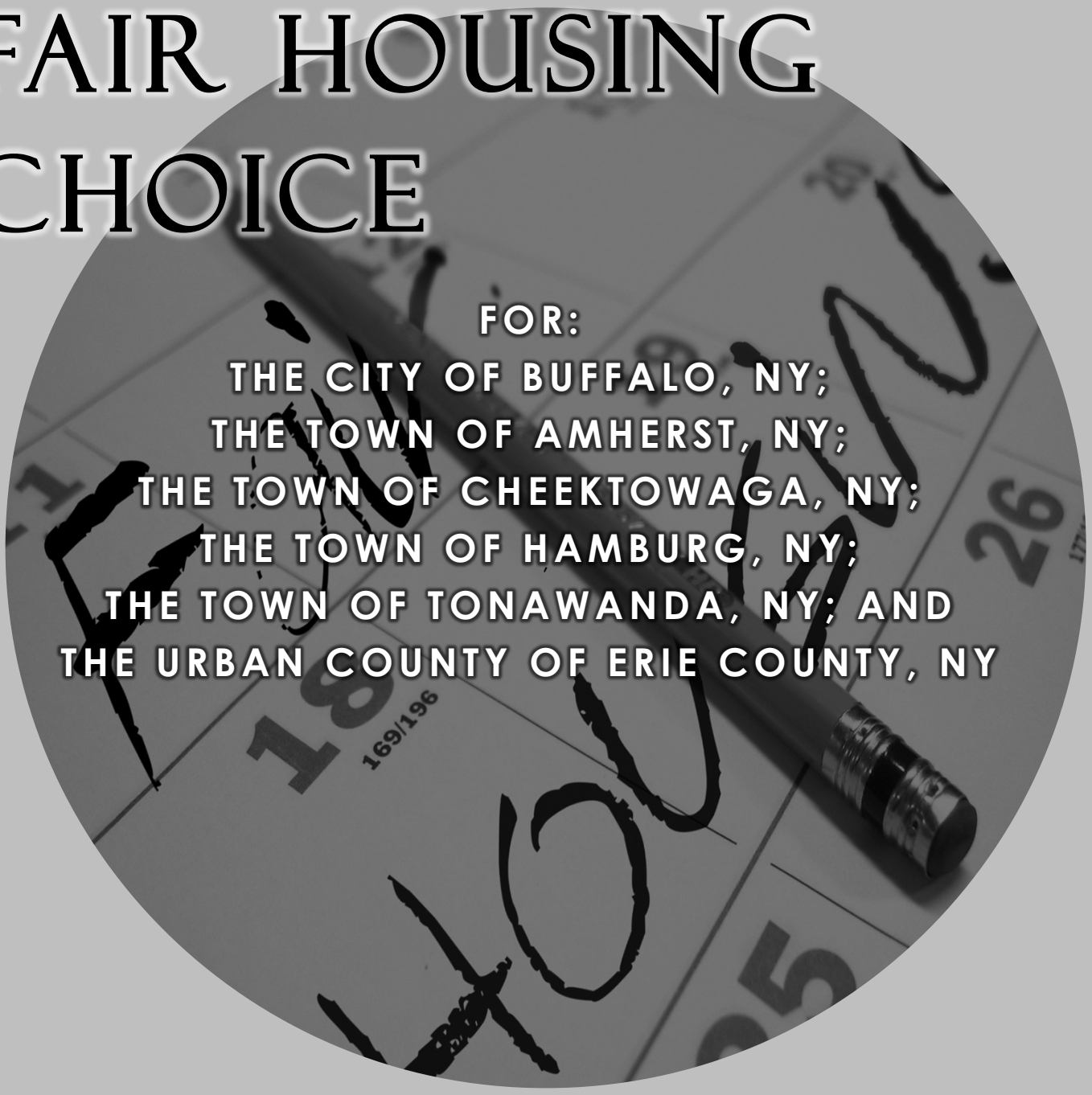
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE



FOR:
THE CITY OF BUFFALO, NY;
THE TOWN OF AMHERST, NY;
THE TOWN OF CHEEKTOWAGA, NY;
THE TOWN OF HAMBURG, NY;
THE TOWN OF TONAWANDA, NY; AND
THE URBAN COUNTY OF ERIE COUNTY, NY

Final AI ‖ February 15, 2025

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I. EXECUTIVE SUMMARY

Communities receiving United States Department of Housing and Urban Development (HUD) grants are required, at least once every five years, to analyze impediments to fair housing choice within their jurisdictions and create a set of action plans to mitigate identified impediments. As recipients of Community Development Block Grant (CDBG) funds, Erie County, the City of Buffalo, and the Towns of Amherst, Cheektowaga, Hamburg, and Tonawanda are required to complete an Analysis of Impediments to Fair Housing Choice. Collectively, all six Erie County entitlement communities collaborated to produce a joint Analysis of Impediments (AI) in February 2020.

HUD grantees are required, per the Community Development Act of 1974, and as amended, to "affirmatively further fair housing," which necessitates that grantee communities conduct an analysis of impediments to fair housing choice and take meaningful action to fight discrimination and restricted access to housing for persons with protected class characteristics. Those protected class characteristics are race, color, religion, sex, national origin, familial status, and disability.

The entitlement communities fulfill their requirement to affirmatively further fair housing by:

- Conducting an Analysis of Impediments to Fair Housing Choice
- Developing actions to overcome the effects of identified impediments to fair housing
- Maintaining records to support each jurisdiction's initiatives to affirmatively further fair housing

SUMMARY FINDINGS

The preparation of the AI involved extensive data collection and analysis and significant outreach with community stakeholders, including organizations and agencies that provide housing and housing related services. Detailed research and engagement methodology are presented in Chapter 2. Here, key highlights of socio-economic and demographic changes within Erie County and the grantee communities; identified impediments to fair housing choice; and key action plans to mitigate the identified impediments are discussed.

SOCIO-ECONOMIC AND DEMOGRAPHIC CHANGES

As a follow-up to the joint AI performed by the six Erie County entitlement communities in 2020, much of the data analyses in this document focus on patterns that have taken shape in the past five to ten years. Highlights from these analyses include:

- **Population.** *After declining for decades, Erie County's population saw an increase between 2010 and 2020 to 954,236. Buffalo and Amherst saw the largest increases in population in this period, and Tonawanda was the only town to see population decline between 2010 and 2020. Since the 2020 Census, population has remained fairly stable, with only slight population losses across the County.*
- ***Segregation****. Segregation remains a challenge in Erie County, with the overwhelming majority of the Black, Hispanic, and other minority populations concentrated in the City of Buffalo and inner ring suburbs. The County as a whole saw a decline in residents identifying as white, while the Hispanic population increased significantly. Suburban communities in Erie County have relatively low presence of minority populations, especially in comparison with Buffalo.*
- ***Concentrated Areas of Poverty.*** *Although some improvement in the concentration of poverty and racial connections has occurred since the prior AI, notably in the City of Buffalo, this remains an issue in all six Grantee communities, indicating a continued need for effort to mitigate this issue.*
- ***Housing Units****. The number of housing units continued to increase across Erie County, largely driven by single family units. The City of Buffalo actually saw a decrease in the number of multi-family units indicating the potential loss of more affordable units. Only Amherst saw a significant increase in multi-family units, likely driven by a need for student housing at SUNY Buffalo.*
- ***Rent.*** *Rent has increased faster than income; however, median rent remains below or near HUD fair market rent across bedrooms for the most part.*
- ***Poverty.*** *Poverty remains a challenge for Erie County, despite household income increasing in the last several years. This is especially true for the City of Buffalo and the inner ring suburbs where low-income residents are concentrated and most of the affordable housing is available.*
- ***Jobs.*** *Growth is happening in the suburbs and jobs continue to follow the rooftops to these communities. This reinforces the disconnect between affordable housing and employment opportunities, limiting opportunity for low-income residents to access these jobs.*

IMPEDIMENTS TO FAIR HOUSING CHOICE

Impediments to fair housing choice are policies and practices in both the public and private sectors that restrict access to appropriate housing for members of

protected classes. These impediments can include direct discrimination, such as a landlord refusing to rent to a member of a protected class, or indirect, such as zoning ordinances that restrict the development of multi-family and other affordable housing options. A multi-pronged strategy was utilized to identify possible impediments to fair housing across Erie County jurisdictions, in the public sector and the private market.

Comprehensive plans and land development codes were reviewed to identify how communities engaged with fair housing and how their policies might serve as barriers. Common issues identified in the public sector include a lack of land zoned for multi-family housing; large minimum lot sizes and parking standards that increase development costs; and additional requirements like special use permits that can lead to delays and denials of multi-family projects. Other issues include codes that do not address group homes, emergency shelters, and related services that are needed across Erie County. These impediments are primarily found in the suburban jurisdictions, leading to a concentration of affordable housing in the City of Buffalo and inner-ring suburbs.

Mortgage lending, real estate advertising, realtor practices, and other private activities were reviewed to determine if private practices were limiting fair access to housing for protected classes. Review of real estate advertising and fair housing complaints filed with HUD, City of Buffalo, Housing Opportunities Made Equal, and the State of New York showed no discriminatory practices resulted in complaints. Analysis of home mortgage lending patterns showed much higher rates of loan denial for African American applicants than White applicants across income levels. Other minority groups tended to have higher denial rates, although the disparity was not as extreme as for African American applicants. This is an indication that mortgage lending may remain an impediment to fair housing for minority residents in Erie County.

ACTION PLANS

Identifying impediments to fair housing choice is a worthwhile endeavor in its own right. More importantly, overcoming impediments is crucial to affirmatively furthering fair housing. To that end, goals and action plans were developed based on the analysis of data, private and public sector policies and practices, and extensive public engagement. Fair Housing Action Plans were developed for each of the jurisdictions involved in this AI. These action plans identify opportunities to address impediments to fair housing through actions that can be undertaken by local governments, housing organizations, and the private sector.

The most important goal is to promote housing opportunities outside of the City of Buffalo and the inner-ring suburbs, where most of the region's affordable housing is currently located. This involves revising development ordinances, addressing NIMBYism, and reducing barriers to multi-family developments in these communities. Additionally, plan goals include actively enforcing the recently adopted Erie County Fair Housing Law, including educating landlords as

to their responsibilities, and tenants as to their rights. Other goals include increasing access for disabled housing, addressing homelessness, and group homes to ensure these populations' needs are met.

Too often, organizations see the planning process as an end. Developing the Analysis of Impediments is an opportunity for the participating communities to build on progress made in the last several years towards ensuring all residents have fair access to housing whether they are members of a protected class or not. However, simply adopting the plan will not result in meaningful change, it will take on-going effort and coordination across the County to implement the plan recommendations and succeed in the requirement to "affirmatively further fair housing" in Erie County.

II. INTRODUCTION TO FAIR HOUSING AND THE ANALYSIS OF IMPEDIMENTS

The United States Department of Housing and Urban Development (HUD) provides grant funding to entitled and eligible municipalities and urban counties to administer various programs and services. These grants include the Community Development Block Grant (CDBG) Entitlement program, which provides grants to entitled municipalities and urban counties to provide housing and economic opportunities to low- and moderate-income persons.

In Erie County, CDBG entitlement grantees are Erie County; the City of Buffalo; and the suburban Towns of Amherst, Cheektowaga, Hamburg, and Tonawanda (Fig. 2.1). As an 'urban county' Erie County through its Department of Environment and Planning (DEP) administers CDBG funds for 34 non-entitlement municipalities in the county as the Erie County Urban Consortium. Additionally, these communities, individually or collectively, also administer a number of other HUD grants, including the HOME Investment Partnerships Program (HOME); the Emergency Solutions Grant (ESG); and the Housing Opportunities for Persons with AIDS (HOPWA) grant. DEP also administers an ESG grant on behalf of the Urban Consortium plus the Town of Hamburg and Villages of Hamburg and Blasdell. The City of Buffalo also administers HOME, ESG, and HOPWA grants. Collectively as the ACT Consortium, the Towns of Amherst, Cheektowaga, and Tonawanda administer a shared HOME grant. Table 2.1 details the administration of HUD grants within Erie County.

In accordance with the requirements of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, every community that receives CDBG funds must commit to affirmatively further fair housing (AFFH). AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."[1] Any non-profits or other organizations receiving federal funding from the entitlement cities must also adhere to AFFH principles.

[1] https://www.hudexchange.info/programs/affh/

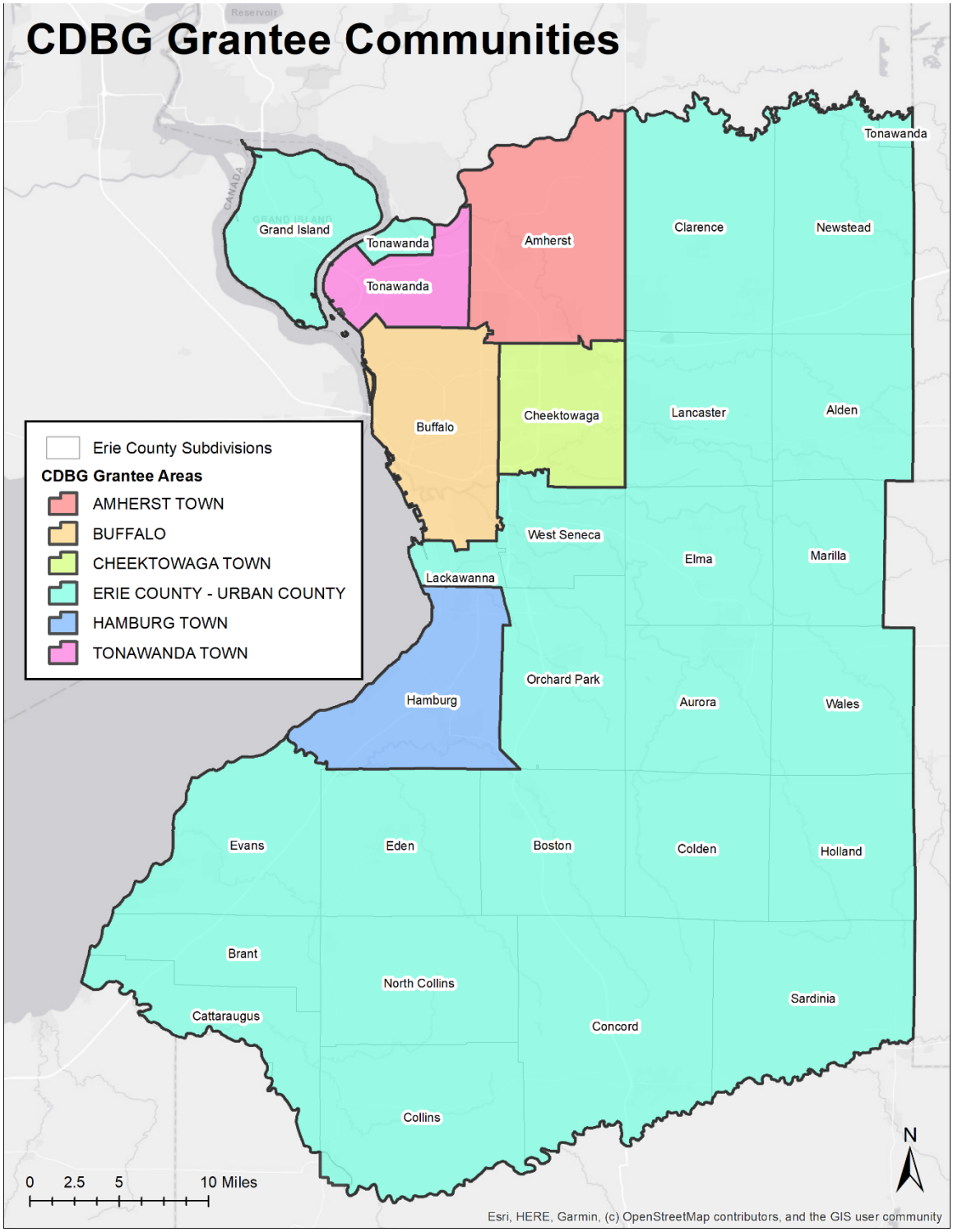

Figure 2.1: Boundaries of Grantee communities included in the AI

Table 2.1: Current HUD Program Grants and Administration in Erie County

Agency	CDBG	HOME	ESG	HOPWA
Erie County Consortium	X	X*	X	
ACT Consortium		X		
Town of Amherst	X			
Town of Cheektowaga	X			
Town of Tonawanda	X	X	X	
Town of Hamburg	X			
City of Buffalo	X	X	X	X

* Includes Town of Hamburg and Villages of Hamburg and Blasdell

THE EVOLVING LANDSCAPE OF AFFIRMATIVELY FURTHERING FAIR HOUSING

Although grantees are tasked with affirmatively furthering fair housing, a consistent definition of affirmatively furthering fair housing and the means by which a grantee certifies has remained elusive. Grantees have been operating within a constantly changing political and policy landscape as it relates to their mandate to affirmatively further fair housing. From the Fair Housing Act's inception until 1994, grantees were not working with a definition of what it meant to affirmatively further fair housing, nor how they were to assess and enforce fair housing. Consequently, grantees generally certified to HUD that they were affirmatively furthering fair housing through their mandated reporting to HUD.

In 1994, President Bill Clinton released an executive order that formalized an AFFH process for grantees. Specifically, grantees were to conduct an Analysis of Impediments to Fair Housing Choice (AI) within their jurisdictions as a means to certify their AFFH mandate.

HUD defined fulfillment of a grantee's AFFH obligation to include:

- *Conducting an Analysis of Impediments to Fair Housing Choice*
- *Developing actions to overcome the effects of identified impediments to fair housing*
- *Maintaining records to support each jurisdiction's initiatives to affirmatively further fair housing*

And further, HUD interpreted these three obligations to entail:

- *Analyzing housing discrimination in a jurisdiction and working toward its elimination*
- *Promoting fair housing choice for all people*
- *Providing opportunities for racially and ethnically inclusive patterns of housing occupancy*
- *Promotion of housing that is physically accessible and functional for all people, particularly those with disabilities*
- *Fostering compliance with the nondiscrimination provisions of the Fair Housing Act*

In order to carry out this AFFH responsibility, once every five years each HUD entitlement community was required to complete an Analysis of Impediments to Fair Housing Choice (AI) which identified the impediments to fair housing that exist within their community and proffers an action plan to address those impediments.

From that time until 2015, the AI was the mandated means by which grantees AFFH. Under President Barack Obama, HUD defined what AFFH meant and replaced the AI with a new report called the Assessment of Fair Housing (AFH). The AFH was piloted by a small number of grantees in the subsequent years before it was repealed under President Donald Trump in 2020 with the Preserving Communities and Neighborhood Choice rule, which was passed without notice and comment procedures. The repeal of the Obama AFH did not remove the AFFH mandate but did repeal the AI, effectively returning grantees to the pre-AI era where a simple certification by a grantee that it was affirmatively furthering fair housing was sufficient.

Under President Joe Biden in 2021, HUD released an Interim Final Rule - "Restoring Affirmatively Furthering Fair Housing Definitions and Certifications" – which rescinded the 2020 Preserving Communities and Neighborhood Choice rule and required grantees to submit certifications that they were to affirmatively furthering fair housing. The IFR did not mandate any specific fair housing planning, such as an AI, to comply with the AFFH mandate. However, HUD committed to providing technical assistance to grantees to AFFH via an AFH, AI, or other acceptable forms of fair housing planning until a new rule could be passed.

