine the relative responsibilities of the City versus Passaic County in meeting the supportive housing needs of persons who are not homeless but require supportive services or special housing. To date, the

County's role has been as a conduit of funding to address supportive service programs and projects for the homeless. The City is fostering partnerships to address the needs within its boundaries on a greater scale than has been done in the past. Recently, the City renovated an old firehouse to create The Dignity House, which is a resource center for the homeless. This facility provides a place to shower, have meals and laundry services. It further provides on-site social services; counselling, referrals as needed for various issues such as substance abuse, medical concerns and short- and long-term housing. Dignity House as well operates as both a warming/cooling site during extreme weather. The City also works with County-wide service providers to serve both the homeless and the special needs populations within the City. The Clifton/Passaic Jewish Family Service continues to do an outstanding job in providing SEQUOIA supportive services to seniors by preventing them from having to go into a nursing home or assisted living.

7. The City maintains and expands existing resources of partner organizations each year through our annual planning process for the City's Annual Action Plan submitted to HUD. Throughout the year, the City staff, the Mayor's office and members of City Council identify new partner organizations to consider for new services. We also assess the investment needs of the community each year through our citizen participation process. The Department of Health and Human Services at the City oversees an inter-agency council of social service providers to share service information, undertake joint programming, and collaborate on funding opportunities to serve a larger client base. The network base has increased by including the religious leaders from the community in the meetings. The Neighborhood Coalition of the United Passaic Organization and other coalition groups are involved with maintaining existing resources and developing new programs where needs have been identified.

## **FOUR FACTORS ANALYSIS AND LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENCY PERSONS**

### **Overview**

The City is committed to providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act which requires non-discrimination on the basis of national origin. Equal opportunity includes physical and program access for persons with disabilities and program access for persons with Limited English Proficiency (LEP). Program and physical access for persons with disabilities is covered in the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 as amended, Section 504. This policy is based on HUD's suggested four prong analysis which examines the number of limited English proficiency persons served, the frequency with which those persons come into contact with services, the nature and importance of services provided and the costs to the City. This policy is intended to ensure the City's compliance with HUD's Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" and was drafted upon consideration of the services offered, the community served, the resources of the City's Department of Community Development (the Department), and the costs of various language service options.

It is the policy of this agency to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.

Any individual eligible for programs/services at the Department who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with our staff has the following rights:

- Access to qualified interpreter services at no cost to them;
- Not to be required to rely on their minor children, other relatives, or friends as interpreters; and,
- File a grievance about the language access services provided them.

LAP Administrator: Ruben Carrasco  
Contact information: 973-859-1343  
Hours of accessibility: 8:30 – 4:00

## Definitions of Terms

- **Effective Communication** – Interaction between two people in which agency staff have taken necessary steps to make sure that a person who is LEP is given adequate information in his/her language to understand the services, benefits or the requirements for services or benefits offered by the City. These necessary steps must allow an individual the opportunity to qualify for the benefits or services provided by the City without unnecessary delay due to the person's LEP. Effective communication also means that a person who is LEP is able to communicate the relevant circumstances of his/her situation to the City.
- **Interpretation** – The oral or spoken transfer of a message from one language into another language.
- **Limited English Proficiency (LEP)** – A person with LEP is not able to speak, read, write or understand the English language well enough to allow him/her/they to interact effectively with City staff.
- **Meaningful access** – The standard of access to benefits, programs and services required by the City as a recipient of federal funding. Meaningful access requires compliance by the City, with federal LEP requirements as set out in all relevant federal laws. To ensure meaningful access for people with LEP, the City must make available to applicants/recipients of benefits/services free language assistance that results in accurate and effective communication that does not result in undue delay or denial of benefits to which the LEP applicant/recipient is eligible.
- **Outreach Documents** - City-designed documents utilized to provide information to the general public but targeting individuals who are eligible or may be eligible for the City's federally-funded programs
- **Translation** – The written transfer of a message from one language into another language.
- **Vital Documents** – Forms or documents designed and utilized by the City that are critical for accessing federally funded services or benefits or are required by law. Vital documents can include but are not limited to; applications for federally-funded programs administered by the City or for services offered by the City with federal funding; consent forms designed by the City; or letters designed by the City requesting eligibility documentation.

