



# Analysis of Impediments to Fair Housing Choice 2020

Nassau County, New York

Date: May 1, 2020

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**Office of Community Development**

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# 1

## Introduction

Nassau County, through the Office of Community Development (“OCD”), administers federal Housing and Urban Development (“HUD”) funds for participating Nassau County communities as part of the Nassau Urban County Consortium (the “Consortium”). The Nassau County Consortium endorses the belief that equal and free access to housing is vital to securing essential needs and pursuing various personal, educational, and employment goals.

### A. Fair Housing Laws

The Fair Housing laws establish the right of all persons to access housing devoid of discriminatory practices related to status. Title VIII of the Civil Rights Act of 1968 along with the Fair Housing Amendments of 1988, (together known as the Fair Housing Act), New York State (“NYS”) Human Rights Law (NYS Executive Law Article 15, Section 296 et. seq.), and Nassau County Local Law No. 9-2006 establish protected classes under those laws.

The Fair Housing Act prohibits discrimination in housing based on:

- › Race
- › Color
- › National Origin
- › Religion
- › Gender
- › Familial Status (families with children under 18 years of age)
- › Disability

In addition to the seven federally protected classes, New York State Human Rights Law protects the following additional classes from discrimination:

- › Age (18 and older)
- › Sexual Orientation
- › Military Status
- › Marital Status
- › Creed
- › Gender Identity
- › Gender Expression
- › Source of Income
- › Prior arrest or conviction record

Nassau County law has the same protections as federal and State law plus for Veteran's status. These laws establish that discrimination in the sale, rental, financing, and insuring of housing is prohibited by law.

Nassau County's local Human Rights Law, effective January 1, 2007, provides for enforcement of fair housing rights and penalties to protect people against human rights violations. The Nassau County Human Rights Commission has the power to:

- › Receive and investigate complaints of discrimination.
- › Initiate its investigation of violations of the Local Law.
- › Hold hearings, compel the attendance of witnesses, and take testimony under oath.
- › Require the production of evidence.
- › Cooperate with qualified non-profits: make referrals to assist with investigating claims by testing

Also, the Office of the County Attorney has the power to obtain enforcement, including the ability to:

- › Enforce corrective orders as well as penalties and fines assessed by the NCHRC.
- › Commence a court proceeding by order to show cause for court-ordered relief.
- › Obtain injunctive relief so that innocent third parties do not rely upon the rental or sale of a house during the processing of the complaint.
- › Post public notice advising that the housing is the subject of a complaint before the Human Rights Commission.
- › Civil penalties for unlawful discriminatory practices or for violating orders of the Human Rights Commission may include:
  - › In any matter where the Commission or a court of competent jurisdiction finds that a person has engaged in a discriminatory practice in violation of the law, the Commission or such court shall impose a civil penalty in an amount, not more than fifty thousand dollars. Where the Commission finds that an unlawful discriminatory practice was the result of the respondent's wanton or malicious act, the Commission or court shall impose a civil penalty in an amount, not more than one hundred thousand dollars.
  - › Assess civil penalties against any person who fails to comply with an investigative order, mediation and conciliation order, or decision and order issued by the Commission. Civil penalties are substantial up to fifty thousand dollars (\$50,000) and an additional civil penalty of not more than one thousand dollars (\$1,000) per day for each day that the violation continues.

The Nassau County Consortium, which encompasses municipalities that include over 90% of the County population, is dedicated to the execution of its housing and community development activities in a manner that affirmatively furthers fair housing. The Consortium has developed its Housing and Community Development Program to include a series of objectives designed to address the needs of community residents regardless of race, color, religion, sex, familial status, disability status, or national origin.

Meaningful efforts towards eliminating fair housing impediments are on-going, and fair housing planning is a fluid process that continually affects housing and community development programs and policies.

## **B. Other Legislative Protection**

Nassau County enacted Local Law 489-19 to protect prospective cooperative apartment buyers from discrimination. Discrimination by co-op boards has not been identified as a significant impediment to fair housing choice in Nassau County, based on the lack of fair housing complaints concerning discrimination by co-op boards. A low number of complaints could be because there are a relatively limited number of cooperatives in Nassau County, as compared to New York City and some other areas in the region. In cases where the co-op applications process is determined to be a human rights violation, Nassau County's local Human Rights Law provides for enforcement of fair housing rights and penalties to protect people against human rights violations. However, Nassau County has recognized that co-op

boards have almost unlimited power to approve or deny candidates as they please, and co-op discrimination can be blatant and highly visible. To protect prospective cooperative home buyers against discrimination, the Nassau County Legislature passed Local Law 489-19: Law to Require Cooperative Housing Corporations. Under Local Law 489-19, a Co-op Board must either accept or reject a potential buyer in writing within 45 days. If the Co-op Board denies a potential buyer, it must provide a written reason, which cannot have any discriminatory foundation, to the rejected applicant. The law provides enforcement powers to the Nassau County Department of Consumer Affairs.

The law was passed on December 16, 2019, with the support of the Long Island Board of Realtors (LIBOR), the Nassau County Human Rights Commission, and Long Island Housing Services.

### C. Nassau Urban County Consortium

The Nassau Urban County Consortium includes participating Cities, Towns, and Villages who sign a cooperation agreement to apply to the U.S Department of Housing and Urban Development (“HUD”) for Community Planning and Development (“CPD”) formula fund programs as an entitlement jurisdiction. CPD formula funds include the Community Development Block Grant (“CDBG”), HOME Investment Partnerships Program (“HOME”), and Emergency Solutions Grants (“ESG”) Programs. Nassau County Office of Community Development is the administrating agent for the Nassau Urban County Consortium.

Every three years, the Nassau Urban County Consortium applies for recertification to HUD as an Urban County. During this recertification process, the County solicits non-participating municipalities to join the Consortium and also provides the opportunity for participating communities to “opt-out” of the Consortium. Members of the Nassau County Consortium agree to participate with Nassau County to receive funding under the Consolidated Programs and are not eligible to apply to the New York State CPD programs.

Currently, the member municipalities (from now on referred to as “Consortium Members”) include the Cities of Glen Cove and Long Beach, the unincorporated areas of the Towns of Hempstead, North Hempstead and Oyster Bay and 25 incorporated villages. The participating Incorporated Villages include Bayville, Bellerose, Cedarhurst, East Rockaway, Farmingdale, Floral Park, Freeport, Garden City, Great Neck Plaza, Hempstead, Island Park, Lynbrook, Malverne, Manorhaven, Massapequa Park, Mineola, New Hyde Park, Rockville Centre, Roslyn, Sea Cliff, South Floral Park, Stewart Manor, Valley Stream, Westbury, and Williston Park. See Map 1.



 Consortium Community Members



Source: U.S. Census Bureau - 2018 ACS 5-Year Estimates  
 U.S. Department of Housing and Urban Development (2019)



Together, these communities are considered a “Participating Jurisdiction” or PJ. The annual allocation of funds distributed and administered by Nassau County is based on a formula determined by HUD and dispersed through its Office of Community Planning and Development. Funding decisions are made based on a comprehensive application process. The Big 8 communities are communities that received federal funding before the implementation of the CDBG program and have historically been allocated administrative dollars, which continues today. Those communities include the Cities of Glen Cove and Long Beach, the Towns of Hempstead, North Hempstead, Oyster Bay and the Villages of Freeport, Hempstead and Rockville Centre. The other participating Villages do not receive administrative dollars. A committee makes funding decisions and allocations based on:

- › Compliance with fair housing objectives as evidenced by the submission of a local Fair Housing Activity Statement and annual progress reports
- › Past performance of the subrecipient
- › Timeliness
- › Status of monitoring
- › Eligibility of the project (must also meet a CDBG National Objective)
- › Project timeline – is project shovel ready
- › The administrative capacity of a subrecipient to undertake the project(s)
- › Merits of project
- › Whether the project is part of a vision plan or master plan
- › Evidence of local input and community support
- › Ability to expend funds in a timely manner
- › Leveraging of funds

Non-participating municipalities are members of the New York State Entitlement Jurisdiction. These municipalities and other organizations are eligible to apply for funding from the New York State CDBG, HOME, and ESG programs for projects and programs in these communities (i.e., affordable housing). New York State receives HUD formula grant funding based on population and demographics of these non-participating jurisdictions. These non-participating communities are solely within the jurisdiction of the New York State “Participating Jurisdiction” and are subject to the Analysis of Impediments for Fair Housing Choice prepared by New York State Homes and Community Renewal.

Currently, the non-participating communities are the following Incorporated Villages: Atlantic Beach, Baxter Estates, Brookville, Centre Island, Cove Neck, East Hills, East Williston, Flower Hill, Great Neck, Great Neck Estates, Hewlett Bay Park, Hewlett Harbor, Hewlett Neck, Kensington, Kings Point, Lake Success, Lattingtown, Laurel Hollow, Lawrence, Matinecock, Mill Neck, Munsey Park, Muttontown, North Hills, Old Brookville, Old Westbury, Oyster Bay Cove, Plandome, Plandome Heights, Plandome Manor, Port Washington North, Roslyn Estates, Roslyn Harbor, Russell Gardens, Saddle Rock, Sands Point, Thomaston, Upper Brookville, and Woodsburgh.

## D. Nassau Urban County Analysis of Impediments to Fair Housing Choice (“AI”)

HUD mandates that all governing authorities that are required to prepare a Consolidated Plan to be eligible for HUD funding certify that they are “affirmatively furthering fair housing within their (participating) jurisdictions.”

This requirement is codified, for local jurisdictions, in the Consolidated Plan requirements under 24 CFR §91.225. The identification and subsequent reduction and/or elimination of impediments to fair housing involve affirmatively furthering fair housing as part of the Consortium’s acceptance of HUD’s program funds.

The Nassau County Consortium Fair Housing Plan consists of three crucial components:

1. Identification and analysis of impediments to fair housing choice in Nassau County.
2. Taking meaningful actions to overcome the effects of the identified impediments.
3. Documentation of the results of actions implemented to minimize the impact of identified impediments.

An analysis of impediments to fair housing choice is a review of a community’s policies, practices, and procedures, both public and private, that might impact a person’s ability to obtain housing of their choice without regard to their membership in any of the protected classes.

To meet its obligation to “affirmatively further fair housing”, Nassau County must ensure that all housing assisted with CDBG, HOME, and ESG Funds is made available on a nondiscriminatory basis, without regard to race, color, religion, sex, age, national origin, disability, or familial status.

According to HUD’s Fair Housing Planning Guide, impediments to fair housing choice are defined as:

- › Any actions, omissions, or decisions taken because of race, color, national origin, religion, gender, familial status, or disability that restrict housing choices or the availability of housing choice.
- › Any actions, omissions, or decisions that have this effect.

In addition, policies, practices, or procedures that appear neutral on their face, but which operate to deny or adversely affect the availability of housing to persons because of race, ethnicity, disability, and families with children may constitute such impediments.

Actions to affirmatively further fair housing can be grouped into three categories:

- › Intent: The obligation to avoid policies, customs, practices, or processes whose intent or purpose is to impede, infringe, or deny the exercise of fair housing rights by persons protected under the Fair Housing Act.
- › Effect: The obligation to avoid policies, customs, practices, or processes whose effect or impact impedes, infringes upon or denies the exercise of fair housing rights by persons protected under the Fair Housing Act.
- › Affirmative Duties: The Fair Housing Act imposes a fiduciary responsibility upon public agencies to anticipate policies, customs, practices, or processes that previously, currently, or may potentially impede, infringe, or deny the exercise of fair housing rights by persons protected under the Fair Housing Act.



# 2

## Methodology

This Section discusses the methodology and outreach used to prepare the Analysis of Impediments (AI).

### A. Preparation of the Nassau County Analysis of Impediments to Fair Housing Choice (AI)

Nassau County conducted this Analysis of Impediments through its Office of Community Development. The County's consultants, VHB, provided technical assistance. The County received significant input from Long Island Housing Services (LIHS) as well as other County agencies ("Planning Team").

The methodology used to prepare the Nassau County AI was informed by the methodology recommended by HUD in *The HUD Fair Housing Planning Guide*. The Planning Team followed methodologies from *The Implementation Plan for Sustainable Development in the New York – Connecticut Metropolitan Region*, dated May 30, 2014; *Appendix A: Findings from the Fair Housing and Equity Assessment*; and the Affirmatively Furthering Fair Housing (AFFH) proposed rule (as proposed January 14, 2020).

The AI includes the Consortium Members. The non-member communities are part of the New York State Entitlement Jurisdiction ("NY Members"). The New York State Division of Homes and Community Renewal conducted an Analysis of Impediments that includes the New York Members.

Nassau County conducted its initial Fair Housing Analysis of Impediments during the 1995-1996 timeframe in conjunction with its initial Consolidated Plan for the Urban County Consortium. In 2004, the five entitlement communities on Long Island, Nassau County, Suffolk County, Town of Babylon, Town of Islip, and Town of Huntington prepared an updated Long Island Fair Housing Analysis of Impediments. ICF Consulting, a funded HUD technical services consultant, prepared the 2004 AI. Long Island Housing Services (“LIHS”) coordinated the preparation of the 2004 AI. LIHS is a private, non-profit agency that investigates and prosecutes housing discrimination complaints on Long Island. LIHS is 50-year-old fair housing advocacy and enforcement agency that is a HUD qualified Fair Housing Initiatives Program (FHIP) organization. The 2004 Analysis of Impediments used 2000 Census data.

As an update to the 2004 AI, the 2010 AI was submitted to HUD in July 2010 as part of the 2010 Consolidated Plan – a five-year collaborative process. The Nassau County AI was updated, working with HUD officials, in coordination with the 2015-2019 Consolidated Plan (final as submitted to HUD dated August 12, 2016). The current Nassau County AI is being updated in coordination with the 2020-2024 Consolidated Plan.

Nassau County is following the current guidelines and regulations in preparing this AI. The County is implementing a planning approach that will best comply with HUD regulations and facilitate Nassau County’s obligation to affirmatively further fair housing.

The Nassau County Analysis of Impediments and Fair Housing Plan (hereafter “Plan”) uses a variety of data sources and anecdotal information, to compile and analyze the material presented in this AI, and develop the actions to overcome impediments to fair housing. The identification of Impediments relied heavily on public input and knowledge. The County coordinated with non-profit organizations that assist in the production of housing and housing-related programs; assistance from Long Island Housing Services, whose purpose it is to promote fair housing for all; and interviews with staff from Nassau County.

Data sources for the Analysis of Impediments include:

#### Demographic Information, Employment Information, Housing Information

- › 2000 U.S. Census
- › 2010 U.S. Census
- › 2017 American Community Survey 5-Year Estimates
- › HUD Fair Market Rents 2019
- › [www.trulia.com](http://www.trulia.com)

#### Fair Housing Complaints

- › Long Island Housing Services (LIHS)
- › Nassau County Human Rights Commission
- › New York State Division of Human Rights

### Lending Practices

- › Home Mortgage Disclosure Act (HMDA)

### Land Use Policies and Patterns

- › Nassau County Infill Redevelopment Feasibility Report (dated March 21, 2014)
- › Local Comprehensive Plans, Hamlet Plans, and Vision Documents
- › Local Zoning Ordinances for cities, towns, and villages within Nassau County

### Review of Available Reports and Studies

- › An Uneven Road to Recovery: Place, Race, and Mortgage Lending on Long Island, National Center for Suburban Studies at Hofstra University (December 2014).
- › The New York-Connecticut Sustainable Communities Consortium Implementation Plan for Regional Sustainable Development (May 2014).
- › Long Island Housing Services, Inc. Fair Housing Rights Guide (2019).
- › Long Island Divided, by Ann Choi, Keith Herbert, and Olivia Winslow, Published in Newsday (November 17, 2019).
- › Data collected for the production of a planned Nassau County Housing Affordability Study to be completed in late 2020.

## B. Public Participation

Public participation was essential for informing the Analysis of Impediments of real-life experience, additional resources, and factual information. Nassau County is committed to ensuring public involvement in the Analysis of Impediments process and, to that end, sought the input of local citizens and local, County and regional housing and community development organizations and agencies. The following outreach methods were employed:

### Fair Housing Committee

Recognizing the importance of public participation in the planning process, the Nassau County OCD assembled a Fair Housing Committee. The Fair Housing Committee included representatives from the Nassau County OCD, Nassau County Agencies, fair housing advocacy organizations, and other non-profit organizations to provide input with the preparation of the AI.

## Public Meetings

Public hearings on the Consolidated Plan and fair housing were held as follows:

1. January 29, 2020, at the Nassau County Executive and Legislative Building at 6:00 pm
2. April 21, 2020, at 10:00 AM, was conducted as a virtual public hearing (following HUD guidance during the COVID=19 pandemic)
3. May 6, 2020, at 6:00 pm. was conducted as a virtual public hearing (following HUD guidance during the COVID=19 pandemic)

OCD staff attended and presented information on the process of the Five Year Consolidated Plan and the Analysis of Impediments at consortium public meetings as follows:

1. Hempstead Village – December 3, 2019
2. Rockville Centre Village – February 3, 2020
3. Glen Cove City – February 11, 2020
4. Freeport Village – February 24, 2020

A draft of the Analysis of Impediments will be made available for public review at Nassau County Office of Community Development and online at the Office of Community Development website on April 30, 2020. A public comment period will be established from May 1, 2020, to May 30, 2020.

## Outreach, Interviews, and Surveys

Consortium members, nonprofit organizations, housing advocacy groups, and other members of the public were provided opportunities to provide input during the preparation of the AI and comment on the Consolidated Plan and issues affecting fair housing in Nassau County. The County held multiple committee meetings and public hearings before the submission of the Consolidated Plan and the AI to HUD. These organizations provided details concerning the discrimination complaints received and investigated during the previous year. County agencies specifically tasked with addressing the needs of protected classes contributed valuable information about the needs of their constituents, as part of the larger Consolidated Planning Committee. All of these groups provided specific information regarding their available resources that were incorporated into the County's Five Year Consolidated Plan. The Fair Housing Committee and Consolidated Plan Committees included participation from, but not limited to, the following:

- › Hispanic Brotherhood, Inc.
- › Long Island Housing Partnership
- › Long Island Housing Services
- › La Fuerza Unida, Inc.
- › Nassau-Suffolk Law Services
- › Long Island Center for Independent Living
- › For-Profit Developer D&F Development Group

- › Consortium Member
- › Mental Health Chemical Dependency & Developmental Disabilities Services
- › Nassau County Department of Human Services
- › Nassau County Department of Public Works
- › Nassau County Department of Social Services
- › Nassau County Human Rights Commission
- › Nassau County Office for the Aging
- › Nassau County Office for the Physically Challenged
- › Nassau County Office of Asian American Affairs
- › Nassau County Office of Hispanic Affairs
- › Nassau County Office of Housing
- › Nassau County Office of Minority Affairs
- › Nassau County Planning Department
- › Nassau-Suffolk Coalition for the Homeless/Continuum of Care
- › Office of the Nassau County Attorney
- › Office of Youth Services
- › Public Housing Authorities
- › Veterans Service Agency

To further promote public engagement in the fair housing planning process, Nassau County undertook a public survey. Nassau County created the survey in both English and Spanish. A link was distributed to each consortium member and to public agencies and non-profits to post on their municipal websites, and access to the survey was also announced at the Public Hearing held on January 29, 2020. The survey remained open from December 16, 2019, through February 29, 2020. The results of the housing survey are summarized in this AI in Chapter 4, Section F. Also, see Appendix H.

As part of a robust public engagement and planning process, the Nassau County AI has been updated in coordination with the 2020-2024 Consolidated Plan and updated as needed following HUD's Fair Housing and Equal Opportunity recommendations. Further, the County of Nassau is committed to providing fair and affordable housing opportunities for all. Efforts towards eliminating fair housing impediments are on-going, and fair housing planning is a fluid process that continually affects housing and community development programs and policies. The goal of this AI is for Nassau County to not only combat discrimination but also to promote integration within Nassau County communities.

## C. Overview of the Analysis of Impediments and Fair Housing Plan

Section 1 of the Plan provides an overview of Nassau County's Fair Housing Plan and an overview of fair housing laws. Section 2 describes the data sources and the overall methodology used to develop the Plan. Section 3 of the Plan provides a demographic summary of Nassau County in terms of population, households, housing profile, employment, transportation, schools, and land-use policies. Section 4 provides an assessment of fair housing in Nassau County. Section 5 contains the identification and subsequent analysis of impediments to fair housing choice in Nassau County. It also includes a detailed description of suggested actions or initiatives that have been, or are being, undertaken by the Nassau County OCD, Consortium Communities, other governmental agencies, and not-for-profit organizations to overcome impediments to fair housing. Section 6 of the County's Fair Housing Plan describes the monitoring plan that is in place to monitor performance with fair housing requirements by Nassau County and the Participating Jurisdictions.

While this Plan is for the Nassau Urban County Consortium, the development of this Plan reflects regional patterns and policies relevant to Nassau County, and this Plan takes into account regional factors, legislative issues, policies, and methodologies affecting surrounding jurisdictions. Further, Nassau County is a member of the National Association for County Community and Economic Development (NACCED), a nonprofit national organization composed of county government agencies that administers community development, economic development, and affordable housing programs. NACCED was created to assist in developing the technical capacity of county agencies in administering these programs. As a member of NACCED, Nassau County gains legislative and programmatic updates and participates in invaluable communication with neighboring jurisdictions.

## D. Limitations of the Study

This Analysis of Impediments was prepared to identify impediments and suggest solutions. It is vital that this analysis is read as a whole. Conclusions and observations made throughout the study are often dependent on data and discussions presented earlier. Readers may have questions at one point in the document that are answered later in the document. Context is vital to correctly understand this analysis and avoiding misleading or erroneous interpretations of its content. It is assumed that all direct and indirect information provided by the various sources that supplied information is accurate.

# 3

## Demographic Summary

The demographic summary of Nassau County provides a current snapshot of the County's residents, housing, employment, education, and land use. This section also includes recent trends regarding these topics. Demographic data and other background information help form the foundation of this Analysis of Impediments.

Nassau County encompasses a 285 square-mile area on Long Island and is bounded on the west by Queens County, on the north by the Long Island Sound, on the east by Suffolk County, and on the south by the Atlantic Ocean. Nassau has evolved over the years from a bedroom community with strong economic ties to New York City to a densely developed suburban and urban county with a strong economic base of its own.

Within Nassau County, there are two cities, three towns and 64 incorporated villages and over 100 unincorporated areas. The entire county is physically divided amongst the 3 towns: Hempstead, North Hempstead, and Oyster Bay, and the two cities, Long Beach and Glen Cove. Within the 3 towns reside the 64 Incorporated Villages.

## A. Population

Based on estimates from the United States Census Bureau, Nassau County's population is currently 1,358,343, having grown by approximately 1.4 percent from its 2010 population of 1,339,532. The table below provides population change in Nassau County from 1960 to 2018.

**Table 3-1 Population Change in Nassau County, 1960-2018**

Year	Population	Increase	Percent Increase
1960	1,300,171	--	--
1970	1,428,080	127,909	9.84%
1980	1,321,582	-106,498	-7.4%
1990	1,287,348	-34,234	-2.6%
2000	1,334,544	47,196	3.7%
2010	1,339,532	4,988	0.37%
2018	1,358,343	18,811	1.40%

Source: United States Decennial Census and American Community Survey 5 – Year Estimate (2018)

**Table 3-2 Population by County Subdivision**

Place	Population	Percent of Total
City of Glen Cove	27,376	2.0%
City of Long Beach	33,657	2.5%
Town of Hempstead	772,296	56.7%
Town of North Hempstead	231,085	16.9%
Town of Oyster Bay	298,655	21.9%
Nassau County Total	1,363,069	100%

Source: United States Decennial Census and American Community Survey 5 – Year Estimate (2017)

### Age

In 2018, the median age in the County was 41.6 years old. 232,164 residents (17.1 percent) were aged 65 years or over. That is an increase from 2000 when 200,841 residents (15 percent) were aged 65 years and over, and the median age was 38.5 years old. The increase in median age points to a shift towards an aging population, following trends across the United States.

### Disability

Nassau County has a disabled population of 112,217, which is 8.3 percent of the County population, not including institutionalized populations. Approximately 54.4 percent of disabled persons in the Town are age 65 and over. (Source: 2018 American Community Survey 5-Year Estimates.)



Individuals with disabilities in Nassau are as follows (note that an individual may have more than one disability; therefore, persons with disabilities are less than the number of disabilities.):

- › 31,304 had a hearing difficulty;
- › 17,469 had a vision difficulty;
- › 35,889 had a cognitive difficulty;
- › 60,289 had an ambulatory difficulty;
- › 27,167 had a self-care difficulty; and,
- › 47,074 had an independent living difficulty.