In 2023, HUD announced a new proposed rule: Affirmatively Furthering Fair Housing. It seeks to retain much of the 2015 Rule's fair housing planning and certification process. Grantees will identify fair housing issues, identify goals and actions to ameliorate them, and submit an Equity Plan, which they will implement, to HUD. As of this report, this new rule has not been enacted.

Given that the new rule is not currently in effect and the AI is still an acceptable means for grantees to AFFH, the six grantees in Erie County, having all completed AIs in the past, decided to once again prepare an AI to meet their collective mandate to AFFH. Upon the proposed rule being enacted, grantees will prepare Equity Plans to meet their future AFFH mandate.

The Urban Consortium, ACT Consortium, City of Buffalo, and Town of Hamburg, jointly prepared and completed their last AI in 2020. This AI, once again, is a joint effort between all six entitlement jurisdictions and fulfills their administrative requirements to affirmatively further fair housing.

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

The Analysis of Impediments is intended to meet the requirements to AFFH through a review of the laws, regulations, and administrative policies of the grantees municipalities that relate to housing; the procedures and practices that impact housing; the availability and accessibility of housing; and an analysis of the factors that impact fair housing choice.

Entitlement communities are required to:

- *Examine and attempt to alleviate housing discrimination within their jurisdiction*
- *Promote fair housing choice for all people*
- *Provide opportunities for all people to live in any given housing, regardless of race, color, religion, sex, disability, familial status, or national origin*
- *Promote housing that is accessible and usable by people with disabilities*
- *Comply with all non-discrimination requirements of the Fair Housing Act*

The Analysis of Impediments will cover the following five areas related to fair housing choice:

- *Sale or rental of housing*
- *Access to financial services and assistance for housing*
- *Policies and actions affecting the approval of sites and building requirements involved in the approval process for construction of publicly funded housing*
- *Administrative policies related to community development and housing activities*
- *Analysis of segregation, housing discrimination, and the actions following cases of housing discrimination*

The objectives of this AI are to:

- *Evaluate population, household, income, and housing characteristics by protected classes*
- *Evaluate public and private sector policies that impact fair housing choice*
- *Identify blatant impediments to fair housing choice where any may exist*
- *Recommend specific strategies to overcome negative impacts of identified impediments*

IMPEDIMENTS TO FAIR HOUSING CHOICE

"Fair housing choice means that individuals and families have the information, opportunity, and options to live where they choose without unlawful discrimination and other barriers related to race, color, religion, sex, familial status, national origin, or disability. Fair housing choice encompasses:

- *Actual choice, which means the existence of realistic housing options;*
- *Protected choice, which means housing that can be accessed without discrimination; and*
- *Enabled choice, which means realistic access to sufficient information regarding options so that any choice is informed. For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual's needs as required under Federal civil rights law, including disability-related services that an individual needs to live in such housing."*[2]

An impediment to fair housing can be direct or indirect. Any action, omission, or decision taken because of race, color, religion, sex, disability, familial status, or national origin which restricts housing choices or the availability of housing choices, directly and discriminatorily impedes fair housing choice. Additionally, any action, omission, or decision taken which has the effect of restricting housing choice or the availability of housing choice because of race, color, religion, sex, disability, familial status, or national origin, indirectly and discriminatorily impedes fair housing choice.

Examples of restrictions or discrimination include:

- *A landlord claims that a rental is unavailable upon meeting a prospective tenant because of their race or color*
- *A landlord denies a rental to a prospective tenant because their primary language is not English (national origin)*
- *A landlord asks a tenant if they have a disability or illness, or requests to see medical records (disability)*
- *A landlord denies a rental because the prospective tenant has children (familial status)*
- *A landlord denies a rental because the prospective tenant wears a hijab or a turban (religion)*
- *A landlord provides additional services to one gender over the other (sex)*

AI DEVELOPMENT METHODOLOGY

To fulfill this requirement, the Urban Consortium, ACT Consortium, Town of Hamburg, and the City of Buffalo undertook this Analysis of Impediments to Fair Housing Choice to evaluate impediments to fair housing within each respective grantee jurisdiction.

[2] https://www.law.cornell.edu/cfr/text/24/5.152

DATA AND RESOURCES

A critical component in the development of the Analysis of Impediments is extensive collection, review, and analysis of laws and regulations; community plans and ordinances; and social, economic, and demographic data from secondary sources. The AI reflects and is guided by, directly and indirectly, data and information obtained from the following sources:

- *Current social, economic, and housing data from the US Census Bureau*
- *Local land use ordinances that dictate the form, manner, and location of housing development*
- *Local and regional plans, including the One Region Forward regional sustainability plan, and its subsequent report titled Fair Housing Equity Assessment: Expanding Opportunity in Buffalo Niagara*
- *Technical reports, including* Engaging the Future of Housing in the Buffalo-Niagara Region: A Preliminary Exploration of Challenges that Lie Ahead*;* Advancing Housing Security: An Analysis of Renting, Rent Burden, and Tenant Exploitation in Erie County*; and* Developing Opportunity: Aligning Zoning with Affordable Housing Needs
- *Mortgage lending data from the Home Mortgage Disclosure Act (HMDA)*
- *New York State Office of Real Property Tax Services*
- *The Consolidated Plan, Annual Action Plans, and CAPERs for each grantee*
- *Fair Housing complaints filed with HUD, NYS Office of Fair Housing and Equal Opportunity, the City of Buffalo, and Housing Opportunities Made Equal*

STAKEHOLDER ENGAGEMENT

Data and information collected and assessed from secondary sources provides a critical foundation upon which to formulate an AI and develop action plans. However, direct engagement with organizations and agencies that provide hands on housing support to the community of protected class members is crucial to a robust AI.

Erie County Department of Environment and Planning, in collaboration with staff from the other grantee communities, worked to identify the universe of community stakeholders that could offer important and meaningful insight into their efforts supporting protected class members directly with housing and housing-related issues. Invitations to attend an engagement session were sent to more than 250 individual and organizational stakeholders.

During the final week of June 2024, the project consultants conducted six meetings where meeting facilitators introduced the AI; the process of completing it; and the importance of their role in addressing housing discrimination and AFFH. After the introduction and project overview, an open discussion, with questions from facilitators, was undertaken. The project team included a person who took extensive notes during the meeting, recording all

the information and comments made by each attendee. Invited organizations and agencies included:

- *Planning and Zoning and Municipal Officials*
- *Public Housing Authorities*
- *Community-based Organizations (CBOs) and Community Housing Development Organizations (CHDOs)*
- *Affordable and Special Needs Housing Organizations*
- *Homeless Assistance Providers*
- *Regional Agencies*
- *Health and Human Services Agencies*
- *Lead-Based Paint Agencies*
- *Business Associations*
- *Persons with Disability Advocacy Organizations*
- *Persons with Limited English Proficiency Advocacy Organizations*
- *Fair Housing Organizations*
- *Non-profit Housing Owners*
- *For-profit Housing Owners*
- *Property Managers*
- *Broadband Agencies*
- *Resilience and Emergency Management Agencies*
- *Developers*

Appendix A provides the list of invited stakeholders, by agency type, as well as sign-in sheets from each meeting conducted for the AI.

FEDERAL FAIR HOUSING ACT AND PROTECTIONS

The Fair Housing Act, passed in 1968, is the foundation upon which HUD's AFFH principles are built. It protects against discrimination for protected class persons when they seek to rent or buy a home; apply for a mortgage; seek housing assistance; or otherwise engage in housing-specific activities. This protects individuals from discrimination based on race, color, national origin, religion, sex, familial status, or disability. The Fair Housing Act covers most housing related situations. Exemptions include owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that are limited to members.

The following list provides specific prohibitions and additional regulations.

1. Sale and Rental of Housing

The Fair Housing Act forbids the following actions based on race, color, religion, sex, disability, familial status, or national origin:

- *Refusal to rent or sell housing*
- *Refusal to negotiate for housing*

- *Selectively stating that housing is unavailable*
- *Otherwise withholding housing*
- *Setting different terms, conditions or privileges for sale or rental of housing*
- *Providing different housing services or facilities*
- *Falsely claiming that housing is unavailable for inspection, sale, or rental*
- *Attempting to persuade or persuading homeowners to sell or rent by suggesting that people of a particular race have moved, or are about to move into the neighborhood*
- *Refusing a person access to, membership or participation in, any organization, facility, or service (such as a rental broker), or discriminatory terms or conditions related to the sale or rental of housing*

2. Mortgage Lending

The Fair Housing Act forbids the following actions based on race, color, religion, sex, disability, familial status, or national origin:

- *Refusal to make a mortgage loan*
- *Refusal to provide information regarding loans*
- *Imposing different terms or conditions on a loan, such as different interest rates, points, or fees*
- *Discrimination in appraising property*
- *Refusal to purchase a loan*
- *Setting different terms or conditions for purchasing a loan*

3. Other prohibitions

It is illegal to:

- *Threaten, coerce, intimidate, or interfere with anyone that is exercising a fair housing right or assisting someone in exercising a fair housing right*
- *Make, print, or publish any statement, related to the sale or rental of housing, which shows a preference, limitation, or discrimination*
- *Refusal to provide homeowners insurance coverage for housing*
- *Discriminatory terms or conditions of homeowner's insurance coverage*
- *Refusal to provide all available information on the full range of homeowner's insurance coverage options available*
- *Make, print, or publish any statement, related to homeowner's insurance coverage, which shows a preference, limitation, or discrimination*

ADDITIONAL PROTECTIONS FOR DISABLED PERSONS

The protected class of people with disabilities applies to any person with a physical or mental disability (hearing, mobility and visual impairments, cancer, chronic mental illness, HIV/ AIDS, or intellectual disabilities) that limits life activities. For these people, it is illegal to:

- *Refuse to let a tenant with disabilities make reasonable modifications to housing or common use areas, at their expense, if it is necessary to fully*

use the housing. A landlord may permit changes only if it is agreed to restore the property to its original condition when the tenant moves.
- *Refuse to make reasonable accommodations in rules, policies, practices or services if it is necessary in order to use the housing as equally as a nondisabled person.*

ACCESSIBILITY REQUIREMENTS FOR NEW MULTIFAMILY BUILDINGS

In buildings with four or more units that were first occupied after March 13, 1991, and that have an elevator:

- *Public and common use areas must be accessible to people with disabilities*
- *All doors and hallways must be wide enough for wheelchairs*
- *All units must have:*
  - *An accessible path into and through the unit*
  - *Accessible light switches, electrical outlets, thermostats, and other environmental controls*
  - *Reinforced bathroom walls to allow possible installation of grab bars*
  - *Kitchens and bathrooms that can be used by people in wheelchairs*

If a building with four or more units has no elevator and was first occupied after March 13, 1991, these standards apply to ground floor units only. These accessibility requirements for new multifamily buildings do not replace stricter accessibility standards required under State or local law.

FAMILIAL STATUS

Under the Fair Housing Act, it is illegal to discriminate against a person whose household includes one or more children who are under 18 years of age. Familial status is one of the protected classes and it extends to pregnant women and any person in the process of securing legal custody of a minor child (including adoptive or foster parents).

Familial status protection covers households in which one or more minor children live with a parent; a person who has legal custody or guardianship of a minor child or children; or a person designated by a parent or legal custodian through written permission.

HOUSING FOR OLDER PERSONS

A Housing for Older Persons Exemption is a part of the Fair Housing Act that directly covers some senior housing facilities and communities from liability for familial status discrimination. Exempt senior housing facilities or communities can legally refuse to sell or rent dwellings to families with minor children.

In order to qualify for the Housing for Older Persons Exemption, a facility must prove that its housing meets at least one of the following criteria:

- *Provided by a State or Federal program that HUD has recognized as specifically designed and operated to assist elderly persons (as defined in the State or Federal program)*
- *Intended for and exclusively occupied by persons 62 years of age or older*
- *Intended and operated for occupancy by persons 55 years of age or older*

In order to qualify for the "55 or older" housing exemption, a facility or community must satisfy each of the following requirements:

- *At least 80 percent of the units must have at least one occupant who is 55 years of age or older*
- *The facility must publish and follow policies and procedures that demonstrate the operation of "55 or older" housing*
- *The facility must follow HUD's regulatory requirements for age verification of residents*

The "housing for older persons" exemption does not exempt senior housing facilities or communities from liability for housing discrimination based on race, color, religion, sex, disability, or national origin.

NEW YORK STATE AND LOCAL FAIR HOUSING LAWS

In addition to the federal Fair Housing Act, several state and local laws support, and in some cases extend, protections against discrimination in the housing market.

NEW YORK STATE HUMAN RIGHTS LAW

The New York State Human Rights Law (NYSHRL) forbids housing and lending discrimination. The law is enforced by the New York State Division of Human Rights, which receives and investigates discrimination complaints, holds hearings, and issues penalties. The law prohibits housing discrimination based on race, creed, color, national origin, sex, age, disability, marital status, military status, family status, sexual orientation, and gender identity. Additionally, the NYSHRL makes it illegal to discriminate against a person because of that person's known relationship with a person of a protected class. This law applies to any person who is involved in the sale or rental of housing. Discriminatory actions include:

- *Refusing to sell or rent housing*
- *Discriminatory conditions or privileges in the sale or rental of housing*
- *Discriminatory practices in providing facilities and services related to housing*
- *Print, circulation, or use of an application that includes a discriminatory limitation or specification related to the sale or rental of housing*

- *Recording or inquiring about the possible sale or rental of housing that includes a discriminatory limitation or specification*
- *Discriminating against a disabled person because of their guide dog, hearing dog, service dog, or emotional support animal*

The NYSHRL makes it illegal to participate in several forms of retaliation against a person who is trying to enforce this law. Specific actions prohibited by the NYSHRL:

- *Aiding, abetting, inciting, compelling, or coercing a person to violate the law*
- *Retaliating against a person for opposing housing discrimination, filing a complaint, or testifying or assisting in any enforcement action under the law*

The NYSHRL requires real estate brokers, real estate salespersons and their employees to follow additional guidelines related to fair housing. Specific actions prohibited by the NYSHRL:

- *Refusing to negotiate for the sale, rental, or lease of housing*
- *Represent that housing is not available for sale, rental, or lease when it is available*
- *It is also illegal for a real estate board to exclude or expel any person, or discriminate against a person in the terms, conditions, and privileges of membership*

The NYSHRL requires that reasonable accommodations be made for persons with disabilities. Additional requirements include:

- *To permit a person with a disability to make reasonable modifications to the housing, at the person's expense, if the modifications are necessary to allow the person to have full enjoyment of the housing*
- *To make reasonable accommodations in rules, policies, practices, or services, when such accommodations are necessary to permit a person with a disability equal opportunity to use and enjoy the housing, including reasonable modification to common use portions of the dwelling*
- *To provide that in all buildings containing dwellings for three or more families constructed after March 13, 1991:*
    - *The public and common areas of housing are readily accessible to and usable by persons with disabilities*
    - *All doors are wide to allow passage by persons in wheelchairs*
    - *All units contain accessible paths, fixtures, outlets, bathrooms, and kitchens*

The NYSHRL law applies to nearly all housing accommodations. The only exceptions are:

- *Rental units in two-family homes occupied by the owner*
- *Rentals in rooming houses occupied by the owner or member of the owner's family*

The NYSHRL makes it illegal to discriminate in regard to lending practices, including real estate lending, on the basis of the same characteristics that are

included in the protected classes. However, it is legal for age to be included in the determination for credit worthiness of an applicant.

The law prohibits the following actions as it relates to a loan application for the purchase, acquisition, construction, rehabilitation, repair, or maintenance of a home:

- *Discriminating in the process of granting, withholding, extending, renewing, or setting the terms, rates, or conditions of the loan*
- *Using an application for a loan or making any record or inquiry about an applicant that expresses any limitation, specification, or discrimination*
- *Asking an applicant about her capacity to have children or about use of any form of birth control or family planning*
- *Refusing to consider sources of an applicant's income or discounting an applicant's income because of a protected characteristic, including childbearing potential*
- *Considering statistics or assumptions relating to a protected characteristic, including the likelihood of bearing children when calculating credit worthiness*

NEW YORK HOUSING STABILITY AND TENANT PROTECTION ACT OF 2019

In 2019, New York State enacted the Housing Stability and Tenant Protection Act of 2019 to provide additional protections for renters and amend the prior laws enacted in 1974. The legislation defends rent control in New York City and provides towns and smaller cities the ability to establish rent control rules. In addition, the law includes further protections for all renters in New York State, including Buffalo and Erie County municipalities. The following provisions are included in the new law:

- *Additional time for renters to move in the case of an eviction*
- *An eviction must be in writing*
- *Additional time to pay overdue rent*
- *Additional time before an eviction court date*
- *Additional time to comply with a lease if in violation*
- *Additional time to notify renter of a rent increase*
- *Sufficient time for notification is dependent on length of residency*
- *Prohibits application fees*
- *Limits background check and credit check fees*
- *Limits security deposit*
- *Reduces time for the return of a security deposit*
- *Provisions against retaliatory eviction*
- *Prohibits denying housing on the basis of past landlord-tenant court case*
- *Deems unlawful eviction as a misdemeanor criminal act*

ERIE COUNTY FAIR HOUSING LAW

In 2018, Erie County adopted its own Fair Housing Law (Local Law Intro. No. 5-2018) in an effort to provide fair housing choice and prohibit discrimination in the sale or rental of housing. The Erie County Fair Housing Law prohibits discrimination

on the basis of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, gender identity, military status, familial status, or immigration and citizenship status.

Source of income is defined as payments from any lawful occupation or employment, as well as other payments such as public assistance, public assistance security agreements, supplemental security income, pensions, annuities, unemployment benefits, disability payments, government subsidies, or other housing subsidies. The legislation makes it illegal to discriminate based on protected classes through the following unlawful actions:

- *Refusing to sell or rent, or refusing to negotiate for the sale or rental, or denying housing*
- *Discriminating against any person in the terms, conditions, or provisions of services in connection with the sale or rental of housing*
- *Persuading to sell or rent housing by claiming the entry or prospective entry into the neighborhood*
- *Printing or circulating of a statement, advertisement, or publication, using any form of application, or to making any record or inquiry for the sale or rental of housing that includes any limitation, specification, or discrimination*
- *Inciting, compelling, coercing any unlawful acts of this local law, or retaliating in response to a filed complaint or participation in a proceeding related to this local law*

For the purpose of this regional fair housing law, discrimination includes:

- *Refusing to permit, at the expense of a disabled person, reasonable modifications to the existing housing so that it may provide full enjoyment of the housing*
- *Refusing to make reasonable accommodations in rules, policies, practices, or services when an accommodation would provide an equal opportunity to use and enjoy housing*

The County of Erie Fair Housing Law is enforced through a four-step process: filing a complaint, investigation, conciliation, and action. The Commissioner of the Department of Environment and Planning is designated with the responsibility of enforcement and may designate a fair housing organization to assist in conducting investigations of complaints. Erie County has retained Housing Opportunity Made Equal to provide fair housing services and assist in implementing this law. The complaint must be filed within one year of the alleged act of discrimination. The County will notify the accused party and perform an investigation of the complaint. Within 60 days of the date in which the complaint was filed, the County will determine whether the accused party violated the law. A valid complaint may result in conciliation or may be referred to the Erie County Fair Housing Board. Violation of the local fair housing law may result in the following penalties:

- *A fine of up to $5,000 for the first violation, or a fine of up to $10,000 if the respondent has previously committed a violation of the law*
- *Revocation or suspension of the license or permit to operate the sale or rental of housing*

- *Payments of costs to the County in order to gain full compliance of the fair housing law*
- *An injunction by the County in order to gain full compliance of the fair housing law*

The law also includes a section that promotes fair housing goals through continued community development programs and education. Housing providers and real estate brokers within the county that are involved in the sale or rental of housing units are required to develop an Affirmative Fair Housing Marketing Plan. They are also required to promote the equal opportunity housing logo or phrase on all applications and forms of marketing.