## City of Passaic Four Factors Analysis

The City used the following Four-Factor Analysis to serve as a guide for determining which language assistance measures the City will undertake to guarantee access to the City's HUD-funded programs by LEP persons.

1. Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).

2. The frequency with which the LEP persons come into contact with the City-sponsored HUD-funded program.
3. The nature and importance of the program, activity, or service provided by the City-sponsored HUD-funded program.
4. The resources available and costs to the recipient.

The Analysis for the City follows.

### **LEP Population, Analysis and Access Plan**

The City has determined that the language other than English that is most likely to be encountered by employees of City is Spanish. The methodology used to make this determination is as follows: Census data reflects the City of Passaic and Passaic the County for comparison purposes. According to information in Table 15, which was compiled by the 2014-18 American Community Survey (ACS), over 70% of the 63,500 residents in the City speak Spanish or Spanish Creole, of which 46% speak English less than very well. Only 24% of City residents speak only English. Other Indo-European languages account for 4% of the population, while South Asian and Pacific Island and other languages account for 1.5%. This is compared to Passaic County where over 51% of the population speaks only English and 35% speaks Spanish or Spanish Creole. Over 7% of Passaic County residents speak only other Indo-European Languages.

Executive Order 13166 mandates that if the size of the language group exceeds more than 5% of the eligible population, all vital documents shall be translated. Therefore, the City will translate all vital documents into Spanish. Currently, no other languages in the City meet the 5% eligible population threshold mandating translated documents.

The City will periodically monitor the LEP population of those served or those who could be served by the City to ascertain the need for additional translation services. If it is determined that other LEP language groups are seeking benefits/services or are potentially eligible to receive benefits/services, the City will adjust its methods and services to serve the new population accordingly. Any new LEP populations will be reflected in an updated version of the LEP plan.

**Table 15**  
**Population by Language Spoken at Home**  
**City of Passaic and Passaic County**

	City of Passaic			Passaic County, New Jersey		
	Total	Percent of specified language speakers		Total	Percent of specified language speakers	
	<u>Estimate</u>	Speak English "very well" <u>Estimate</u>	Speak English less than "very well" <u>Estimate</u>	<u>Estimate</u>	Speak English "very well" <u>Estimate</u>	Speak English less than "very well" <u>Estimate</u>
<b><u>Population 5 years and over</u></b>	63,521	64.9%	35.1%	469,633	79.9%	20.1%
Speak only English	24.0%	(X)	(X)	51.60%	(X)	(X)
Speak a Language Other than English	67.0%	53.8%	46.2%	48.40%	58.5%	41.5%
Speak Spanish or Spanish Creole	70.3%	53.1%	46.9%	35.30%	55.8%	44.2%
Speak other Indo-European Languages	4.2%	57.1%	42.9%	7.70%	64.5%	35.5%
Speak Asian and Pacific Island Languages	0.5%	47.7%	52.3%	2.40%	63.7%	36.3%
Speak other Languages	1.0%	90.2%	9.8%	3.00%	70.4%	29.6%
<b><u>Speak a Language Other Than English</u></b>						
Spanish or Spanish Creole	44,671	53.1%	46.9%	165,898	55.8%	44.2%
5-17 years	11,730	88.3%	11.7%	33,651	87.8%	12.2%
18-64 years	29,452	43.7%	56.3%	116,325	51.6%	48.4%
65 years and over	3,489	14.0%	86.0%	15,922	19.0%	81.0%
Other Indo-European Languages	2,649	57.1%	42.9%	35,986	64.5%	35.5%
5-17 years	189	87.8%	12.2%	4,411	89.5%	10.5%
18-64 years	1,879	57.8%	42.2%	24,422	65.7%	34.3%
65 years and over	581	44.9%	55.1%	7,153	45.3%	54.7%
Asian and Pacific Island Languages	304	47.7%	52.3%	11,298	63.7%	36.3%
5-17 years	24	100.0%	0.0%	1,682	87.2%	12.8%
18-64 years	251	40.6%	59.4%	7,937	64.8%	35.2%
65 years and over	29	65.5%	34.5%	1,670	34.6%	65.4%
Other Languages	623	90.2%	9.8%	13,967	70.4%	29.6%
5-17 years	106	100.0%	0.0%	2,831	88.9%	11.1%
18-64 years	459	90.4%	9.6%	9,583	68.3%	31.7%
65 years and over	58	70.7%	29.3%	1,553	49.4%	50.6%