The U.S. Census defines “disability” as a “long-lasting physical, mental, or emotional condition. Such conditions can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. Such conditions can impede a person from being able to go outside the home alone, work at a job, or run a business.” Table 3-3 below shows the percentage of the population with a disability in each Consortium Community.

**Table 3-3 Percentage of the Population Disabled, by County Consortium, 2018**

<b>Consortium Community</b>	<b>% Disabled</b>
<b>Nassau County</b>	<b>8.3%</b>
City of Glen Cove	9.1%
City of Long Beach	11.4%
Town of Hempstead	8.3%
Town of North Hempstead	7.7%
Town of Oyster Bay	8.5%
Village of Bayville	9.7%
Village of Bellerose	9.5%
Village of Cedarhurst	5.2%
Village of East Rockaway	10.4%
Village of Farmingdale	10.6%
Village of Floral Park	7.9%
Village of Freeport	8.1%
Village of Great Neck Plaza	14.1%
Village of Hempstead	5.9%
Village of Island Park	10.0%
Village of Lynbrook	11.0%
Village of Malverne	10.7%
Village of Manorhaven	4.8%
Village of Massapequa Park	9.7%
Village of Mineola	6.2%
Village of New Hyde Park	7.5%

Village of Rockville Centre	9.9%
Village of Roslyn	9.3%
Village of Sea Cliff	9.6%
Village of South Floral Park	7.8%
Village of Stewart Manor	6.4%
Village of Valley Stream	8.9%
Village of Westbury	8.4%
Village of Williston Park	0.1%

### Persons in Group Quarters

The United States Census defines Group Quarters as “all people not living in housing units as living in group quarters.”<sup>1</sup> These include correctional facilities, nursing homes, college dormitories, and missions, among others. According to the 2018 American Community Survey 5 – Year Estimate, approximately 20,106 residents of Nassau County lived in group quarters, which represents 1.5 percent of the overall County population. Examples of group quarters in Nassau County include Adelphi University, Hofstra University, and the Glen Cove Center for Rehabilitation and Nursing Care.

### Race and Ethnicity

The population of Nassau is comprised of 68.6 percent White, 11.7 percent Black or African American, 0.3 percent American Indian and Alaska Native, 9.3 percent Asian, 0.0 percent Native Hawaiian and Other Pacific Islander, and 7.1 percent some other race. Approximately 16.6 percent of any race identifies as Hispanic or Latino. As shown in Table 3-4, Race and Ethnicity, 2000-2018, over time, the County has become more diverse. The increase in Hispanic or Latino populations, in particular, has been significant.

<sup>1</sup> “Glossary”. U.S. Census. [https://www.census.gov/glossary/#term\\_GroupQuartersGQ](https://www.census.gov/glossary/#term_GroupQuartersGQ)

**Table 3-4 Race and Ethnicity, 2000-2018<sup>2</sup>**

	Nassau County		
	2000	2010	2018
White	79.3%	73.0%	68.6%
Black or African American	10.1%	11.1%	11.7%
American Indian and Alaska Native	0.2%	0.2%	0.3%
Asian	4.7%	7.6%	9.3%
Native Hawaiian and Other Pacific Islander	0.0%	0.0%	0.0%
Some Other Race <sup>3</sup>	3.6%	5.6%	7.1%
Hispanic or Latino	10%	14.6%	16.6%

Source: 2018 American Community Survey 5-Year Estimate

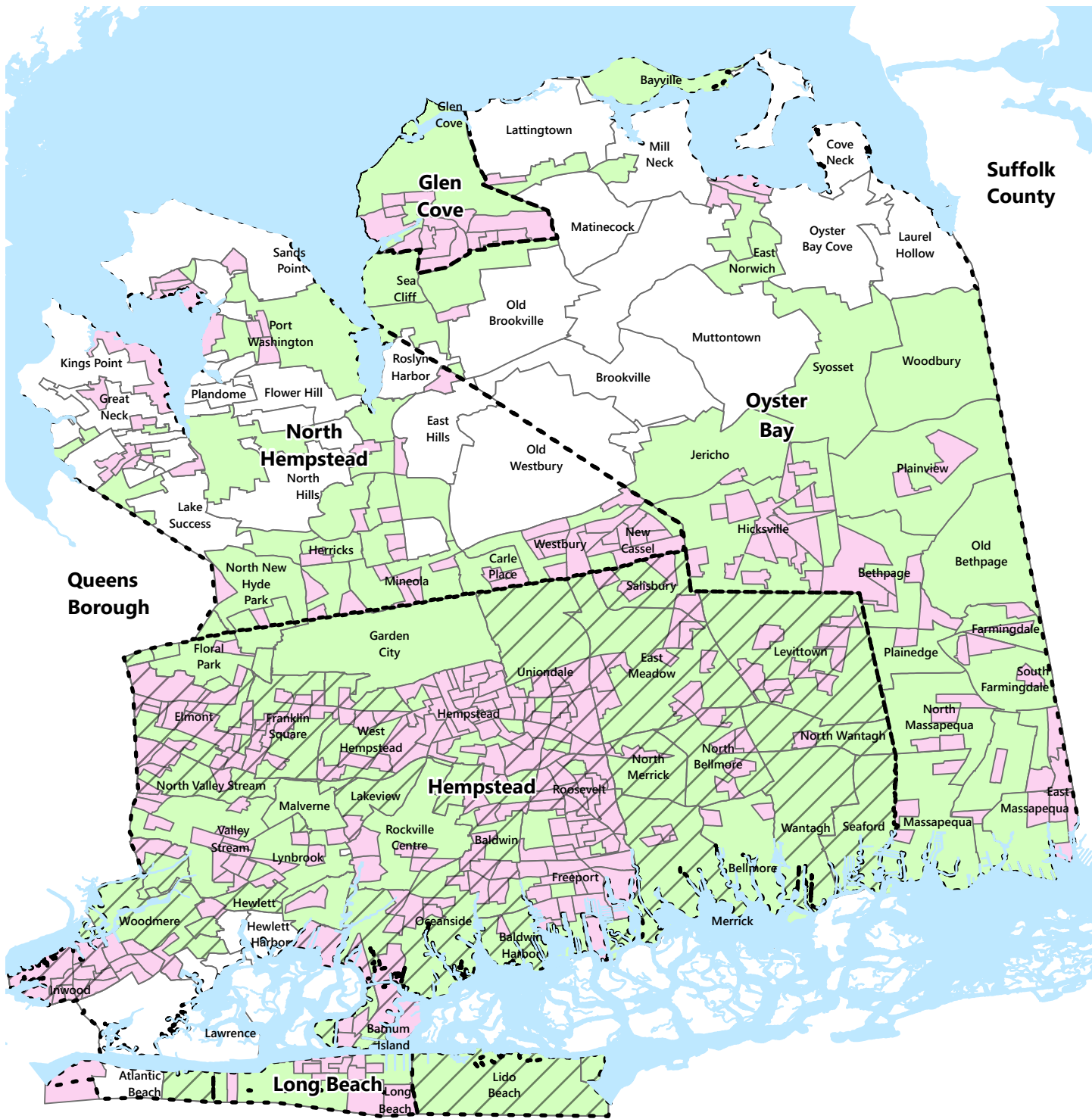
### Areas of Minority Concentration

Concentrations of racial/ethnic minorities within the County are defined as areas with a higher percentage of minority populations than the overall County-wide percentages (Black or African-American concentrations over 11.7 percent; Hispanic concentrations over 16.6 percent; and Asian population over 9.3 percent). These areas include all or portions of the City of Glen Cove, the City of Long Beach, Inwood, Lakeview, Island Park, Freeport, Baldwin, Roosevelt, Rockville Centre, Valley Stream, North Valley Stream, East Rockaway, Uniondale, Garden City, East Garden City, Hempstead, West Hempstead, Westbury, Floral Park, Elmont, Franklin Square, New Hyde Park, East Massapequa, Farmingdale, South Valley Stream, Jericho, Old Westbury, Manhasset, East Meadow, New Cassel, Bellerose, Hicksville, Manorhaven, Barnum Island, Cedarhurst, Bethpage, North Valley Stream, Garden City Park, Carle Place, South Farmingdale, Roslyn Heights, Salisbury, Levittown, Lynbrook, Stewart Manor, Oceanside, Port Washington, and Brookville. See Map 2 for Black or African American Concentrations by Census Tract, Map 3 for Hispanic Concentrations by Census Tract and Map 4 for Asian Concentrations by Census Tract.

Table 3-5, Black or African American Concentrations, Nassau County, 2018, Table 3-6, Hispanic Concentrations, Nassau County, 2018, and Table 3-7, Asian Concentrations, Nassau County, 2018 presents the neighborhoods and census tracts with minority concentrations.

<sup>2</sup> The United States defines the terms race and ethnicity. Generally, for the 2000 Census and subsequent American Community Surveys, there are two categories for ethnicity: *Hispanic or Latino* and *Not Hispanic or Latino*. Persons of Hispanic Origin may be of any race. The Census refers to race as self-identification data in which respondents choose the race or races they most closely identify with.

<sup>3</sup> Respondents providing write-in entries on Census forms such as multiracial, mixed, interracial or a Hispanic/Latino subgroup in the *Some Other Race* write-in space are included in this category. It is suggested that this write-in entry occurred more frequently in the 2000 Census compared to American Community Survey entries, due in part to a technical issue with the Census. It is estimated that an overstatement of *Some Other Race* occurred due to this issue.



- Consortium Community Members
- Families at or below County Median Income (41.41%)
- African-American Population  $\geq 11.7\%$

Source: U.S. Census Bureau - 2018 ACS 5-Year Estimates  
 U.S. Department of Housing and Urban Development (2019)

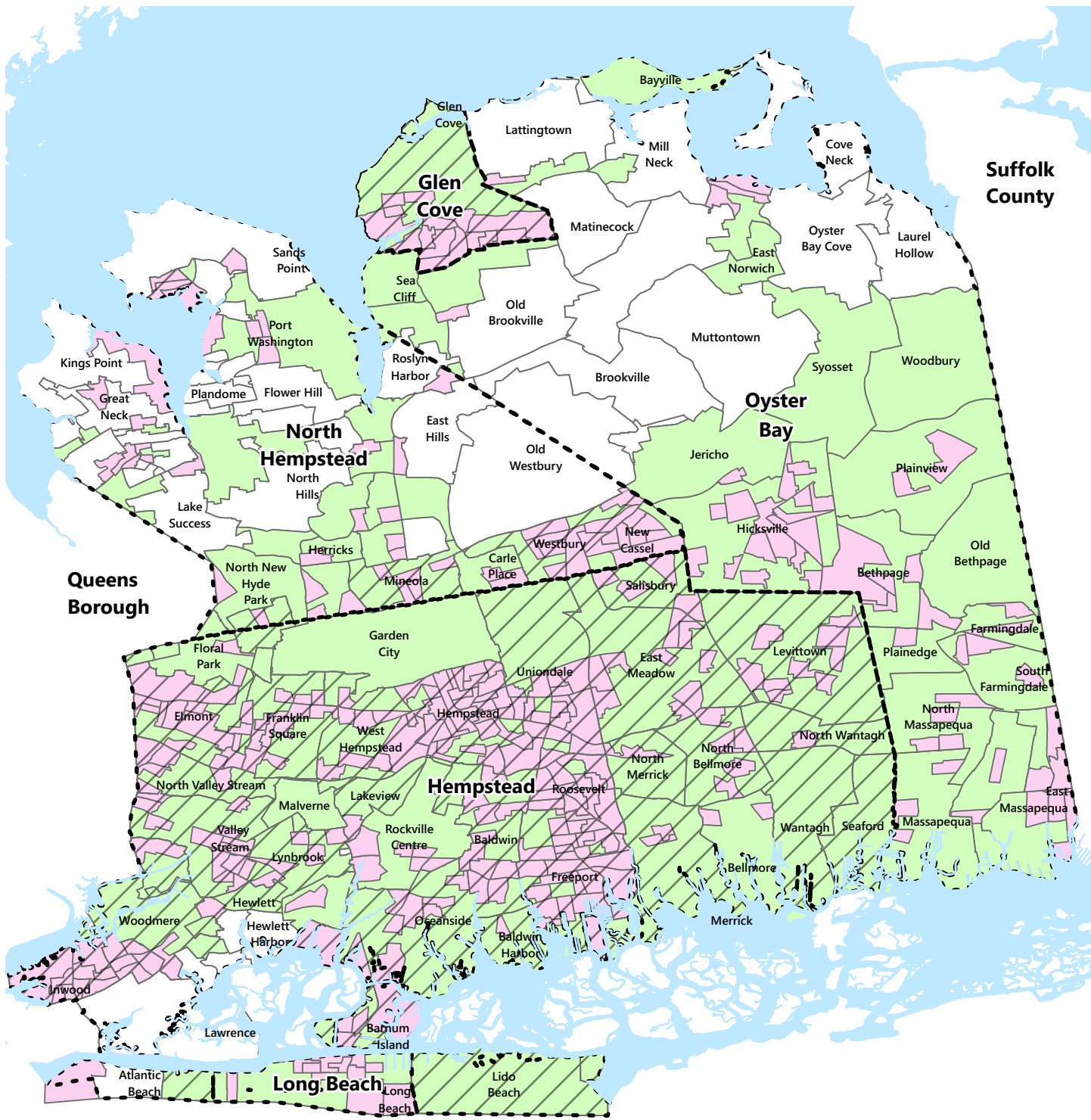


**Table 3-5 Black or African American Concentrations, Nassau County, 2018**

Community	Census Tract/Block Group	% Black or African American
City of Glen Cove	5172	16%
City of Long Beach	4165	23.3%
Baldwin	4137	16.21%
	4136	19.7%
	4138.03	25%
	4143.03	23.2%
	4138.04	25.2%
	4135	31.8%
	4129	62.2%
Brookville	9811	16.4%
East Garden City	4073.01	15.9%
East Massapequa	5520	34.9%
East Meadow	4078.02	39.1%
Elmont	4052	27.9%
	4050	29.4%
	4048	37.5%
	4049.02	52.8%
	4051	59.2%
	4049.01	69.7%
Freeport	4144	22.3%
	4143.04	22.8%
	4142.01	23.1%
	4143.01	26.7%
	4145.01	27.6%
	4142.02	43.2%
Hicksville	5189	20.3%
Hempstead	4068.02	28.7%
	4072.01	29.8%
	4068.01	32.5%
	4067.01	32.6%
	4072.04	44.9%
	4069	48.5%
	4067.02	49.7%
	4070	51%
	4071.02	52.8%
	4071.01	53.9%
	4072.03	56.3%

Inwood	4110	16.8%
	4111	28.2%
Jericho/Old Westbury	9821	15.9%
Lakeview	4062.02	74.3%
Manhasset	3018	12.9%
New Cassel	3042.02	22.8%
	3042.04	33.8%
	3042.03	52.9%
North Valley Stream	4099	41.4%
	4098	72.1%
Rockville Centre	4124	16.3%
Roosevelt	4140.02	51.65%
	4139	52.1%
	4141	55.7%
	4140.01	63.2%
South Valley Stream	4109	30.9%
Uniondale	4073.02	34%
	4074.02	40.8%
	4074.01	45.6%
	4075.01	46.8%
	4075.02	47.5%
Valley Stream	4107	12.1%
	4108	13.8%
	4106	16.7%
	4105	23.7%
	4100	24.9%
	4103	33.1%
	4104	39.7%
Westbury	3039	47.7%
	3041	27.9%
	3042.04	33.8%
	3042.03	52.9%
	3042.02	22.8%%
West Hempstead	4062.01	17.3%

Source: 2018 American Community Survey 5-Year Estimate



- Consortium Community Members
- Families at or below County Median Income (41.41%)
- Hispanic Population  $\geq 16.6\%$

Source: U.S. Census Bureau - 2018 ACS 5-Year Estimates  
 U.S. Department of Housing and Urban Development (2019)



**Table 3-6 Hispanic Concentrations, Nassau County, 2018**

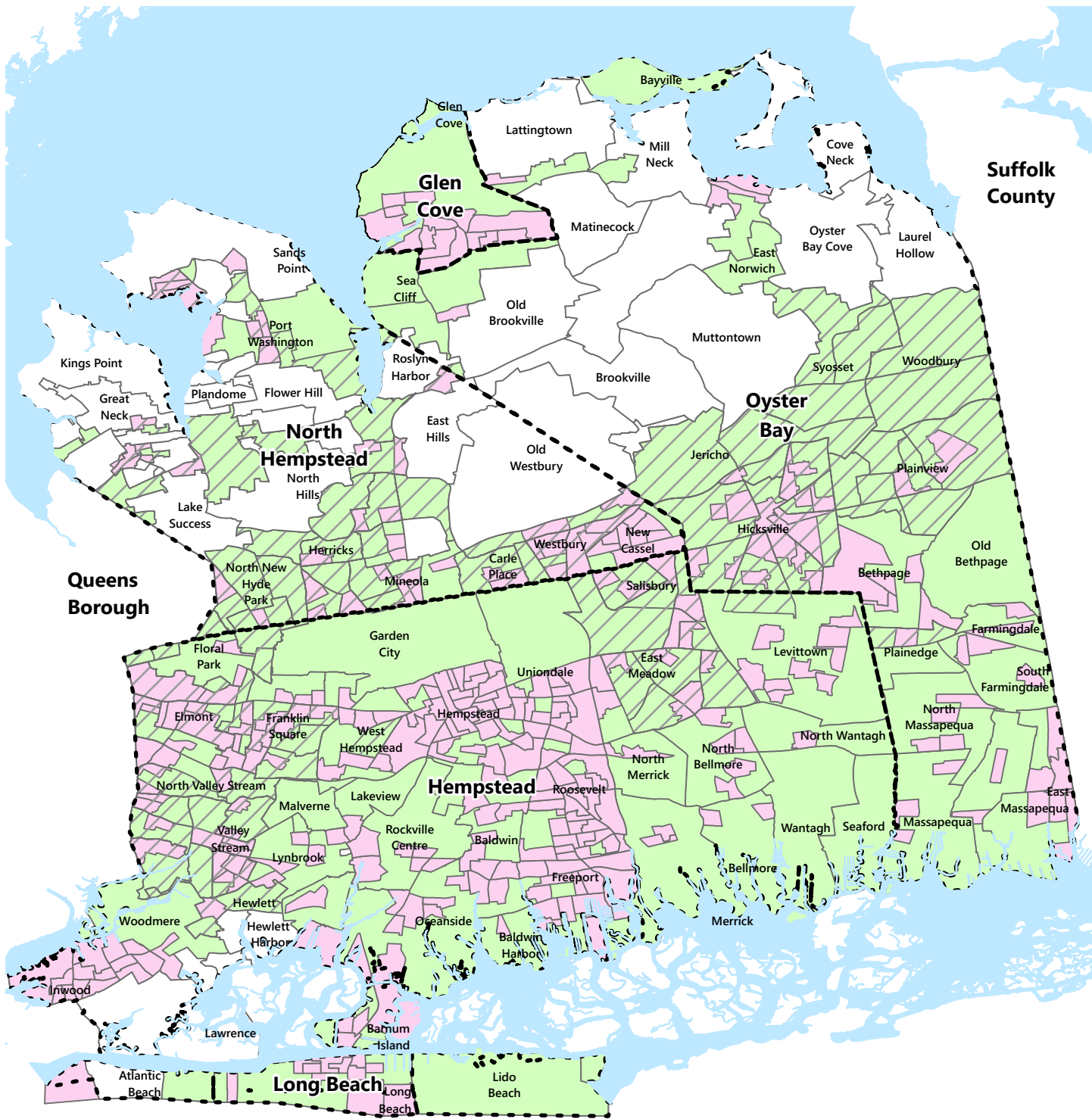
Community	Census Tract/Block Group	% Hispanic or Latino
City of Glen Cove	5173.01	19.3%
	5173.02	25.1%
	5171.01	31.7%
	4074.02	37.2%
City of Long Beach	4165	21.5%
	4167.01	24.1%
Baldwin	4137	24.9%
	4138.03	27.8%
	4136	28.6%
	4135	30%
Barnum Island	4162.01	20%
Bellerose/Bellerose Terrace	4043	20.3%
Bethpage	5193	18.1%
Carle Place	3038	17.8%
Cedarhurst	4112	20.5%
East Meadow	4082	16.9%
	4078.02	20.4%
East Massapequa	5220	22.6%
East Rockaway	4121	19.1%
Elmont	4048	24.6%
	4052	26.2%
	4050	27.6%
	4049.02	29.1%
Franklin Square	4057	17.1
	4053.02	20.4%
	4053.01	21%
	4054	29.7%
Freeport	4145.02	25.2%
	4145.01	26.9%
	4143.03	36.8%
	4143.01	44.2%
	4142.02	48.6%
	4143.04	55.8%
	4142.01	56.4%
	4144	64.5%
Garden City Park	3032.02	19.9%
Hempstead	4067.02	30.3%
	4072.04	33.9%



	4071.01	34.9%
	4069	40.8%
	4071.02	41.9%
	4070	43.5%
	4067.01	53.1%
	4068.01	62.9%
	4072.01	69.1%
	4068.02	70.2%
Hicksville	5189	16.9%
Inwood	4110	41.5%
	4111	49.1%
Island Park	4162.02	31%
Jericho/Old Westbury	9821	18.3%
Lakeview	4062.02	18.4%
Levittown	4090	18.4%
	4086	19.1%
	4093	19.8%
Lynbrook	4119.02	17.9%
	4120	25.9%
	4119.01	27.5%
Manhasset	3018	16.8%
Manorhaven	3011.01	22.4%
Mineola	3036	29.9%
New Hyde Park/Stewart Manor	4047	20.8%
New Cassel	3042.03	44.4%
	3042.02	51.7%
	3042.04	60.3%
North Valley Stream	4099	22.6%
Oceanside	4130.02	18.1%
Port Washington	3013	32.3%
Rockville Centre	4123.02	20.1%
	4123.01	24.2%
Roosevelt	4141	31.4%
	4140.01	34.1%
	4139	44.2%
	4140.02	45.3%
Roslyn Heights	3022	19.9%
Salisbury	4077	22.2%
South Farmingdale	5206	17.8%
Uniondale	4074.02	37.22
	4074.01	38.3%

	4073.02	43.3%
	4075.02	44.1%
	4075.01	47%
Valley Stream	4105	22.2%
	4107	23.9%
	4104	25.3%
	4103	26.5%
	4106	35%
Westbury	3040.02	30.4%
	3041	48.5%
West Hempstead	4060.01	18.7%
	4061	21.1%
	4062.01	36.3%

Source: 2018 American Community Survey 5-Year Estimate



- Consortium Community Members
- Families at or below County Median Income (41.41%)
- Asian Population  $\geq$  9.3%

Source: U.S. Census Bureau - 2018 ACS 5-Year Estimates  
 U.S. Department of Housing and Urban Development (2019)



**Table 3-7 Asian Concentrations, Nassau County, 2018**

Community	Census Tract/Block Group	% Asian
Albertson	3024	23.7%
Bellerose/Bellerose Terrace	4043	21.9%
Carle Place	3038	12.3%
East Meadow	4078.01	16.7%
Elmont	4052	24.1%
	4050	19.1%
	4048	18.9%
	4054	15.8%
	4049.01	10.3%
Floral Park	3026	19.7%
Franklin Square	4056	12.5%
	4055	10.4%
Garden City Park	3032.01	47.3%
	3032.02	34.7%
Great Neck Plaza	3007	17.1%
Hicksville	5189	32.7%
	5186	31.8%
	5192	28.5
	5191	25.7%
	5190	24.4%
	5194	14%
Herricks	3031.02	42.8%
Hewlett	4117	11.3%
Jericho	5185.02	38.1%
	5185.01	30.7%
Levittown	4087	10.3%
Manhasset	3018	14%
	3019	13.3%
Manhasset Hills	3031.01	46.2%
Manorhaven	3011.01	20.5
Mineola	3035	11.4%
	3036	10.9%
New Hyde Park	3030	40.8%
New Hyde Park/Stewart Manor	4047	17.6%
North Bellmore	4082	14.4%
	4083	13.9%
	4081	12.9%

North New Hyde Park	3027	49%
	3028	37.4%
	3029	21.9%
North Valley Stream	4100	18.4%
	4099	14%
North Hills/Lake Success	3009	33.7%
Plainedge	5202	11.2%
Plainview	5197.04	20.6%
	5196.01	19.1%
	5197.03	15.9%
	5196.02	15.3%
	5198.01	15.1%
	5198.02	13.9%
	5197.02	9.9%
Port Washington	3013	12.9%
	3014	10.9%
Roslyn	3020	11.6%
Roslyn Heights	3025.01	28.8%
	3022	20.9%
Salisbury	4076	15.3%
	4077	12%
Syosset	5188	34.1%
	5187	28.9%
	5195	26.9%
	5184	25.6%
	5183	23.1%
Searingtown	3023	42%
South Valley Stream	4109	18.1%
University Gardens	3008	38.6%
Valley Stream	4108	17.5%
	4107	17.2%
	4105	16.2%
	4106	16.1%
	4103	13.3%
	4104	11.7%
West Hemstead	4060.02	10.6%
Westbury	3040.01	12.3%
	3040.02	11.9%
	3039	11.2%
	3041	10.8%

Williston Park	3033.01	23.7%
Woodbury	5182.03	14.7%
	5182.04	13.4%

Source: 2018 American Community Survey 5-Year Estimate.