TOWN OF HAMBURG FAIR HOUSING ORDINANCE

The Town of Hamburg has a comprehensive Fair Housing Ordinance that was adopted in 1986 and amended in 2005 and again in 2016. The Fair Housing Law states it is a policy of the Town to affirmatively further fair housing by adopting zoning ordinances which promote the inclusion of affordable rental housing in all multi-family developments of eight (8) or more units. Further it defines affordability as "housing for which rent and utilities shall constitute no more than thirty percent of the gross annual income for a household whose income is greater than fifty percent but does not exceed eighty percent of the Erie County median income." The law offers a density bonus which allows the developer to increase the number of market-rate units permitted to be built on a site at a rate of one additional market-rate unit for each affordable unit. The law requires 10% of all units in projects of 8 or more units to affordable and developers are required to maintain affordability for not less than 30 years from issuance of a certificate of occupancy, which carries over to a new owner if the development is sold. Lastly, to integrate development, units cannot be clustered within the development interspersed with market-rate units. The ordinance prohibits discrimination based on race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status, or because the person has a child or children. Unlawful actions stated in the ordinance include:

- *Refusing to sell or rent housing*
- *Refusing to negotiate for the sale or rental of housing*
- *Discriminating against a person in the terms, conditions, or provisions of services in connection with the sale or rental of housing*
- *Persuading to sell or rent housing by claiming the entry or prospective entry into the neighborhood*
- *Printing or circulating a statement, advertisement, or publication, the use of any form of application, or making a record or inquiry for the sale or rental of housing that includes any limitation, specification, or discrimination*
- *Refusing to permit, at the expense of a disabled person, reasonable modifications to the existing housing so that it may provide full enjoyment of the housing*

- *Refusing to make reasonable accommodation in the rules, policies, practices, or services when an accommodation would provide an equal opportunity to use and enjoy housing*

Exemptions to the Hamburg Fair Housing Ordinance include:

- *Religious institutions or organizations limiting the sale, rental, or occupancy of dwellings it owns or operates to persons of the same religion, unless membership in that religion is restricted on the basis of another protected class*
- *Residential buildings or the rental of rooms in a building owned by a public body or by a private institution or organization and maintained for the exclusive use of either male or female residents*
- *The rental of housing or rooms in a building which contains accommodations for not more than two families living independently of each other, if the owner or members of his family reside in one of such housing accommodations and the rental has occurred without advertising*
- *Rental or lease of housing exclusively for persons 55 years of age or older*

Enforcement of the Hamburg Fair Housing Ordinance is conducted through the following process:

- *The Town receives and investigates complaints. The Supervisor designates the Director of Community Development of the Town with the duty of managing this task. The Supervisor may also designate a non-profit fair housing organization to either assist the Director of Community Development in conducting investigations or to complete these function and investigations*
- *Any person or organization, whether or not an aggrieved party, may file with the Supervisor's designee a complaint of a violation*
- *The Supervisor's designee may investigate individual instances and patterns of conduct prohibited by the Ordinance, even without a complaint from another person or organization, and may initiate complaints in connection to a violation*

TOWN OF WEST SENECA FAIR HOUSING ORDINANCE

The Town of West Seneca is a member of the Urban Consortium and adopted a Fair Housing Ordinance in 1979. It prohibits housing discrimination on the basis of race, color, religion, sex, age, marital status, disability, national origin, source of income, or because the person has a child or children. The ordinance is applicable to all residential structures in the Town. Unlawful actions include:

- *To refuse to sell or rent or refuse to negotiate for the sale or deny a dwelling to any person because of race, color, religion, sex, age, marital status, disability status, national origin, source of income, or because the person has a child or children*
- *To discriminate against any person in the terms, conditions, or provision of services or facilities in connection with the sale or rental of a dwelling because of race, color, religion, sex, age, marital status, disability status,*

national origin, source of income, or because the person has a child or children

- *To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, age, marital status, disability status, national origin, or source of income or a person or persons with children*
- *For a person offering residential property for sale or rent or anyone acting on behalf of such a person to print or circulate or cause to be printed or circulated any statement, advertisement or publication or to use any form of application for the sale or rental of a dwelling or to make any record or inquiry in connection with the sale or rental of a dwelling which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, religion, sex, age, marital status, disability status, national origin, source of income, or the presence of children in the family or which expresses, directly or indirectly, any intent so to limit, specify or discriminate*

Exemptions to the ordinance include:

- *The prohibitions of this chapter shall not apply to a religious institution or organization limiting the sale, rental or occupancy of dwellings which it owns or operates to persons of the same religion or giving preference to such persons, unless membership in such religion is restricted on account of race, color, sex, age, marital status, disability status, national origin, source of income, or the presence of children in the family*
- *The prohibitions of this chapter against discrimination because of sex shall not apply to a residential building owned by a public body or by a private institution or organization and maintained, in whole or in part, for the exclusive use of one sex*
- *The prohibitions of this chapter against discrimination because of age shall not apply to a residential building of six or more units maintained for the exclusive use of the elderly and their immediate families. For purposes of this subsection, a person shall be considered elderly who is 62 years of age or older*

Enforcement of the West Seneca ordinance is through the following process:

- *Filing of complaints*
- *The Town of West Seneca or its designee shall receive, investigate, and refer complaints under this chapter. The Supervisor shall designate a not-for-profit fair housing organization or the Affirmative Action Officer of the Town of West Seneca to perform the function contained in this section*
- *Any person or organization, whether or not an aggrieved party, may file with the Supervisor's designee a complaint of a violation of this chapter*
- *The Supervisor's designee may investigate individual instances and patterns of conduct prohibited by this chapter, even without a complaint from another person or organization, and may initiate complaints in connection therewith*
- *Investigation. The Supervisor's designee shall notify the accused party, in writing, within five days of the filing of any complaint. The designee shall make prompt investigation in connection with the complaint. If, during or*

after the investigation, the designee believes that appropriate action to preserve the status quo or to prevent irreparable harm is advisable, the designee shall advise the Town Attorney, in writing, to bring immediately, in the name of the Town of West Seneca, any action necessary to preserve such status quo or to prevent such harm, including the seeking of temporary restraining orders and preliminary injunctions

- *Action. If, at the conclusion of the investigation, the Supervisor's designee shall determine that there is probable cause to credit the allegation of the complaint, the designee shall certify the matter to the Town Attorney, who shall institute proceedings in the name of the Town of West Seneca*

CITY OF BUFFALO FAIR HOUSING ORDINANCE

The Fair Housing Ordinance of Buffalo was adopted in 2006 and amended in 2015. The legislative intent of this law is to protect the rights of citizens and provide equal access to housing. The Buffalo Fair Housing Ordinance prohibits discrimination on the basis of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, gender identity, military status, familial status, immigration status, and citizenship status.

The Buffalo Fair Housing Ordinance does not apply in certain circumstances. The "rights of landlords" allow landlords to refuse the rental of housing if any of the following circumstances exist:

- *The applicant or tenant's source of income is from an unlawful source*
- *The applicant or tenant cannot afford the rental cost through their source of income*
- *The tenant has not made rental payments on time (at all or partially) during the past 18 months*
- *The tenant has received complaints from neighbors during the past 18 months (with the exception of complaints based on discrimination)*
- *The applicant or tenant plans to live with more occupants than occupancy regulations allow by law*
- *Any refusal that is not based on discrimination and is applied equally to all applicants and tenants*

The Buffalo Fair Housing Ordinance also requires that landlords comply with additional regulations. Landlords renting more than 20 units are required to use the equal opportunity housing logo on all applications, marketing media, and display in offices. In addition, every landlord must acquire a certificate of occupancy (Buffalo Code § 129-6). The certification verifies that the landlord has acknowledged and received a copy of the Fair Housing Ordinance. The ordinance makes it illegal to discriminate on the basis of protected classes through the following unlawful actions:

- *Refusing to sell or rent, or refusing to negotiate for the sale or rental, or denying housing*
- *Discriminating against any person in the terms, conditions, or provisions of services in connection with the sale or rental of housing*
- *Persuading to sell or rent housing by claiming the entry or prospective entry into the neighborhood*

- *Printing or circulating of a statement, advertisement, or publication, using any form of application, or to making any record or inquiry for the sale or rental of housing that includes any limitation, specification, or discrimination*
- *Inciting, compelling, coercing any unlawful acts of this local law, or retaliating in response to a filed complaint or participation in a proceeding related to this local law*
- *Refusing to permit, at the expense of a disabled person, reasonable modifications to the existing housing so that it may provide full enjoyment of the housing*
- *Refusing to make reasonable accommodations in rules, policies, practices, or services when an accommodation would provide an equal opportunity to use and enjoy housing*
- *Denying access to a disabled person because of their guide dog, hearing dog, service dog, or emotional support animal*
- *Discriminating against any person by a bank, savings or loan association, insurance company, or business involved with making loans, arranging of financing for housing, or providing property insurance, or in the provision or terms and conditions of a loan or insurance policy*

Exemptions to the Buffalo Fair Housing Ordinance include:

- *Rental of housing on a property that has accommodations for less than three households living independently, if the owner lives in one of the units*
- *Rental of rooms in a housing space that are for exclusively for either male or female residents*
- *Rental of rooms in a housing space in which occupants would share living quarters*
- *Rental, lease or sale of housing exclusively for persons 55 years of age or older*

Fair Housing Laws and recognition of the right to fair housing at the local, state, and federal levels have been supported in a series of court rulings. For example, 2016 case found that a landlord had violated the City of Buffalo's Fair Housing Law, as described below. The tenant filed a complaint with Housing Opportunities Made Equal after the landlord refused to accept the tenant's Section 8 housing voucher and was evicted 90 days later. Housing Opportunities Made Equal filed the case with the City of Buffalo's Fair Housing Officer which then filed a case in State Supreme Court, which resulted in a settlement of $6,500.

In the 2017 case of *United States v. Albanese Organization, Inc.*, a complaint was filed against the developers of an apartment building in New York City. The developers were found guilty of violating the Fair Housing Act by failing to make the apartment building accessible for disabled persons. As a result, the developers were required to make features compliant in accessibility standards and fined multiple penalties which amounted to over $600,000.

ASSESSMENT OF ACCESSIBILITY STANDARDS

The purpose of accessibility regulations is to effectively protect equitable accessibility for people with disabilities. HUD encourages grantees to incorporate "visitability" in designs and programs.

SECTION 504 OF THE REHABILITATION ACT (24 CFR PART 8)

Communication is an essential factor for accessibility of public programs. Disabilities that involve impairments to hearing, vision, speech or mobility may reduce communication. People with disabilities must be able to access and enjoy the benefits of a program or activity that receives CDBG funds. Additional arrangements may be required to provide effective communication and distribution of information. Every grant-receiving community is responsible for the management of the needs of people with disabilities within the community when determining financial assistance or services. In order to comply with Section 504, the target community includes: the hearing impaired, visually impaired, mobility impaired, developmentally disabled, and persons requiring in-home care or institutional care.

Accessibility services must be provided to meet the needs of any disabled person. These services include:

- *For people with hearing impairments: qualified sign language interpreters, note takers, telecommunication devices (TDDs), telephone handset amplifiers, assertive listening devices (devices that increase the sound in large group settings), flashing lights (such as warning bells), video text displays (while simultaneously spoken can be used when a public address system provides information), transcription services, and closed and open captioning*
- *For people with vision impairments: qualified readers, written materials translated into alternative formats (braille, audio tape, large print), aural communication (bells or other sounds used when visual cues are necessary), and audio description services (through a headset or a narrator)*

Every municipality must provide effective communication and provide additional services, when necessary, for people with any type of disability with all activities related to housing. If the municipality communicates with applicants by phone, a TDD is required or must be made available.

Section 504 provides accessibility requirements for new construction and substantial rehabilitation of multi-family rental housing. Section 504 states "no otherwise qualified individual shall, solely by reason of his or her disability, be excluded from participation in (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving Federal funding assistance." Section 504 also contains construction accessibility

regulations regarding new multi-family housing developments that were first occupied on or after March 13, 1991. According to Section 504, "accessible" is defined as ensuring that program and activities are accessible to and usable by individuals with disabilities. For housing purposes, accessible is defined as a dwelling on an accessible route and adaptable within the structure.

The following regulations apply to both Federally assisted newly constructed multifamily rental housing containing five or more units and substantial rehabilitation of multi-family rental housing. A rehabilitation project is considered substantial when the rehab costs are 75% or more than the costs to replace the complete facility.

The requirements of housing accessibility include:

- *A minimum of five percent of total units (but not less than one unit) accessible for individuals with mobility impairments*
- *An additional two percent of total units (but not less than one unit) accessible for persons with hearing or vision impairments*
- *All units made adaptable if on the ground level or accessible by an elevator*

AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)

The Americans with Disabilities Act of 1990 (ADA) legally provides equal opportunities for people with disabilities in employment, housing, transportation, government services, and communications. Section 504 concerns only programs and activities that receive Federal financial assistance. The ADA is applicable to services and programs without Federal funding. Title II of ADA prohibits discrimination based on disability by State and local governments.

FACILITIES

Title II also requires that facilities that are newly constructed or altered be designed and constructed in a manner that is readily accessible and usable for people with disabilities. Facilities constructed or modified in conformance with either the Uniform Federal Accessibility Standards (UFAS) or the ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) must comply with the Title II Accessibility requirements.

ROADS AND PEDESTRIAN WALKWAYS

Title II requires that all newly constructed or altered streets, roads, highways, and pedestrian walkways must include curb ramps at every intersection having curbs or other barriers to entry from a street level or pedestrian walkway. In addition, all newly constructed or altered street level pedestrian walkways must have curb ramps at intersections.

ARCHITECTURAL BARRIERS ACT OF 1968

The Architectural Barriers Act requires that buildings financed with Federal funds must be designed, constructed, or modified to meet standards that provide accessibility for people with disabilities. These regulations do not cover privately-owned residential structures. Buildings that are designed, constructed, or altered with CDBG funds must comply with the Uniform Federal Accessibility Standards. Buildings that meet the requirements of Section 504 and the ADA, will also meet the requirements of the ABA.

CONNECTION BETWEEN FAIR HOUSING AND AFFORDABLE HOUSING

Although affordable housing is not necessarily a factor in assessing standards of fair housing and discrimination, it can indicate a lack of access to fair housing choice. The majority of the population that qualify as protected classes are also low-income households. Minority households, people with disabilities, and people who utilize Section 8 Housing Choice Vouchers are all protected classes and many are also low-income households. Lack of affordable housing impacts low-income households with a higher housing cost burden than middle- or high-income households.

Municipalities within a metropolitan region may be inaccessible to low-income households because there is no provision of affordable housing. This creates a burden for some municipalities to provide more affordable housing than their neighboring municipalities that do not allow for affordable housing options. This exclusivity of certain municipalities ultimately creates a cost burden for the remaining region.

In addition, lack of affordable housing was a major concern vocalized in multiple stakeholder meetings. Although the availability of affordable housing is not a factor in determining fair housing, a lack of affordable housing in combination with housing discrimination greatly decreases housing options for protected classes and low-income households. As a result of this inherent relationship, lack of affordable housing must be considered to provide a comprehensive insight towards the overall assessment and analysis of fair housing impediments.

III. DEMOGRAPHIC AND HOUSING MARKET CONDITIONS

POPULATION TRENDS

As documented in the joint 2020 *Analysis of Impediments to Fair Housing Choice* (AI) for the six Erie County CDBG Grantees,[3] Erie County reached a peak population of 1,113,491 residents in 1970, after which it experienced four consecutive decades of net population loss (i.e., through the 2010 Decennial Census; see Table 3.1). Countering initial expectations of additional shrinkage,[4] however, the 2020 Decennial Census revealed that population was up throughout much of the County. Between 2010 and 2020, overall population in Erie County grew by 3.8%, with much of that growth concentrated in the City of Buffalo (+6.5%) and Amherst (+5.9%). Of the six Erie County CDBG Grantees, only the Town of Tonawanda continued to lose population (-1.3%) during the most recent intercensal period (2010-2020).

The current five-year[5] U.S. Census American Community Survey (ACS) seems to indicate that populations across Erie County are stabilizing at these slightly higher levels. As shown in Table 3.1, the 2018-22 ACS estimates that Erie County contains just over 951,000 residents, a negligible 0.3% difference from the roughly 954,000 residents who were living in the County at the time of the 2020 Decennial Census.

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[3] Analysis of Impediments to Fair Housing Choice (AI) For: The City of Buffalo, NY; The Town of Amherst, NY; The Town of Cheektowaga, NY; The Town of Hamburg, NY; The Town of Tonawanda, NY; The Urban County of Erie County, NY. (February 2020).

[4] WGRZ Staff. (2021). "Surprise, Erie County's population grew for the first time in decades." *WGRZ* (12 August 2021). https://www.wgrz.com/article/news/local/erie-county-population-grew-for-first-time-in-decades/71-84df3983-72c5-4fce-b804-2c727219ea37

[5] Census ACS data now come in one- and five-year vintages. Whereas one-year estimates are characterized by the most recency, they tend to have relatively high margins of error, and one-year estimates are not available for areas with populations less than 20,000 residents. As such, one-year estimates are not particularly useful for studying demographic and housing patterns at finer geographic resolutions, such as neighborhoods or census tracts. Thus, because the analyses performed in this chapter will need to rely on the most current, more precise, and finer-resolution five-year ACS estimates for the period 2018-2022, it is more practical and consistent to look at this five-year population estimate for a contemporary snapshot of Erie County's population.