*SOURCES: US Bureau of the Census; American Community Survey (ACS) 2014-2018*

The City provides interpreter services to all LEP individuals or families applying for services, participating in programs or receiving services/benefits through the City, at no cost to the LEP individuals or families. The interpreter services are provided in an efficient and timely manner so as not to delay a determination of eligibility for an individual or family, receipt of eligible services/benefits or participation in City's HUD-funded programs program beyond that of an English-speaking individual or family. English and Spanish applications, brochures and outreach material are available at the City's offices and on-line. Additionally, English and Spanish brochures describing services are available at various community partners, local events, fairs and speaking engagements.

#### Phone Calls and Person-to-Person Interaction

The City addresses phone calls, voice mail and person-to-person interaction by LEP individuals in the following manner:

- The City automated phone message is available in both Spanish and English.
- The automated attendant that greets clients calling the agency provides a Spanish greeting.
- Clients indicating they speak Spanish are automatically transferred to Spanish speaking staff by the receptionist.
- City staff addresses walk-ins who are LEP individuals in the same manner (refers to receptionists or point of contact).
- Spanish speaking staff is also available for walk-in clients, scheduled appointments and written translation.

City of Passaic Housing Services Division does not require, suggest or encourage LEP individuals or families to use friends, family members or minor children as interpreters.

#### Translation of Documents

As a result of our analysis which indicates that over 70% of City residents are Spanish speaking, the City has translated all agency designated vital documents into Spanish. These documents are available upon request.

## **ECONOMIC OPPORTUNITIES FOR LOW INCOME PERSONS AND BUSIENESSES**

The City Department strives to advance opportunities for extremely low- to moderate-income local residents and to assist local businesses as well as minority-owned (MBE), women-owned (WBE) and disabled-owned (DBE) businesses. The City has set a goal of ensuring that at least 30% of new hires in the City are Section 3 residence and 10% of construction contracts that received over \$100,000 are Section 3 businesses. The City also encourages all departments and partners to hire local residents and to contract with local companies and MBE, WBE and DBE businesses.

The City reports our Section 3 activity in HUD's SPEARS program each year. The City also submits reports annually to HUD on our MBE/WBE/DBE activity

## **AFFIRMATIVE MARKETING POLICY**

While HUD regulations stipulate that affordable housing developments with five or more units utilize an affirmative marketing plan to attract potential applicants, the City encourages all developers that receive financial assistance from the City to implement an affirmative marketing strategy.

The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups within Passaic's housing region, regardless of sex, age or number of children (unless units are age-restricted), to affordable housing units created within the City.

The plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of color, race, sex., religion, handicap, age (except for designated age-restricted units), familial status, ethnicity, national origin, sexual orientation or gender expression.

### **Required Outreach**

The City requires developers of affordable housing units that have financial assistance from the City to undertake outreach and marketing efforts to attract a broad population of potential applicants. These efforts must include a combination of advertising and community engagement.

#### **Newspaper Publications**

All developers must advertise in local newspapers, at least one of which must be a Spanish-speaking publication. All newspaper articles, advertisements, announcements and requests for applications pertaining to low moderate income housing units shall appear in the following daily regional newspapers.

- Herald News/Bergen Record  
North Jersey Media Group

1 Garret Mountain Plaza  
West Paterson, N.J. 07424  
(973) 569-7427

- El Especialto  
3510 Bergenline Avenue  
Union City, N.J. 07087  
(201) 348-1959

The primary marketing shall take the form of a least one press release sent to the above publications and a paid display advertisement in each of the above newspapers. The press release must include a reference to the partnership with the City of Passaic and the use of funds from HUD. The press release and the paid advertisement sent to El Especialto must be translated into Spanish. Additional advertising and publicity shall be on an "as needed" basis.

The advertisement must include a description of the following:

1. Street address(es) of the units;
2. Directions to the housing units;
3. Number of units currently available;
4. The bedroom size(s) of the units;
5. The minimum/maximum household sizes;
6. The minimum/maximum income permitted to qualify for the housing units;
7. Contact information regarding potential issues and questions;
8. The sales price of the units; and,
9. Where and how applications may be obtained, including business hours at each location.