Definition of Asian used in the U.S. Census: "Asian" refers to a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Phillipine Islands, Thailand, and Vietnam. The Asian population includes people who indicated their race(s) as 'Asian' or reported entries such as 'Asian Indian', 'Chinese', 'Filipino', 'Korean', 'Japanese', and Vietnamese' or provided other detailed Asian responses.

**Table 3-8 Median Household Income, Population of Black/African American and Hispanic Population by Consortium Community**

Consortium Community	% Black/African American	% Hispanic or Latino	Median Household Income
<b>Nassau County</b>	<b>11.7%</b>	<b>16.6%</b>	<b>\$111,240</b>
Glen Cove City	8.7%	27.3%	\$78,066
Long Beach City	6.8%	13.5%	\$93,722
Hempstead Town	17.3%	20.5%	\$107,095
North Hempstead Town	6.1%	14.3%	\$117,750
Oyster Bay Town	2.4%	7.9%	\$124,828
Bayville Village	0.3%	5.6%	\$105,469
Bellerose Village	1.5%	14.9%	\$165,750
Cedarhurst Village	1.5%	19.0%	\$99,873
East Rockaway Village	3.0%	11.9%	\$99,715
Farmingdale Village	3.9%	12.3%	\$86,447
Floral Park Village	0.9%	10.0%	\$114,674
Freeport Village	30.9%	41.6%	\$76,244
Garden City Village	1.8%	4.9%	\$171,750
Great Neck Plaza Village	3.4%	9.5%	\$78,770
Hempstead Village	46.8%	46.9%	\$62,347
Island Park Village	0.7%	35.7%	\$88,882
Lynbrook Village	4.0%	22.4%	\$97,206
Malverne Village	7.0%	7.4%	\$119,500
Manorhaven Village	0.7%	24.8%	\$89,492
Massapequa Park Village	0.3%	6.6%	\$125,206
Mineola Village	2.3%	18.7%	\$96,250
New Hyde Park Village	0.8%	21.9%	\$126,210
Rockville Centre Village	6.1%	11.1%	\$114,483
Roslyn Village	0.6%	7.7%	\$105,000
Sea Cliff Village	1.4%	9.1%	\$120,590
South Floral Park Village	54.4%	22.6%	\$90,227
Stewart Manor Village	1.0%	14.7%	\$126,618
Valley Stream Village	27.6%	22.9%	\$104,773
Westbury Village	26.0%	25.7%	\$98,065
Williston Park Village	1.9%	8.5%	\$106,813

Source: 2018 American Community Survey 5-Year Estimate

Note: Color coding is based on a comparison to Nassau County as a whole. For example, Glen Cove City has a smaller Black/African American (AA) percentage than Nassau County.

**Color Key**

**Green** = Community with a smaller (than Nassau County) Black/AA percentage, larger Hispanic percentage, and a lower median income

**Yellow** = Community with a larger Black/AA percentage, comparable (to Nassau County) Hispanic percentage, and comparable median income

**Blue** = Community with a smaller Black/AA percentage, comparable or low Hispanic percentage, and lower median income

**Purple** = Community with a smaller Black/AA percentage, comparable Hispanic percentage, and comparable or higher median income

**Orange** = Community with a smaller Black/AA percentage, smaller Hispanic percentage, and comparable or higher median income

**Red** = Community with a higher Black/AA percentage, higher Hispanic percentage, and lower median income

In the past decade, housing settlement patterns have changed to the extent that certain communities have become increasingly diverse, with a greater percentage of Black, Hispanic, and Asian populations evident in communities such as Valley Stream, New Hyde Park, and Island Park. Table 3-9 below shows minority population trends in Nassau County from 2000 to 2018.

An examination of population trends suggests that many Nassau County communities are becoming increasingly integrated. The following communities have experienced an increase in the percentage of Black, Hispanic and/or Asian population:

- › Cedarhurst was 1.3% Black and 8.4% Hispanic and is now 1.5% Black and 19% Hispanic
- › Island Park was 18.3% Hispanic and is now 35.7% Hispanic
- › Farmingdale was 1.6% Black and is now 3.9% Black
- › Lynbrook was 0.9% Black and 8.3% Hispanic and is now 4.0% Black and 22.4% Hispanic
- › New Hyde Park was 0.6% Black, 7.9% Hispanic, and 13.4% Asian and is now 0.8% Black, 21.9% Hispanic, and 34% Asian
- › South Floral Park was 13.6% Hispanic and 3.8% Asian and is now 22.6% Hispanic and 16.9% Asian.
- › Rockville Centre was 3.7% Black and 7.7% Hispanic and is now 6.1% Black and 11.1% Hispanic
- › Stewart Manor was 4.0% Hispanic and is now 14.7% Hispanic
- › Valley Stream was 7.5% Black, 12.3% Hispanic, and 6.9% Asian and is now 27.6% Black, 22.9% Hispanic, and 15.4% Asian
- › Great Neck Plaza was 3% Asian and is now 17.4% Asian
- › Manorhaven was 13.4% Asian and is now 20.5% Asian



The following communities experienced a decrease in the percentage of Black, Hispanic and/or Asian population:

- › Freeport was 32.6% Black and is now 30.9% Black
- › Hempstead Village was 52.5% Black and is now 46.8% Black
- › Long Beach City was 19% Hispanic and is now 13.5% Hispanic
- › Bellerose Village was 6.6% Asian and is now 0.7% Asian.

**Table 3-9 Nassau County Urban Consortium Minority Population Trends, 2000 - 2018**

Place	Total Pop. 2000	Black Alone	Hispanic Origin	Asian Alone	Total Pop. 2010	Black Alone	Hispanic Origin	Asian Alone	Total Pop. 2018	Black Alone	Hispanic Origin	Asian Alone
<b>Nassau County</b>	<b>1,334,544</b>	<b>10.1%</b>	<b>10.0%</b>	<b>4.7%</b>	<b>1,339,532</b>	<b>11.1%</b>	<b>14.6%</b>	<b>7.7%</b>	<b>1,358,343</b>	<b>11.7%</b>	<b>16.6%</b>	<b>9.3%</b>
<b>Town of Hempstead</b>	<b>755,924</b>	<b>14.8%</b>	<b>11.5%</b>	<b>3.6%</b>	<b>767,754</b>	<b>16.5%</b>	<b>17.3%</b>	<b>5.2%</b>	<b>768,078</b>	<b>17.3%</b>	<b>20.5%</b>	<b>6.0%</b>
Bellerose Village	1,173	0.4%	4.3%	6.6%	1,193	3.5%	9.5%	4.4%	1,178	1.5%	14.9%	0.7%
Cedarhurst Village	6,164	1.3%	8.4%	3.1%	6,592	2.2%	10.7%	3.6%	6,661	1.5%	19.0%	1.6%
East Rockaway Village	10,414	0.6%	5.8%	1.7%	9,818	1.4%	8.0%	2.1%	9,802	3.0%	11.9%	3.0%
Floral Park Village	15,967	0.5%	5.4%	3.9%	15,863	1.3%	8.8%	6.7%	16,209	0.9%	10.0%	7.0%
Freeport Village	43,783	32.6%	33.5%	1.4%	42,860	33.3%	41.7%	1.6%	43,128	30.9%	41.6%	1.8%
Garden City Village	21,672	1.2%	2.8%	3.3%	22,371	1.4%	4.5%	3.6%	22,533	1.8%	4.9%	3.1%
Hempstead Village	56,554	52.5%	31.8%	1.3%	53,891	48.3%	44.2%	1.4%	55,399	46.8%	46.9%	1.6%
Island Park Village	4,732	1.3%	18.3%	1.1%	4,655	1.9%	26.5%	2.5%	4,807	0.7%	35.7%	2.6%
Lynbrook Village	19,911	0.9%	8.3%	2.9%	19,427	3.7%	13.0%	4.5%	19,552	4.0%	22.4%	2.7%
Malverne Village	8,934	1.7%	6.0%	3.1%	8,514	3.3%	8.6%	4.2%	8,535	7.0%	7.4%	3.9%
New Hyde Park Village	9,523	0.6%	7.9%	13.4%	9,712	1.3%	12.2%	26.0%	9,846	0.8%	21.9%	34.0%
Rockville Centre Village	24,568	3.7%	7.7%	1.4%	24,023	4.6%	9.0%	2.1%	24,442	6.1%	11.1%	2.6%
South Floral Park Village	1,578	59.1%	13.6%	3.8%	1,764	57.5%	17.9%	7.5%	1,986	54.4%	22.6%	16.9%
Stewart Manor Village	1,935	1.8%	4.0%	1.9%	1,896	2.5%	5.0%	4.8%	2,191	1.0%	14.7%	5.2%
Valley Stream Village	36,368	7.5%	12.3%	6.9%	37,511	18.6%	22.2%	11.4%	37,609	27.6%	22.9%	15.4%
<b>Town of N. Hempstead</b>	<b>222,611</b>	<b>6.4%</b>	<b>9.8%</b>	<b>9.1%</b>	<b>226,322</b>	<b>5.6%</b>	<b>12.8%</b>	<b>14.9%</b>	<b>231,120</b>	<b>6.1%</b>	<b>14.3%</b>	<b>18.4%</b>
Great Neck Plaza Village	6,433	1.7%	7.3%	3.0%	6,707	1.5%	7.8%	11.6%	6,957	3.4%	9.5%	17.4%
Manorhaven Village	6,138	1.3%	19.5%	13.4%	6,556	1.4%	27.1%	17.7%	6,620	0.7%	24.8%	20.5%
Mineola Village	19,234	1.0%	13.0%	4.5%	18,799	2.0%	16.4%	8.5%	19,132	2.3%	18.7%	9.1%
Roslyn Village	2,570	2.3%	6.3%	6.1%	2,770	2.2%	11.2%	8.8%	2,852	0.6%	7.7%	13.2%
Westbury Village	14,263	22.6%	18.9%	4.7%	15,146	21.8%	27.3%	5.9%	15,320	26.0%	25.7%	11.5%
Williston Park Village	7,261	0.4%	4.3%	6.9%	7,287	0.9%	6.1%	11.8%	7,294	1.9%	8.5%	11.8%
<b>Town of Oyster Bay</b>	<b>293,214</b>	<b>1.6%</b>	<b>5.1%</b>	<b>4.9%</b>	<b>293,925</b>	<b>2.3%</b>	<b>7.5%</b>	<b>9.1%</b>	<b>298,404</b>	<b>2.4%</b>	<b>7.9%</b>	<b>11.7%</b>
Bayville Village	7,135	0.3%	4.8%	1.6%	6,669	0.3%	6.5%	1.7%	6,708	0.3%	5.6%	1.0%

Farmingdale Village	8,399	1.6%	12.6%	3.7%	8,189	2.6%	13.7%	5.5%	8,842	3.9%	12.3%	6.8%
Massapequa Park Village	17,499	0.6%	3.0%	1.4%	17,008	0.3%	4.5%	1.5%	17,120	0.3%	6.6%	2.0%
Sea Cliff Village	5,066	1.7%	4.8%	1.2%	4,995	2.4%	6.8%	1.9%	5,051	1.4%	9.1%	0.4%
<b>Glen Cove City</b>	<b>26,622</b>	<b>6.4%</b>	<b>20.0%</b>	<b>4.1%</b>	<b>26,964</b>	<b>7.2%</b>	<b>27.9%</b>	<b>4.6%</b>	<b>27,226</b>	<b>8.7%</b>	<b>27.3%</b>	<b>5.0%</b>
<b>Long Beach City</b>	<b>35,462</b>	<b>6.2%</b>	<b>19.0%</b>	<b>2.3%</b>	<b>33,275</b>	<b>6.4%</b>	<b>14.1%</b>	<b>2.7%</b>	<b>33,509</b>	<b>6.8%</b>	<b>13.5%</b>	<b>3.3%</b>

Source: Data derived from the 2000 U.S. Census, 2010 U.S. Census and 2018 ACS 5-Year Estimates

Note: While ACS estimates from 2018 have a higher margin of error and resulting inaccuracies, particularly with smaller geographic units, the data is used here as is is the most recent Census data available as of this writing.

Note: The U.S. Census Bureau considers race and ethnicity to be two separate and distinct concepts. [The Census Bureau defines race as a person's self-identification with one or more social groups. An individual can report as White, Black or African American, Asian, American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, or some other race. Survey respondents may report multiple races. Ethnicity determines whether a person is of Hispanic origin or not. For this reason, ethnicity is broken out in two categories, Hispanic or Latino and Not Hispanic or Latino. Hispanics may report as any race.](#)

## B. Households

According to the U.S. Census, a household is “all the people who occupy a housing unit.” A household can include related family members and unrelated people, including foster children, lodgers, and roomers. Group quarters are not included in the count of households.

In 2018, there were an estimated 445,517 households in Nassau County. The number of households decreased by about 0.4 percent from an estimated 447,387 households in 2000.

Family households include people related by birth, marriage, or adoption.<sup>4</sup> In 2018, 76.8 percent of occupied households in Nassau County were family households.<sup>5</sup> This is a decrease from 77.6 percent in 2000.<sup>6</sup>

### Household/Family Income and Poverty

In 2018, the County’s median household income was (\$111,240), and the County’s median family income was (\$129,807). The portion of the County’s population in poverty (5.7 percent) remained below that of New York State (14.6 percent).

**Table 3-10 Income in Nassau County - 2018**

	Nassau
Median Household Income	\$111,240
Median Family Income	\$129,807
Percent of Families Below Poverty Level	5.7%

Source: 2018 American Community Survey 5-Year Estimate

HUD estimates regional median family income, establishing a base area median income (AMI) for an average family of four persons. HUD identified the median family income for the Nassau-Suffolk MSA to be \$116,700 in 2018, which is significantly higher than the New York State and national median family incomes of \$83,311 and \$76,401, respectively.

<sup>4</sup> “Definitions.” U.S. Census. <https://www.census.gov/programs-surveys/cps/technical-documentation/subject-definitions.html#household>

<sup>5</sup> 2018 American Community Survey 5-Year Estimate

<sup>6</sup> 2000 United States Decennial Census

## Low- and Moderate-Income Concentrations

Low- and Moderate-Income is categorized at three income levels by HUD:

1. Very Low-Income – Households earning less than 30 percent of area median family income
2. Low-Income – Households earning between 30 and 50 percent of area median family income (Section 8 income threshold)
3. Moderate-Income – Households earning between 50 and 80 percent of area median family income (CDBG low/moderate income threshold)

The table included in Appendix K includes block groups that fall under low/moderate-income standards for Nassau County – over 41.41 percent – as determined by the Department of Housing and Urban Development (HUD). There are 352 block groups in the County that fall under the low/moderate income standard. The communities with the greatest number of block groups with populations that fall under the low/moderate-income standards include the Village of Hempstead, Freeport, Hicksville, Uniondale, Valley Stream, Elmont, and the City of Glen Cove.

It should be noted that households earning between 80 and 100 percent of area median family income are caught in between, only slightly below-median incomes, not eligible for housing programs, and sometimes eligible for homeownership programs.

## Areas of Low/Moderate Income and Minority Concentration

Communities with both low- and moderate-income concentrations and minority concentrations include all or portions of the City of Glen Cove, Inwood, Lakeview, Island Park, Freeport, Baldwin, Roosevelt, Rockville Centre, Valley Stream, North Valley Stream, East Rockaway, Uniondale, East Garden City, Hempstead, West Hempstead, Westbury, Floral Park, Elmont, Franklin Square, South Valley Stream, East Meadow, New Cassel, Barnum Island, Cedarhurst, North Valley Stream, Garden City Park, Carle Place, South Farmingdale, Salisbury, Levittown, Lynbrook, Stewart Manor, North Bellmore, North Merrick, and Oceanside.

## C. Housing Profile

Housing stock impacts the ability to access adequate housing. Housing stock includes the number, type, size, and affordability of units. This is particularly important to low- and moderate-income persons, and persons in protected classes, including disabled persons, families with children, and the elderly. Nassau County OCD has begun the process of preparing a Housing Affordability Study (“Study”) to assist in understanding the housing needs and affordability issues within Nassau County. The Study is intended to examine the current and future housing needs for low- and moderate-income households in Nassau County. The Study, and the information provided therein, will further enable Nassau County to better plan for and support housing diversity in Nassau. A summary of relevant data is provided in the following section of this AI.

## Housing Stock

The County experienced an increase in the total number of housing units from 2000 to 2018 – 458,151 and 471,835, respectively. In 2018, a majority of the total units in the County were owner-occupied (359,301 units), a slight increase from 2000 (359,264 units). The County has had a decrease in the number of renter occupied units from 2000 (88,123 units) to 2018 (86,216 units). The percentage of owner-occupied units and renter-occupied units in the County has stayed approximately the same between 2000 and 2018. The County experienced a rise in the number of vacant units from 2000 to 2018, which may, in part, be due to damage sustained during Superstorm Sandy (2012) and Hurricane Irene (2011).

**Table 3-11 Housing Unit Data, Nassau County, 2000 - 2018**

	Nassau	
	2000	2018
<i>Total Units</i>	458,151	471,835
Owner Occupied	80.3%	80.6%
Renter Occupied	19.7%	19.4%
Vacant	2.3%	5.6%

Source: 2018 American Community Survey 5 - Year Estimate and 2000 U.S. Decennial Census

The table below provides a comparison of the types of housing units provided in Nassau County. The County's housing stock is mostly single-family (79 percent). A smaller percentage of 2 to 9-unit (10.2 percent), 10 to 19-unit (2.2 percent), and 20 or more-unit (8.5 percent) buildings make up the remainder of the County's housing profile. Mobile homes and other types of units make up a fraction of the County's housing stock (0.2 percent).

**Table 3-12 Housing Unit Type, Nassau County, 2018**

Housing Type	Nassau County
<i>Total</i>	471,835
Single-Family	79%
2 to 9 units	10.2%
10 to 19 units	2.2%
20 or more units	8.5%
Mobile home/others	0.2%

Source: 2018 American Community Survey 5 - Year Estimate

According to the 2018 American Community Survey 5 – Year Estimate, the County is experiencing continually less growth in the number of new housing units from 1959 to the present day. Table 3-13, Year Structure Built, 2018, provides an overview of the years in which structures were built in Nassau County.

**Table 3-13 Year Structure Built, 2018**

<b>Year</b>	<b>Nassau County</b>
<i>Total</i>	471,835
2010 or later	1.4%
2000 to 2009	3.2%
1990 to 1999	2.8%
1980 to 1989	4.6%
1970 to 1979	5.9%
1960 to 1969	12.9%
1959 or earlier	69.3%

Source: 2018 American Community Survey 5 - Year Estimate

### Overcrowding

Overcrowding is defined as more than one person per room and severe overcrowding as more than 1.5 persons per room, according to HUD. Approximately 2.7 percent of housing units in Nassau County experience overcrowding.<sup>7</sup>

- › 8,736 units with 1 to 1.5 persons per room; and
- › 3,032 units with 1.51 or more persons per room

### Housing Costs

In 2018, the County's median home value for owner-occupied units was \$474,800, and the median monthly gross rent was \$1,738. This was an increase from 2010 when the median home value for owner-occupied units was \$487,900, and the median monthly gross rent was \$1,407. Home values decreased by 2.7 percent, while rents increased by 23.5 percent from 2010 to 2018.

HUD establishes fair market rents (FMR) through area median income and provides FMR data by unit size. This is HUD's way of estimating what a household seeking a rental unit could expect to pay in rent and utilities in the current market. The table below provides the FY 2019 and FY 2020 FMR for Nassau County.

<sup>7</sup> *Ibid*

**Table 3-14 HUD Final 2019 and 2020 Fair Market Rents for Nassau County**

Unit Size	HUD FY 2019 Fair Market Rent	HUD FY 2020 Fair Market Rent
Studio/Efficiency	\$1,240	\$1,298
1 Bedroom	\$1,548	\$1,624
2 Bedroom	\$1,907	\$1,992
3 Bedroom	\$2,460	\$2,563
4 Bedroom	\$2,756	\$2,858

Source: [https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2020\\_code/2020summary.odn](https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2020_code/2020summary.odn)

## D. Employment

According to the New York State Department of Labor, in December 2019, the County had 1,482,000 people in the labor force with an unemployment rate of 3.4%. This is only slightly lower than the New York State rate of 3.7%.<sup>8</sup>

### Occupations of Residents

The table below provides a profile of the occupations of Nassau residents. Based on the 2018 American Community Survey 5 – year estimates, 45.5 percent of residents work in management occupations. The percent of residents working in sales and office is 24.2 percent, working in natural resources is 6.5 percent, and 16 percent of residents working in the service sector. The percentage of County residents employed in production, transportation, and material moving is 7.8 percent.

**Table 3-15 Occupation of Nassau County Residents (civilian employed population 16 years and over) 2018**

Occupation	Nassau County
Management, business, science, and arts	45.5%
Service	16.0%
Sales and office	24.2%
Natural resources, construction, and maintenance	6.5%
Production, transportation, and material moving	7.8%

Source: 2018 American Community Survey 5 - Year Estimate

<sup>8</sup> "Local Area Unemployment Statistics Program." NYS Department of Labor. <https://www.labor.ny.gov/stats/laus.asp>



## Travel to Work

In 2018, the mean travel time to work for County residents was 36.2 minutes, higher than the New York State average of 33.3 minutes.<sup>9</sup> Approximately 68.6 percent of County residents drove alone. Approximately 7 percent of County residents carpooled, and 16.9 percent of residents relied on public transit.

## E. Transportation

Major vehicle access is provided via east-west highways and roadways, including NYS Route 25A to the north, Northern State Parkway, NYS Route 27 (Sunrise Highway) to the south, and NYS Route 25 and Interstate 495 (Long Island Expressway) in between. These highways all provide access to New York City and points east and west throughout Long Island. Major north-south thoroughfares in the County are the Meadowbrook Parkway, Wantagh Parkway, and Seaford-Oyster Bay Expressway (NYS Route 135). The County is served by additional local, County, and State roadways, which all lead to these major connections.

The County is also served by the Long Island Railroad (LIRR), a commuter rail line providing east-west access to New York City and other points on Long Island. The County is served by the Port Washington Branch with stations at Great Neck, Manhasset, Plandome, and Port Washington to the north; the Oyster Bay Branch with stations at East Williston, Albertson, Roslyn, Greenvale, Glen Head, Sea Cliff, Glen Street, Glen Cove, Locust Valley, and Oyster Bay through the center and northeastern portion of the County; and the Ronkonkoma Branch with stations at Bellerose, Floral Park, New Hyde Park, Merillon Avenue, Mineola, Carle Place, Westbury, Hicksville, Bethpage and Farmingdale through the center of the County; the Port Jefferson Branch with stations at Syosset to the northeast; the Hempstead Branch with stations at Stewart Manor, Nassau Blvd, Garden City, Country Life Press, and Hempstead; the West Hempstead Branch with stations at Westwood, Malverne, Lakeview, Hempstead Gardens, and West Hempstead; the Montauk Branch with stations at Valley Stream, Lynbrook, Rockville Centre, Baldwin, Freeport, Merrick, Bellmore, Wantagh, Seaford, Massapequa and Massapequa Park to the south; the Far Rockaway Branch with stations at Gibson, Hewlett, Woodmere, Cedarhurst, Lawrence, and Inwood to the southwest; and the Long Beach Branch with stations at Centre Ave, East Rockaway, Oceanside, Island Park, and Long Beach to the south.

Nassau Inter-County Express (NICE Bus) provides bus transit throughout Nassau County. Several bus lines serve employment, shopping, medical, and educational hubs across the County. Most air travel is provided in New York City at John F. Kennedy International Airport (JFK) or LaGuardia Airport. Additional air travel is provided at Long Island MacArthur Airport located in the Town of Islip in Suffolk County.

<sup>9</sup> 2018 American Community Survey 5-Year Estimate

## F. Schools and Educational Profile

### Schools

Nassau County has 56 independent public school districts (“Public School Districts”) governed by locally elected School Boards. The Public School Districts had 200,886 students enrolled in Kindergarten through 12<sup>th</sup> grade for the 2017-2018 school year.<sup>10</sup> When reviewing school ratings from GreatSchools on Zillow, the scores of individual schools range from 10 to 7, where scores of 7 to 10 are considered to be “above average”.<sup>11</sup> The Housing Opportunity Area study, used by the County, includes scores of school districts by block group based on the Department of Housing and Urban Development’s (HUD) School Proficiency Index.