Table 3.1: Population Change in Grantee Communities*

CDBG Grantee	1970	2010	2020	2018-2022 ACS	% Change 1970-2020	% Change 2010-2020	% Difference 2020-2022
Erie County, Total	**1,113,491**	**919,040**	**954,219**	**951,214**	**-14.3%**	**3.8%**	**-0.3%**
Amherst Town	93,954	122,366	129,578	129,559	37.9%	5.9%	0.0%
Buffalo	462,542	261,310	278,349	276,688	-39.8%	6.5%	-0.6%
Cheektowaga Town	113,836	88,226	89,877	89,474	-21.0%	1.9%	-0.4%
Erie County - Urban County	288,211	316,635	323,694	323,146	12.3%	2.2%	-0.2%
Hamburg Town	47,563	56,936	60,085	59,982	26.3%	5.5%	-0.2%
Tonawanda Town	107,281	73,567	72,636	72,365	-32.3%	-1.3%	-0.4%

Sources: Brown University LTDB; U.S. Census 2010 Decennial Census, 2020 Decennial Census, and 2018-22 Five-Year American Community Survey.
*Negligible differences in total population counts between this table and official U.S. Census Bureau data products are due to rounding and aggregating historical census tract-level data from the Brown University Longitudinal Tract Data Base (LTDB), available at:
https://s4.ad.brown.edu/Projects/Diversity/Researcher/LTBDDload/DataList.aspx

The meaningful and somewhat surprising population growth taking shape within Erie County since 2010 is an encouraging sign for a region that experienced large-scale disinvestment following the hollowing out of its principal city starting in the mid-to-late 20th Century.[6] Still, not every location in the County has been growing. Table 3.2, for example, reveals that the Cities of Buffalo and Lackawanna, as well as the Town of Amherst, have been the most prominent sites for post-2010 population growth. At the same time, many outer-ring communities lost population over the past decade. More explicitly, Table 3.2 reports recent population changes for all *county subdivisions* in Erie County. County subdivisions are primarily "subcounty governmental or administrative units…[which] have legal boundaries and names as well as governmental functions or administrative purposes." In other words, they are often municipalities such as towns and villages, but they can also take the form of "statistical entities established cooperatively by the Census Bureau and officials of State and local governments…for the collection, presentation, and analysis of census statistics."[7] There are 30 such places in Erie County. The boundaries of five county subdivisions – Amherst, Buffalo, Cheektowaga, Hamburg, and the Town of Tonawanda – coincide with their respective CDBG Grantee boundaries. Together, the remaining 25 county subdivisions constitute the Urban County CDBG Grantee community.

[6] Weaver, R. (2019). *Erasing Red Lines: Part 1-Geographies of Discrimination*. Cornell University ILR School.
https://ecommons.cornell.edu/bitstream/handle/1813/73463/erasing_red_lines_part_1_AC.pdf?sequence=1&isAllowed=y
[7] https://www2.census.gov/geo/pdfs/reference/GARM/Ch8GARM.pdf

Table 3.2: Population Change in All County Subdivisions of Erie County*

County Subdivision	2010	2020	2018-22 ACS	Decade Over Decade % Change, 2010-2020	% Difference, 2020-2022
Alden	10,865	9,706	9,801	-10.7%	1.0%
Amherst*	122,366	129,578	129,559	5.9%	0.0%
Aurora	13,782	13,943	13,880	1.2%	-0.5%
Boston	8,023	7,948	7,960	-0.9%	0.2%
Brant	2,065	1,912	2,160	-7.4%	13.0%
Buffalo*	261,310	278,349	276,688	6.5%	-0.6%
Cattaraugus Reservation	1,836	2,135	1,875	16.3%	-12.2%
Cheektowaga*	88,226	89,877	89,474	1.9%	-0.4%
Clarence	30,673	32,950	32,868	7.4%	-0.2%
Colden	3,265	3,121	3,143	-4.4%	0.7%
Collins	6,598	5,894	5,867	-10.7%	-0.5%
Concord	8,494	8,316	8,313	-2.1%	0.0%
Eden	7,688	7,573	7,572	-1.5%	0.0%
Elma	11,317	11,721	11,692	3.6%	-0.2%
Evans	16,356	15,308	15,333	-6.4%	0.2%
Grand Island	20,374	21,389	21,416	5.0%	0.1%
Hamburg*	56,936	60,085	59,982	5.5%	-0.2%
Holland	3,401	3,281	3,282	-3.5%	0.0%
Lackawanna	18,141	19,949	19,762	10.0%	-0.9%
Lancaster	41,604	45,106	44,913	8.4%	-0.4%
Marilla	5,327	5,189	5,196	-2.6%	0.1%
Newstead	8,594	8,689	8,687	1.1%	0.0%
North Collins	3,523	3,504	3,503	-0.5%	0.0%
Orchard Park	29,054	29,686	29,703	2.2%	0.1%
Sardinia	2,775	2,716	2,712	-2.1%	-0.1%
Tonawanda (City)	15,130	15,129	15,096	0.0%	-0.2%
Tonawanda Reservation	34	20	23	-41.2%	15.0%
Tonawanda (Town)*	73,567	72,636	72,365	-1.3%	-0.4%
Wales	3,005	3,009	3,002	0.1%	-0.2%
West Seneca	44,711	45,500	45,387	1.8%	-0.2%
Erie County, Total	919,040	954,219	951,214	3.8%	-0.3%

Sources: U.S. Census 2010 Decennial Census, 2020 Decennial Census and 2018-22 Five-Year American Community Survey *Indicates that county subdivision boundaries are equivalent to CDBG Grantee boundaries

Figure 3.1 maps census tract-level population changes throughout Erie County between 2010 and the current ACS, with labels showing the locations of each county subdivision (Table 3.2). The patterns revealed in the map are essentially

an inversion of the population dynamics documented in the 2020 Erie County joint AI, wherein the term "sprawl without growth" was used to describe a situation in which Buffalo's population was still contracting while smaller municipalities farther from the urban center were growing.[8] Pushing back against that pattern, population change since 2010 is more consistent with dynamics of reurbanization, or (re)growth in denser communities, vis-à-vis population contraction in more remote parts of Erie County – especially in the southern and southeastern outlying areas.

At the Grantee level, the Town of Amherst experienced net population gains, with most growth concentrated in the northern portion of the jurisdiction adjacent to the Niagara County border. In Buffalo, growth took shape relatively evenly, save for pockets of population loss that transpired largely in the northwest, central, and southern areas of the City. Cheektowaga, while netting population between 2010 and the end of the current Census ACS period (2022), lost residents throughout the central (i.e., Walden Avenue corridor) parts of town. Population growth happened in the eastern and northern neighborhoods, particularly in the northwest area that borders the City of Buffalo. Growth in Hamburg occurred primarily in the southern parts of the jurisdiction, with minor population loss along the Lake Erie waterfront and in neighborhoods adjacent to Lackawanna. The Town of Tonawanda, which was the only Grantee community to record overall population loss since 2010, saw pockets of growth in the central and western areas of the Town, while most remaining neighborhoods contracted in size. Finally, in the Urban County Grantee area, which has netted nearly 7,000 residents since 2010, growth was largely concentrated in outer-ring suburbs in northeast Erie County, such as Clarence, Newstead, Alden, and, especially, Lancaster. Meanwhile, most of the so-called "southtowns" – with the notable exceptions of Lackawanna, Orchard Park, and East Aurora – lost population over the past decade-plus.[9]

Uneven patterns of population growth and contraction like those observed above tend to bring changes to a place's demographic composition. Tables 3.3 through 3.6 summarize population shifts for the four largest racial and ethnic groups in Erie County, for the six Grantee communities, since 2010. The tables provide ample evidence that Erie County in general, and the Grantee communities in particular, are still experiencing national trends toward greater diversity. However, much like the overall patterns of population changes from above, these trends have been spatially uneven. In Buffalo, for example, the population of persons who identify as white and not Hispanic or Latinx (hereafter "White") contracted by more than 9% between the 2010 and 2020 Decennial Censuses. Notably, though, the current Census ACS suggests that the number of

[8] AI (February 2020) [see Fig. 3.2].

[9] Note that the mainly residential areas of the Town of Collins also grew; however, the census tract where a state correctional facility is located saw significant population loss. Due to the presence of that institution and its influence on the Town's overall population numbers, the net loss in Collins should arguably not be treated the same as the population loss observed in surrounding southtown communities that do not contain correctional facilities.

white-identifying persons in the City might not have fallen by so large a magnitude, and that it might be closer to what it was in 2010 than in 2020. However, because ACS estimates are derived from sample data and not full count data, there is a case to be made that the ACS might be overstating the relative size of Buffalo's white population compared to the 2020 Decennial Census.

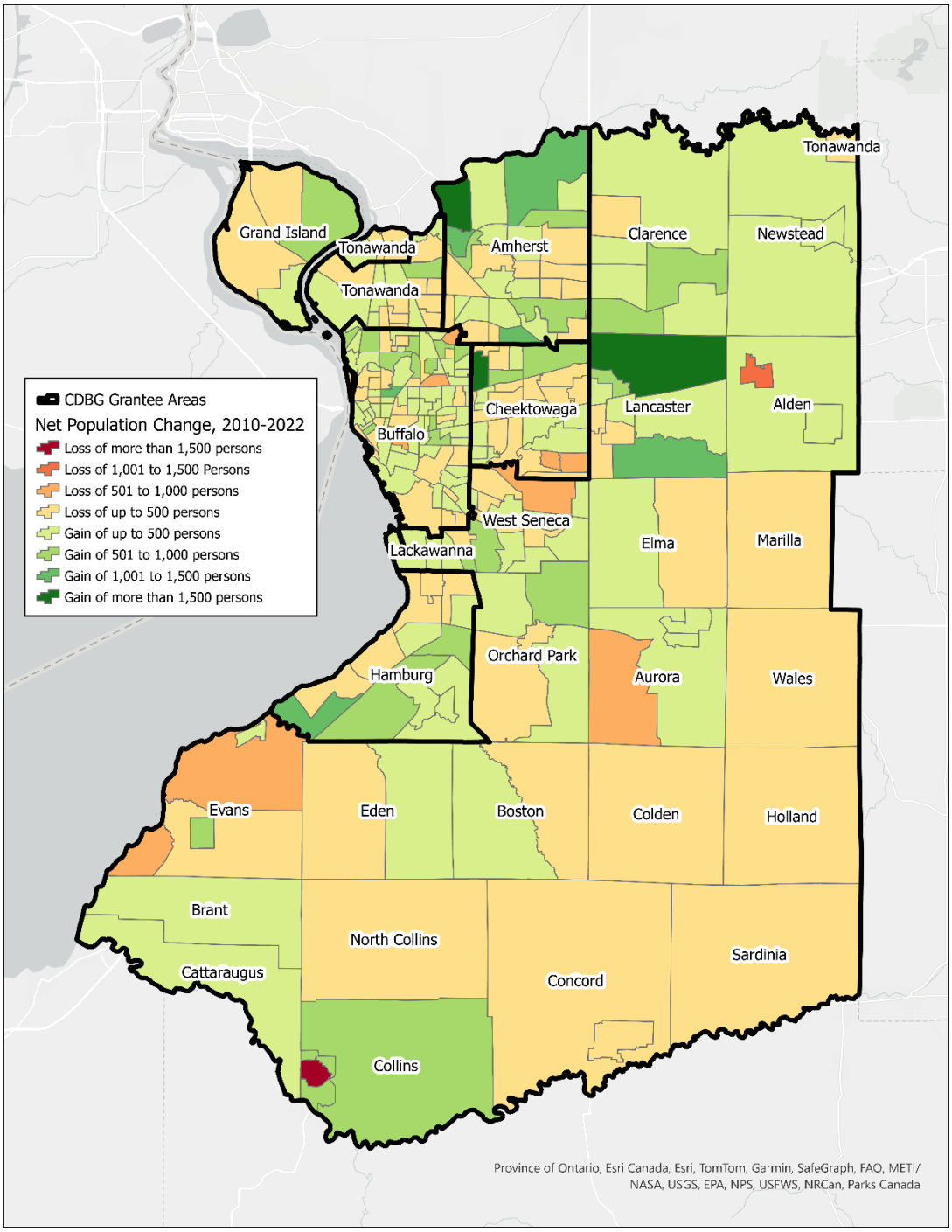

Figure 3.1: Census tract-level population change in Erie County, 2010-2022

Table 3.3: Change in the Population of White, Not Hispanic/Latinx Persons in Grantee Communities

CDBG Grantee	2010	2020	2018-22 ACS	% Change 2010-2020	% Diff. 2020-2022	% of Total Pop., 2010	% of Total Pop., 2022
Amherst Town	100,778	95,822	98,143	-4.9%	2.4%	82.4%	75.7%
Buffalo	119,796	108,652	119,557	-9.3%	10.0%	45.8%	43.2%
Cheektowaga Town	76,677	68,608	68,558	-10.5%	-0.1%	86.9%	76.6%
Erie County - Urban County	295,367	289,568	292,563	-2.0%	1.0%	93.3%	90.5%
Hamburg Town	54,366	54,784	55,349	0.8%	1.0%	95.5%	92.3%
Tonawanda Town	67,172	60,802	60,273	-9.5%	-0.9%	91.3%	83.3%
Erie County, Total	**714,156**	**678,236**	**694,443**	**-5.0%**	**2.4%**	**77.7%**	**73.0%**

Sources: U.S. Census 2010 Decennial Census, 2020 Decennial Census, and 2018-22 ACS

As adjacent, first-ring suburbs that have shared in the experience of historical population loss with Buffalo (Table 3.2),[10] the Town of Cheektowaga and Town of Tonawanda CDBG Grantee communities are echoing demographic shifts being observed in the City. In both locations, the White population fell by more than 9% between the 2010 and 2020 Decennial Censuses. Unlike in Buffalo, though, current ACS estimates suggest that these decreases could be ongoing, and that the White population – both in absolute and relative terms – might continue to trend downward in these locations. While such a situation presumably has multiple causes, including population aging, it is worth noting that there has also been a trend away from identifying as white only for many groups across the U.S. As the sociologist Charles Gallagher recently told NPR, "some people who once checked off only the "White" box on forms may feel "more comfortable giving a more nuanced answer" about their origins."[11]

By contrast, the White populations in the outer-ring Urban County and Hamburg Grantee communities have experienced more muted changes (-2.0% in the Urban County), with Hamburg being the only location where the White population ticked up. In Amherst, the White population fell (-4.9%) by roughly the Erie County average (-5.0%) from 2010 through 2020.

Table 3.4 shows that, unlike the White population, which has been shrinking, the number of persons who identify as Black or African American (hereafter "Black") in Erie County increased in all Grantee communities between 2010 and 2020. Buffalo's Black population grew by the smallest magnitude, at just 1.5%, between the last two Decennial Censuses. The remaining five Grantee communities were

[10] AI (February 2020).
[11] "This Is How The White Population Is Actually Changing Based On New Census Data." https://www.npr.org/2021/08/22/1029609786/2020-census-data-results-white-population-shrinking-decline-non-hispanic-race

associated with double-digit percentage increases in their respective Black populations, led by Hamburg, whose Black population nearly doubled (+84.4%) in the past decade. Nevertheless, as of the 2020 Census, Black residents still made up less than 1% of Hamburg's total population, despite such persons accounting for 13% of the overall Erie County population. Thus, as Table 3.4 makes clear, Erie County's Black or African American residents are concentrated in Buffalo, where such persons make up 37.4% of the overall population. All remaining Grantee communities are still home to disproportionately few Black residents.

Table 3.4: Change in the Population of Black, Not Hispanic/Latinx Persons in Grantee Communities

CDBG Grantee	2010	2020	2018-22 ACS	% Change 2010-2020	% Diff. 2020-2022	% of Total Pop., 2010	% of Total Pop., 2022
Amherst Town	6,765	8,909	7,231	31.7%	-18.8%	5.5%	5.6%
Buffalo	97,637	99,102	91,326	1.5%	-7.8%	37.4%	33.0%
Cheektowaga Town	6,898	10,800	10,655	56.6%	-1.3%	7.8%	11.9%
Erie County - Urban County	6,098	6,797	6,721	11.5%	-1.1%	1.9%	2.1%
Hamburg Town	404	745	703	84.4%	-5.6%	0.7%	1.2%
Tonawanda Town	2,114	3,521	4,264	66.6%	21.1%	2.9%	5.9%
Erie County, Total	**119,916**	**129,874**	**120,900**	**8.3%**	**-6.9%**	**13.0%**	**12.7%**

Sources: U.S. Census 2010 Decennial Census, 2020 Decennial Census, and 2018-22 ACS

Prior to moving on, observe that current Census ACS estimates suggest that, save for Tonawanda, all Erie County Grantee communities are potentially on track to experience net losses in their Black populations. As noted above, however, keep in mind that ACS estimates are derived from sample data and not full count data. Accordingly, there is a case to be made that the ACS might be understating the relative size of Erie County's Black population when compared to the 2020 Decennial Census.

With respect to fair housing choice, one key takeaway from Table 3.4 is that Black or African American residents of Erie County are still highly concentrated in the City of Buffalo. While numerous factors can influence these patterns – including unobservable individual-level preferences and the distribution of transportation and employment opportunities – one potential implication is that Black residents have had disproportionately fewer residential opportunities available to them outside of Buffalo relative to residents from other racial and ethnic groups, especially White persons. The fact that no Grantee community except for Buffalo has a Black population that equals or exceeds the group's overall share of Erie County's population (13%) arguably supports this notion. Nonetheless, that the Black population has grown in all other Grantee

communities is an emerging sign that residential access for African Americans is increasing, albeit slowly, throughout Erie County.

Unlike the slowly shrinking White population and slowly growing Black population, Table 3.5 shows how the population of Asian American (hereafter "Asian") residents in Erie County exploded between 2010 and 2020, nearly doubling in size over the course of the decade. The largest magnitudes of growth occurred in Buffalo and neighboring Cheektowaga, where the Asian populations and Asian shares of population more than doubled. Analysts have suggested that immigrants and refugees, especially from Bangladesh and Burma, might have been the driving force behind the unexpected population growth in Buffalo that was recorded in the 2020 Decennial Census.[12] Situated in that context, the substantial growth rates documented in Table 3.5 suggest that in-migrants from Asian countries are finding residential opportunities in Erie County. Whether those opportunities offer residents true housing security, however – where housing security is characterized by, among other things, affordability and quality[13] – is a question that must be asked, studied, and monitored over time by public agencies and advocacy organizations in order to ensure that Erie County is a welcoming destination for persons migrating or seeking refuge from other locations across the globe.

Table 3.5: Change in the Population of Asian Persons in Grantee Communities*

CDBG Grantee	2010	2020	2018-22 ACS	% Change 2010-2020	% Diff. 2020-2022	% of Total Pop., 2010	% of Total Pop., 2022
Amherst Town	9,643	14,835	12,443	53.8%	-16.1%	7.9%	9.6%
Buffalo	8,313	21,119	21,088	154.0%	-0.1%	3.2%	7.6%
Cheektowaga Town	1,333	3,298	2,473	147.4%	-25.0%	1.5%	2.8%
Erie County - Urban County	3,038	4,596	2,846	51.3%	-38.1%	1.0%	0.9%
Hamburg Town	322	534	355	65.8%	-33.5%	0.6%	0.6%
Tonawanda Town	972	1,708	1,924	75.7%	12.6%	1.3%	2.7%
Erie County, Total	**23,621**	**46,090**	**41,129**	**95.1%**	**-10.8%**	**2.6%**	**4.3%**

Sources: U.S. Census 2010 Decennial Census, 2020 Decennial Census, and 2018-22 ACS

One potentially concerning sign in Table 3.5 is that, despite marked growth in the Asian populations of all six Grantee communities, Asian Americans remain relatively concentrated in Amherst (9.6% of residents) and Buffalo (7.6% of residents), while being underrepresented throughout the rest of the County. Once again, diverse individual preferences and employment options play major

[12] https://www.buffalo.edu/news/tipsheets/2021/020.html

[13] Weaver, R., & Knight, J. (2020). Advancing housing security: An analysis of renting, rent burden, and tenant exploitation in Erie County, NY. Available at SSRN: https://ssrn.com/abstract=3778025 or http://dx.doi.org/10.2139/ssrn.3778025

roles in these patterns; however, such patterns presumably also reflect disparate residential opportunities across the County. Thus, as with the Black population, it will be important to monitor the extent to which Asian Americans become more residentially integrated into other Grantee communities over time.