### Community Outreach

Applications and brochures are to be distributed throughout the community to various organizations. All applications and marketing brochures must be in both English and Spanish. The following are the locations where applications, marketing materials and information packets to be used as part of the affirmative marketing plan shall be made available:

- City Hall  
City Clerk's Office  
330 Passaic Street, 1<sup>st</sup> Floor  
Passaic, NJ 07055
- City of Passaic  
Department of Community Development  
330 Passaic Street, 2<sup>nd</sup> Floor  
Passaic, NJ 07055
- Department of Health and Human Services  
330 Passaic Street, 2<sup>nd</sup> Floor

Passaic, NJ 07055

- Passaic Housing Authority  
52 Aspen Place  
Passaic, NJ 07055
- Passaic Public Library  
195 Gregory Avenue  
Passaic, NJ 07055
- Passaic Board of Education  
663 Main Avenue  
Passaic, NJ 07055

The following is a list of community organizations in the City and the local housing region that are also expected to aid in the affirmative marketing program and to provide financial/credit counseling to prospective purchasers or tenants of affordable housing units in the City:

- JP Morgan Chase / Home Lending  
620 Main Avenue  
Passaic,, NJ 07505  
973-779-0301
- Valley National Bank  
615 Main Avenue  
Passaic, NJ 07055  
973-777-6768
- Wells Fargo  
1144 Main Avenue  
Clifton, NJ 07011  
973-790-2469
- TD Bank  
155 Jefferson Street  
Passaic, NJ 07055  
973-392-6024
- Intercounty Mortgage Network, Corp.  
3400 NJ Route 35  
Hazlet, NJ 07730  
732-264-2700

## **Administration / Reporting**

The Department is the designated administrator of all federally-funded housing programs, including the City's CDBG and HOME programs, and shall have the primary responsibility for overseeing the execution of the Affirmative Marketing Program, the income qualification of low- and moderate-income households; and the enforcement of deed restrictions and affordable housing agreements and other applicable documents pertaining to the development, sale or leasing of affordable housing units in the City that utilize federal financial assistance.

The developers of affordable housing units are required to bear the costs of affirmatively marketing their affordable housing units and qualifying prospective tenants/purchasers.

The developers of low and moderate income housing units and the Department shall arrange with one or more local lending institution or other third party to offer housing counseling services to low- and moderate-income applicants on subjects such as budgeting, credit repair, mortgage financing, lease requirements, foreclosure law and landlord/tenant law.

Subsequent to the initial sale and rent-up period, the Department or designated housing counseling agency or CHDO will maintain a list of pre-qualified applicants for each type of affordable housing unit. Advertising shall be repeated by all developers of affordable housing units as needed to maintain full occupancy of the affordable units and, in the case of rental units, shall be undertaken by the landlord at least annually to help maintain the waiting list of pre-qualified applicants.

A list of each affordable housing unit in the development shall be provided to the Department by the developer. The developer shall submit copies of all applications and rental records concerning the affordable housing units in the development to the Department on a quarterly basis during initial sale/lease up to assist with reporting, to aid future sales and rentals, and for the purposes of continuous evaluation of the results of the affirmative marketing activities. The information supplied shall include, at a minimum, the number of low and moderate income households that have signed leases or contracts of sale; the number of such households that have assumed occupancy of an affordable housing unit; and, for each household, the household size, number of bedrooms in the unit, sales price or monthly rent; and the costs of any landlord-paid utilities.

Additionally, at the end of each quarter, the developer shall supply proofs of publication for all advertisements and copies of any press releases, brochures, flyers, print advertisements and application forms used in the affirmative marketing program to enhance marketing efforts.

Documentation concerning sales, rentals and re-rentals of affordable units shall be summarized and resubmitted to the Department not later than the June 30 of each year. Such documentation shall include a description of the income and demographics characteristics of each applicant for affordable housing units and for each occupant in the affordable housing unit.

## **Prequalification and Selection**

The initial deadline for submission of preliminary housing applications shall be set approximately 30 days after the affordable housing have been initially advertised. Preliminary application forms prepared by the Department and brochures prepared by the developer shall be mailed by the developer for each household requesting an application in response to the advertising program.

The cover letter accompanying these materials shall inform prospective applicants of the initial deadline and other pertinent dates for the submission of the preliminary application. The preliminary application shall be returned to the developer for processing. All completed preliminary applications must be time stamped at the time of receipt by the developer. Those received by the developer before the initial deadline date shall be deemed to have been received on the initial deadline date.