The County is home to several colleges and universities. The table below provides a list of these higher education institutions.

**Table 3-16 Colleges and Universities in Nassau County**

School District	Location
Adelphi University	Garden City
Hofstra University	Hempstead
N.Y. Institute of Technology	Old Westbury
SUNY Farmingdale	Farmingdale
U.S. Merchant Marine Academy	Kings Point
L.I. University C.W. Post	Brookville
Nassau Community College	Garden City
Webb Institute of Naval Architecture	Glen Cove
Molloy College	Rockville Centre
SUNY Old Westbury	Old Westbury

Source: <https://nassaucountyny.gov/3333/Colleges-Universities-and-Other-Schools>

### Educational Profile

Employability and lifetime income potential are impacted by the level of educational attainment a person has. Based on the 2018 American Community Survey 5 – Year Estimates, over 50 percent of the population has an associate degree or higher.

<sup>10</sup> Nassau County Public Schools Enrollment (2017-2018). <https://data.nysed.gov/enrollment.php?year=2018&county=28>

<sup>11</sup> School Reviews for Nassau County. Accessed February 19, 2020. <https://www.zillow.com/nassau-county-ny/schools/#/nassau-county-ny/schools/p=1&type=public>

**Table 3-17 Educational Attainment for Population 25 and Over, 2018**

<b>Educational Attainment</b>	<b>Nassau County</b>
<i>Total Population 25 and Older</i>	947,754
Less than 9th Grade	4.6%
9th to 12th Grade, No diploma	4.1%
High School Graduate	22.9%
Some College, No Degree	14.2%
Associate Degree	7.9%
Bachelor's Degree	25.2%
Graduate/Professional Degree	21.1%

Source: 2018 American Community Survey 5 - Year Estimate

## G. Land Use Policies and Patterns

### Nassau County Comprehensive Planning

A Master Plan for Nassau County was updated as a draft in 2010. This draft notes that Nassau County had some of the highest property taxes in the country and that high property taxes contribute to higher housing costs. According to this draft, approximately 60 percent of Nassau's total land area is residential development. The housing chapter of the plan notes that young families can no longer afford homes in the County due to the high cost of real estate and high taxes. The Plan also states that there are few opportunities to rent an apartment or purchase smaller properties such as condominiums or townhouses.

Since that time, other comprehensive plan efforts have been undertaken, including Cultivating Opportunities for Sustainable Development Nassau County Infill Redevelopment Feasibility Report ("Nassau Infill Report"). The Nassau Infill Report was a project from the New York-Connecticut Sustainable Communities Initiative (Sustainable NYCT) funded through the HUD Sustainable Communities Regional Planning Grant. The goal of this document was to "reduce reliance on the automobile and establish new land use and economic development structures that embrace multi-modal opportunity" and promote sustainable growth.<sup>12</sup> After analyzing 21 LIRR stations in three towns and 16 villages and hamlets ability to support transit-supported development strategies, three pilot projects were selected to show how communities on Long Island can implement sustainable transit supported development.

### Community Vision Plans

While the three Towns in Nassau County don't have recent Master Plans, the County has several community-based land use plans and community hamlet plans and vision documents specific to various communities and villages. These plans were prepared with individual

<sup>12</sup> Nassau County Infill Redevelopment Feasibility Report. Nassau County.  
<https://www.nassaucountyny.gov/DocumentCenter/View/3324/FinalNCIRFSReport31414?bidId=>

communities to identify community needs and visions, future land use plans, sustainability initiatives, and conservation strategies. Some of these plans include:<sup>13</sup>

- › Elmont Community Vision Plan
- › Village of Hempstead Vision Plan Downtown
- › Village of Farmingdale Downtown Revitalization Plan
- › Village of Freeport North Main Street Corridor Study
- › City of Glen Cove Cedar Swamp Road Corridor Study
- › Inwood Community Vision Plan

### Local Land Use Patterns

The County's draft Master Plan from 2010 notes that following World War II, Nassau County experienced a population boom. The County is comprised primarily of single-family residential development centered around village centers and main thoroughfares containing commercial uses with industrial uses spread throughout the County. See Appendix O for Generalized Land Use and Downtown Developable Land maps for Nassau County. The County is encouraging local municipalities to allow and developers and property owners to take advantage of opportunities to promote Transit-Oriented Development near transit hubs and LIRR stations throughout the County.

Substantial open spaces in the County include the Garvies Point, Sands Point, Muttontown, and Tackapausha Preserves, Bethpage, Hempstead Lake, Jones Beach, and Valley Stream State Parks, Old Bethpage Village Restoration and Sagamore Hill National Historic Site. Additionally, there are Eisenhower, Cantiague, Christopher Morley, Cedar Creek, Cow Meadow, Nickerson Beach and Wantagh County Parks, the Planting Fields, and Bailey Arboretums, and numerous Town, Village and City parks located within the County. Other significant land uses in the County include institutional uses such as colleges, universities, hospitals, and medical services.

For a clearer understanding of Nassau County land-use patterns, it is useful to look at existing land uses and downtown developable land.

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<sup>13</sup> Downtown Revitalization. Nassau County. <https://nassaucountyny.gov/2871/Downtown-Revitalization>

# 4

## Fair Housing in Nassau County

The Section discusses the current status of Fair Housing in Nassau County. The analysis includes complaint data received from the Nassau County Human Rights Commission (NCHRC), New York State Division of Human Rights (NYSDHR), and Long Island Housing Services (LIHS). Results of a housing survey are summarized.

### A. National Status of Fair Housing

HUD's Annual Report on Fair Housing indicates that HUD and the Fair Housing Assistance Program (FHAP) agencies nationally received a total of 8,186 housing discrimination complaints in FY 2017. Investigations were completed for 7,985 housing discrimination complaints during the same period. New York State had the third-highest number of complaints (558), behind California (1,033) and Texas (869).

A person's disability was the most common housing discrimination basis for a complaint, included in 59.4% of all complaints. A person's race was the second most common basis for a complaint, included in 26.0% of all complaints. The Annual Report on Fair Housing states that for the past five years, more than half of all complaints have alleged disability discrimination. The most common issue reported in the complaints was "discriminatory terms, conditions, privileges, or services and facilities," alleged in 68.9% of complaints. The next two most common issues were "failure to make reasonable accommodation," alleged in 41.1% of complaints, and "discriminatory refusal to rent," alleged in 29.5% of complaints.

HUD often forwards complaints to NYSDHR. HUD investigates complaints of housing discrimination based on the federally protected classes: race, color, religion, national origin, sex, disability, or familial status. At no cost, HUD will investigate the complaint and attempt to conciliate the matter with both parties. If conciliation fails, HUD will determine whether "reasonable cause" exists to believe that a discriminatory housing practice has occurred. If HUD finds "no reasonable cause," the department dismisses the complaint. If HUD finds reasonable cause, the department issues a charge of discrimination and schedules a hearing before a HUD administrative law judge (ALJ). Either party may elect to proceed in federal court. In that case, the Department of Justice pursues the case on behalf of the complainant. The decisions of the ALJ and the federal district court are subject to review by the United States Court of Appeals.

## B. Nassau County Status of Fair Housing

### Fair Housing Discrimination Lawsuits

In May 2019, Nassau County settled a fair housing lawsuit filed in May 2005 by MHANY Management and New York Communities for Change, claiming that Nassau County was discriminating against minorities by not promoting housing opportunities for people with low and moderate incomes. As part of the settlement, Nassau County agreed to pay \$5.4 million to MHANY and set aside more money to help build mixed-income rental housing in High Opportunity Areas (HOAs) as follows:

*High Opportunity Communities refers to communities in Nassau County, including but not limited to communities in the Nassau County Urban Consortium, with the following characteristics (1) very low poverty rates; (2) very low unemployment rates; (3) high levels of completed college among adults; (4) low African American and Latino population; (5) high performing public schools; (6) low crime rates; and (7) access to public transportation and employment.*

As part of the settlement, Nassau is setting aside 25% of the County's HOME Investment Partnerships program funding from HUD for at least a three year period beginning in 2018. The County's average HOME allocation for the past several years has been about \$2.4 million, resulting in a total set-aside of at least \$1.8 million. This funding set aside is available to developers to build mixed-income rental housing in high opportunity areas meeting the criteria outlined above. See Appendix I for Nassau County's analysis and identification of High Opportunity Areas.

The settlement also calls for the County to pay \$120,000 to New York Communities for Change for educational programs. In addition, Nassau will conduct a study and draft a development and outreach plan examining how, where, and by whom mixed-income housing can be developed within the county. The plan will include a model zoning ordinance, which will guide local governments within the county to create land-use regulations.

## Fair Housing Complaints

Fair housing complaints can be placed with several different agencies by aggrieved parties. The primary resources for fair housing complaints in Nassau County are NYSDHR, NCHRC, and LIHS.

After making a complaint or inquiry to any of these agencies/organizations, several potential outcomes can result, including:

- › Conciliation – Parties meet to work out a resolution, generally initiated by the equivalent agency (i.e., NYSDHR, NCHRC, LIHS) or HUD.
- › Probable Cause – As a result of the investigation, that may also be considered in conciliation or other attempted resolution action, there is sufficient evidence or “Probable Cause” to move the case forward to adjudication by a United States District Judge or HUD ALJ.
- › Administrative Closure – Action is taken as a result of a judicial proceeding, untimely filing, inability to identify a respondent or locate a complainant, or if a complainant fails to cooperate.
- › No Probable Cause – Although an action or omission may appear to be discriminatory under the Fair Housing Law, there is insufficient evidence uncovered in the investigation to prove there was in fact discrimination. There is not “Reasonable Cause” to transfer to the United States Department of Justice (DOJ) District Judge or the HUD ALJ for a judicial ruling.
- › Lack of Jurisdiction – Situation where the agency/organization (i.e., NYSDHR, NCHRC, LIHS) does not have jurisdiction to process the complaint.

Many reported situations and inquiries are resolved with discussion with the agency/organization who provide suggestions on how to handle the problem, without proceeding through the complaint process.

By State law, New York has more protected classes than are protected by the federal government. What this means is someone who is in a New York protected class that is not also federally protected must file any discrimination complaints at the local or state level, and not with HUD. Landlords, lenders, and realtors in New York State are prohibited from discriminating based on race, color, national origin, religion, sex, disability, familial status, marital status, sexual orientation, gender identity, gender expression, source of income, military status, age, creed, and prior arrest or conviction record. Source of income includes lawful sources of income such as public assistance, Section 8, Social Security Disability (SSD), Supplemental Security Income (SSI), veteran’s benefits, other government subsidies, and court-ordered child support.

A charge of discrimination must be filed in person or by mail. If an individual believes he or she was discriminated against, he or she should immediately contact the nearest NYSDHR office. Complaints must be filed within one year of the unlawful discriminatory act.

After a complaint is received, NYSDHR notifies all respondents. A respondent is a person or entity whose action is under complaint. Any issues regarding the jurisdiction will be addressed and resolved.

NYS DHR will investigate using appropriate methods, such as a written inquiry, field investigation, or an investigatory conference. From the investigation results, NYS DHR will determine whether or not there is probable cause to believe an act of discrimination has occurred and will notify both the complainant and respondent in writing.

If there is a finding of no probable cause or lack of jurisdiction, the matter is dismissed, and the complainant may appeal to the State Supreme Court within 60 days. If there is probable cause that an act of discrimination has occurred, then a public hearing will be conducted. A Division attorney or agent will present the case in support of the complaint, or the complainant may elect to retain outside counsel. A notice of hearing will be issued.

The hearing will be presided over by an ALJ and may last one or more days. A recommended order is prepared and sent to the parties for comment. A Commissioner's Order either dismisses the complaint or finds discrimination.

If an act of discrimination is found to have occurred, the Commissioner might order the respondent to cease and desist and take appropriate action, such as ordering damages to be paid. The order may be appealed by either party to the State Supreme Court within 60 days. Within one year, the Compliance Investigation Unit investigates whether the respondent has complied with the provisions of the order.

### Nassau County Human Rights Commission

NCHRC provided data regarding fair housing complaints received by their department for the period 2015 through the end of the year 2019. During that time, they received 137 complaints regarding incidents that occurred in Nassau County. Information was provided by basis, community, and result, as summarized in the tables below. The majority of these cases were withdrawn, or there was a failure to pursue.

**Table 4-1 Summary of Housing Complaints in Nassau County, Received by Nassau County Human Rights Commission**

Municipality	Basis	# Cases	Outcome
<b>2015</b>			
Baldwin	1. Disability, Retaliation	1	1. Withdrawal
Belmore	1. Age, Creed, Sex, Familial Status, Retaliation. 2. Disability, Source of Income.	2	1. Failure to Cooperate 2. No probable cause
Elmont	1. Sex/Gender, Retaliation.	1	1. No Jurisdiction
Freeport	1. Other. 2. Race/color, creed. 3. Source of income, Disability.	3	1. No Jurisdiction 2. Withdrawal 3. Conciliated
Hempstead	1. Race, creed, retaliation, Source of income 2. Other 3. Source of income, disability 4. Source of income, disability 5. Source of income, disability 6. Age, disability, sex, retaliation 7. Age, source of income, retaliation	9	1. Landlord Tenants Court. No Jurisdiction 2. No Jurisdiction 3. Conciliated 4. Conciliated 5. Conciliated 6. Withdrawn



	8. Disability 9. Sex, source of income, retaliation		7. No jurisdiction 8. Withdrawn 9. Does not wish to proceed
Hicksville	1. Other	1	1. No jurisdiction
Long Beach	1. Other	1	1. No jurisdiction
Lynbrook	1. Race/color, retaliation	1	1. Dual filed with NYSDHR. No jurisdiction.
Massapequa	1. Retaliation	1	1. Failure to cooperate
Merrick	1. Source of income	1	1. Withdrawal
New Hyde Park	1. Source of income, disability 2. Source of income, disability 3. Source of income, disability	3	1. Conciliated 2. Conciliated 3. Conciliated
Oyster Bay	1. Familial status, source of income, disability, retaliation	1	1. Withdrawal
Rockville Center	1. Source of income 2. Source of income 3. Source of income 4. Race/color	4	1. Withdrawal 2. No probable cause 3. Does not wish to proceed 4. No jurisdiction
Uniondale	1. Other	1	1. Failure to cooperate
<b>Yearly Total</b>		<b>30</b>	

**2016**

Farmingdale	1. Retaliation	1	1. Withdrawal
Floral Park	1. Other	1	1. Failure to Cooperate 2. No probable cause
Franklin Square	1. Sex/Gender, Retaliation.	1	1. No Jurisdiction
Freeport	1. Race/color, source of income 2. Race/color, retaliation 3. Other 4. Disability, source of income, familial status	4	1. Fail to cooperate 2. Fail to cooperate 3. No jurisdiction 4. No jurisdiction
Great Neck	1. Disability, other 2. Race/color, familial status, retaliation	2	1. Complainant dies 2. No probable cause
Hempstead	1. Source of income 2. Retaliation 3. Source of income 4. Disability 5. Race/color, creed, retaliation 6. Disability	6	1. Conciliated 2. No Jurisdiction 3. Conciliated 4. No jurisdiction 5. No jurisdiction 6. Inquiry
Hicksville	1. Age, discrimination, source of income	1	1. Does not wish to proceed
Long Beach	1. Other inquiry 2. Other inquiry	2	1. Failure to cooperate 2. No jurisdiction

Lynbrook	1. Creed, disability, familial status	1	1. Withdrawal
Mineola	1. Disability 2. Disability	2	1. No probable cause 2. No probable cause
New Hyde Park	1. Source of income	1	1. Conciliated
Old Bethpage	1. Disability, source of income, retaliation, sexual orientation	1	1. Failure to cooperate
Plainview	1. Age, creed, race/color, retaliation	1	1. Withdrawal
Rockville Center	1. Age, sex, retaliation, source of income	1	1. Withdrawal
Roosevelt	1. Disability	1	1. No jurisdiction
Roslyn Heights	1. Disability, service dog inquiry	1	1. Failure to cooperate
Syosset	1. Other	1	1. No jurisdiction
Valley Stream	1. Creed, disability, race/color 2. Disability, race/color, source of income, retaliation, familial status	2	1. No probable cause 2. No probable cause
<b>Yearly Total</b>		<b>30</b>	

2017			
Bethpage	1. Disability	1	1. No jurisdiction
Cedarhurst	1. Other inquiry	1	1. Inquiry
East Meadow	1. Race/color	1	1. No Jurisdiction
East Rockaway	1. Disability 2. Sexual orientation	2	1. No jurisdiction 2. No jurisdiction
Franklin Square	1. Race/color, religion, source of income, familial status	1	1. No probable cause
Garden City	1. Source of income	1	1. Withdrawal
Glen Cove	1. Age, disability, sex, retaliation, source of income, familial status	1	1. Fail to cooperate
Hempstead	1. Other inquiry 2. Age, race, creed, retaliation 3. Source of income	3	1. No Jurisdiction 3. Dual filed with State 3. Fail to cooperate
Hewlett	1. Disability, source of income, race 2. Disability, source of income, race 3. Disability, source of income, race 4. Source of income	4	1. No jurisdiction 1. No jurisdiction 1. No jurisdiction 4. Beneficial withdrawal
Hicksville	1. Race/color, other	1	1. Pending
Long Beach	1. Source of income	1	1. Withdrawal
Massapequa	1. Disability	1	1. No probable cause
Merrick	1. Disability	1	1. No jurisdiction
Mineola	1. Race/color 2. Race/color 3. Source of income	3	1. No probable cause 2. No probable cause 3. Landlord Tenants Court; no jurisdiction

Port Washington	1. Disability	1	1. Withdrawal
Uniondale	1. Retaliation	1	1. No jurisdiction
Valley Stream	1. Source of income	1	
<b>Yearly Total</b>		<b>25</b>	

2018			
Bellmore	1.	1	1. No jurisdiction
Bethpage	1. Other inquiry 2. Race/color, creed/religion 3. Disability	3	1. Referred to Oyster Bay 2. Withdrawal 3. Pending
East Rockaway	1. Sex/gender, age, other	1	1. Withdrawal
Freeport	1. Race/color, disability 2. Disability	2	1. Conciliated 2. Never responded
Hempstead	1. Source of income 2. Disability	2	1. Beneficial Withdrawal 2. No probable cause
Hicksville	1. Familial status	1	1. Does not wish to proceed
Massapequa	1. Disability	1	1. Conciliated
New Hyde Park	1. Source of income	1	1. Withdrawal
Oyster Bay	1. Source of income	1	1. Fail to cooperate
Seaford	1. Other	1	1. Inquiry
Westbury	1. Inquiry 2. Creed/religion. other 3. Disability	3	1. No jurisdiction 2. No jurisdiction 3. No jurisdiction
<b>Yearly Total</b>		<b>17</b>	

2019			
Baldwin	1. Race/color, disability 2. Race/color, disability	2	1. No jurisdiction 2. Pending
Bethpage	1. Disability, retaliation	1	1. Does not wish to proceed
Cedarhurst	1. Race/color, national origin, retaliation	1	1. Statute of limitations expired
East Meadow	1. Disability, familial status 2. Age, race, disability, familial status	2	1. No jurisdiction 2. Pending
Floral Park	1. Race/color, sex/gender, source of income	1	1. Pending
Freeport	1. Race/color, source of income, retaliation	1	1. No jurisdiction
Glen Head	1. Race/color, national origin, familial status	1	1. No jurisdiction
Great Neck	1. Age, national origin, familial status	1	1. Pending

Hempstead	1. Sex/gender, race/color, retaliation 2. Disability, source of income 3. Race/color, source of income 4. Source of income	4	1. Withdrawal 2. Pending 3. No jurisdiction 4.
Inwood	1. Race/color	1	1. No jurisdiction
Island Park	1. Disability	1	1. No jurisdiction
Levittown	1. Race/color, sex/gender, disability, retaliation, source of income, familial status 2. Familial status, source of income	2	1. Withdrawal 2. No jurisdiction
Long Beach	1. Source of income	1	1. No jurisdiction
Lynbrook	1. Disability, source of income, retaliation 2. Disability, Source of income	2	1. Non-beneficial withdrawal 2. Beneficial withdrawal
Massapequa	1. Age, creed, familial status, retaliation 2. Age, creed, familial status, retaliation	2	1. No jurisdiction 2. No jurisdiction
Mineola	1. Race/color, sex/gender 2. Sex/gender	2	1. Pending 2. Pending
Oyster Bay	1. Race/color, creed	1	1. Does not wish to proceed
Plainview	1. Disability	1	1. Pending
Port Washington	1. Disability, retaliation	1	1. Withdrawal
Rockville Centre	1. Familial status	1	1. Pending
Roslyn Heights	1. Familial status	1	1. Does not wish to proceed
Sea Cliff	1. Race/color, retaliation	1	1. Fail to cooperate
Uniondale	1. Age, race/color, retaliation 2. Retaliation	2	1. Beneficial withdrawal 2. Withdrawal
Westbury	1. Age, race/color, sex/gender, retaliation	1	1. No probable cause
West Hempstead	1. Familial status	1	1. Pending
<b>Yearly Total</b>		<b>35</b>	

Source: Nassau County Human Rights Commission

**Table 4-2 Breakdown of Housing Complaints Received by Nassau County Human Rights Commission by Community**

Community	Complaints	Percent of Complaints
Baldwin	3	2%
Bellmore	3	2%
Bethpage	5	3.6%
Cedarhurst	2	1.5%
East Meadow	3	2%
East Rockaway	3	2%

Elmont	1	0.7%
Farmingdale	1	0.7%
Floral Park	2	1.5%
Franklin Square	2	1.5%
Freeport	10	7.3%
Garden City	1	0.7%
Glen Cove	1	0.7%
Glen Head	1	0.7%
Great Neck	3	2%
Hempstead	24	17.5%
Hewlett	4	3%
Hicksville	4	3%
Inwood	1	0.7%
Island Park	1	0.7%
Levittown	2	1.5%
Long Beach	5	3.6%
Lynbrook	4	3%
Massapequa	5	3.6%
Merrick	2	1.5%
Mineola	7	5%
New Hyde Park	5	3.6%
Old Bethpage	1	0.7%
Oyster Bay	3	2%
Plainview	2	1.5%
Port Washington	2	1.5%
Rockville Centre	6	4.4%
Roosevelt	1	0.7%
Roslyn Heights	2	1.5%
Sea Cliff	1	0.7%
Seaford	1	0.7%
Syosset	1	0.7%
Uniondale	4	3%
Valley Stream	3	2%
Westbury	4	3%
West Hempstead	1	0.7%
<b>Total</b>	<b>137</b>	<b>100%</b>

Source: Nassau County Human Rights Commission

Most complaints occurred in Hempstead (17.5%), with the remaining complaints spread throughout Nassau County. Most of the communities where complaints have occurred contain either minority concentrations, lower-income households, or both.

**Table 4-3 Breakdown of Housing Complaints Received by Nassau County Human Rights Commission by Basis**

Basis	Complaints	Percent
Race	38	14%
National Origin	3	1%
Sex	14	5%
Color	32	12%
Disability	51	19%
Source of Income	49	18%
Age	15	6%
Sexual Orientation	2	1%
Creed/Religion	14	5%
Retaliation	36	13%
Other	18	6%

Source: Nassau County Human Rights Commission

Note: There is often more than one basis of complaint/issue alleged.

The most common basis of a complaint was disability (19%), followed by the source of income (18%), and race (14%).

### Long Island Housing Services

Long Island Housing Services (LIHS) is a 50-year old private, non-profit fair housing enforcement agency that investigates housing discrimination complaints, and tests for housing discrimination on a random basis. The major activity at LIHS is case-by-case enforcement of fair housing laws when individual persons or families encounter specific incidents of discrimination that violate those laws. LIHS also provides education and outreach services, rental and mortgage counseling, and other related housing services.

LIHS' fair housing investigations consist of a wide variety of activities depending on specific circumstances of the incident. An investigation may include determining jurisdiction aspects, interviewing clients and other potential witnesses, gathering and analyzing related documentation, demographic information, researching property records and neighborhood compositions, monitoring advertisements, as well as conducting phone or site visit testing when appropriate and feasible.

If an investigation finds sufficient evidence of discrimination, the housing is not otherwise exempt, and the client is willing and able to pursue the matter, LIHS may assist in reaching an informal resolution or will institute a formal enforcement action through governmental agencies and/or Federal District Court. Services may also include assisting the victim in securing experienced legal counsel. LIHS is the only Long Island agency performing these essential pre-filing tasks.

LIHS provided information regarding fair housing complaints received by their office for complaints in Nassau County during the 5-year period from 2015 through the end of the year 2019. The complaints are summarized in Table 4-4, Summary of Housing Complaints in

Nassau County, Received by Long Island Housing Services, 2015-2019. As with the complaints submitted to the Nassau County Human Rights Commission, the complaints received by LIHS mostly occurred in communities that have minority concentrations, lower-income households, or both.