Mirroring the situation for African Americans depicted in Table 3.4, Table 3.6 shows that Buffalo is the only Erie County Grantee community where the Hispanic/Latinx share of population (12.3%) is equal to or greater than the Countywide Hispanic/Latinx share of population (6.0%). As was the case for Asian Americans, the Hispanic/Latinx population increased substantially in all six entitlement communities over the past decade, especially in Cheektowaga. However, the subpopulation remains concentrated in Buffalo and disproportionately low throughout the rest of the County. Although ongoing growth in the Hispanic/Latinx population in all six Grantee areas is a promising indicator that such persons are finding residential opportunities throughout Erie County, the patterns described in Table 3.6, together with the patterns present in Tables 3.3, 3.4, and 3.5, suggest that these opportunities are still not equitable across racial and ethnic subgroups of the Erie County population.

Table 3.6: Change in the Population of Hispanic/Latinx Persons in Grantee Communities*

CDBG Grantee	2010	2020	2018-22 ACS	% Change 2010-2020	% Diff. 2020-2022	% of Total Pop., 2010	% of Total Pop., 2022
Amherst Town	2,870	4,977	5,849	73.4%	17.5%	2.3%	4.5%
Buffalo	27,519	35,643	34,152	29.5%	-4.2%	10.5%	12.3%
Cheektowaga Town	1,900	3,693	3,831	94.4%	3.7%	2.2%	4.3%
Erie County - Urban County	6,225	9,869	8,183	58.5%	-17.1%	2.0%	2.5%
Hamburg Town	1,214	2,035	1,653	67.6%	-18.8%	2.1%	2.8%
Tonawanda Town	2,003	3,441	3,043	71.8%	-11.6%	2.7%	4.2%
Erie County, Total	**41,731**	**59,658**	**56,711**	**43.0%**	**-4.9%**	**4.5%**	**6.0%**

Sources: U.S. Census 2010 Decennial Census, 2020 Decennial Census, and 2018-22 ACS

In sum, Erie County and its six entitlement communities are diversifying, though population growth continues to be uneven across demographic subgroups and geographies. Overall population growth has been strongest in Buffalo and Amherst, with Hamburg not far behind. In all cases, persons of color have collectively been the driving force of the County's growing ranks. The observation that such persons are largely concentrated in Buffalo and, to a lesser extent, Amherst, explains why those jurisdictions have added residents at higher rates than all other entitlement communities. Although individual preferences are always involved in location decisions, the persistent concentration of persons of color in Buffalo arguably indicates that residential

opportunities for non-White racial and ethnic population subgroups remain limited and not evenly distributed throughout the County.

Figures 3.2 and 3.3, below, use dot density mapping with constant symbolization, at the census tract level, to illustrate the changing, post-2010 patterns of population described in the preceding tables in a more spatially explicit way. The maps show how the overall population might be reurbanizing, with meaningful growth in the principal city coupled with initial outer-ring contraction, particularly in the eastern and southern portions of Erie County. At the same time, the maps offer visual evidence for the increasing diversity of Erie County, especially in Buffalo. Still, as evidenced in the preceding series of tables, the maps detail how the County's largest racial and ethnic subgroups of color remain mostly concentrated in Buffalo, but with the adjacent suburbs of Amherst, Cheektowaga, and Tonawanda all becoming significantly less racially homogenous over time. As was the case in the prior AI, Hamburg and the Urban County have been much slower to diversify compared to their denser counterparts, with White residents still accounting for more than 90% of each area's population.

Aside from illustrating rising diversity, Figures 3.2 and 3.3 also depict the patterns of residential racial segregation that continue to thrive in the County. Observe that Erie County's Black residents are still heavily concentrated on the East Side of Buffalo, while its Hispanic and Latinx residents remain disproportionately clustered on Buffalo's West Side. The topics of racial-ethnic integration and diversity are treated more formally in a later subsection.

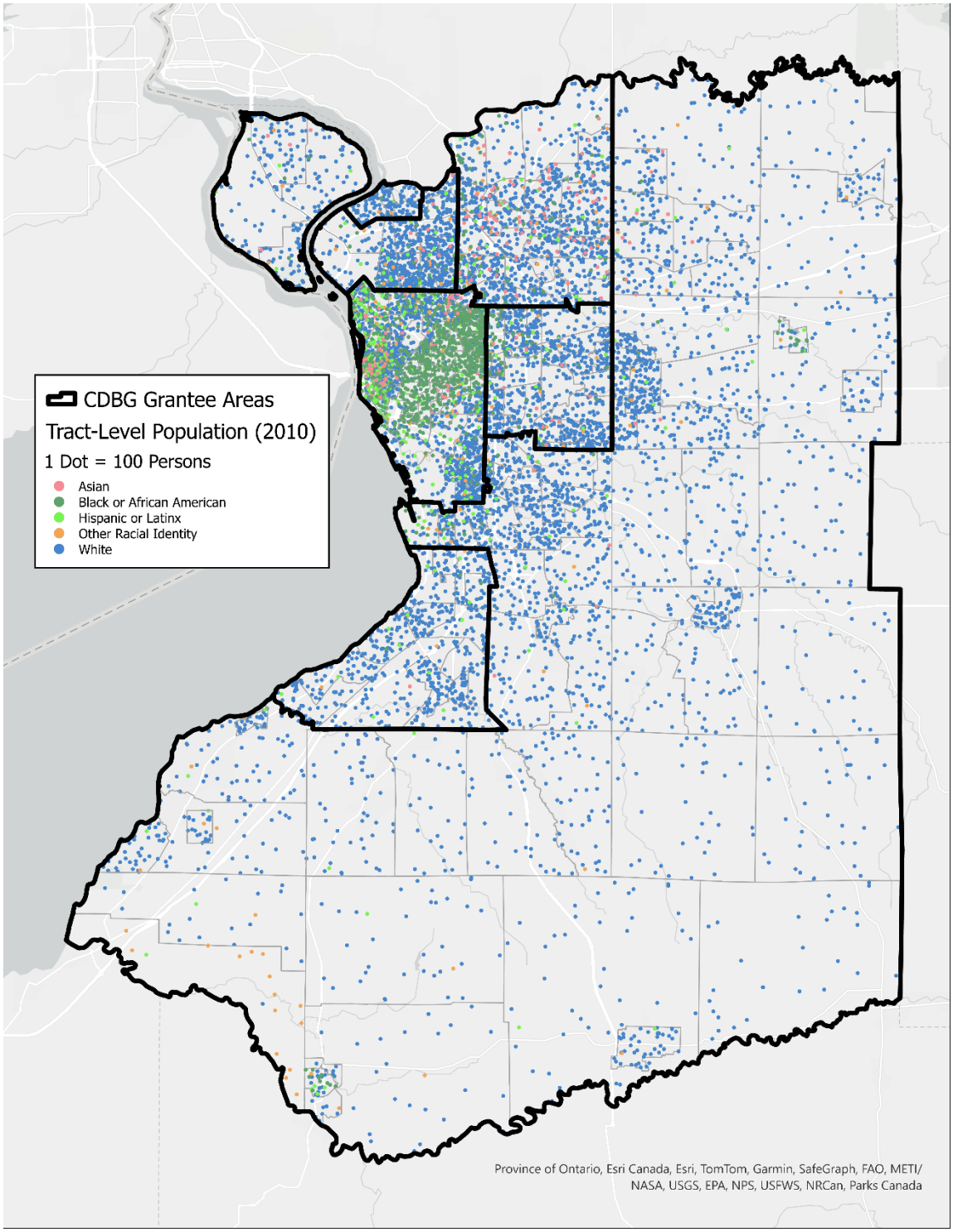

Figure 3.2: Tract-level distribution of population of Erie County's largest racial and ethnic groups, 2010

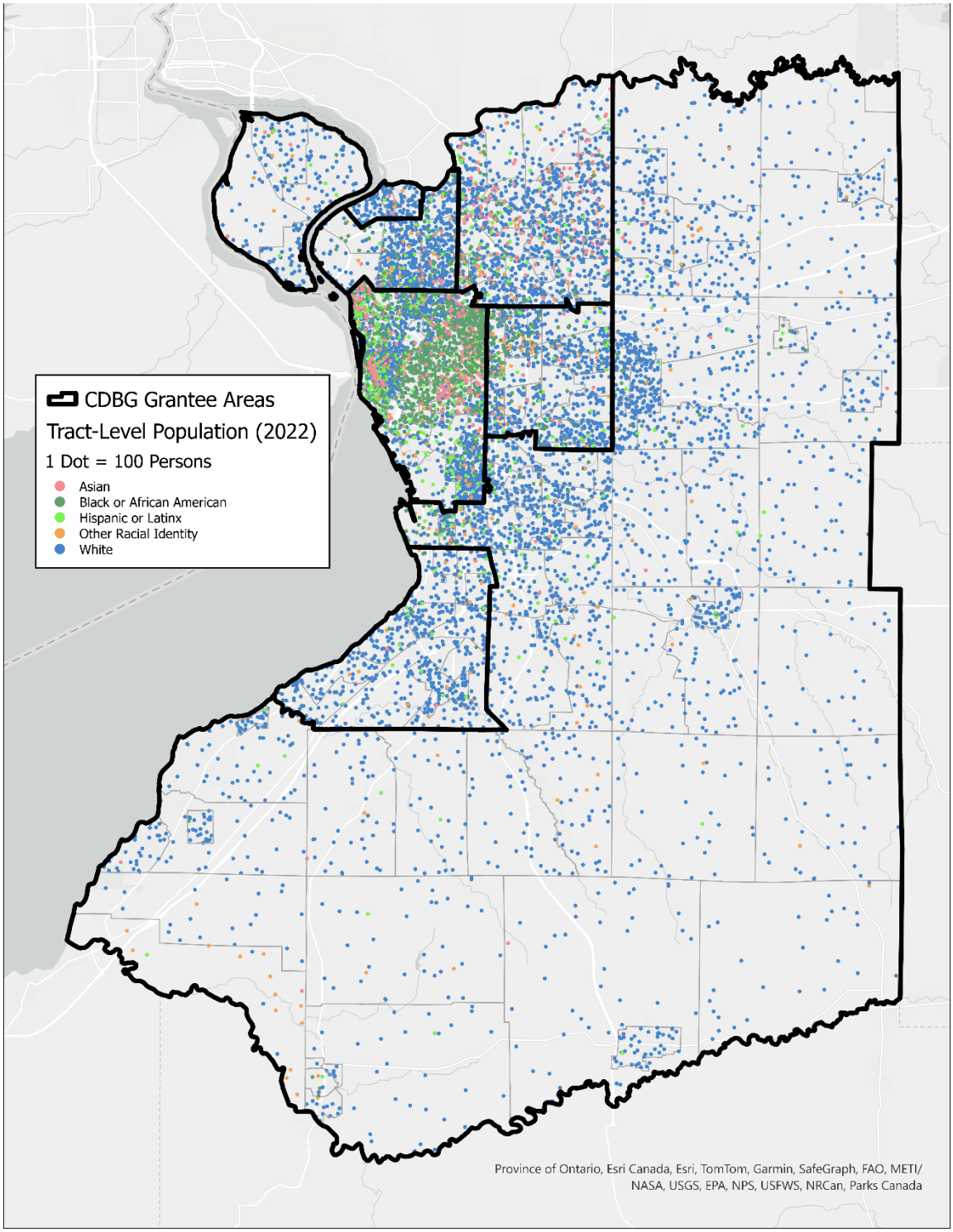

Figure 3.3: Tract-level distribution of population of Erie County's largest racial and ethnic groups, 2022

RACIALLY OR ETHNICALLY CONCENTRATED AREAS (R/ECAS)

Despite the rising levels of diversity documented in all six Grantee areas, persons of color remain highly concentrated within, and not evenly distributed throughout, Erie County. While personal choice and other unobservable factors can play roles in such patterns, from a fair housing perspective, uneven distributions of population by race and ethnicity (among other protected classes) are often indicators that certain groups lack choices and/or are subject to discriminatory forces in the housing market. As such, it is important to identify where racial and ethnic groups are concentrated in a region, and to better understand the conditions that persist in those areas.

That being said, what constitutes racial or ethnic concentration varies from place to place, and it is generally not advisable to quantify concentration the same way for cities and their surroundings.[14] Consequently, this section draws on recent precedents and policy documents to identify thresholds for "minority concentration" in each of the six Grantee communities.

First, starting with its 2013-2019 Consolidated Plan and continuing into the 2020 joint *Analysis of Impediments to Fair Housing Choice* (AI) for the six Erie County CDBG Grantees,[15] the City of Buffalo defines areas of minority concentration as spaces where "populations of racial or ethnic group are at least ten percent greater than for the city as a whole."[16] With respect to identifying areas of minority concentration for analyzing impediments to fair housing, this definition has been interpreted to mean that areas of minority concentration are spaces where a minority group's fraction of population in that space is *ten percentage points higher* than the group's share of Citywide population.[17] Moreover, to the extent that they constitute the three largest racial-ethnic groups of color in Buffalo, this definition has been applied to the Black, Asian, and Hispanic/Latinx populations separately in efforts to identify racially or ethnically concentrated areas (R/ECAs).[18] These guidelines are followed in the remainder of this chapter to identify both R/ECAs and racially and ethnically concentrated areas of poverty (R/ECAPs). With respect to the latter, Buffalo's Consolidated Plan advises that analysts use a threshold based on the proportion of households with low-to-moderate income to identify concentrations of poverty (or, in this case, low-mod income). Specifically, the Consolidated Plan states that spaces where the share of households with low-to-moderate income (i.e., less than 80% of area median

[14] https://files.hudexchange.info/resources/documents/AFFH-T-Data-Documentation-(AFFHT0004a)-March-2018.pdf (see p. 11)
[15] AI (February 2020).
[16] https://www.buffalony.gov/DocumentCenter/View/4213/2013-2019-Consolidated-Plan (see p. 32)
[17] https://www.buffalony.gov/DocumentCenter/View/1713/2014-Analysis-of-Impediments-PDF
[18] Ibid. (p. 25)

income) exceeds 50 percent are to be classified as areas of need (or, in the language of this document, concentrated areas of poverty).[19]

Next, the five Grantee communities outside the City of Buffalo have a recent history of defining R/ECAs as those spaces where the combined non-white fraction of population is more than double the overall non-white fraction of the population in the Grantee community.[20] An equivalent test has been used to identify concentrated areas of poverty (CAPs) in the Grantee communities.[21] Although the practice of using *only* the combined non-white population to identify R/ECAs in the five non-Buffalo entitlement communities has been adopted in multiple prior AIs, including the most recent (2020) version, herein the analysis is expanded to avoid treating all non-white subpopulations as a common group. Rather, taking inspiration from Buffalo, R/ECA thresholds for the remaining Grantee communities are also computed for the County's three largest racial-ethnic groups of color: Black or African American residents, Asian American residents, and Hispanic or Latinx residents. This decision was made in response to the increasing diversity documented throughout the County (Tables 3.3 through 3.6). Namely, as population subgroups of color continue to grow, it is important and necessary to monitor the extent to which those groups are or are not settling in concentrated patterns. Toward that end, in addition to replicating historical methods of identifying non-Buffalo R/ECAs based on the combined non-white population, subsequent analyses also compute and apply three group-specific R/ECA thresholds for these Grantee areas (using the preferred "doubling" decision rule that these communities have adopted in past AIs).

Taken together, the above decision-making rules suggest that identifying R/ECAs in the six AI communities involves the use of 24 separate thresholds. In the interest of currency, these thresholds – and all subsequent analyses – draw on the latest (2018-22) vintage of the U.S. Census Five Year American Community Survey (ACS). Table 3.7 presents the relevant R/ECA thresholds for all Grantee communities based on these data. Using these thresholds, Figure 3.4 maps R/ECAs throughout Erie County at the census tract level of analysis.[22]

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[19] https://www.buffalony.gov/DocumentCenter/View/4213/2013-2019-Consolidated-Plan (see p. 32)

[20] The term "non-white" as used here refers to all persons who are not members of the "White, Not Hispanic or Latinx" demographic group.

[21] http://www2.erie.gov/environment/sites/www2.erie.gov.environment/files/uploads/CoomDev-Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice%20Erie%20County%20NY%20AI%2012%2031%2015.pdf

[22] Census tracts are used for R/ECA and R/ECAP definitions throughout this chapter to promote consistency in reporting, and consistency with other important datasets. Concerning the latter, federal Home Mortgage Disclosure Act (HMDA) data are only provided down to the tract level of analysis. Thus, to summarize lending patterns in R/ECAs and R/ECAPs later in this document, it will be necessary to use a consistent unit of geography. Moreover, while much of the data described in this report is available at the slightly finer block group resolution of geography, several key variables (e.g., the number of persons with certain physical and cognitive difficulties) are not. For that reason, the census tract is the preferred analytical unit throughout this document.

***Table 3.7**: Thresholds for identifying R/ECAs (source: 2018-22 ACS)*

Grantee Community *Population Subgroup*	**Group's Share of Overall Population**	**Rule**	**Threshold (per decision-rules described above)**
Buffalo			
Black	32.3%	+ 10 =	42.3%
Hispanic/Latinx	12.3%	+ 10 =	22.3%
Asian	7.6%	+ 10 =	17.6%
Non-White	56.4%	+ 10 =	66.4%
Amherst			
Black	5.5%	x 2 =	11.0%
Hispanic/Latinx	4.5%	x 2 =	9.0%
Asian	9.6%	x 2 =	19.2%
Non-White	23.4%	x 2 =	46.8%
Cheektowaga			
Black	11.9%	x 2 =	23.7%
Hispanic/Latinx	4.3%	x 2 =	8.6%
Asian	2.8%	x 2 =	5.6%
Non-White	23.0%	x 2 =	46.0%
Erie County – Urban County			
Black	2.3%	x 2 =	4.6%
Hispanic/Latinx	2.5%	x 2 =	5.0%
Asian	0.9%	x 2 =	1.7%
Non-White	8.7%	x 2 =	17.4%
Hamburg			
Black	1.2%	x 2 =	2.4%
Hispanic/Latinx	2.8%	x 2 =	5.5%
Asian	0.6%	x 2 =	1.1%
Non-White	7.1%	x 2 =	14.2%
Tonawanda			
Black	5.7%	x 2 =	11.5%
Hispanic/Latinx	4.2%	x 2 =	8.4%
Asian	2.6%	x 2 =	5.3%
Non-White	16.3%	x 2 =	32.5%

Following from observations made in the previous section, most of the County's R/ECAs are situated in the City of Buffalo, with additional areas of concentration in surrounding communities and scattered R/ECAs found throughout the outer-ring jurisdictions. There are virtually no R/ECAs in the dozen or so municipalities that make up the southeastern portion of Erie County.