Households that apply for affordable housing shall be pre-screened by the developer for income eligibility by comparing their total income to the current low and moderate income limits for each size household for Passaic County as established by HUD. Thereafter, applicants shall be notified as to their preliminary eligibility status by the developer.

A drawing shall be held under the direction of the Department to determine the priority order of the pre-qualified applicants whose applications were received on the initial deadline date. Thereafter, all preliminary applications received after the initial deadline date shall be processed on a "first come, first served" basis, after the prequalification and prioritization of all of the applications received by the initial prequalification deadline.

Final applications shall be mailed by the developer to pre-qualified applicants for each available affordable housing unit. The final application shall require the applicant to supply sufficient documentation to verify household composition and the identity of each occupant as well as income and assets for all household members. Applicants shall be required to submit income verification for each household member 18 years or older.

Applicants shall be interviewed by the developer to ensure that the documentation submitted in the final application is complete and accurate. Developers may screen applicants for affordable housing units based upon the same criteria applicable to the market rate units, such as sufficient income, creditworthiness, recommendations from former landlords, etc. The criteria shall comply with all fair housing standards and shall be set forth in a policy statement included with the application packet and posted in the sales/leasing office. Any applicant whose application is rejected by the developer on the basis of creditworthiness shall, if the applicant requests it, be referred to the Department for assistance in identifying appropriate housing counseling services and locating a suitable affordable housing unit.

Completed final applications shall be forwarded by the developer to the Department for review and a final determination as to the applicant's eligibility for an affordable housing unit based on the City's and HUD's requirements. This process shall be utilized in establishing the final certified applicant group.

Once the applicants have been qualified, the City holds a lottery to identify the qualified applicants who will purchase or lease the affordable housing units.

Subsequent to the initial rent-up period in a City-funded affordable rental housing development, a list of prequalified applicants shall be maintained by the developer for each type of affordable housing unit, to facilitate re-rentals. The developer shall update the waiting list annually by contacting prospective applicants and determining their continued eligibility for and interest in the affordable housing units. The advertising program shall be repeated by the owners of rental buildings on an as-needed basis to ensure continuing full occupancy of the affordable housing units and, in any case, not less than annually.

Households shall generally be referred to available affordable housing units using the following standards for occupancy:

**City of Passaic**  
**Affordable Housing Occupancy Limits**

<u>Bedroom Size</u>	<u>Minimum # of People</u>	<u>Maximum # of People</u>
Studio	1	1
One Bedroom	1	2
Two Bedroom	2	4
Three Bedroom	3	6
Four Bedroom	4	8

The City also has the following guidelines

- a) No more than two (2) persons can share a bedroom to prevent overcrowding;
- b) Only children of same sex can share the same bedroom; and,
- c) Children can not share the same bedroom with their parents.

**CONCLUSION**

In compliance with the U.S. Department of Housing and Urban Development, the City of Passaic has conducted this Analysis of Impediments to Fair Housing in the conclusion that impediments do exist in the City. The Department has concluded in its analysis of impediments to fair housing that equal choices in housing to all citizens are affected by these impediments. The City has proposed specific actions to help overcome identified barriers to fair housing choice. It is the commitment of the City to work with other agencies, departments, companies and community organizations to further fair housing education in the City.

There is a need to continue to build on efforts contained in the Fair Housing Plan. There is a need to conduct additional research on the effects of current housing trends, especially the negative

effects of the COVID-19 pandemic on extremely low- to moderate-income households. There is a need to improve coordination between Federal, State and local entities engaged in fair housing activities within the City.

There is a need to continue to study barriers to fair housing opportunities in the City. Overcoming these barriers will assist the City in furthering equal housing choice for all residents, especially extremely low- to moderate income households.

Comprehensive updates to the AI will be prepared on the same schedule (every five years) as part of the planning process to conduct the City of Passaic's Five-Year Consolidated Plan for Housing and Community Development or when deemed necessary. Annual progress will be tracked in preparing the implementation strategies of the Consolidated Plan in the City's Annual Action Plan.

Periodic updates to the plan can be accomplished at any time action items are addressed or changes are needed. Periodic updates to the plan will be considered by the City.