Below is a summary of complaints received by LIHS. Most complaints were settled. The summary is organized by year, basis, community, and resolution. The cases filed with an administrative agency are listed in the allegations list and again as administratively filed complaints. The administratively filed complaints list includes the basis, name of the administrative agency, community, and determination.

**Table 4-4 Summary of Housing Complaints in Nassau County, Received by Long Island Housing Services, 2015-2019**

Allegation	Basis/es	Community	Disposition
Race Cases	Black	Hempstead	LIHS Closure
	Black	Massapequa	LIHS Closure
	Black	Roslyn	LIHS Closure
	Black	Roosevelt	LIHS Closure
	Black	Long Beach	LIHS Closure
	Black	Freeport	LIHS Closure
	Black	Mineola	LIHS Closure
	Black	Mineola	LIHS Closure
	Black	Jericho	LIHS Closure
	Black/National Origin	Merrick	LIHS Closure
	Black/Fam Status	Port Washington	LIHS Closure
	Black/Disability	Massapequa	
	Black	Farmingdale	LIHS Closure
	Black	Hempstead	LIHS Closure
	Black	Oyster Bay	LIHS Closure
	Black	Hempstead	LIHS Closure
	Black/National Origin	Uniondale	LIHS Closure
	Black	Franklin Square	LIHS Closure
Black	Garden City	Administratively Closed	
<i>Total</i>	<i>15 Black/African American; 2 race/national origin; 1 race/familial status; 1 race/disability</i>		
Creed Cases	Creed/Sex	Hempstead	LIHS Closure
<i>Total</i>	<i>1 creed/sex</i>		
Sex Cases	Creed/Sex	Hempstead	LIHS Closure
	Sex	Uniondale	LIHS Closure
	Sex/race	Hempstead	LIHS Closure
<i>Total</i>	<i>1 sex; 1 sex/creed; 1 sex/race</i>		
	Hispanic/Disability	Great Neck	LIHS Closure

National Origin	Hispanic	Rockville Centre	Conciliated
	Hispanic	Rockville Centre	Conciliated
	Hispanic	Rockville Centre	Conciliated
	Hispanic	Rockville Centre	Conciliated
	Hispanic	Rockville Centre	Conciliated
	Hispanic	Rockville Centre	Conciliated
	Hispanic	Rockville Centre	Conciliated
	Asian	Merrick	LIHS Closure
	Hispanic	Port Washington	LIHS Closure
	Hispanic	Mineola	LIHS Closure
	Hispanic	East Meadow	LIHS Closure
	Hispanic	Hempstead	Administratively Closed
	Hispanic	Mineola	LIHS Closure
	Other	Hempstead	LIHS Closure
	Race/Black/Other	Hicksville	LIHS Closure
	Hispanic	Hempstead	Administratively Closed
	<i>Total</i>	<i>13 Hispanic; 1 National Origin/Disability; 1 Other; 1 Asian; 1 Race/National Origin</i>	
Disability	Physical	Freeport	Conciliated
	Physical	Hempstead	Administratively Closed
	Physical	Bethpage	Administratively Closed
	Physical	Hempstead	Conciliated
	Physical	Freeport	Conciliated
	Physical	Hempstead	Conciliated
	Physical/Mental	Freeport	Conciliated
	Physical	Plainview	Conciliated
	Disability	Hempstead	LIHS Closure
	Disability	East Meadow	LIHS Closure
	Disability	Hempstead	Supports Allegation
	Mental	Uniondale	LIHS Closure
	Mental	Hempstead	LIHS Closure
	Mental	Rockville Centre	Conciliated
	Physical	Elmont	Administratively Closed
	Physical	Massapequa	Conciliated
	Mental	Mineola	LIHS Closure
	Physical/Mental	Hempstead	Administratively Closed
	Mental	Hempstead	Administratively Closed
	Physical/Mental	Farmingdale	Conciliated
Mental	Massapequa	Administratively Closed	
Disability	Long Beach	LIHS Closure	
Physical	Oyster Bay	LIHS Closure	



Physical	Hempstead	LIHS Closure
Physical	Hempstead	LIHS Closure
Physical	Hempstead	LIHS Closure
Physical	Massapequa	LIHS Closure
Physical/Mental	Massapequa	LIHS Closure
Physical	Hempstead	Administrative Closure
Physical	Hempstead	Conciliated
Mental	Glen Cove	LIHS Closure
Physical	Westbury	Administratively Closed
Physical	Uniondale	LIHS Closure
Physical	Westbury	LIHS Closure
Physical	Hempstead	Administratively Closed
Mental	Hempstead	LIHS Closure
Mental	Mineola	Conciliated
Physical	Great Neck	LIHS Closure
Physical	Merrick	Filed with HUD
Mental	Rockville Centre	LIHS Closure
Physical	Hempstead	LIHS Closure
Physical	Glen Cove	LIHS Closure
Physical	Hempstead	Conciliated
Physical	Bethpage	LIHS Closure
Physical	Lynbrook	LIHS Closure
Physical	Valley Stream	LIHS Closure
Physical	Baldwin	Conciliated
Physical	Hempstead	Administratively Closed
Physical	Massapequa	LIHS Closure
Physical/Mental	Hempstead	LIHS Closure
Physical	Bellmore	LIHS Closure
Physical	Massapequa	LIHS Closure
Physical	Hempstead	LIHS Closure
Physical	Glen Cove	Open
Mental	Oceanside	Administratively Closed
Physical	Oyster Bay	Open
Mental	Long Beach	LIHS Closure
Physical/Mental	Glen Cove	Open
Mental	Rockville Centre	Open
Physical	Hempstead	Open
Physical	Oyster Bay	Open
<i>Total</i>	<i>39 Physical Disability; 13 Mental/Physical; 6 Mental/Physical Disability; 4 Disability</i>	
	Great Neck	LIHS Closure

Familial Status		West Hempstead	LIHS Closure
		Elmont	LIHS Closure
		Port Washington	LIHS Closure
		Massapequa	LIHS Closure
		Hempstead	Conciliated LIHS
		Oceanside	LIHS Closure
		Long Beach	LIHS Closure
		Manhasset	Conciliated LIHS
		North Hempstead	LIHS Closure
		Westbury	Open
		Long Beach	LIHS Closure
<i>Total</i>	<i>12 cases</i>		
<b>Administratively Filed Complaints</b>			
<b>Basis</b>	<b>Administrative Agency</b>	<b>Community</b>	<b>Resolution</b>
Disability	NYSDHR	New Hyde Park	\$10,000
Disability	HUD	Westbury	\$75,000
Disability	NYSDHR	Rockville Centre	Modification
Disability	NYSDHR	Rockville Centre	Modification
Disability	HUD/NYSDHR	Jericho	\$5,000
Disability	NCCHR	Mineola	Emotional Support Dog
Disability	HUD	Merrick	Open
Disability	NYSDHR	Glen Cove	Open

Source: Long Island Housing Services Housing Discrimination Report, 2015-2019

As shown in Table 4-4, the most common bases of a complaint were disability with 39 cases filed based on physical disability, 13 cases based on mental/physical disability, 6 cases based on mental/physical disability, and 4 cases based on disability.

### New York State Division of Human Rights Housing Complaint Data, 2015-2019

Between 2015 and 2019, there were 131 fair housing complaints submitted to the New York State Division of Human Rights for Nassau County. Of these, 117 cases were closed. The 14 open cases were predominately filed after February 2017. The most common basis for discrimination reported was disability followed by sex, race/color, and creed. A majority of dispositions were no probable cause (NPC) followed by a lack of jurisdiction (LOJ) determinations and withdrawals. Appendix L shows a detailed listing of the complaints and data provided by the NYS Division of Human Rights.

## C. Concerns Over the Processing of Fair Housing Complaints

Fair housing advocates have raised concerns about the slow response to fair housing complaints at all levels of government. HUD reported that, in 2017, a total of 4,889 investigations passed the 100-day mark; this included 890 HUD investigations and 3,999 FHAP investigations. The Fair Housing Act requires that HUD and FHAP agencies complete the investigation of each complaint within 100 days of the date it was filed unless it is impracticable<sup>14</sup>. From FY 2013 to FY 2017, an average of 4,650 complaints passed the 100-day mark, annually. In general, it was impracticable to complete an investigation within 100 days when a complaint involved a great number of witnesses, larger volumes of evidence, or particularly complex claims and evidence.

## D. Home Mortgage Lending Practices

Access to mortgage credit enables families to own their homes, and access to home improvement loans and refinancing allows them to keep their homes in good condition. These help keep neighborhoods attractive and residents vested in their communities.

Inadequate lending performance results in various long-term and far-ranging community problems, including disinvestment. The disinvestment in a neighborhood by its lenders reduces housing financing options for borrowers and weakens competition in the mortgage market for low and moderate-income neighborhoods. High mortgage costs, less favorable mortgage loan terms, deteriorating neighborhoods, reduced opportunities for homeownership, reduced opportunities for home improvement, and the lack of affordable housing are only a few of the consequences of inadequate lending performance. Economic decay in the business/private sector is also a result of disinvestment in the form of business relocation, closure, and bankruptcy. Full-service local lenders that have traditionally served residents and businesses are one of the main elements that keep neighborhoods stable.

Significant changes have occurred in the lending market throughout the United States. The number and type of lenders have changed, and it is becoming a common occurrence to read about national lenders acquiring other national lenders and local lenders. These national lending institutions are becoming increasingly more active locally, as the market share of national corporations is growing yearly. Significant issues that have emerged from the changes in the market are 1) the substantial growth of the sub-prime market; 2) the impact these lenders have on communities and neighborhoods; and, 3) the foreclosure crisis.

The Home Mortgage Disclosure Act (HMDA) enacted by Congress in 1975 requires lenders to disclose home mortgage and home improvement lending transactions. The information collected by HMDA, provided by public lending institutions, is intended to make public loan data available for analysis. HMDA includes several categories of loans. Home loan categories include Federal Housing Administration (FHA), Farm Service Agency and Rural Housing Service (FSA/RHS), and Veterans Administration (VA), conventional, refinancing, home improvement loans, and loans for multifamily dwellings with five or more units. Because

<sup>14</sup> *Annual Report to Congress, FY 2017, United States Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity.*

most housing transactions occur in the private sector, any analysis of impediments must explore private real estate and lending activity and their impact on fair housing.

Based on the data available from HMDA, Table 4-5, HMDA Aggregate Loan Applications for Nassau County 2017 summarizes mortgage loan applications in the County for the most recent year available. Table 4-6 provides HMDA Aggregate Loan Applications for Census Tracts Containing 50% or More Minority Population (which includes African-American and Hispanic populations), Nassau County 2017

**Table 4-5 HMDA Aggregate Loan Applications for Nassau County, 2017**

	FHA, FSA/RHS & VA Home Purchase Loan		Conventional Home Purchase Loan		Refinancing		Home Improvement		Loans on Dwellings for 5+ Families		Nonoccupant Loans		Loans on Manufactured Home Dwellings	
	#	\$000's	#	\$000's	#	\$000's	#	\$000's	#	\$000's	#	\$000's	#	\$000's
Loans Originated	1,925	789,967	10,183	4,632,779	6,700	2,325,127	1,123	239,502	53	166,221	1,056	436,863	1	15
Approved, Not Accepted	136	50,476	383	171,618	880	311,104	83	15,076	1	630	73	25,091	1	15
Applications Denied	339	152,205	1,341	644,581	2,811	1,081,464	1,024	136,465	5	5,735	380	142,919	23	2,609
Applications Withdrawn	339	133,536	1,350	732,866	2,905	1,012,023	351	72,452	1	380	305	107,525	0	0
Files Closed for Incompleteness	132	50,984	405	199,298	1,384	479,802	122	33,900	2	44,850	131	47,394	0	0
<b>TOTAL</b>	<b>2,871</b>	<b>1,177,168</b>	<b>13,662</b>	<b>6,381,142</b>	<b>14,680</b>	<b>5,209,520</b>	<b>2,703</b>	<b>497,395</b>	<b>62</b>	<b>217,816</b>	<b>1,945</b>	<b>759,792</b>	<b>25</b>	<b>2,639</b>

Source: HMDA, MSA/MD: 35004 – Nassau-Suffolk, NY

**Table 4-6 HMDA Aggregate Loan Applications for Census Tracts Containing 50% or More Minority Population, Nassau County, 2017**

	FHA, FSA/RHS & VA Home Purchase Loan		Conventional Home Purchase Loan		Refinancing		Home Improvement		Loans on Dwellings for 5+ Families		Nonoccupant Loans		Loans on Manufactured Home Dwellings	
	#	\$000's	#	\$000's	#	\$000's	#	\$000's	#	\$000's	#	\$000's	#	\$000's
Loans Originated	793	297,669	1,515	507,526	1,316	376,328	194	28,710	12	21,268	238	75,887	0	0
Approved, Not Accepted	81	26,945	82	23,413	215	59,349	13	1,766	1	630	21	4,872	0	0
Applications Denied	221	78,939	323	101,160	725	203,358	279	191,143	3	5,400	123	28,205	9	1,315
Applications Withdrawn	184	66,436	236	73,671	661	187,408	83	11,555	0	0	92	24,158	1	0
Files Closed for Incompleteness	75	26,371	85	28,726	330	88,324	29	5,428	1	44,000	33	8,493	0	0
<b>TOTAL</b>	<b>1,354</b>	<b>496,360</b>	<b>2,241</b>	<b>734,496</b>	<b>3,247</b>	<b>914,767</b>	<b>598</b>	<b>238,602</b>	<b>17</b>	<b>71,298</b>	<b>507</b>	<b>141,615</b>	<b>10</b>	<b>1,315</b>

Source: HMDA, MSA/MD: 35004 – Nassau-Suffolk, NY

In 2017, there were 1,354 FHA, FSA/RHS, and VA home purchase loan applications within the Nassau County Census tracts containing 50% or more minority population, which amounted to \$496,360,000. The outcome of these loan applications is that 793 applications resulted in loan origination, 81 loans were approved but not accepted, 221 loans were denied, 184 applications were withdrawn, and 75 applications were closed for incompleteness.

There were a total of 2,241 conventional home purchase loan applications that totaled \$734,496,000. These conventional loan applications resulted in 1,515 loans that were originated, 82 that were approved but not accepted, 323 that were denied, 236 that were withdrawn, and 85 that were closed for incompleteness.

There were a total of 3,247 refinancing loan applications totaling \$914,767,000. The outcome of these refinancing loan applications is that 1,316 resulted in loan origination, 215 were approved but not accepted, 725 were denied, 661 applications were withdrawn, and 330 files were closed for incompleteness.

A total of 598 home improvement loan applications were submitted, amounting to \$238,602,000. Of these loan applications, 194 resulted in loan origination, 13 were approved but not accepted, 279 applications were denied, 83 applications were withdrawn, and 29 files were closed for incompleteness.

Seventeen loan applications for dwellings of five or more families were applied for, amounting to \$71,298,000. Of these loan applications, 12 resulted in the origination of a loan, one was approved but not accepted, three were denied, and one file was closed for incompleteness.

The types of loans sought specifically for one- to four-family homes are summarized in Table 4-7, Types of Loan Sought, 1 to 4 Family Structures, Nassau County, 2017. The types of loans sought specifically for one- to four-family homes for Census Tracts Containing 50% or More Minority Population, Nassau County, 2017, are summarized in Table 4-8.

**Table 4-7 Types of Loans Sought, 1 to 4 Family Structures and Manufactured Homes, Nassau County, 2017**

	Home Purchase Loan (FHA, FSA/RHS & VA, and Conventional)	Refinancing	Home Improvement
Percent of Loans Sought	48.7%	43.3%	7.9%

Source: HMDA, MSA/MD: 35004 – Nassau-Suffolk, NY

**Table 4-8 Types of Loans Sought, 1 to 4 Family Structures for Census Tracts Containing 50% or More Minority Population, Nassau County, 2017**

	Home Purchase Loan (FHA, FSA/RHS & VA, and Conventional)	Refinancing	Home Improvement
Percent of Loans Sought	48.3%	43.6%	8.0%

Source: HMDA, MSA/MD: 35004 – Nassau-Suffolk, NY

Of the 7,440 loans sought for one- to four-family structures in Census tracts containing 50% or more minority population, 48.3 percent were for home purchase, 43.6 percent were for refinancing, and 8.0 percent were for home improvement.

To place Nassau County in context and analyze who is being approved and denied loans, a general evaluation of the Long Island region was conducted. The HMDA data does not provide county or census tract-level loan application and disposition race/income information. Therefore, further analysis of application acceptance and denial rates by race and/or income is conducted at the Metropolitan Statistical Area (MSA) level.

Table 4-9, Aggregate Disposition of Applications for Home Purchasing, Refinancing, and Home Improvement Loans in Nassau and Suffolk Counties, 2017 summarizes the acceptance (loans originated) and denial rates for the Nassau-Suffolk MSA based on race, ethnicity, minority status, and/or income.

**Table 4-9 Aggregate Disposition of Applications for Home Purchasing, Refinancing, and Home Improvement Loans in Nassau and Suffolk Counties, 2017**

Applicant Characteristics	Total Applications	% Loans Originated	% Denied
<b>Race/Ethnicity/Minority Status</b>			
American Indian/Alaska Native	216	43.1%	29.2%
Asian	5,678	61.9%	15.8%
Black or African-American	4,905	52.9%	22.6%
Native Hawaiian/Other Pacific Islander	228	54.4%	23.2%
White	48,981	63.0%	14.4%
2 or More Minority Races	78	41.0%	24.4%
Joint (White/Minority Races)	853	63.4%	15.2%
Race Not Available	11,102	51.7%	23.2%
Hispanic or Latino	6,724	56.9%	19.2%
<b>Income</b>			
<50% of MSA Median	5,381	39.6%	34.4%
50-79% of MSA Median	15,023	57.3%	19.0%
80-99% of MSA Median	11,682	62.9%	15.1%
100-119% of MSA Median	9,465	64.0%	14.3%
>120% of MSA Median	30,539	63.5%	13.4%

Source: HMDA, MSA/MD: 35004 – Nassau-Suffolk, NY, Tables 4-1 to 4-4 (Aggregate Disposition of Applications for FHA, FSA/RHS, and VA Home Purchase Loans, Conventional Home-Purchase Loans, Home Improvement Loans, 1- to 4-Family and Manufactured Home Dwellings, By Race, Ethnicity, and Income of Applicant. The data is compiled by VHB.

Note: Loans approved but not accepted, withdrawn applications, and files closed due to incomplete information are not shown.

For purposes of analysis, only the four main characteristics of applicants for loans (Asian, Black or African-American, White, and Hispanic or Latino) are discussed. The other characteristics did not apply for enough loans to establish a potential pattern. It is also noted that race data was not available for a substantial number of applications (11,102). Whites and



Asians had the highest percentages of loan originations (63.0% and 61.9%, respectively). Hispanics or Latinos and Blacks or African-Americans had lower rates of loan originations (56.9% and 52.9%, respectively). Similarly, White and Asian applicants had lower rates of loan denials (14.4% and 15.8% respectively) than Hispanic or Latino applicants and Black or African-American applicants (19.2% and 22.6% respectively).

Although White and Asian populations have comparable percentages of loan originations (63.0% and 61.9%) and loan denials (14.4% and 15.8%), three out of the seven communities in Nassau County with the greatest number of block groups with populations that fall under the low-moderate income standards have substantial Asian populations.

Income level data indicate that as incomes in Nassau and Suffolk Counties increased, the percent of loans denied decreased with the largest rate (34.4%) of denied applications going to applicants who earn less than 50 percent of MSA median income. Applicants in the lowest income cohort also had the lowest percentage (39.6%) of loans originated. Applicants earning 100-119 percent of MSA median income had the highest rate of loans originated (64.0%), followed by applicants earning greater than 120 percent of MSA median income (63.5%).

Aggregate information for the Nassau-Suffolk MSA/MD identifies reasons for denial of applications for home purchase, home improvement, or refinancing loans by race, ethnicity, and income of the applicant. Table 4-10, Reason for Denial of Applications, 1 to 4 Family Dwellings, Long Island, 2017, summarizes this information for Nassau and Suffolk Counties.

**Table 4-10 Reason for Denial of Applications, 1 to 4 Family Dwellings, Long Island, 2017**

Applicant Characteristics	Debt-to-Income Ratio	Employment History	Credit History	Collateral	Insufficient Cash	Unverifiable Information	Credit Application Incomplete	Mortgage Insurance Denied	Other
<b>Race/Ethnicity/Minority Status</b>									
American Indian/Alaska Native	37.3%	0.0%	33.3%	13.7%	0.0%	0.0%	13.7%	0.0%	2.0%
Asian	41.3%	1.5%	14.5%	12.3%	3.4%	5.5%	13.0%	0.1%	8.3%
Black or African-American	33.2%	1.4%	29.5%	15.8%	2.3%	1.6%	9.0%	0.0%	7.2%
Native Hawaiian/Other Pacific Islander	54.9%	0.0%	27.5%	7.8%	2.0%	2.0%	2.0%	0.0%	3.9%
White	34.7%	1.0%	22.8%	15.9%	2.5%	2.8%	12.1%	0.0%	8.1%
2 or More Minority Races	23.1%	0.0%	53.8%	7.7%	0.0%	0.0%	15.4%	0.0%	0.0%
Joint (White/Minority Races)	31.4%	0.0%	30.4%	18.6%	4.9%	2.0%	10.8%	0.0%	2.0%
Race Not Available	28.8%	0.8%	22.0%	16.5%	2.5%	2.2%	20.9%	0.0%	6.4%
Hispanic or Latino	38.0%	1.6%	24.5%	11.2%	2.8%	3.4%	10.4%	0.0%	8.0%
<b>Income</b>									
<50% of MSA Median	55.2%	1.3%	19.9%	7.2%	1.8%	2.0%	6.1%	0.0%	6.5%
50-79% of MSA Median	42.7%	1.8%	20.0%	12.8%	2.1%	2.5%	12.0%	0.0%	6.0%
80-99% of MSA Median	34.6%	0.8%	20.8%	16.6%	1.7%	3.1%	15.4%	0.0%	7.1%
100-119% of MSA Median	28.9%	1.2%	23.3%	19.7%	2.1%	1.5%	16.1%	0.1%	7.0%
>120% of MSA Median	23.0%	0.4%	22.1%	20.8%	3.6%	3.3%	17.9%	0.0%	8.9%

Source: HMDA, MSA/MD: 35004 – Nassau-Suffolk, NY, Tables 8-1 – 8-4 (Reasons for Denial of Applications for PHA, FSA/RHS, and VA Home-Purchase Loans, Conventional Home-Purchase Loans, to Refinance Loans, and for Home Improvement Loans, 1- to 4- Family and Manufactured Home Dwellings, By Race, Ethnicity, and Income of Applicant). VHB, Inc compiled tables.

Aggregate HMDA data for Long Island shows that debt-to-income ratio and credit history are two common reasons for loan denial. Collateral and credit application incomplete are relatively common, as well. The percentage of debt-to-income ratio denials decreases as income increases, with applicants earning less than 50 percent of MSA median income facing this issue the most. Collateral as a reason for loan denial was more common for higher incomes than for lower incomes.

Of the four main characteristics, Asian applicants had the highest debt-to-income ratio as the reason for denial, and Black or African-American applicants had the highest credit history as a reason for denial. Black or African-American and White applicants had the highest collateral as a reason for denial. Asian applicants had the highest insufficient cash and unverifiable information as reasons for the denial.

According to ACS data from 2018, New Hyde Park has an Asian population of 34%, while Manorhaven has 20.5% and Great Neck Plaza has a comparable 17.4%, all of which are considerably higher than the 9.3% Asian population of Nassau County overall. Comparatively speaking, Asian applicants have the highest debt-to-income ratio, the highest insufficient cash, and the highest number of cases listed with unverifiable information as reasons for loan denial.

### Subprime Loans and High-Cost Home Loans

“Subprime loans” are typically made to borrowers with blemished credit histories or who provide only limited documentation of their income or assets. Subprime lenders typically provide loans at higher interest rates to applicants who do not qualify for a prime loan. Some portion of the subprime lending market is also predatory, using aggressive marketing techniques to solicit borrowers who do not need or may not be able to afford a loan.