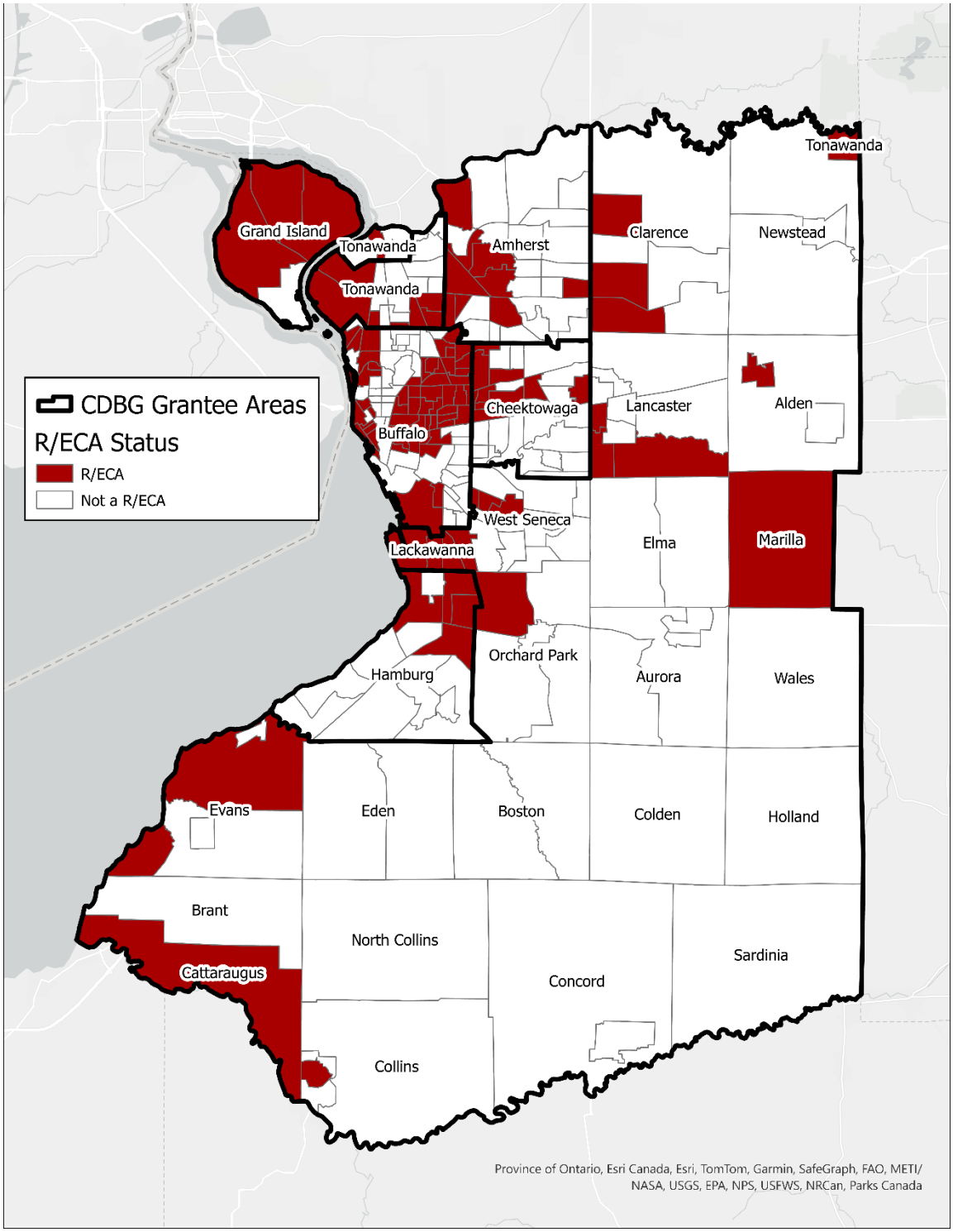

Figure 3.4: Racially or Ethnically Concentrated Areas (R/ECAs) in Erie County

CONCENTRATED AREAS OF POVERTY (CAPS)

Recall from the previous section that separate thresholds were used for each Grantee community to identify Racially or Ethnically Concentrated Areas (R/ECAs). In presenting those thresholds, references to existing policy documents and precedents described how the Grantee communities have historically defined Concentrated Areas of Poverty (CAPs). Namely, Buffalo has defined concentrations of poverty (or, more precisely, concentrations of low- and moderate-income households) as those spaces where a simple majority of households earn low-to-moderate-income.[23] The five entitlement communities in Erie County outside of Buffalo have previously defined CAPs as those spaces where the local (i.e., census tract) poverty rate is more than twice as large as the specific Grantee area-wide poverty rate.[24] As was done for the section on R/ECAs above, this section performs essential calculations for establishing these thresholds using the current (2018-2022) five-year U.S. Census American Community Survey (ACS).

Table 3.8 lists the thresholds used in the CAP identification analyses, and Figure 3.5 maps the tracts that exceed their respective CAP thresholds throughout Erie County.

***Table 3.8**: Thresholds for identifying CAPs (sources: 2018-22 ACS; HUD[25])*

Grantee Community	Poverty Rate		Threshold
Buffalo	27.2%	N/A	Share of LMI households > 50%
Amherst	9.2%	x 2 =	18.4%
Cheektowaga	9.2%	x 2 =	18.3%
Erie County – Urban County	7.7%	x 2 =	15.4%
Hamburg	7.0%	x 2 =	13.9%
Tonawanda	9.3%	x 2 =	18.6%

While there are several differences between the distribution of CAPs in Fig. 3.5 and the distribution of R/ECAs shown above in Fig. 3.4, arguably the more meaningful eyeball observation is the degree of similarity between the two phenomena, especially in Buffalo. That eyeball correlation is not surprising, given the vast empirical evidence documenting troubling and longstanding links

[23] https://www.buffalony.gov/DocumentCenter/View/4213/2013-2019-Consolidated-Plan (see p. 32)

[24] http://www2.erie.gov/environment/sites/www2.erie.gov.environment/files/uploads/CoomDev-Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice%20Erie%20County%20NY%20AI%2012%2031%2015.pdf

[25] HUD's current low- and moderate-income summary data table is available through HUD Exchange: https://www.hudexchange.info/programs/acs-low-mod-summary-data/ Unfortunately, this release is slightly dated, based on 2016-20 ACS data rather than the current 2018-22 ACS data. Critically, however, the newer ACS data cannot be used here insofar as the ACS does not set or provide data on LMI income limits (or the area median incomes on which they are based). Rather, these figures are compiled annually by HUD, and the active limits are based on the 2016-20 dataset linked above.

between race and poverty.[26] Indeed, it is precisely the stickiness and prevalence of such linkages that drive the need to Affirmatively Further Fair Housing – that is, the Fair Housing Act requires affirmative actions to "undo historical patterns of segregation and other types of discrimination, as well as to…foster inclusive communities."[27] Pursuant to that mandate, Grantee communities are required to analyze patterns and trends of *racially or ethnically concentrated areas of poverty* (R/ECAPs). To that end, the chapter now turns to answering a question at the heart of any AI investigation: where do R/ECAs and CAPs co-occur to form pockets of *racially or ethnically concentrated poverty*?

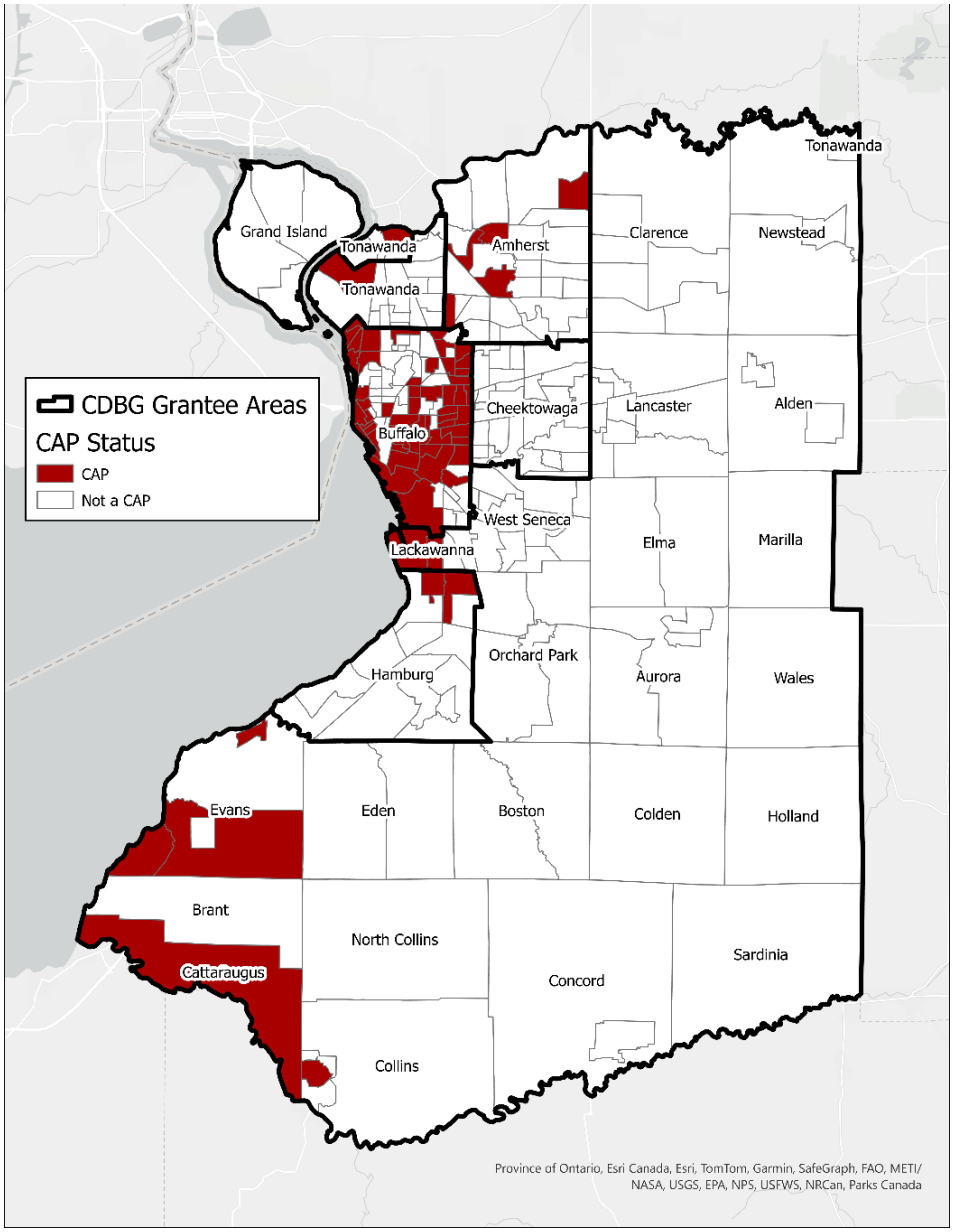

Figure 3.5: Concentrated Areas of Poverty (CAPs) in Erie County

[26] Jencks, C. (1992). Rethinking social policy: Race, poverty, and the underclass.
[27] https://nlihc.org/sites/default/files/AG-2018/Ch07-S02_AFFH-July-16-Rule_2018.pdf (p. 7-6).

RACIALLY OR ETHNICALLY CONCENTRATED AREAS OF POVERTY (R/ECAPS)

The preceding sections mapped and identified R/ECAs and CAPs, respectively, throughout the six CDBG Grantee communities in Erie County. For the purposes of this AI, R/ECAPs are those tracts that qualify simultaneously as R/ECAs and CAPs, per the definitions put forth above. Put another way, R/ECAPs constitute the **geographic intersection** of R/ECAs and CAPs—they are areas "with significant concentrations of [both] poverty and minority" population.[28]

Prior to mapping these spaces throughout Erie County and zooming into each Grantee community, Table 3.9 provides a summary contingency table that classifies all census tracts in Erie County by their joint R/ECA-CAP statuses, as computed above. The overall, Countywide pictures presented in these tables are eye-opening. Namely, using the thresholds spelled out earlier in this chapter, 109 tracts in Erie County qualify as R/ECAs. In total, 71 tracts qualify as CAPs. Tracts that quality as both R/ECAs *and* CAPs using the HUD-provided dataset number to 50. In other words, of 109 R/ECA tracts, 45.9% (n=50) are CAPs. By contrast, of 152 non-R/ECA tracts, just 13.8% (n=21) are CAPs. Based on those figures, the odds that a tract is a Concentrated Area of Poverty (CAP) are roughly 5.3 times greater in Racially or Ethnically Concentrated Areas (R/ECAs) relative to all other census tracts in Erie County. This evident relationship between concentrated race/ethnicity and concentrated poverty is highly statistically significant, occurring by chance in fewer than one out of every 10,000 cases.

***Table 3.9**: Relationship between R/ECA and CAP Status (source: 2018-22 ACS)*

R/ECA Status	CAP Status		Totals
	Not a CAP	***CAP***	
Not a R/ECA	131	21	152
R/ECA	59	50	109
Totals	190	71	261

$\chi^2[1] = 31.34\ p \ll 0.0001$[29]

Having established the strong and nonrandom linkage between residential racial segregation and concentrated poverty in Erie County, Figure 3.6 maps the location of all R/ECAPs across the County's six Grantee communities. Following that map, six separate subsections provide Grantee-by-Grantee inventories of these spaces for planning and monitoring purposes.

[28] AFFH Rule Guidebook, p. 65.

[29] The chi-squared test summarized here is a test of independence. The null hypothesis is that R/ECA status is unrelated to CAP status. The large magnitude of the chi-square test statistic (and the infinitesimally small p-value) lead to a rejection of that hypothesis. In other words, R/ECA and CAP status are highly statistically dependent.

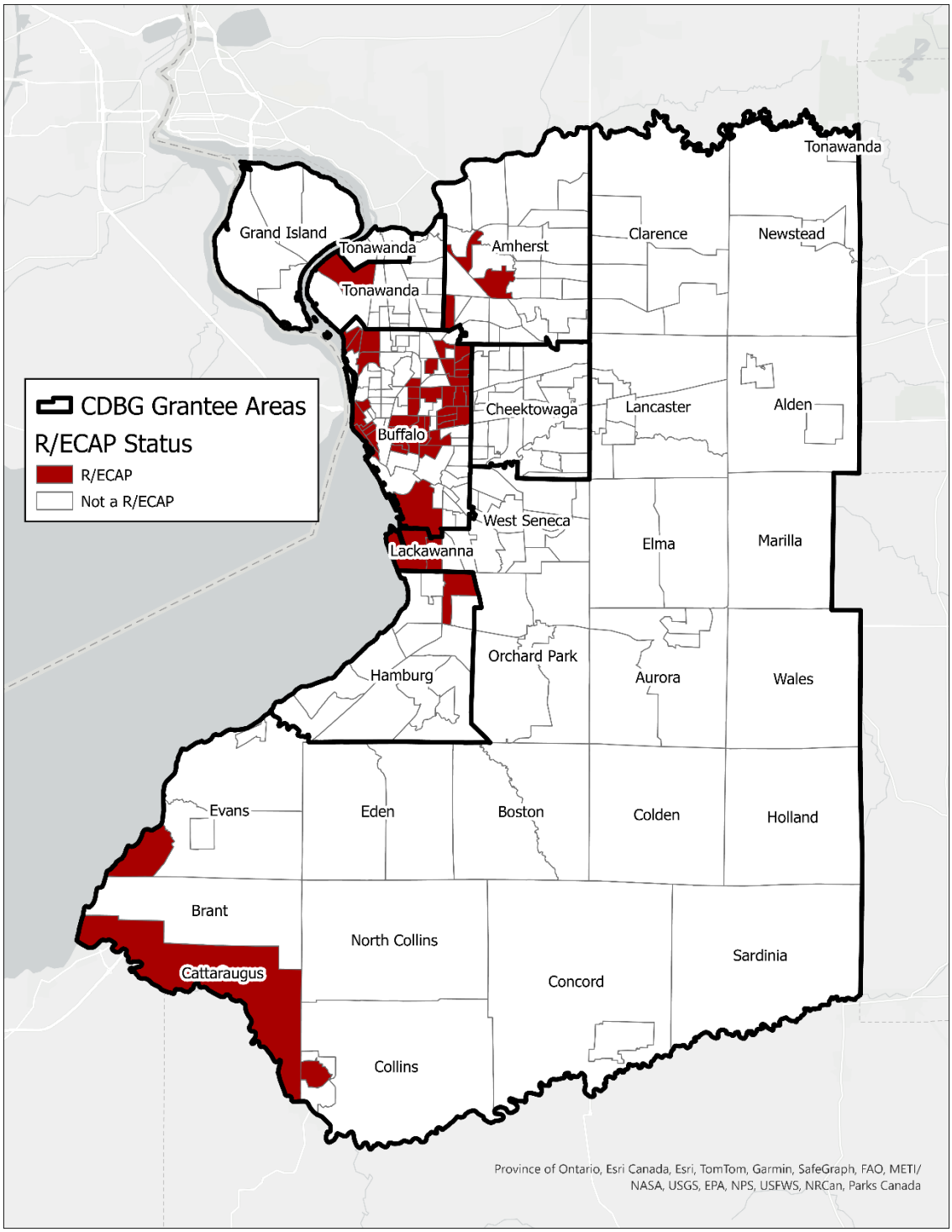

Figure 3.6: Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Erie County

R/ECAPS IN BUFFALO

Table 3.10 inventories the R/ECAPs detected in Buffalo, and Figure 3.7 maps the locations of those areas. Each entry in the column "Tract ID" in Table 3.10 has a corresponding entry on the map.

As the table and figure show, Buffalo's R/ECAPs are largely concentrated on the East Side of the City, where the population is disproportionately Black or African American.[30] Remaining R/ECAPs are found mostly on the West Side, which is home to a disproportionate share of Buffalo's Hispanic or Latinx population.[31]

***Table 3.10**: Inventory of R/ECAPs in Buffalo*

Tract	Population	% Black	% Asian	% Hispanic or Latinx	% All Persons of Color, Combined	Poverty Rate	>50% of Households are LMI?*
1.1	2,621	3.0%	0.0%	**24.6%**	29.1%	12.7%	Yes
14.03	2,127	**81.3%**	0.0%	8.0%	**96.6%**	34.8%	Yes
14.04	547	**73.7%**	0.0%	**24.1%**	**98.9%**	57.2%	Yes
15	1,820	**70.3%**	5.7%	0.4%	**92.1%**	25.9%	Yes
16.01	1,901	24.7%	**38.4%**	13.9%	**79.3%**	41.8%	Yes
16.02	1,165	39.0%	12.3%	16.1%	**76.1%**	34.2%	Yes
17	2,132	11.4%	3.7%	**22.5%**	39.7%	38.8%	Yes
25.02	1,895	**82.9%**	0.4%	6.0%	**90.1%**	42.7%	Yes
27.03	1,504	27.6%	**63.3%**	0.0%	**91.7%**	81.2%	Yes
28.01	1,686	**60.1%**	10.2%	14.1%	**88.0%**	63.4%	Yes
28.02	1,070	41.0%	15.4%	**24.4%**	**86.3%**	36.0%	Yes
29	2,314	**62.8%**	**21.3%**	7.7%	**93.5%**	47.5%	Yes
30	2,992	**54.5%**	**34.6%**	0.8%	**92.5%**	42.7%	Yes
31	2,270	**73.3%**	0.0%	9.7%	**86.0%**	30.5%	Yes
33.01	3,886	**75.4%**	1.7%	4.7%	**90.3%**	23.0%	Yes
33.02	3,172	**74.9%**	8.4%	2.1%	**88.1%**	26.6%	Yes
34	2,828	**83.3%**	5.6%	2.2%	**93.4%**	27.4%	Yes
36	2,859	**66.7%**	**19.4%**	11.9%	**98.2%**	30.2%	Yes
37	4,202	**60.2%**	5.4%	16.5%	**94.4%**	27.1%	Yes
38	3,398	**77.8%**	4.4%	4.7%	**89.2%**	42.2%	Yes
40.03	3,329	**54.0%**	**21.2%**	11.5%	**93.8%**	26.6%	Yes
41	4,500	**72.0%**	10.4%	7.0%	**96.4%**	26.5%	Yes
42	3,784	**92.3%**	4.5%	0.8%	**98.0%**	43.7%	Yes
43	6,969	**68.0%**	2.7%	2.9%	**75.2%**	32.5%	Yes
44.01	4,631	**80.0%**	3.5%	2.9%	**92.4%**	18.7%	Yes

[30] Taylor Jr, H. L., Jung, J. K., & Dash, E. (2021). *The Harder We Run*. UB Center for Urban Studies.
[31] Knight, J., Weaver, R., & Jones, P. (2018). Walkable and resurgent for whom? The uneven geographies of walkability in Buffalo, NY. *Applied geography*, 92, 1-11.