As per NYS banking laws, a subprime home loan is defined as “a home loan in which the initial interest rate or the fully-indexed rate, whichever is higher, exceeds by more than one and three-quarters percentage points for a first-lien loan, or by more than three and three-quarters percentage points for a subordinate-lien loan, the average commitment rate for loans in the northeast region with a comparable duration to the duration of such home loan, as published by the Federal Home Loan Mortgage Corporation (herein Freddie Mac)...”.<sup>15</sup>

According to the NYS Banking Law, a “High-Cost Home Loan” is a home loan in which the terms of the loan exceed one or more of the following thresholds:<sup>16</sup>

- i. “For a first lien mortgage loan, the annual percentage rate of the home loan at consummation of the transaction exceeds eight percentage points over the yield on treasury securities having comparable periods of maturity to the loan maturity measured as of the fifteenth day of the month immediately preceding the month in which the application for the extension of credit is received by the lender; or for a subordinate mortgage lien, the annual percentage rate of the home loan at consummation of the transaction equals or exceeds nine percentage points over the

<sup>15</sup> New York Consolidated Laws, Banking Law- BNK Section 6-m. Subprime Home Loans. <https://www.nysenate.gov/legislation/laws/BNK/6-M>

<sup>16</sup> New York Consolidated Laws, Banking Law – BNK Section 6-L. High-Cost Home Loans. <https://www.nysenate.gov/legislation/laws/BNK/6-L>

yield on treasury securities having comparable periods of maturity on the fifteenth day of the month immediately preceding the month in which the application for extension of credit is received by the lender; as determined by the following rules: if the terms of the home loan offer any initial or introductory period, and the annual percentage rate is less than that which will apply after the end of such initial or introductory period, then the annual percentage rate that shall be taken into account for purposes of this section shall be the rate which applies after the initial or introductory period; or”

- ii. “The total points and fees exceed: five percent of the total loan amount if the total loan amount is fifty thousand dollars or more; or six percent of the total loan amount if the total loan amount is fifty thousand dollars or more and the loan is a purchase money loan guaranteed by the federal housing administration or the veterans administration; or the greater of six percent of the total loan amount or fifteen hundred dollars, if the total loan amount is less than fifty thousand dollars; provided, the following discount points shall be excluded from the calculation of the total points and fees payable by the borrower”

HMDA data does not identify whether or not loans are subprime or high-cost loans. However, there are other sources of information that provide an indication of the amount of subprime and/or high-cost loans in a particular area. Through 2005, HUD annually identified a list of lenders who specialize in subprime lending. Many banks have since stopped or reduced subprime lending after the housing crisis and laws that further regulate the practice, therefore, this data may no longer be adequate. However, subprime lending does still occur through some banks and through non-bank financial companies that provide similar services (also known as “shadow banks”).

### **An Uneven Road to Recovery: Place, Race, and Mortgage Lending on Long Island (December 2014) by the National Center for Suburban Studies**

The National Center for Suburban Studies at Hofstra University, in cooperation with Long Island Housing Services, prepared a report entitled *An Uneven Road to Recovery: Place, Race, and Mortgage Lending on Long Island (December 2014)*. The report documented the loss of mortgage activity on Long Island from 2005 to 2012. The study relied on the Home Mortgage Disclosure Act (HMDA) data as well as interviews with loan counselors, real estate agents, and lenders.

The report found that there were racial and ethnic disparities when lending data were evaluated in terms of applicant group, place, and institution. Key findings included the following:

- › Applicant group – Black and Latino applicants were more likely to be denied loans or be given higher rate loans than white or Asian applicants.
- › Place – Areas, where conventional loans were most readily available, were overwhelmingly white, while predominantly Black and Latino areas received the lowest rates of lending.
- › Institution – Most of the lenders who survived the housing crash operated primarily in the top cluster communities, which were predominantly white.

In analyzing these results, the report identified a variety of factors – national, institutional, and individual - that could have influenced them, including:

- › General tightening of credit following the crash.
- › Unintended consequences of financial reform which led to more restrictive lending standards.
- › Lingering effects of subprime lending, which impacted market conditions in certain neighborhoods.
- › Past housing discrimination and current patterns of segregation which have led to a racially and ethnically segmented housing market.
- › The FHA dual market which can increase costs for homebuyers in certain neighborhoods.
- › Underwriting policies and products which have tightened credit availability.
- › Unfair lending possibly leading to discriminatory practices and redlining.
- › Household financial stress, shifting preferences, and greater financial literacy, dampening consumer demand.

Various analyses of lending and demographic data for Long Island have documented the correspondence between areas of high-rate lending and foreclosures and the location of communities in Nassau and Suffolk Counties with majority Black and Latino populations. The core data used for the Hofstra study came from the HMDA data from 2005 to 2012. These data were analyzed in several different ways and were supplemented with interviews of people in the real estate and lending industries. The key findings of these combined analyses are summarized below.

Between 2005 and 2012, mortgage lending dropped significantly across Long Island, with originations declining from 37,000 to 16,000 annually. The negative effect on Black and Latino households, however, was substantially more significant. Also, the data shows that these groups are more often denied loans or are approved for more expensive FHA-insured loans. In the Town of Brookhaven in Suffolk County, the communities of Selden, Middle Island, Gordon Heights, North Bellport, Brookhaven, Shirley, Mastic Beach, and Mastic were identified as being in the bottom total lending cluster (communities were ranked by total originations and by the absolute change in origination from 2005 to 2012).

To better understand the reasons behind these trends, we performed additional analyses of homeowner application information. The results suggested tendencies in the Long Island mortgage market that warrant further examination to determine how they relate to ethnic and racial characteristics of households and communities. For example, in analyzing loan denials, the data indicated that Blacks and Latinos were more likely than whites to receive denials, even controlling for financial circumstances. However, additional analyses would be

needed to determine if other factors, such as credit scores, influenced these lending patterns.

It was also found that the extent of minority populations within a community was significantly related to loan denials. The details of these denials, however, also need to be examined further to determine conclusively whether or not racial and ethnic factors played a role in the lending institutions' decisions. Overall, the analysis of demographic data for individuals and communities pointed out the potential role of racial factors in lending practices. The report noted the need for additional data and analysis to evaluate further the relationship among the various factors influencing how and to whom loans are made.

Looking at mortgage loans by a place on Long Island, the report found that there is a significant variation in the rate at which mortgages are made, with some communities having substantially more originations relative to the size of their housing stock than others. In the bottom cluster of communities, demographic data shows much lower incomes and higher proportions of the Black and Latino population. Also, the minority areas tend to have much higher proportions of FHA-insured mortgages, more than half in most such neighborhoods. These are the same areas in which subprime lending took place during the mid-2000s. The FHA lending pattern raises a concern because such mortgages are typically more expensive than conventional loans.

In summary, the report found that "racial disparities exist at the individual and neighborhood levels on Long Island." However, it also noted the difficulties involved in trying to accurately identify which factors cause these disparities due to the limitations of the HMDA data. Moreover, "rapid shifts in the lending environment have also made it more difficult to interpret quantitative data and place it within a policy context." Nonetheless, the eight factors listed above appear to play important roles in determining mortgage lending patterns on Long Island.

The report concluded with a set of recommendations to ensure equal credit access for all. These include actions at the federal, regional, institutional, and local levels, such as:

- › Strengthen federal protections for borrowers.
- › Expand data collection efforts to enable more thorough analyses of lending patterns.
- › Have lenders participate in efforts to reduce foreclosures and to make foreclosed homes available to local purchasers.
- › Expand affirmative marketing efforts in bottom-cluster communities.
- › Expand first-time homeowner counseling programs and fair housing enforcement efforts in tandem.

## E. Fair Housing and the Public Sector

The policies, procedures, and practices of County and local municipal departments and agencies, municipal codes, and the decisions of local boards impact fair housing goals – sometimes directly, but often indirectly. This section of the Analysis of Impediments assesses the local institutional structure and how it affects fair housing choice.

## Strengths and Gaps in the Local Institutional Structure

Nassau County is committed to providing fair and affordable housing opportunities for all. Efforts towards eliminating fair housing impediments are on-going, and fair housing planning is a fluid process that continually affects housing and community development programs and policies. One of the goals of this AI is to take a hard look at the institutional delivery system and enact improvements to address gaps or weaknesses in the system.

Strengths in the current system include the vast network of support agencies through the County, consortium communities, and non-profit organizations. These groups work well together to provide a continuum of services to help residents in need. Nassau County and local consortium communities have also been effective in removing architectural barriers, improving access to public facilities such as parks, and assisting eligible homeowners make their homes handicapped accessible.

## Nassau County Executive's Fair Housing Initiative

In November 2019, Nassau County Executive Laura Curran announced the following Fair Housing Actions and Initiatives:

- › County Executive Curran named Deputy County Attorney Errol E. Williams as Special Housing Counsel to be charged with coordination of the County's action plan on housing discrimination. The County Executive made it a priority, to name a qualified coordinator, with a deep understanding of housing discrimination while using existing staff to perform this function.
- › The County Executive will issue a request for proposal (RFP) for legal services that will increase enforcement of and compliance with open housing laws through:
  - Enforcement of administrative proceedings
  - Plenary actions
  - Special investigations
- › The County Executive and the Legislature have agreed to increase staffing at the County Human Rights Commission, including the addition of an Investigator and an Administrative Law Judge (ALJ) to assist with the resolution of fair housing complaints. The County Executive has also directed a review of existing HRC forms and processes to ensure optimized facilitation of housing complaints and investigations.
- › County Executive Curran established the Nassau County Fair Housing Advisory Board, a permanent County entity to be comprised of community stakeholders and advocates tasked with advising and providing the County with recommendations regarding the promotion of fair and equal housing policies. The Legislature will recommend participants.
- › County Executive Curran directed her Administration to initiate a robust educational campaign, including workshops and forums designed to inform residents regarding housing rights and resources available to them. In the coming weeks, the County Executive will announce the first educational workshops, which will be spearheaded by the Human Rights Commission and Bishop Lionel Harvey, Deputy Director for Diversity

and Community Engagement, together with the Office of Minority Affairs, Office of Hispanic Affairs, and the Office of Asian American Affairs.

- › County Executive Curran is announcing new multimedia and multilingual public awareness campaign aimed at increasing awareness about the County's commitment to and enforcement of fair housing laws.
- › The County Executive will proactively cooperate with federal and state authorities in any ongoing or future efforts to hold real estate brokers, property management firms, and lenders accountable regarding compliance with open and fair housing laws.
- › County Executive Curran has directed County agencies to engage Nassau Urban County Consortium members, comprised of towns and villages, to promote fair housing policies at the municipal level.

Previous Curran Administration initiatives on fair housing:

- › Settled decade-long litigation with one of the region's leading affordable housing organizations, which included historic commitments to the promotion of affordable housing.
- › The County Executive has set aside County grant funds received through the HUD HOME Investment Partnerships Program (one quarter) for the construction of mixed-income rental housing in high opportunity areas, such as areas with ample access to transportation and high performing schools. The County continues to support funding applications for such projects made to New York State and other funding sources.
- › The County Executive has encouraged Nassau's Industrial Development Agency (IDA) to encourage developers to increase the number of affordable units built with incentive packages
- › Bringing vacant and abandoned homes (many ravaged by Sandy) back to life to create permanently affordable housing for families remains a top priority in Nassau County. Thanks to a successful Community Land Trust partnership with the Long Island Housing Partnership, newly-completed houses across the County are now being sold to homebuyers at affordable price points. The County has also developed a partnership with the Nassau County Land Bank for the disposition of County parcels for similar purposes.

## Zoning

Local Nassau County municipalities (cities, towns, and villages) each have their own unique zoning ordinance with different zoning districts. As a result, there is no uniformity across communities in the definitions of specific zoning terms and districts. For example, a single-family district in one community does not permit accessory housing. A single-family district in another community may permit accessory housing that could be rented to a non-related household, essentially creating a two-family home. While these districts are both single-family districts, the latter provides additional housing opportunities that the former does not.

The following is a listing of Consortium Communities, which identifies whether each local zoning code allows multi-family housing. If the zoning code allows multi-family housing, the list also provides a rough percentage of the land area in the municipality zoned for multi-



family housing. This listing may include areas zoned for mixed-use development such as downtowns, where multi-family housing is among the allowable uses.

**Table 4-11 Zoning to Allow Multi-Family Housing, Nassau County Consortium, 2019**

Community	Zoning Code Allows Multi-Family* (yes/no)	% of Land Area Zoned for Multi-Family*
City of Glen Cove	Yes	20%
City of Long Beach	yes	30%
Town of Hempstead	yes	10%
Town of North Hempstead	yes	20%
Town of Oyster Bay	yes	2%
Bayville	no	0%
Bellerose	yes	10%
Cedarhurst	yes	20%
East Rockaway	yes	33%
Farmingdale	yes	25%
Floral Park	yes	25%
Freeport	yes	20%
Garden City	yes	5%
Great Neck Plaza	yes	85%
Hempstead	yes	30%
Island Park	yes	10%
Lynbrook	yes	10%
Malverne	yes	5%
Manorhaven	yes	15%
Massapequa Park	no	0%
Mineola	yes	18%
New Hyde Park	yes	80%
Rockville Centre	yes	2.5%
Roslyn	yes	15%
Sea Cliff	yes	5-10%
South Floral Park	no	0%
Stewart Manor	no	0%
Valley Stream	yes	5%
Westbury	yes	5%
Williston Park	no	0%

\* May include areas zoned for mixed-use development where multi-family housing is among the allowable uses.

Sources include: Consortium Communities 45<sup>th</sup> Year CDBG Annual Applications to Nassau County; local municipal zoning codes; and local municipal zoning maps.

The County has created a draft model ordinance which has a strong emphasis on affordable housing. When reviewing zoning proposals under the 239-M review process, Nassau County strongly urges municipalities to consider the model zoning ordinance for local applicability.

### Long Island Workforce Housing Act

The supply of permanently restricted affordable rental housing has been increased in Nassau County through the adoption of inclusionary zoning laws such as the Long Island Workforce Housing Act (the "Act"). Pursuant to the Act, developers are required to make 10% of the units affordable in developments of five or more units. Working with developers in Nassau County, the Long Island Housing Partnership (LIHP), a non-profit housing agency, has assisted in the creation of 130 permanently affordable rental units since 2014. Many of the units are located in high opportunity areas. The outlook for continued development of affordable rental units pursuant to the Act is very good with several additional development in the pipeline in high opportunity areas as well as other locations throughout Nassau County. The list below summarizes the affordable rental units developed with LIHP since 2014:

<u>Year of Service</u>	<u>Total Units</u>	<u>Affordable Units</u>	<u>AMI %</u>	<u>Municipality</u>
2014	36	36	80	Village of Mineola
2015	154	16	80	Village of Farmingdale
2016	42	4	50/80	Village of Farmingdale
2016	18	10	50/60/80	Town of North Hempstead
2017	60	6	50/80	Village of Farmingdale
2017	191	20	80/100	Village of Great Neck
2019	192	20	80	Town of North Hempstead
2019	14	2	50/80	Village of Farmingdale
2019	30	3	100	Village of Great Neck
2020	146	13	80	Glen Cove
TOTAL		130		

### Nassau County Human Rights Law

In 2004, Nassau County revised its fair housing legislation making discrimination based on a source of income a violation of the County Fair Housing law.

The Nassau County Human Rights Law (Local Law 9 of 2006) provides for enforcement of fair housing rights and penalties to protect people against human rights violations. Under this Local Law, the Nassau County Human Rights Commission has the power to:

- › Receive and investigate complaints of discrimination.
- › Initiate its investigation of violations of the Local Law.
- › Hold hearings, compel the attendance of witnesses, and take testimony under oath
- › Require the production of evidence.
- › Cooperate with qualified non-profits: make referrals to assist with investigating claims by testing.

The legislation sets up a system to resolve violations and disputes in a fair and timely manner. It includes establishing within the Nassau County Human Rights Commission an administrative law judge capability, which would allow both complainant and commission-initiated complaints to be filed, investigated, and heard before an administrative law judge. It would also allow the Human Rights Commission to encourage conciliation and award attorney fees. The bill has received praise from civil rights and real estate industry leaders.

Before the amendments, when the Human Rights Commission received complaints, the complaints had to be forwarded to the New York State Human Rights Commission for enforcement. This process was delay-ridden and did not adequately protect Nassau County's residents.

As a result of the Nassau County Human Rights Law, Nassau County can now help combat housing discrimination. However, based on the number of complaints they and other agencies receive each year, housing discrimination is still an impediment to Fair and Affordable Housing.

### Implementation Plan for Sustainable Development in New York

The Implementation Plan for Sustainable Development in the New York – Connecticut Metropolitan Region (dated May 30, 2014), was produced through collaborative planning by a partnership of nine cities, two counties, and six regional planning organizations known as the New York – Connecticut Sustainable Communities Consortium. The Partnership for Sustainable Communities, a joint effort of the federal Departments of Housing and Urban Development (HUD), Transportation (DOT) and the Environmental Protection Agency (EPA) funded the preparation of the Plan.

In developing the Plan, the Consortium's agenda focused on creating more sustainable and equitable economic growth through achieving the following: generating jobs and mixed-income housing in downtowns and low-income neighborhoods near commuter railroad stations; improving the regional planning process by better connecting and integrating all factors – economic, environmental, transportation and housing, and promoting fair access to schools, jobs, and healthy communities.

Also included in the Implementation Plan is a Fair Housing and Equity Assessment ("FHEA" or "Assessment"). The Assessment included evaluating the current condition of the region in terms of fair housing and economic equity, and broader trends in housing and economics in the region as an initial step toward determining how to enhance the fair distribution of resources across the population. Key findings from those analyses are described below.

Economic and Demographic Trends – Development patterns in the region were established over an extended period of time as the population grew. For example, the suburbanization of the post-World War 2 period contributed to segregation, and various government programs, including home mortgage insurance and highway building, contributed to this trend. More recently, changes in historical patterns have affected how resources are distributed. In recent decades, median household incomes in the region have declined even as over 1.5 million jobs have been added, resulting in part to a growth in wage inequality and expanded suburban poverty.

Regional Housing Trends – The trends in economics and demographics have had direct impacts on the need for and supply of housing in the region.

- › There have been significant increases in cost and a growing gap between demand and supply. Both trends heavily impact lower-income and minority households.
- › The proportion of households who are cost-burdened has grown substantially, most notably for lower-income households.
- › There has been increased recognition that higher transportation costs combine with housing costs to stress household budgets and that having to commute long distances from affordable homes to employment can be a financial drain.
- › In recent decades, the focus of the region’s new housing development shifted from suburban areas to New York City and from single-family to multi-family units.
- › The lack of suitable land in the suburbs has also forced developers to look to urban areas for locations in which to build new housing.
- › Various projections indicate that the supply of affordable housing units in the region will not be developed fast enough to keep up with the demand, thereby maintaining upward pressure on housing costs.
- › Multi-family housing development has lagged in the suburbs outside of established urban centers.

Patterns of Segregation and Integration – Both historic patterns of segregation and integration and the more recent trends in regional development have contributed to current conditions relative to the distribution of racial and ethnic groups.

- › Clusters of minority populations can be traced both to historical patterns of discrimination and to locational preferences of more recent immigrants.
- › From 1990 to 2010, the region’s white population declined from 59% to 46% of the total, while significant growth occurred in the Hispanic and Asian populations.
- › While the non-white population has grown significantly in the suburban portions of the region, most of this segment continues to live in urban areas. Each major racial and ethnic group has its own distribution pattern within the region.
- › Based on demographic data analysis and the calculation of a Dissimilarity Index, the region exhibited a “high” level of segregation for the distribution of whites and non-whites as a whole. While dissimilarity indexes for most portions of the region have tended to decline moderately over the past 30 years, the region remains more segregated than most other major regions of the country.

Analysis of Impediments – Based on the above, the Plan identified a variety of factors that serve as impediments to achieving fair housing within the region.

- › Local zoning and land-use restrictions limiting construction of multi-family housing
- › Local opposition to housing development
- › Discrimination in renting and sales
- › Discrimination based on the source of income
- › Lack of adequate information for non-English speaking residents

- › Lack of affordable and accessible transportation
- › Subprime lending
- › Gentrification leading to the displacement of lower-income residents
- › Lack of investment in poverty areas

To address the most critical underlying causes of segregation and disparities in access to opportunity, the Advisory Committee promulgated an extensive series of recommendations. These recommendations cover all aspects of the issue, are linked to the various levels of government responsible for its implementation, and to the type of neighborhood in which it would be used. The Plan also noted that additional resources are likely to be required to carry out all of the recommendations. The strategies enumerated were divided into several sections, each of which is summarized below:

1. Strengthening the anti-discrimination investigation and enforcement system – Providing increased funding, expanding investigations and enforcement activities, and adopting legislation to expand the scope of anti-discrimination laws.
2. Enhancing the engagement of low-income people and the underrepresented racial and ethnic minorities in local and regional planning – Providing increased funding for planning agencies to partner with community-based organizations serving low-income populations; enhancing community engagement through the use of best practices.
3. Promote investment in and revitalization of Racially/Ethnicly Concentrated Areas of Poverty (R/ECAPS) and high-priority communities while protecting against displacement. Investing in Equitable TODs (ETOD); expanding rent protections; promoting job opportunities for underserved populations; using local laws and regulations to preserve and expand the housing supply for lower-income residents.
4. Promoting new affordable housing in high opportunity areas – Expansion of affordable housing through state legislation, enforcement, funding, and changes in zoning, including mandatory inclusionary housing; condition state and federal fund distribution on implementation of affordable housing measures.
5. Ensuring that underrepresented racial and ethnic minorities, low-income families, and other protected groups have access to affordable housing in high opportunity areas. Enforcing affirmative marketing and mobility counseling requirements, ensuring that affordable units are available and advertised to all without preference to local residents.
6. Stabilizing housing opportunities for middle and moderate-income families – Eliminating discriminatory lending practices; actions to prevent housing foreclosures.
7. Advancing regional approaches to affordable housing – Bring together disparate entities to coordinate affordable efforts.
8. Ensuring regional infrastructure planning and investments incorporate equity considerations –Improve the effectiveness of transportation networks by coordinating with housing and other plans; reduce fares and otherwise increase transit access to job centers.

## F. Survey Results

### Public Fair Housing Survey

To further promote public engagement in the fair housing planning process, Nassau County undertook a public survey. The survey was created by Nassau County in both English and Spanish. A link was distributed to each consortium member and to public agencies and non-profits to post on their municipal websites, and access to the survey was also announced at the Public Hearing held on January 29, 2020. The survey remained open from December 16, 2019, through February 29, 2020. The public survey received 98 online responses, including 94 in English and 4 in Spanish. The Fair Housing Survey can be found in Appendix H. Below is a summary of the online responses.

- › 62% of people surveyed said they have a good understanding of Fair Housing Laws and policies or practices found in their community with regard to housing.
- › Of the people surveyed that have experienced discrimination in housing, 46% report being discriminated against by a landlord or property manager.
- › Of the people surveyed that have experienced discrimination in housing, 29% report that the act of discrimination occurred in an apartment complex, and 31% report the discrimination occurred in a single-family neighborhood.
- › The most common basis for the discrimination among people surveyed was race, followed by the source of income.
- › Only 11% of respondents reported incidents of discrimination. Of the responders who did not report the incident, 12% did not report the incident because they did not think it would make any difference, 27% did not report the incident because they did not know where to report it, 7% did not report the incident because it was too much trouble, and 9% did not report the incident for fear of retaliation.
- › In order of most to least votes respondents identified the following as barriers they believed to impede building or obtaining affordable housing: Insufficient affordable rental units (55), taxes (46), high construction cost (38), Local perception of affordable housing/NIMBY-ism (35), high cost of land (33), housing approval process (24), lack of sufficient transportation between potential housing and jobs (23), zoning (23), local regulations (17), substandard/housing in need of rehabilitation (17), lack of available land (17).

Other issues respondents identified related to affordable and fair housing in Nassau were; increasing the density of housing, creating more transit-oriented development, lack of available senior housing as a major issue, a need for more accessible housing, rehabilitation of vacant/zombie homes, allowing accessory dwelling units, improved access to transit and other amenities like grocery stores near housing, amending zoning to allow for more multi-family housing, rents are unaffordable at all levels, high taxes, overcrowding is an issue due to lack of affordability, and less luxury units should be developed.

# 5

## Impediments to Fair Housing Choice and Actions to Overcome Impediments

This section identifies impediments to fair housing choice in Nassau County, assesses how the impediments affect fair housing choice, and evaluates meaningful actions that could be taken to overcome these impediments and achieve a positive change to affirmatively further fair housing. Many identified impediments are common throughout Long Island, the New York metropolitan area, and the United States, while some may be specific to Nassau County.

### Impediment #1: Discrimination in the Nassau County Housing Market

Discrimination in the local housing market is a clear impediment to fair housing, which has been documented based on fair housing complaint data, studies, and testing. Discrimination in the Nassau County housing market based on race and ethnicity was extensively investigated and documented in a recent (November 2019) expose by Newsday. Over a three-year period, Newsday tested 93 Long Island real estate agents and analyzed more than 5,700 real estate listings. The investigation found widespread evidence of unequal treatment by real estate agents on Long Island. The complete expose can be found here: <https://projects.newsday.com/long-island/real-estate-agents-investigation/>.

After the Newsday investigation was published, the Long Island Board of Realtors (LIBOR) and the New York State Association of Realtors overhauled their fair-housing classes and programs and brought in new trainers.