44.02	2,698	**72.2%**	0.0%	6.4%	**92.1%**	52.7%	Yes
47.02	4,914	**45.0%**	15.0%	6.6%	**73.2%**	39.9%	Yes
52.02	2,911	**49.4%**	3.2%	6.1%	**69.0%**	33.4%	Yes
55	4,207	9.8%	7.3%	**30.4%**	49.5%	42.5%	Yes
56	4,879	33.2%	3.1%	21.6%	**70.5%**	28.0%	Yes
57	3,289	8.1%	11.4%	**47.2%**	**74.6%**	31.4%	Yes
58.02	5,467	14.8%	**30.2%**	14.3%	65.8%	32.6%	Yes
69.01	4,221	8.5%	**35.6%**	**24.7%**	**72.5%**	28.1%	Yes
70	3,401	16.2%	4.4%	**46.3%**	**67.5%**	23.4%	Yes
71.02	2,572	29.4%	1.9%	**37.7%**	**70.4%**	57.8%	Yes
71.03	1,608	20.5%	1.1%	**50.8%**	**75.2%**	68.7%	Yes
71.04	3,142	20.6%	4.0%	**56.8%**	**82.2%**	57.1%	Yes
72.02	1,519	25.3%	1.6%	**32.3%**	60.0%	18.2%	Yes
166	2,775	**82.7%**	2.4%	11.9%	**97.0%**	32.0%	Yes

Bold red text indicates that the relevant R/ECA thresholds for these population subgroups are exceeded in a given R/ECAP (see Table 3.7) *LMI = Low-to-moderate income

Because census tract boundaries change every ten years following a decennial census, the R/ECAPs shown in Figure 3.7 are not directly comparable to the R/ECAPs that were identified for Buffalo in the 2020 joint AI for the six Erie County CDBG Grantee communities. Nevertheless, from a qualitative perspective, it is plain to see that the City's recent population changes (see above) have coincided with at least *some* breakup of racially/ethnically-concentrated poverty. Whereas nearly the entire East Side of Buffalo was classified as one, large, contiguous R/ECAP in the prior AI, a hole has formed in that pattern precisely where Buffalo experienced some of its fastest decade-over-decade population growth (Fig. 3.1). Moreover, the large, contiguous R/ECAP identified on the western edge of the City in 2020 has become discontiguous, with several Upper West Side tracts no longer qualifying as R/ECAPs based on current thresholds.

Although the patterns depicted in Figure 3.7 are therefore encouraging in comparison to the landscape of R/ECAPs detected in the 2020 AI, observe that R/ECAPs are still prominent fixtures throughout the City. Indeed, according to current (2018-2022) Census ACS data, there are roughly 277,000 residents living in Buffalo. R/ECAPs contain more than two out of every five of those residents (42.4%), meaning that over 117,000 Buffalonians are currently dwelling in racially or ethnically concentrated areas of poverty. That number is a substantial one, and it accentuates the need for Buffalo to remain vigilant in its efforts to affirmatively further fair housing and break up patterns of residential segregation and concentrated poverty that continue to negatively impact the City and its residents.

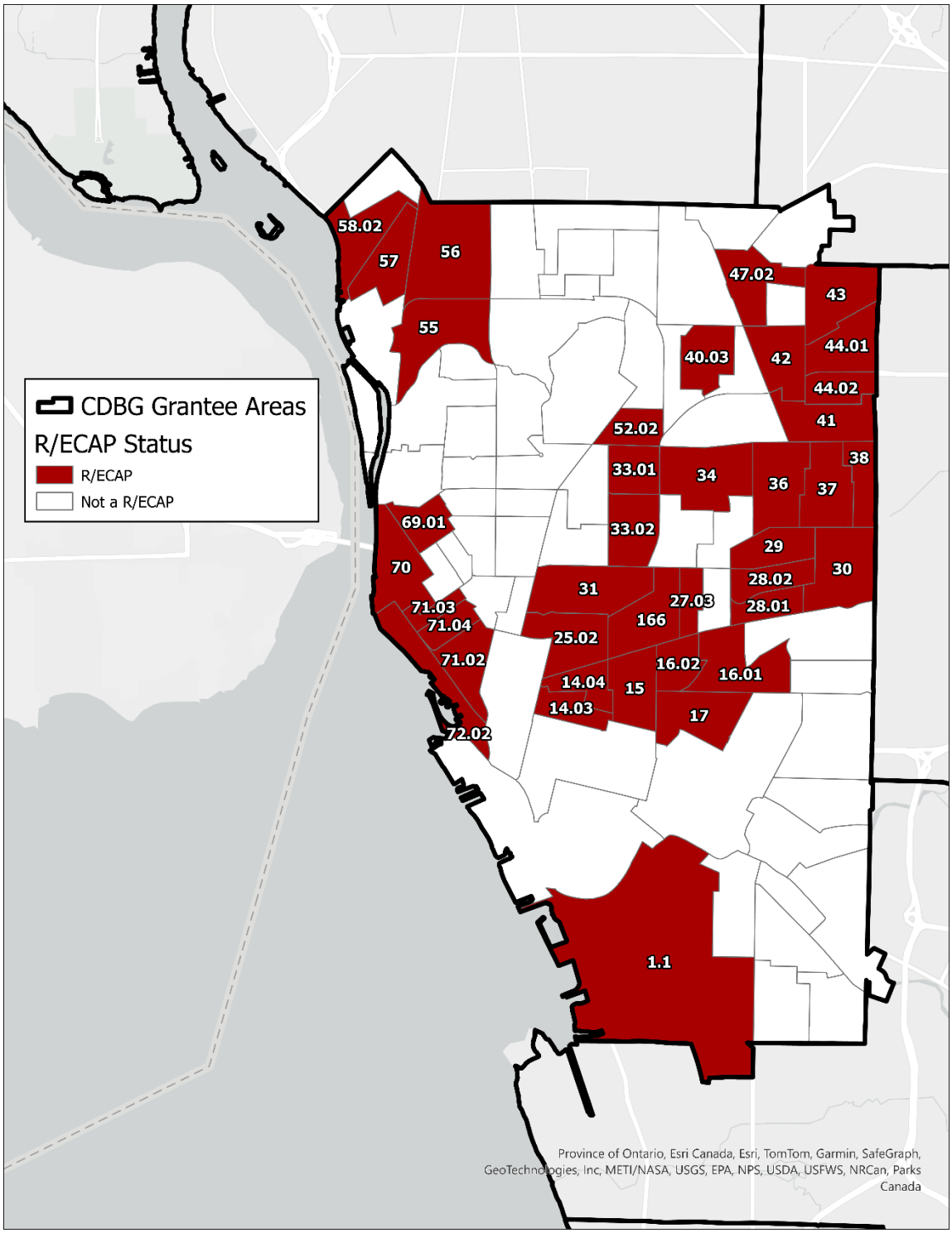

Figure 3.7: Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Buffalo

R/ECAPS IN AMHERST

Table 3.11 lists the R/ECAPs detected in Amherst, which are mapped out in Figure 3.8. Each entry in the column "Tract ID" in Table 3.11 has a corresponding entry on the map. Three R/ECAPs were identified in Amherst: two surrounding the State University of New York at Buffalo (SUNY Buffalo) campus in the west-central area of the Town, and one in the southwest area of Amherst bordering the Town of Tonawanda.

***Table 3.11**: Inventory of R/ECAPs in Amherst*

Tract	Population	% Black	% Asian	% Hispanic or Latinx	% All Persons of Color, Combined	Poverty Rate	>50% of Households are LMI?*
91.09	3,167	4.5%	**21.2%**	2.7%	31.8%	21.7%	No
91.15	3,811	3.0%	**29.6%**	**8.4%**	41.6%	37.1%	Yes
93.01	4,824	**15.4%**	11.1%	**6.3%**	39.0%	18.4%	Yes

Bold red text indicates that the relevant R/ECA thresholds for these population subgroups are exceeded in a given R/ECAP (see Table 3.7) *LMI = Low-to-moderate income

Perhaps the most urgent point to take from Table 3.11 is that, by combining all persons of color into a single group and using the size of that group to detect R/ECAPs – as had been the precedent in the five non-Buffalo entitlement communities for multiple previous AI cycles – analysts miss the relative concentration of certain non-white subpopulations, especially Asian Americans, into just a handful of spaces in Amherst. That is, whereas the combined population share of persons of color does *not* reach the critical R/ECA threshold for Amherst spelled out in Table 3.7, Asian Americans' shares of population in two of the three R/ECAP tracts listed in Table 3.11 are well over double the group's share of Amherst's overall population (9.6%); and Black or African American and Hispanic or Latinx residents' shares of population are more than double their Townwide shares (5.5% and 4.5%, respectively) in the third R/ECAP tract. Crucially, all three tracts also have poverty rates that are more than double Amherst's overall poverty rate (9.2%), meaning that they are concentrated areas of poverty (CAPs) per the adopted definition of this term. For these reasons, the tracts listed above are clearly *racially or ethnically concentrated areas of poverty* in Amherst and should be focal sites of actions aimed at affirmatively furthering fair housing. Thus, moving forward, Amherst and the remaining non-Buffalo entitlement communities should continue to identify R/ECAPs using disaggregated population data so that situations like the one implicated in Table 3.11 do not continue to mask instances of racially concentrated poverty in their jurisdictional boundaries.

Prior to moving forward, it is worth noting that tracts 91.09 and 91.15 are adjacent to the University at Buffalo's (UB's) main campus. As such, both tracts presumably contain sizeable student populations, largely located in apartment complexes such as The Exchange, Villas on Rensch, Flickenger Court, University Village, Sweet Home Apartments, and the Colonie Apartments. Relatedly, UB

serves a large number of students who identify as Asian, especially at the undergraduate level.[32] For these reasons, whereas these two tracts around UB meet quantitative R/ECAP thresholds, they are likely to be qualitatively different from other R/ECAPs in Erie County that are not associated with [arguably temporary] conditions of college student poverty.

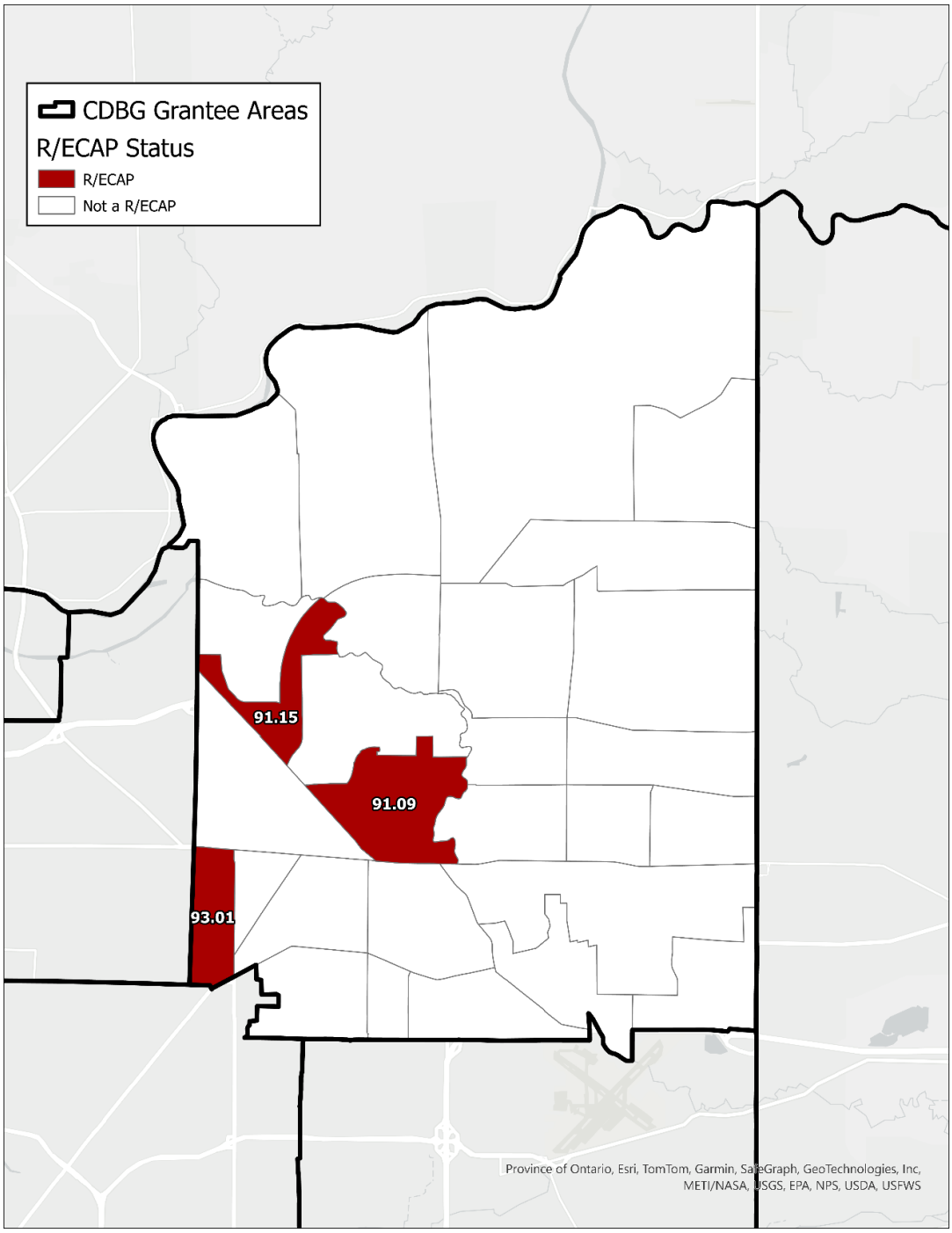

Figure 3.8: Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Amherst

[32] https://www.collegefactual.com/colleges/university-at-buffalo/student-life/diversity/#ethnic_diversity

R/ECAPS IN CHEEKTOWAGA

As revealed in Figure 3.5, which mapped concentrated areas of poverty (CAPs) throughout Erie County, there are currently zero census tracts in the Cheektowaga entitlement community where the tract-level poverty rate is at least double the Townwide poverty rate (9.2%). Insofar as R/ECAPs are the geographic intersection of racially or ethnically concentrated areas (R/ECAs) and CAPs, the absence of CAPs means that Cheektowaga currently does not contain any census tracts that qualify as R/ECAPs. Nevertheless, most tracts in the northwestern portion of the Town adjacent to the City of Buffalo are categorized as R/ECAs, suggesting that residential and housing market dynamics are still producing racial and ethnic segregation in Cheektowaga (Fig. 3.4). As such, the Town should focus its affirmatively furthering fair housing activities in these spaces.

R/ECAPS IN ERIE COUNTY – URBAN COUNTY

Table 3.12 provides an inventory of all R/ECAPs detected in the "Erie County - Urban County" entitlement community. The R/ECAPs are depicted visually in Figure 3.9. Each entry in the column "Tract ID" in Table 3.12 has a corresponding entry on the map.

***Table 3.12**: Inventory of R/ECAPs in Erie County – Urban County*

Tract	Population	% Black	% Asian	% Hispanic or Latinx	% All Persons of Color, Combined	Poverty Rate	>50% of Households are LMI?*
123	3,838	**9.7%**	0.0%	**6.5%**	**20.2%**	35.1%	Yes
124	2,428	**20.4%**	**2.8%**	**5.8%**	**36.8%**	22.3%	Yes
155.04	3,282	2.2%	**2.1%**	0.0%	5.6%	16.1%	No
174	4,190	**45.5%**	0.0%	**7.6%**	**59.3%**	27.4%	Yes
9400	1,875	1.9%	**5.0%**	**5.4%**	**86.5%**	30.7%	Yes
9803	702	**48.6%**	0.0%	**11.0%**	**75.6%**	17.1%	No

Bold red text indicates that the relevant R/ECA thresholds for these population subgroups are exceeded in a given R/ECAP (see Table 3.7) *LMI = Low-to-moderate income

In total, six R/ECAPs were identified in the Urban County: three in the City of Lackawanna, just south of Buffalo; one in Collins, where there is a correctional facility; one that corresponds to a Seneca Nation territory (Cattaraugus Reservation); and one in the Town of Evans. As predicted in the 2020 joint AI for Erie County's entitlement communities,[33] pre-existing R/ECAPs in the Town of West Seneca and in eastern Lackawanna faded away, as population changes in these spaces coincided with a downturn in poverty rates and residential racial concentration. The racial and ethnic groups most impacted by concentrated

[33] AI (February 2020).

poverty in the Urban County are Black or African American residents in Lackawanna and Collins, Asian American residents in Evans and Cattaraugus, and Hispanic or Latinx residents in all R/ECAP areas except for Evans.