In the wake of the Newsday expose, the New York State Board of Real Estate announced new regulations to help combat discriminatory actions and ensure New Yorkers understand their rights. The regulations, which go into effect June 20, 2020, require real estate brokers to provide disclosures to prospective buyers, sellers, renters and landlords about antidiscrimination laws and prominently display information on how to file a complaint with the state. Real estate brokers must retain proof for three years that they provided the disclosures. The regulations also require groups that provide state-mandated fair-housing training to make audio and video recordings of their classes.

A review of complaint data, recent court cases, recent housing studies, and public surveys, as well as interviews and committee input, indicates that there remains overall discrimination in the Nassau County housing market. This discrimination appears to be based primarily on disability, source of income, and race, but other forms of discrimination are also present. Discrimination can occur when renting an apartment or when trying to purchase a single-family home. Discrimination can be obvious or may be more subtle such as real estate agent steering, or even cases where a property owner may not know their obligations to provide reasonable accommodations.

This analysis also examines barriers to housing choice. "Barriers" to housing choice are factors that limit a person's ability to choose from a variety of housing types and may not constitute "housing discrimination." One of the potential barriers to fair housing choice is the lack of language access in the public engagement process for populations with limited English proficiency. The County Executive's new multimedia and multilingual public awareness campaign is key to expanding outreach and increasing awareness of fair housing laws among all communities. Whether it is the LIHS fair housing brochures from the Affirmative Marketing Program or the distribution of flyers on the CDBG dollars for accessibility through home modifications, the marketing methods and target audiences of the content are essential for equal access.

Nassau County has made progress towards increasing integration in the Nassau County Consortium, as evidenced by Census demographic data. Many communities throughout Nassau County have become increasingly diverse, with a greater percentage of Black and Hispanic populations. An examination of population trends suggest that Nassau County is becoming more integrated in communities that have a disproportionately small African-American population, based on the 2000 Census. These communities experienced an increase in the percentage of the total population that is African-American in the 2010 Census and 2018 ACS.

Furthermore, several communities that had a disproportionately large African-American population, based on the 2000 Census, have experienced a reduction in the percentage of the total population that is African American.

Nassau County is not only focused on discrimination based on race and ethnicity but also for all protected classes of the United States Fair Housing Act and the New York Human Rights



Law. This is demonstrated through enforcement of Nassau County's Human Rights Law and through partnerships with Long Island Housing Services.

Efforts towards eliminating fair housing impediments and addressing significant disparities in housing needs are on-going. Fair housing planning is a fluid process that continually informs housing and community development programs and policies. These efforts have resulted in a demonstrated trend towards increasing integrated and inclusive communities in Nassau County. The actions outlined in this section are intended to continue to combat discrimination in the Nassau County housing market and foster inclusiveness in housing and community development.

## **Actions**

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### **Nassau County Action Plan on Housing Discrimination**

- › Deputy County Attorney Errol E. Williams named as Special Housing Counsel to coordinate the County's Action Plan on housing discrimination
- › Request for Proposals (RFP) for legal services to increase enforcement of and compliance with open housing laws
- › Increase staffing for the County Human Rights Commission
- › Addition of Investigator and ALJ
- › Review of existing HRC processes and forms to ensure optimized facilitation of housing complaints and investigations
- › Establish a permanent Nassau County Fair Housing Advisory Board comprised of community stakeholders and advocates tasked with advising and providing the County with recommendations regarding the promotion of fair and equal housing policies
- › Nassau County will initiate a robust educational campaign, including workshops and forums designed to inform people about housing rights and resources available to them. The education campaign will include workshops, spearheaded by the Human Rights Commission and Bishop Lionel Harvey, Deputy Director for Diversity and Community Engagement, together with the Office of Minority Affairs, Office of Hispanic Affairs, and the Office of Asian American Affairs.
- › Nassau County will undertake a multimedia and multilingual public awareness campaign aimed at increasing awareness about the County's commitment to and enforcement of fair housing laws.
- › Nassau County will proactively cooperate with federal and state authorities in any ongoing or future efforts to hold real estate brokers, property management firms, and lenders accountable regarding compliance with open and fair housing laws.
- › Nassau County will engage Nassau Urban County Consortium members, comprised of towns, cities, and villages, to promote fair housing policies at the municipal level.

### **Affirmative Marketing Program**

Nassau County has an affirmative marketing program for housing opportunities funded with OCD grants. Nassau County's Office of Community Development continues to implement various strategies to affirmatively further fair housing. The County continues to require that all HOME Program funding applications include an affirmative fair housing marketing plan

for any housing units that may be developed or rehabilitated. Applicants are required to comply with all fair housing laws. In addition:

- › The fair housing logo is used by the County and all subrecipients in housing advertisements.
- › When Nassau County announces the opening of applications for the First-Time Homebuyer Program, Nassau County OCD will coordinate outreach with Nassau County Offices of Minority Affairs, Hispanic Affairs, and Asian American Affairs.
- › The County will continue to provide homeownership opportunities to income and mortgage eligible households.
- › Organizations developing new housing or redeveloping existing housing are required to develop an Affirmative Fair Housing Marketing Plan. The Affirmative Fair Housing Marketing Plan requires conducting special outreach to segments of the population who are least likely to apply for the proposed affordable housing. Organizations must conduct special outreach to very low and low-income households, especially minorities within those income groups and members of ethnic and racial groups underrepresented in the geographic area surrounding the development.
- › Nassau County disseminates LIHS fair housing brochures in English and Spanish at all public hearings.
- › Nassau County prioritizes applications for HOME Program funding for projects in areas without low and moderate-income minority population concentrations. Nassau County has committed to set aside no less than ¼ of its annual allocation of HOME Program funds for a period of at least three (3) years to subsidize the construction or development of family occupancy affordable, mixed-income rental housing in High Opportunity Communities.
- › Nassau County prioritizes projects preserving affordability and creating a variety of housing options in Nassau County.

The Nassau County Commission on Human Rights also holds annual events, which help raise awareness and promote fair housing. These include the Martin Luther King, Jr. Birthday celebration, which is an essay contest and scholarship luncheon, and the Human Rights Awareness Conference, a one-day long event for high school students. Nassau County continues to enforce and support affirmative marketing and mobility counseling requirements. Also, the County will maintain funding for the County's Affirmative Marketing Program.

### **Other Programs to Combat Discrimination in the Nassau County Housing Market**

As advocates for Fair Housing, Long Island Housing Services ("LIHS") often makes public presentations or staff exhibits to reach and heighten public awareness in a multitude of settings and venues.

Long Island Housing Services ("LIHS") conducts the following fair housing outreach activities aimed at increasing public awareness on equal opportunity housing:

- › Extensive Education and Outreach Initiatives to the real estate, lending, and insurance industries to promote voluntary compliance with the Fair Housing Act, meeting with

- community-based providers, conducting workshops, expanding their market, and assisting low and moderate-income persons in accessing the system.
- › Publication and Distribution of Fair Housing Newsletter and Bilingual Brochures to Nassau County residents, government agencies, and private sector organizations.
  - › Fair Housing Training. LIHS provides and participates in Fair Housing Training for both the private and public sectors, including Nassau County DSS, Long Island Board of Realtors, and lenders.
  - › Conferences. LIHS holds an annual fair housing conference in cooperation with the Long Island Board of Realtors, providing workshops on such topics as equal opportunity in mortgage lending, providing reasonable accommodation to people with disabilities, and tenant, landlord and Realtor rights and responsibilities regarding housing.
  - › Organizations developing affordable housing often work with the Long Island Housing Partnership (“LIHP”) to assist with marketing and outreach and to provide housing counseling. LIHP is a qualified Community Housing Development Organization (“CHDO”). LIHP focuses on providing moderate-income families with affordable homes on Long Island. From 2015 through 2019, LIHP held the following fair housing conferences, which were well attended by many consortium communities as a result of Nassau County’s outreach efforts:
    1. *What We All Need to Know About Fair Housing, 1/20/2015* - LIHP with the Long Island Board of REALTORS® at Farmingdale State College, ½ day
    2. *Planning and Zoning for Fair and Accessible Housing, 10/16/15* - LIHP with Touro Law Center (approved for CLE and Planning continuing ed. credits), full day
    3. *Professional Development Training in Fair and Affordable Housing, Land Use, and Zoning, 6/3/16* – LIHP with St. Joseph’s College, ¾ day
    4. *Fair Housing Rights for People with Psychiatric Disabilities, 10/7/16* – LIHP with Molloy College and Fordham University Schools of Social Work (approved for Social Work continuing educ. credits), ½ day
    5. *Fair Housing Issues Affecting the LGBT Community, 2/3/17* – LIHP with Touro Law Center (approved for CLE credits), ½ day
    6. *Fair Housing Training for Property Managers, Landlords, Developers, Realtors, and Lenders, 10/17/18* – LIHP with experts from the U.S. Department of Justice, U. S. Department of Housing and Urban Development, and the New York State Division of Human Rights, ½ day
    7. *Fair Housing is a Human Right, 4/3/19* –LIHP co-sponsored with the NYS Division of Human Rights, St. Joseph’s College, and Long Island Housing Services, ½ day
  - › Nassau County will maintain and enhance partnerships with Long Island Housing Services and Long Island Housing Partnership and their existing programs.

### **Fair Housing Legislation**

The County continues to actively educate communities and community groups about the 2006 Nassau County Fair Housing legislation. The Nassau County Office of Community Development (NC OCD) continues to outreach to consortium member municipalities

through countywide meetings and public hearings as well as consortium meetings. Nassau County continues to conduct mandatory training sessions for consortium members, which include guidance regarding zoning issues and detailed instruction in the obligations of consortium communities to affirmatively further fair housing. Similar training, whether organized by OCD or other housing organizations, will continue to be offered to consortium communities with specific discussions relative to zoning, land use policy, and practices and methods to achieve integrated housing. Attendance at such training will be included as a review factor in funding decisions made by the County under the CDBG and HOME Programs.

Nassau County continues to advocate to expand affordable housing through state legislation and enforcement. The County will continue to fund and assist communities with including mandatory inclusionary housing laws in their local laws.

### Fair Housing Counseling and Enforcement

Nassau County's Office of Community Development (OCD) has been providing annual grant funds to Long Island Housing Services for its fair housing activities for many years. Since 2016, OCD has funded LIHS with \$485,000 in CDBG grant funding for Fair Housing Enforcement activities. This CDBG funded public service grant enables LIHS to compete for and receive HUD Fair Housing Organizations Initiative (FHOI) and HUD Private Enforcement Initiative (PEI) funding.

Nassau County OCD also funds Hispanic Brotherhood, Inc., a HUD Certified Housing Counseling Agency, who provides fair housing counseling to low/income residents, many of whom do not speak English. Services include foreclosure intervention services, training regarding tenants' rights, financial education workshops, information/referrals to other agencies, accompaniment to court appearances, and fair housing advocacy

Long Island Housing Services serves both Nassau and Suffolk Counties, with its principal offices located in Bohemia, in Suffolk County. Staff provides direct services, including landlord/tenant counseling, education and outreach, mortgage default counseling, reverse mortgage counseling, and pre/post home purchase counseling.

**Table 5-1 Funding Provided to Long Island Housing Services, 2016-2019**

Year	Nassau CDBG	HUD Fair Housing Organizations Initiative (FHOI)	HUD Education and Outreach Initiative (EOI)	HUD Private Enforcement Initiative (PEI)	Total
2016	\$120,000	\$197,656	0	\$331,969	\$649,625
2017	\$100,000	\$104,288	0	\$310,418	\$514,706
2018	\$125,000	0	0	\$289,361	\$414,361
2019	\$140,000	0	\$60,720	\$279,575	\$480,295
<b>Totals</b>	<b>\$485,000</b>	<b>\$301,944</b>	<b>\$60,720</b>	<b>\$1,211,323</b>	<b>\$2,058,987</b>

Nassau County Office of Community Development continues to implement various strategies to affirmatively further fair housing. The County continues to:

- › Provide all applicants with information regarding the County's affirmative marketing policy and fair housing laws.
- › The fair housing logo is used by the County and all subrecipients in housing advertisements.
- › Develop and implement outreach programs for people interested in homeownership opportunities
- › Provide homeownership opportunities to eligible applicants in the areas of their choice.

The County Office of Community Development and several of the Nassau County Consortium members are actively carrying out housing activities involving the new construction or substantial rehabilitation of first-time buyer and rental housing. The affirmative marketing of units is carried out for each project to ensure that fair housing requirements are met. Applicants for housing are solicited through various forms of media – newspaper advertisements, radio announcements, and posted notices – to reach prospective applicants that might need affordable housing.

Working in conjunction with Long Island Housing Services (LIHS), the County continues to implement various strategies to affirmatively further fair housing. Nassau OCD has been providing annual grant funds to Long Island Housing Services for its fair housing activities. LIHS also receives fair housing as well as housing counseling funds directly from HUD. LIHS has provided fair housing enforcement, training, and advocacy for the Long Island community.

LIHS provides comprehensive counseling and other advocacy, including mediation and necessary referrals to low and moderate-income residents who are experiencing housing difficulties, including potential or current homelessness, foreclosure, housing discrimination, and difficulty finding permanent housing in Nassau County. LIHS operates a HUD-certified Housing Counseling Program which provides the following housing services that specifically relate to housing discrimination:

- › Fair Housing Counseling. Before the housing search, LIHS provides counseling to families to prevent discrimination in renting, purchasing, or in their dealings with Realtors and insurance agents.
- › Pre-Purchase Counseling. LIHS provides services including budget and debt analysis, mortgage alternatives, and pre-qualification for loans available in the market, where to find information about neighborhood profiles, i.e., schools, services, civic associations, and other organizations.
- › Counseling to Homeowners with Mortgages in Arrears. Services to households in danger of foreclosure, or who need advice about forbearance plans, HUD assignments plans, or general budget analysis.
- › Pre-rental Counseling. How to look for apartments, rights, and responsibilities with leases, security, and housing inspections.
- › Landlord/Tenant Rights and Responsibilities. This includes counseling both landlord and tenant about rent payment, rent increases, services, and eviction.

- › Fair Housing Program and Activities. LIHS conducts the following activities aimed at increasing public awareness on equal opportunity housing:
- › Extensive Education and Outreach Initiatives to the real estate, lending, and insurance industries to promote voluntary compliance with the Fair Housing Act, meeting with community-based providers, conducting workshops, expanding their market, and assisting low and moderate-income persons in accessing the system.
- › Publication and Distribution of Fair Housing Newsletter and Bilingual Brochures to Nassau County residents, government agencies, and private sector organizations.
- › Fair Housing Training. LIHS provides and participates in Fair Housing Training for both the private and public sectors, including Nassau County DSS, Long Island Board of Realtors, and lenders.
- › Conferences. LIHS holds an annual fair housing conference in cooperation with the Long Island Board of Realtors, providing workshops on such topics as equal opportunity in mortgage lending, providing reasonable accommodation to people with disabilities, and tenant, landlord and Realtor rights and responsibilities regarding housing.
- › Real estate testing programs, whether conducted through a local program or as part of a nationwide testing program, should continue in Nassau County.

Fair housing complaints come from all sections of the population on Long Island. Tracking and identifying patterns of fair housing filings and decisions both geographically and by protected class in the County provides an opportunity for fair housing counseling providers to plan additional outreach to geographic areas and protected classes with higher than average fair housing complaints. Such tracking of filings and decisions could also form a base of data that fair housing counselors could use during community outreach and education efforts.

The collection and analysis of this data also provide LIHS and Nassau County OCD with a complete overview of the extent and management of unlawful discrimination as an impediment to fair housing in Nassau County.

Nassau County will continue to maintain and enhance partnerships with Long Island Housing Services and Long Island Housing Partnership and their existing programs. The County will continue its counseling and enforcement programs.

### **Home Ownership Programs**

Nassau County increases fair housing choice by providing HOME Investment Partnerships Program for downpayment assistance grants administered by the Long Island Housing Partnership (LIHP) for first-time homebuyers, employer-assisted housing, and downpayment assistance. This program requires completion of a pre-purchase counseling course conducted by a HUD-certified housing counseling agency. The program requires and assists a prospective homeowner in securing a conventional loan. The financing is reviewed by LIHP housing counselors before purchase.

The First-Time Homebuyer program does not have a local preference to apply for the program. Income eligible program participants (“Homebuyer Participant”) receive a forgivable loan for downpayment assistance ranging from \$15,000 to \$25,000 per

household. The program provides housing choice as a Homebuyer Participant can purchase a home anywhere in Nassau County.

One of Nassau's primary objectives with the downpayment assistance program is to increase minority homeownership in Nassau County. Homeownership is the desired goal for many reasons, and this program helps to make that goal more achievable. According to a study published by the Center for Housing Policy, "stable, affordable housing may contribute to children's educational achievement by reducing the frequency of unwanted moves that lead children to change schools." Habitat for Humanity has noted that "homeowners can also generate substantial equity by making mortgage payments on their home. This equity can be used to make home repairs or additions, to fund a college education, or to start a new business." This equity also provides more opportunities for housing choice as homebuyers can take earned equity with them should they decide to purchase homes in other neighborhoods. LIHP, along with Nassau County, has been affirmatively marketing this program to increase minority homeownership.

As evidenced by the racial distribution of homebuyers who have benefitted from the First Time Homebuyer Down Payment Assistance Program, the efforts of the LIHP and Nassau County to affirmatively market this program have been very successful. Black participants have taken advantage of the program in much greater percentages than their representation in the population as a whole. From 2014 to the present, Nassau County first time Homebuyer Participants purchased homes in fifty-seven (57) different communities, demonstrating the high degree of housing choice. Black Homebuyer Participants purchased homes in thirty-two (32) different Nassau County communities

Nassau County will continue to maintain and enhance partnerships with the Long Island Housing Partnership and its existing homeownership programs. The County will continue to fund through the HOME Investment Partnerships Program down payment assistance programs to increase homeownership opportunities for moderate-income households.

### **Other Actions**

Specific actions to be taken over the next five (5) year period to combat discrimination in housing include the following:

- › Work with and support fair housing advocates, such as LIHS, and others to educate the public, Town officials, building owners, landlords, real estate agents, lenders, and others about fair housing, its benefit to the community, and legal requirements and responsibilities.
- › Improve coordination between Long Island Housing Services and Section 8 Program Managers
- › Develop a fact sheet for tenants listing what brokers and landlords can and cannot do under the fair housing laws.
- › Education on and enforcement of Emergency Tenant Protection Act (ETPA) so the public knows what ETPA means and which communities have adopted ETPA. Nassau County municipalities with ETPA currently include the cities of Glen Cove and Long Beach, the Town of North Hempstead, and the Villages of Baxter Estates, Cedarhurst, Floral Park,

Flower Hill, Freeport, Great Neck, Great Neck Plaza, Hempstead, Lynbrook, Mineola, Rockville Centre, Russel Gardens, and Thomaston.

- › Continue to provide clear, concise information for tenants, landlords, and municipalities.
- › Provide assistance and support to improve systems for pursuing complaints.
- › Legislative advocacy at both the State and Federal levels to encourage more expeditious investigations and hearings for Fair Housing complaints;



## Impediment # 2: Lending Policies, Practices, and Disparities

Homeownership rates are important to a community's financial well-being. Prospective homebuyers must have access to mortgage credit and to programs that offer homeownership without regard to race, gender, national origin, religion, ability or disability, familial status, or national origin.

Access to mortgage credit enables families to own their homes, and access to home improvement loans and refinancing allows them to keep their homes in good condition. All of this helps keep neighborhoods attractive and residents vested in their communities.

Inadequate lending performance results in various long-term and far-ranging community problems, and, of these, disinvestment is probably the most devastating. The disinvestment in a neighborhood by its lenders reduces housing financing options for borrowers and weakens competition in the mortgage market for low and moderate-income neighborhoods.

High mortgage costs, less favorable mortgage loan terms, deteriorating neighborhoods, reduced opportunities for homeownership, reduced opportunities for home improvement, and the lack of affordable housing are only a few of the consequences of inadequate lending performance. Economic decline in the business sector, as well as in the private sector, is also a result of disinvestments in the form of business relocation, closure, and bankruptcy. Full-service local lenders that have traditionally served residents and businesses are one of the main elements that keep neighborhoods stable.

The Community Reinvestment Act is a process the County could actively pursue with local financial institutions who are looking to invest in the community but do not know where to start. Non-profits are currently doing much of the work surrounding the education of predatory lending practices and providing first-time homebuyer services, which would benefit from support from the County.

Another issue faced by communities in Nassau County is when mortgage foreclosure companies allow vacant and abandoned properties to sit for a long time, and the process of selling the home does not go quickly. This contributes to problems with zombie housing addressed in Impediment #7. In addition to this, servicers of REO properties are making money even if they are not actively working to maintain or sell the home. A lawsuit brought by the National Fair Housing Alliance against Fannie Mae in August 2019 addressed this issue and found fault with Fannie Mae, an REO servicer.

Education on lending practices could be improved in the County. Many seniors in the County are currently facing problems with reverse mortgages, the cost of taxes, and property maintenance. Continued education for homeowners about property tax exemptions they may be entitled to apply for would make taxes more affordable. This may ensure that a homeowner does not end up in debt or have trouble finding future housing, which is paramount when looking at the aging trend of Nassau County residents.

## Actions

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- › Provide and market Housing Mortgage Counseling programs for homeowners before and after they buy a home to help inform them about options and pitfalls;
- › Funding for LIHS – conduct real estate/lending testing programs and other housing counseling services;
- › Work to combat predatory lending through:
  - Consumer Education: raise awareness and educate the most vulnerable consumers, so they know how to identify predatory lending practices and how to avoid them
  - Bank Participation: increase the availability of traditional loans within minority neighborhoods and support and promote alternative loan programs designed to help at-risk borrowers and uneducated consumers.
  - Regulation and Legislation: encourage consumers to report predatory lending practices so State and federal regulations can be enforced.
- › Provide information to seniors regarding HUD's new affordability regulations on reverse mortgages.
- › Neighborhood Revitalization Program (LIHP and SONYMA) – program to help home buyers purchase and renovate vacant houses.

### Impediment #3: High Cost of Housing

Components of the high cost of housing include the high cost of land, low availability of vacant land, and the high cost of construction in Nassau County.

The 2010 Nassau County Comprehensive Plan documents the lack of vacant land in the County. Most land in Nassau County is developed and occupied. A limited supply of land and high demand results in higher land costs, particularly for undeveloped land and in high opportunity areas. The purchase price for a parcel of land is often so expensive that it is an impediment to the development of affordable housing.

Non-profit organizations typically search for ways to secure parcels of land through non-conventional sources, such as surplus land donations made by municipalities, the county, and/or the state which is extremely limited.

The limited amount of undeveloped land restricts the construction of new, affordable and mixed income rental units and affordable homeownership housing. This scarcity of land results in the construction of new units on in-fill sites or properties assembled through urban renewal and redevelopment. While this is often advantageous to help stabilize or revitalize some communities, the acquisition and assembly of sites is costly and the lot sizes are often small, limiting the number of units that can be developed, thus reducing the economies of scale. Redevelopment projects are often in low and moderate income communities.

The lack of available developable land drives up land costs. The high cost of land limits the number of affordable housing and mixed-income projects that Nassau County can subsidize.

Also, some projects are unable to obtain sufficient funding to allow a project to come to realization because the funding is so limited. Even with public and private investments, land and construction costs exceed available finances for a project. As a consequence, it is harder to create new affordable housing projects that serve populations that fall within one or more than one of the Fair Housing Act's protected classes.

Lack of vacant land and high cost of land typically impacts the protected classes of race, color, gender, familial status, and disability because these classes tend to be associated with lower income or lower household income per person than the other protected classes.

Another component of the high cost of housing in Nassau County is the high cost of construction. Nassau County, as a whole, has been designated a high construction cost area by HUD. Factors that contribute to the high cost of housing and/or land include lack of suitable undeveloped land, high land and construction costs, high property tax burden (especially on low and moderate-income households), and high homeownership and rental costs.

Developers interested in creating more affordable housing find it difficult to obtain a PILOT in Nassau County. The process of obtaining a PILOT is not standardized, and very little intergovernmental coordination exists. Smaller developers can have a more difficult time securing a PILOT. In addition, tax abatements are not uniformly applied for. Developers and other relevant parties need more education and technical assistance related to applying for tax abatements. Challenges to assessments are also filed for unevenly. Additionally, rent stabilization is not adequately monitored, and there may be an abuse of the process.

## Actions

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- › Encourage mixed-use and mixed-income housing;
- › Encourage redevelopment of obsolete commercial and industrial space into housing;
- › Reintroduce housing in downtown business districts near public transit;
- › Encourage and educate municipalities to zone for affordable housing through density bonuses;
- › Encourage and educate municipalities and developers on how to best use CDBG and HOME funds for affordable housing projects in HOAS;
- › Support applications for Federal and State housing assistance and assist in financing low/moderate-income and mixed income housing projects;
- › Encourage the reuse of County-owned real estate to guide development initiatives;
- › Assist in the financing of affordable and homelessness housing projects, and increase the supply of affordable rental units including;
- › Use/re-use land for Brownfield remediation, under-developed, under-utilized, and in-fill sites for the construction of affordable housing;
- › Explore coordination with rent control boards regarding rent stabilization law.
- › Prioritize affordable housing projects in areas identified as High Opportunity Areas;
- › Prioritize affordable housing projects serving populations identified as having a high cost burden, including very low and low income families, elderly, physically disabled, and the growing disabled population with non-physical disabilities; and
- › Set aside HUD funds specifically for affordable housing allocation.

## Impediment #4: Community Planning and Zoning Decisions That Impede Affordable Housing

New York State is a “home rule state,” delegating authority over land use directly to local towns, cities, and villages. In Nassau County, there are 69 separate local municipalities governing land use within their towns (unincorporated areas), villages, or cities. Applications for a change of zone, a special use permit, or for a variance require approvals at a local level. Each municipality establishes its own area regulations, procedures for approvals, and reviews.

Nassau County has no legal authority to amend the zoning laws or to alter the local public policy of Consortium Members. The County has taken several steps to encourage Consortium Members to allow multi-family housing and to affirmatively further fair housing. The County has been hosting workshops and consortium meetings on the subject of fair housing. County staff has been holding individual meetings with Consortium Members to discuss the use of CDBG and HOME funds to assist with the development of multi-family housing. These efforts have demonstrated positive conclusions regarding affordable and fair housing.

Among other things, Nassau County residents are concerned about traffic congestion, high taxes, environmental issues, and water quality impacting their quality of life. New housing development often raises concerns about the impact on both traffic and school taxes. Multifamily housing is often perceived as having a more severe impact on a community in terms of creating additional traffic and adding more children to the school district.

### Actions

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- › Prioritize funding for affordable housing projects that do not restrict affordable units based on local residency requirements and discourage affordable housing local residency requirements;
- › Coordinate with Nassau County Planning Commission in the local zoning process (review of local zoning actions referred by local governments);
- › Encourage municipalities to incorporate fair housing measures in local ordinances;
- › Host workshops with communities throughout Nassau County to discuss compliance with Fair Housing responsibilities as a determining factor for discretionary funding eligibility; Host workshops and consortium meetings on the subject of fair housing;
- › Assess local zoning ordinances to determine whether the zoning code provides options for multi-family housing development and uses other techniques to achieve affordable and inclusionary multi-family housing;
- › Encourage Consortium members to allow multi-family housing and to adopt inclusionary housing regulations;
- › Hold individual meetings with consortium members to discuss the use of CDBG and HOME funds to assist with the development of multi-family housing;
- › Incentivize municipalities to encourage multifamily housing and greater residential density in high opportunity areas.;
- › Work closely with public housing authorities to rehabilitate and expand housing opportunities for income-eligible families;

- › Educate the public about the benefits of the economic integration of affordable housing;
- › Continue to support the first-time homebuyer down payment assistance program;
- › Assess local zoning ordinances to determine whether the zoning code provides options for multi-family housing development and utilizes other techniques to achieve affordable and inclusionary multi-family housing;
- › Encourage compliance with NYS Workforce Housing Act;
- › Incentivize municipalities to encourage multi-family housing and greater residential density in high opportunity areas;
- › Encourage the development of more family housing (2 – 4 bedroom units).
- › Distribute and educate relevant parties on affirmative marketing guidelines. Market the guidelines to people least likely to apply. Develop a toolkit to help all interested parties.
- › Collaborate with the IDA to increase developer awareness of the availability of HOME Program resources and encourage IDA to encourage/approve plans that AFFH;
- › Discourage affordable housing residency requirements;
- › Educate school districts to avoid misconceptions that may hinder the affordable housing development process;
- › Clarify, coordinate and streamline the SEQR process through the zoning process (look to Baldwin as an example); and
- › Educate and advocate for fiscally sound PILOTs that result in the development of affordable housing.
- › Need more resources for broader ability to investigate issues;

## Impediment #5: Limited Availability of Funds

There is strong competition for available, affordable housing funds. County CDBG and HOME funds are limited, and there are often more requests for funding than monies available. Other federal and state funds are limited, including the Emergency Solutions Grants (ESG) program that funds homelessness programs. Not-for-profit and for-profit developers seeking to build affordable housing are all competing for the same limited pool of funds.

Further, Nassau has received few applications to build affordable housing in areas without low- and moderate-income minority population concentrations, and when it has received eligible applications, the funding has been approved. The amount of HUD Program funds that Nassau can use to subsidize the building of affordable housing is limited by HUD. The current limit on the amount of the subsidy that can be provided is set forth by HUD under 24 CFR § 92.250. The subsidy required to build affordable housing in areas without low- and moderate-income minority population concentrations frequently exceeds the statutory amount that HUD allows. That being stated, Nassau County continues to strive to identify opportunities to support affordable housing development in high opportunity areas.

The County encourages the development of projects that leverage a wide variety of funds, including other federal and state grant programs, such as low-income housing tax credits and tax-exempt bonds, as an action to addressing inconsistent funding and current funding levels. Nonprofit service providers may also apply to foundations and other non-governmental sources for project funding.

### Actions

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- › Encourage the use of CDBG and HOME dollars for affordable housing purposes;
- › Set aside HUD funds specifically for affordable housing purposes;
- › Undertake the goals of housing units rehabilitated, retained, and units created by these programs;
- › Work to increase the number of emergency, transitional, and permanent housing units through housing support services and homelessness prevention programs;
- › Continue to fund Long Island Housing Services to Provide Fair Housing Services including Mortgage Counseling, Landlord Tenant Mediation, and Discrimination Testing;
- › Continue to use both public and private funds to carry out activities outlined in the County's Consolidated Plan;
- › Encourage the development of projects that leverage a variety of funding sources including private, public and not-for-profit; and
- › Continue to fund projects that leverage foundation and other non-governmental sources for project funding.
- › Continue to fund projects that use Low Income Housing Tax Credits (LIHTC)

## Impediment #6: Limited Non-Profit Capacity

Typically, not-for-profits are active in the creation of new, affordable housing. Furthermore, a majority of the not-for-profits' clientele falls within one or more than one protected class established in the Fair Housing Act. However, several Nassau County not-for-profits do not have the staff, financial or technical resources to undertake numerous projects; they are often run by volunteer boards or one hired staff person. Many of the different funding sources that support not-for-profit programs do not fund current staff salaries or the hiring of additional staff to handle the technical or administrative work associated with not-for-profit programs.

In addition, the amount of funding available has decreased, which limits the financial resources available to the not-for-profits. With such scarce resources, these organizations are often limited in what they can accomplish and the number of people they can serve. The not-for-profits have, however, worked closely with Nassau County in its adoption of fair housing legislation.

### Actions

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- › Encourage the development of projects that leverage a variety of funding sources, including private, public, and other non-profits. Encourage the utilization of foundations and other nongovernmental sources for project funding;
- › Assist local community-based non-profit organizations in the CHDO qualification process and prioritize the funding of applications received from CHDOs for approval;
- › Use the HUD Exchange website for training, webinars, current HUD news, and notices;
- › Continued partnership with the National Development Council for technical assistance including direct project-related financing assistance, underwriting review, and training programs; and
- › Continued collaboration with the Long Island Housing Partnership for technical assistance, including educational seminars, accessing financing, grant assistance, administration, development/municipal approval, and marketing/advising/pre-screening.



## Impediment #7: Abandoned/Deteriorating Housing

Older, deteriorated neighborhoods are generally more affordable because homes in these areas tend to have a lower market value than newer, well-maintained homes. Often, older housing stock does not attract families with the greater economic means necessary to maintain or upgrade homes. These neighborhoods generally suffer in appearance and do not have the physical amenities of newer neighborhoods that make it easier for disabled and senior residents to access services. The Uniondale Community Land Trust (U-CLT) is a local non-profit organization and approved Community Housing Development Organization (CHDO) under the County's HOME Program. U-CLT focuses on addressing the "zombie homes" blight in and around the hamlet of Uniondale in the Town of Hempstead. The County OCD awarded the U-CLT HOME CHDO Set-Aside funding to assist with the rehabilitation of a single-family house that U-CLT will sell to an income-eligible buyer. The property will remain in the land trust to ensure its long-term affordability. The County seeks to encourage such grassroots, community-based initiatives and expects to support such organizations in the future.

Efforts by the County and Consortium Members to educate the public about the Americans with Disabilities Act accessibility requirements, accessibility, and visitability issues need to increase. This way, individuals and organizations that remodel, rehabilitate, or commence any construction will plan for the reduction of physical obstacles for senior citizens, the physically challenged, and others. The goal would be that all new and updated housing stock in Nassau County would be universally accessible.

Though Superstorm Sandy was several years ago, many communities are still dealing with the impacts Sandy had on housing in the area. One initiative that Nassau County is undertaking to address the problem of blighted, vacant, and abandoned properties (aka "zombie" homes), is the Nassau County Land Bank. Nassau County approved the establishment of the Land Bank primarily to buy, restore, and market abandoned properties. The County Office of Community Development, through its HOME Program, is working with the Long Island Housing Partnership's Community Land Trust to replace homes severely damaged by Superstorm Sandy. These homes, located in various communities on the south shore, are to be replaced by raised homes that will be sold to income-eligible homebuyers at affordable prices. The LIHP Community Land Trust acquired the houses from the New York Rising Program. As of April 2020, the sale of two such homes had been completed, and another ten were in various stages of development.

Furthermore, Nassau County's residential rehabilitation program addresses the aging and deteriorating housing stock throughout the Consortium. This is accomplished by installing, among other things, new roofs, windows, siding, and doors. These improvements not only address health and safety measures, energy efficiency and lead hazards but also enhance the look of the neighborhood.

Other problems faced in Nassau County include the process of turning over a reverse mortgage when someone dies and problems with fraud when rehabilitating homes.

## Actions

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- › Continue to revitalize and repair older structures;
- › Continue to demolish buildings to eliminate blight;
- › Continue to rehabilitate homes to sell to income-eligible homeowners;
- › Nassau County Office of Real Estate will identify County-owned parcels that are deteriorating to be sold and developed as multi-family housing and scattered site single family homes;
- › Support local code enforcement; and
- › Provide CDBG funds for code enforcement to municipalities who may require additional code enforcement officers and/or training.

## Impediment #8: Employment/Housing/Transportation Linkage

Transportation links are an essential component of successful fair housing. People who do not have access to commercial areas or employment centers are limited in where they can seek employment or shop for goods and services. At the same time, people with limited transportation options (i.e., households without a car) will likely choose communities well-served by public transportation. In this way, inadequate transportation routes limit the selection of housing to neighborhoods within transportation service areas.

Improved access to public transportation is often cited as a priority need, particularly for special populations, such as the elderly, the physically challenged, and youth. It is essential to connect these populations, in addition to low and moderate-income communities with jobs, health care, and support services. Public transportation is also an economic development factor, particularly in job creation for low and moderate-income workers.

Certain areas of Nassau County have good public transportation access, particularly in the Town of Hempstead, which is served by multiple branches of the LIRR and supplemental bus service radiating from town centers. However, public transit access becomes more of a problem in the northern suburbs in the Town of North Hempstead and Oyster Bay, each served by only a single LIRR branch and comparably little bus service. Additionally, for Nassau County as a whole, bus service is more limited in providing east-west access, particularly in Oyster Bay and to and from the Nassau Hub, a major economic center of the County.

For people who rely on their vehicles for transportation, convenient roads in good repair are just as important as public transportation. Road improvements are often needed in the low and moderate-income areas to address safety issues and to help facilitate affordable housing and economic development projects.

The County has created a model zoning ordinance to encourage municipalities to incorporate transit-oriented development in their zoning ordinances. The Model Zoning Ordinance is included in Appendix P.

### Actions

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- › Provide services for first-time homebuyers through the Employer Assisted Housing Program;
- › Use HOME funding for LIHP and/or similar non-profits, up to \$500,000 to continue providing services for first-time homebuyers generally and through the Employer Assisted Housing Program;
- › Create mixed-use developments that allow for more vibrant communities;
- › Create economic development opportunities by increasing density and allowing for land to be redeveloped for higher uses;
- › Provide opportunities to create a variety of housing types while also providing neighborhood retail and services to reinforce community;
- › Enhance overall economic activity in the area by integrating more dense developments into existing neighborhoods;

- › Create higher density associated with transit-oriented development that discourages sprawl;
- › Reduce parking requirements as employees have the opportunity to walk to work or take mass transit. Take advantage of differing peak parking demands for different uses inherent in mixed-use development;
- › Allow the county's tax base to grow more rapidly while maximizing the use of existing infrastructure; and
- › Encourage large employers to create Employer Assisted Housing Programs to attract and retain workers.

## Impediment #9: Insufficient Understanding of “Reasonable Accommodations” and ADA Compliance

Of the protected classes, disabled persons, in particular, need specialized housing to ensure that they have access to their dwelling unit and can navigate their unit once inside. The lack of understanding by landlords, property owners, and individuals of the specialized needs of disabled persons and how to fulfill those needs is one of the most common impediments to providing fair housing for disabled persons. Although there are several programs geared to persons with disabilities within Nassau County, deficiencies remain, especially as they relate to reasonable accommodations and Americans with Disabilities Act (ADA) compliance.

Not only is it important to provide for reasonable accommodations in the housing market, but also in and around the neighborhood. People with disabilities require access to community assets. Nassau County is addressing this with its focus on “Complete Streets” principles. This Legislation supports roadway design features that “accommodate and facilitate convenient access and mobility by all users, including current and projected users, particularly pedestrians, bicyclists and individuals of all ages and abilities”.<sup>17</sup>

### Actions

- › Promote efforts to share information related to compliance with the Fair Housing Act and the Americans with Disabilities Act (ADA) with businesses, developers, property owners, and the local media through the distribution of educational materials and training opportunities.
- › Identify emergency shelters in Nassau County who may require technical assistance in understanding reasonable accommodations as well as providing CDBG funding to incorporate and construct handicapped accessibility components to the facilities;
- › Advocate for the rights of disabled residents and to educate entities regarding their obligations to provide reasonable accommodations in the housing market;
- › Prioritize CDBG residential rehabilitation projects that call for handicapped accessibility improvements;
- › Provide information to the elderly and physically challenged regarding the use of CDBG dollars for home modification purposes;
- › Work with fair housing advocates to educate the public, local building and code enforcement officials, building owners, landlords, real estate agents, lenders, and others about fair housing;
- › Share and disseminate information related to compliance with the Fair Housing Act and the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973;
- › Promote visitability for all development projects the County funds;
- › Require shelters make modifications for accessibility;
- › Create Golden Age Zones where accessibility and visitability are priorities;
- › Educate municipalities and encourage them to modify codes to address accessibility;

<sup>17</sup> Nassau County Complete Streets Legislation

- › Motels used as emergency housing should be a backup. If they are receiving public funding, they are obligated to become compliant and made accessible; and
- › Clarify the difference between reasonable accommodations and reasonable modifications.

# 6

## Monitoring Plan

Nassau County will continue to provide documentation on the actions it has taken to reduce the impediments to fair housing. The County will provide this information in the annual Consolidated Action Plan Evaluation Report (CAPER) submitted to HUD. The CAPER will be made available to all and interested citizens will be provided with an opportunity to comment on the County's performance before the document is submitted to HUD.

In conjunction with its Consolidated Plan, the County will review the Analysis of Impediments and conduct a review of policies, practices, and procedures that affect the location, availability, and accessibility of housing. As necessary, the County will revise the specific action steps and implementation activities to ensure a proactive, strategic plan to remove the impediments to fair housing in Nassau County.

Community Development Block Grant Subrecipients are responsible for planning and carrying out projects in accordance with the rules and regulations of federal law as specified in their contract with Nassau County. The Office of Community Development (OCD) staff has the responsibility to ensure that subrecipients are carrying out their projects following these applicable laws, regulations, and performance measures. Emphasis is placed on programmatic on-site and desk monitoring for all consortium members and subrecipients undertaking eligible CDBG projects. Each program year, funded activities will undergo risk analysis and monitoring determination.

For Nassau County OCD to comply with its monitoring responsibilities of subrecipient projects funded under Title I of the Housing and Community Development Act of 1974, as amended, the OCD staff will use the following Monitoring Plan.

## CDBG Monitoring

### Monitoring Objectives

Monitoring Plan objectives are to ensure that subrecipients:

- › Comply with all regulations governing their administrative, financial, and programmatic operations,
- › Achieve their performance objectives within schedule and budget.
- › Carryout their CDBG project as described in their contract and have kept organized documentation to support all actions and national objective compliance.
- › Charge costs to the program or project that is eligible under the CDBG program.
- › Conduct the program in a manner that minimizes the opportunity for fraud, waste, and mismanagement.
- › Have a continuing capacity to carry out the approved program or project.

Nassau County OCD will perform the statutorily mandated responsibility to review Subrecipient performance as cited in the CDBG regulations at 24 CFR 570.501 (b):

*The recipient is responsible for ensuring that CDBG funds are used in accordance with all program requirements. The use of designated public agencies, subrecipients, or contractors does not relieve the recipient of this responsibility. The recipient is also responsible for determining the adequacy of the performance under subrecipient agreements and procurement contracts and for taking appropriate action when performance problems arise, such as the actions described in §570.910.*

Subpart J of 24 CFR Part 85 "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments" is more explicit about monitoring Subrecipients:

*Grantees are responsible for managing the day-to-day operations of grant and subgrant supported activities. Grantees must monitor...subgrant supported activities to assure compliance with applicable Federal requirements and performance goals are being achieved. Grantee monitoring must cover each program, function, or activity.*



## Monitoring Guidelines

To achieve the monitoring objectives, Nassau County OCD staff maintains frequent contact with subrecipients. In addition to monitoring, consortium meetings are held on an as-needed basis to cover any new administrative, financial, and programmatic requirements. Furthermore, one-on-one meetings are periodically scheduled with each consortium member in accordance with need.

Each program year projects are selected for on-site monitoring visits. The Deputy Director and Community Development Representative for each consortium member and subrecipient meet to determine which projects will be monitored.

Records of monitoring will be maintained at the Nassau County Office of Community Development on a program year basis.

## Monitoring Policies

1. The tone of the monitoring should be positive about maintaining effective partnerships.
2. The monitoring system is not designed as a means of levying sanctions on grant subrecipients, but rather to identify findings and concerns and then to assist the subrecipient in solving the problem and completing the project following all program requirements. If the problem cannot be resolved and there are disallowed costs, funds will need to be repaid to the County.
3. Establish a Monitoring File on a program year basis.
4. More thorough team monitoring may be conducted for larger communities and/or if past problems warrant it. A monitoring team may include the community development representative, supervisor, and a representative from the budget or legal department.
5. Adequate written advance notice of the initial monitoring visit shall be given to subrecipients. Follow-up monitoring visits will be scheduled on an as-needed basis.
6. Monitoring shall be conducted on a standardized basis taking into account differences in activities and subrecipients.
7. All conclusions of the monitoring shall be based only on the facts of the field notes made at the time of the monitoring visit.
8. A standardized written summary of the monitoring visit (including findings and concerns, and a request for corrective measures) shall be distributed to monitored subrecipients on a timely basis.
9. The monitoring process is considered complete only after an identified deficiency has been corrected, the corrected action produces improvements, and it is determined that no further oversight is needed.

## Monitoring Procedures

### Progress Monitoring

Progress monitoring is an ongoing process of reviewing subrecipient performance during the project using all available supporting documentation.

The OCD staff will review:

- › All RFF's and corresponding invoices.
- › Staff may request additional records from the subrecipient at any time if they feel the documentation is inadequate.

### On-Site Monitoring

On-site monitoring visits will be conducted in accordance with the projects selected to be monitored. NC OCD staff will contact the subrecipient to schedule a mutually agreeable appointment. More frequent on-site monitoring visits may be necessary if the project is particularly complex or the subrecipient has had management problems in the past. OCD will send a monitoring checklist to the subrecipient so they can ensure all the required paperwork is available for review.

1. Programmatic monitoring focuses primarily on two aspects of the CDBG program: project progress and program benefits in the following areas:
  - › National objective compliance and record keeping;
  - › General organization of files;
  - › Financial and general grant management;
  - › Environmental compliance;
  - › Public participation and complaint procedures;
  - › Labor standards compliance documentation;
  - › Civil rights benefits to minority persons;
  - › Construction contracts; and
  - › Property acquisition/relocation or displacement.
2. Financial monitoring will focus on the following areas;
  - › Does the subrecipient have an accounting system with the capacity to maintain all records?
  - › Has the subrecipient established a system of internal controls to eliminate potential fraud and abuse?
  - › Does the subrecipient have adequate expenditure documentation?

The following will take place once subrecipients have been identified for monitoring:

1. Create file folders for each subrecipient and project that will be monitored. These files shall be kept by the program year in an assigned file drawer. All correspondence and documentation will be placed in these files.

2. Prepare a schedule of subrecipient visits such that no subrecipient shall receive less than 10 working days' notice of the formal monitoring visit.
3. Inform the subrecipient in writing of the monitoring visit at least 10 working days prior to the visit and listing the specific issues and documentation that will be reviewed as part of the monitoring process. The subrecipient shall receive the appropriate monitoring checklist.
4. If applicable, conduct a meeting of the monitoring team to identify performance concerns and review the pertinent monitoring issues.
5. Immediately upon completion of the monitoring visit, the monitoring team shall meet to flesh out notes taken during the visit.
6. On or about 30 business days after the monitoring visit, submit a summary of findings and concerns to the monitored subrecipient and require the subrecipient to submit a corrective action plan within 30 days. If the corrective action plan is responsive and acceptable, send written confirmation of the same to subrecipient.
7. If a corrective action plan is not responsive or acceptable, so advise the subrecipient and identify acceptable corrective actions in writing.
8. If subrecipient does not submit a corrective action plan within 30 days, immediately remind the subrecipient in writing or via telephone until compliance is achieved. If the monitored subrecipient refuses to comply within 60 days, immediately notify them that the monitored activity may be considered ineligible, and funds may have to be repaid.
9. If there are no findings or concerns, send written confirmation of the same.

### Unscheduled On-Site Visits

Several actions or events may “trigger” and unscheduled monitoring visit:

- › Complaints received by OCD indicating poor management;
- › Failure to submit a progress report;
- › Indicators of fraud or abuse;
- › Financial mismanagement;
- › Lack of project progress;
- › Repeated breaching of any contractual provision after prior notice from OCD to comply; and
- › Request for a visit to provide assistance.
- › All emergency site visits are fully documented in accordance with regular site visits.

### HOME Program Monitoring

Nassau County will continue to review the proper maintenance, marketing, occupancy, rents and utility allowances of housing funded with HOME funds by applying the procedures that are described following all applicable requirements specified at 24 CFR Part 92. Monitoring procedures will explain exactly what type of monitoring will be conducted: activities covered,

staffing, plan and/or timeline, and typical forms used. HOME activities will be evaluated based on the following program areas:

- › Adherence to HOME guidelines, procedures, and regulations for programs as a whole and for individual projects
- › Internal Procedures and policies and those of program partners
- › Overall administration and management
- › Fair Housing
- › Construction Quality, Ongoing housing condition, and maintenance
- › Davis-Bacon, Lead-Based Paint, and other Federal Requirements as applicable.

There are three key reasons why Nassau County monitors its funded activities and the entities it funds:

- › It is legally required to do so to ensure compliance with HOME Program requirements.
- › It can use information uncovered in monitoring to improve program design and management.
- › It can evaluate how well its funded programs are achieving the desired outcomes.

Nassau County will conduct a risk analysis, which helps program and monitoring staff evaluate the likelihood that a project, program, or organization could fail to comply with program requirements, or is vulnerable to fraud and abuse. This evaluation may also focus on activities that carry performance risk (such as poor housing unit production, a low number of families assisted, or slow expenditures).

The frequency of Required Onsite Monitorings are as follows:

- › Activities that are administered by a subrecipient, State recipient, or contractor, while a contract is in effect are required to be monitored annually.
- › Tenant based rental activity requires annual inspections and income verifications only.
- › Project development activities during all phases of the project through to occupancy and project completion are required at least annually but recommended at periodic time frames throughout the development process.
- › Post completion for rental projects with 1-4 total units in the project are required to be monitored every 3 years.
- › Post completion for rental projects with 5-25 total units in the project are required to be monitored every 2 years.
- › Post completion for rental projects with 26 or more total units in the project is monitored annually.

### Monitoring Checklists

Monitoring checklists to be used for monitoring visits can be found at

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips/handbooks/cpd/6509.2](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/6509.2)