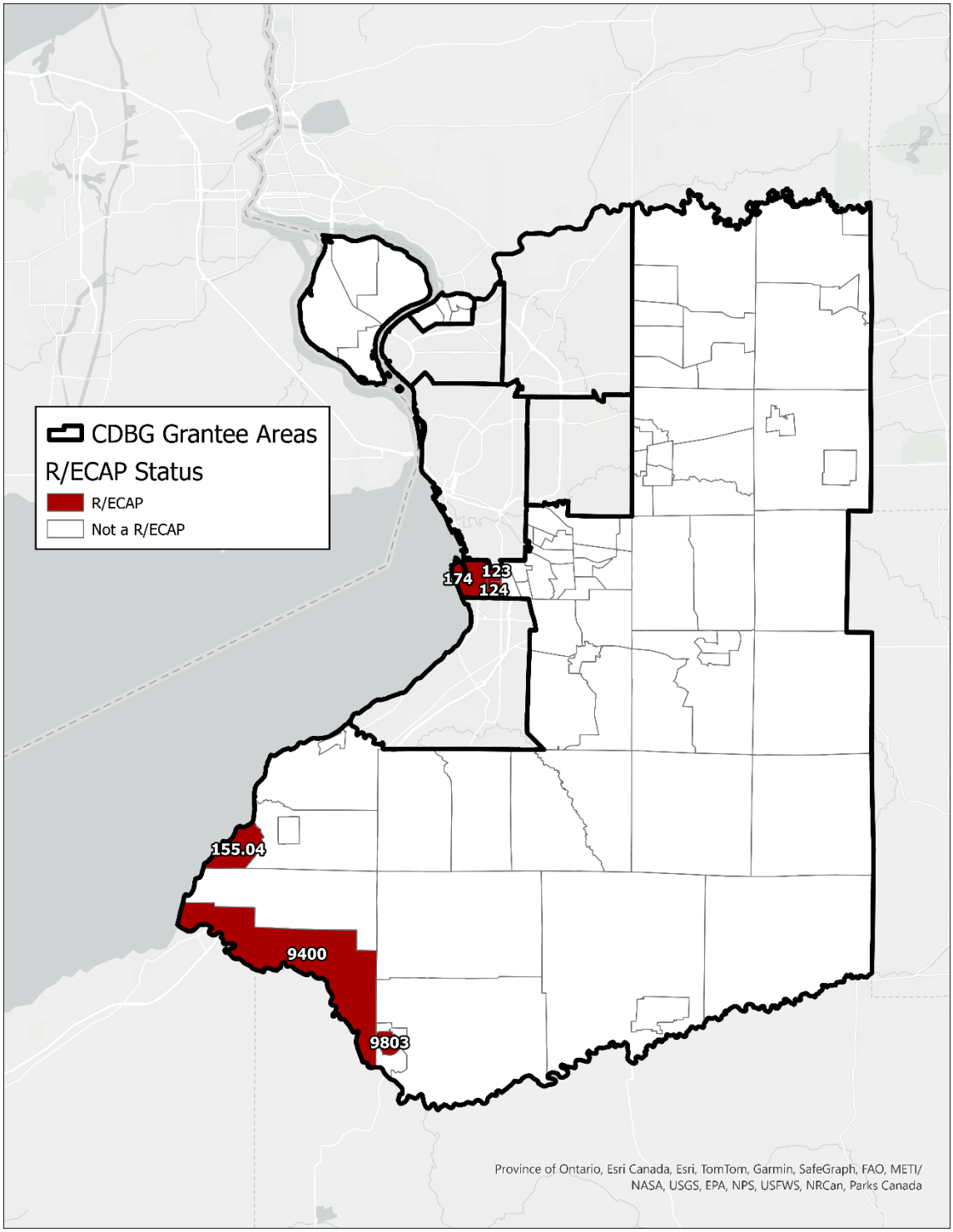

Figure 3.9: Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Erie County – Urban County

R/ECAPS IN HAMBURG

Table 3.13 provides summary statistics for the lone R/ECAP detected in the Hamburg entitlement community, which is highlighted on the map in Figure 3.10

***Table 3.13**: Inventory of R/ECAPs in Hamburg*

Tract	Population	% Black	% Asian	% Hispanic or Latinx	% All Persons of Color, Combined	Poverty Rate	>50% of Households are LMI?*
129.04	3,738	1.2%	**3.7%**	**7.4%**	14.0%	14.4%	No

Bold red text indicates that the relevant R/ECA thresholds for these population subgroups are exceeded in a given R/ECAP (see Table 3.7) *LMI = Low-to-moderate income

Notably, whereas the northwesternmost census tract in Hamburg was identified as a R/ECAP in the prior AI process, patterns of population change since 2010 have coincided with racially/ethnically concentrated poverty shifting just to the east, where both Asian and Hispanic/Latinx residents live in disproportionate numbers relative to each group's share of Hamburg's overall population. As was the case in Amherst, these concentrations cannot be readily detected with R/ECAP definitions that aggregate all population subgroups of color into a single, homogenous category. Thus, to echo a recommendation from above, going forward Erie County's CDBG entitlement communities should continue to follow Buffalo's lead by computing separate R/ECAP thresholds for each of the County's largest non-white population groups.

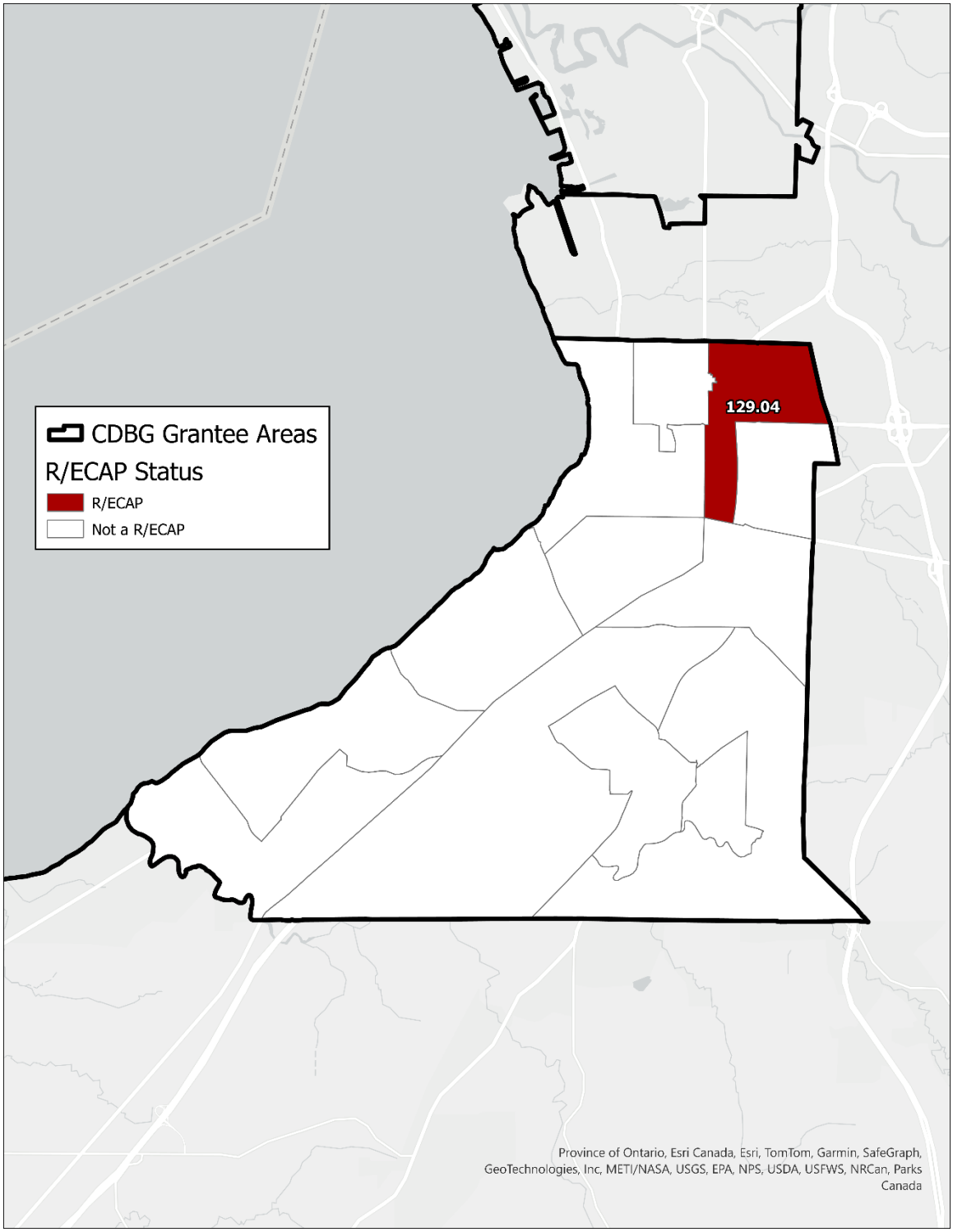

Figure 3.10: Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Hamburg

R/ECAPS IN TONAWANDA

Table 3.14 provides summary statistics for the one R/ECAP detected in the Tonawanda entitlement community, which is highlighted on the map in Figure 3.11.

***Table 3.14**: Inventory of R/ECAPs in Tonawanda*

Tract	Population	% Black	% Asian	% Hispanic or Latinx	% All Persons of Color, Combined	Poverty Rate	>50% of Households are LMI?*
83	2,270	**40.6%**	0.0%	2.3%	**47.0%**	20.8%	No

Bold red text indicates that the relevant R/ECA thresholds for these population subgroups are exceeded in a given R/ECAP (see Table 3.7) *LMI = Low-to-moderate income

Notably, despite the census geography remapping exercises that happen in conjunction with a decennial census, the boundaries for census tract 83 in the Town of Tonawanda are the same now as they were when they were first drawn in 2010 – and, as is the present case, tract 83 was identified as a persistent R/ECAP during the prior (2020) AI process. For these reasons, it is possible to directly compare current conditions in this R/ECAP now to conditions that prevailed at the time of the last AI. Then, the Tonawanda R/ECAP's poverty rate was a staggering 36.0%, and about 47% of the population identified with racial or ethnic groups of color.[34] Presently, as spelled out in Table 3.14, the tract's poverty rate is down to 20.8%, even as the racial makeup of the area remained virtually unchanged. This dramatic drop in the local poverty rate without any accompanying shifts in the tract's racial composition is an encouraging sign that economic conditions are improving for residents of Tonawanda's R/ECAP.

[34] AI (February 2020) [see pp. 78-79.]

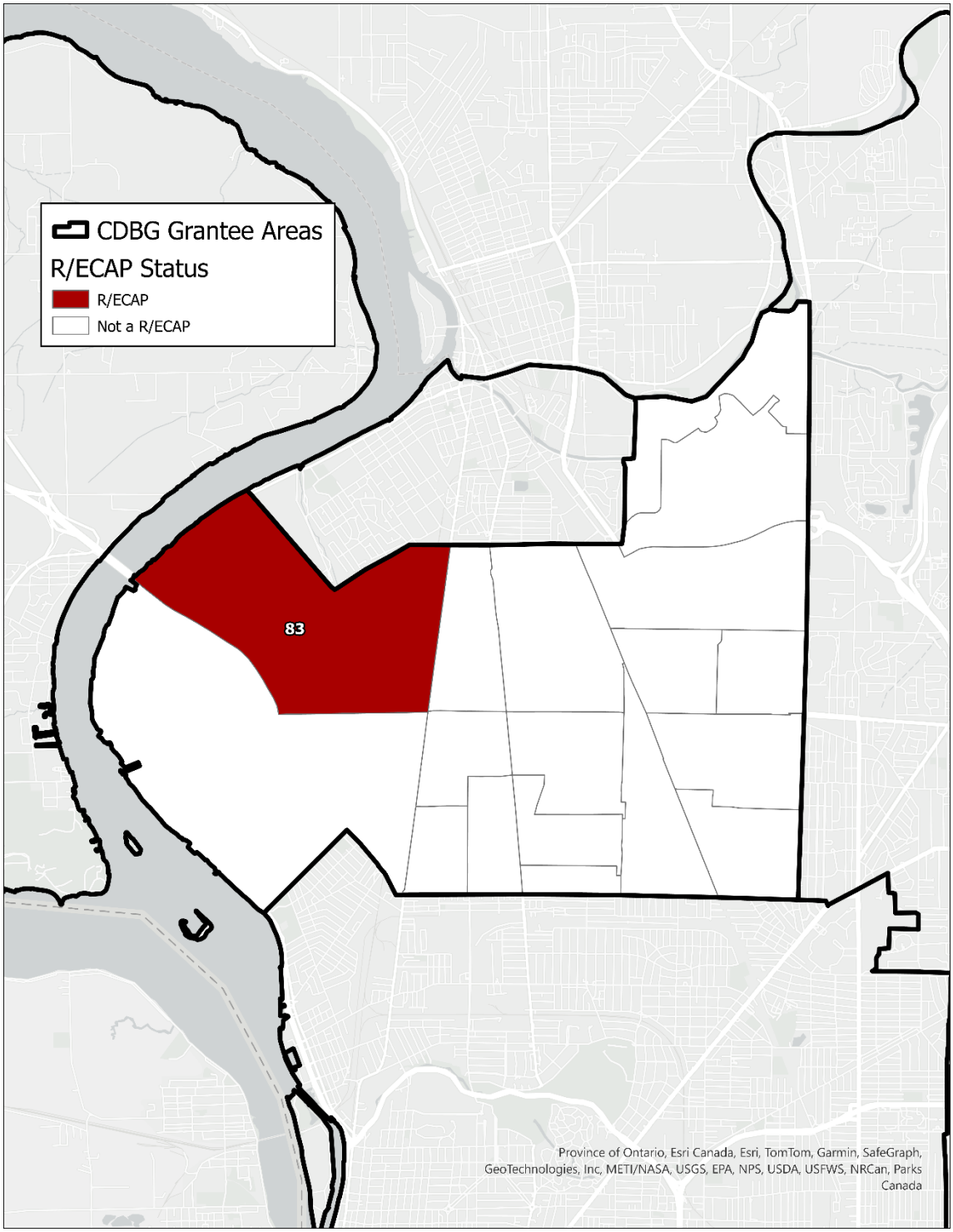

Figure 3.11: Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Tonawanda

QUANTIFYING INTEGRATION

Per the AFFH rule, segregation and integration are essentially opposite ends of a continuum, whereby population subgroups are either *concentrated* in one or a few subareas of a broader Grantee community (i.e., they are *segregated* from the rest of the population), or they are evenly or proportionally spread throughout the broader Grantee region (i.e., they are well *integrated* with the rest of the population).[35] Two common measures for identifying an area's position on the segregation-integration continuum are the **index of dissimilarity** and what is varyingly referred to as the Gini-Simpson Index,[36] the Gibbs-Martin Index,[37] the [inverse] Herfindahl Index,[38] or, more generally, an index of fragmentation or fractionalization.[39] The remainder of this document refers to it simply as a **diversity index**.

The index of dissimilarity for two racial or ethnic groups, x and y (e.g., White and Black), is computed as:

$$Dissimilarity_i = 100 * \left[0.5 * \sum_{i=1}^{n} \left|\frac{x_i}{X_G} - \frac{y_i}{Y_G}\right|\right]$$

where x_i is the size of group x (e.g., number of White persons) in census tract *i* within Grantee community *G*, X_G is the total size of group x in Grantee community *G*, y_i is the size of group *y* (e.g., number of Black persons) in census tract *i* within Grantee community *G*, and Y_G is the total size of group *y* in Grantee community *G*. The dissimilarity index ranges from 0 (perfect integration of the two groups) to 100 (perfect segregation of the two groups). The precise value of *Dissimilarity* for any given Grantee community is roughly the percentage of residents of one group (e.g., Black population) that would have to move to a different census tract in the Grantee community in order to create an even spatial distribution of the two groups in that area.

Next, for a population classified into *R* racial and ethnic groups, the diversity index equals one minus the sum of squared proportions of each group (*k*) in the population. That is:

$$Diversity_i = 1 - \sum_{k=1}^{R} p_k^2 : k = 1, \dots, R$$

where $p_k = \frac{\text{\# of persons in group k}}{\text{Total \# of persons in the population}}$ and the population is arranged into *R* groups.

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[35] AFFH Rule Guidebook (p. 58).
[36] Jost, L. (2006). Entropy and diversity. *Oikos*, *113*(2), 363-375.
[37] Fitzpatrick, K. M., & Hwang, S. S. (1992). The effects of community structure on opportunities for interracial contact: Extending Blau's macrostructural theory. *Sociological Quarterly*, *33*(1), 51-61.
[38] Gesthuizen, M., Van der Meer, T., & Scheepers, P. (2009). Ethnic diversity and social capital in Europe: tests of Putnam's thesis in European countries. *Scandinavian political studies*, *32*(2), 121-142.
[39] Fieldhouse, E., & Cutts, D. (2010). Does diversity damage social capital? A comparative study of neighbourhood diversity and social capital in the US and Britain. *Canadian Journal of Political Science/Revue canadienne de science politique*, *43*(2), 289-318.

The precise value of *Diversity* calculated for a place essentially gives the probability that two randomly selected persons from the place's population are members of different population subgroups.[40] In other words, the higher the diversity index, the higher (presumably) is the opportunity for social contact between unlike individuals. The index ranges from 0 (only one racial/ethnic group in the population) to 100 (an even mix of racial/ethnic groups). For this report, there are eight racial-ethnic groups of interest. The eight major racial-ethnic groups that have been tracked by the U.S. Census Bureau in recent decades are: (1) White, (2) Black, (3) Indigenous, (4) Asian, (5) Native Hawaiian or Pacific Islander, (6) Some Other Race Alone, (7) Two or More Racial Identities, and (8) Hispanic or Latinx. For each racial-ethnic group (except for Hispanic and Latinx), the U.S. Census ACS reports the number of members of that group classified as "Not Hispanic or Latinx." Thus, the total number of members of each of these groups, when summed together, equals an area's total population.

Measuring and monitoring conditions of segregation and integration is critical to fair housing work. Racial and ethnic segregation typically results from a lack of meaningful choices in the housing market, and segregation is linked to lower economic and social outcomes, including higher unemployment, lower school completion rates, higher rates of crime, and poorer health outcomes.

Tables 3.15 through 3.18 provide, respectively, the White-Black, White-Asian, White-Hispanic/Latinx, and White-All Persons of Color (Combined) dissimilarity index values for the six Grantee communities for 2010 and 2022 (current ACS data). Table 3.19 then provides the eight-group diversity index values for the same time period. The latter table reaffirms what was observed in earlier analyses – namely, that diversity has increased in all six entitlement communities over the past decade-plus. According to the dissimilarity index tables, however, rising levels of diversity have prevailingly been accompanied by tendencies toward higher segregation. Only Buffalo, Cheektowaga, and the Urban County saw White-Non-White segregation fall over the past decade-plus, though even these spaces have experienced rising segregation between white residents and Asian residents and white residents and Hispanic/Latinx residents since 2010.

***Table 3.15**: White-Black Dissimilarity Index, 2010-2022*

Grantee	2010	2022	Absolute Difference, 2010-2022	% Difference, 2010-2022
Amherst	31.11	46.13	15.02	48.3%
Buffalo	**67.30**	**64.49**	-2.81	-4.2%
Cheektowaga	**54.37**	49.29	-5.08	-9.3%
Erie County – Urban County	**58.72**	**63.95**	5.23	8.9%
Hamburg	22.73	31.81	9.08	39.9%
Tonawanda	22.01	41.64	19.63	89.2%

Sources: U.S. Census 2010 Decennial Census and 2018-22 Five-Year American Community Survey (ACS); calculations by the authors; **bold text indicates high value**

[40] Gesthuizen et al. (2009).

***Table 3.16**: White-Asian Dissimilarity Index, 2010-2022*

Grantee	2010	2022	Absolute Difference, 2010-2022	% Difference, 2010-2022
Amherst	26.92	30.15	3.23	12.0%
Buffalo	**53.89**	**62.57**	8.68	16.1%
Cheektowaga	33.10	38.60	5.50	16.6%
Erie County – Urban County	40.51	50.37	9.86	24.3%
Hamburg	15.33	48.30	32.98	215.2%
Tonawanda	20.34	41.73	21.39	105.1%

Sources: U.S. Census 2010 Decennial Census and 2018-22 Five-Year American Community Survey (ACS); calculations by the authors; **bold text indicates high value**

***Table 3.17**: White-Hispanic/Latinx Dissimilarity Index, 2010-2022*

Grantee	2010	2022	Absolute Difference, 2010-2022	% Difference, 2010-2022
Amherst	18.69	32.76	14.07	75.3%
Buffalo	43.54	44.07	0.53	1.2%
Cheektowaga	25.50	31.56	6.06	23.8%
Erie County – Urban County	29.47	38.05	8.58	29.1%
Hamburg	14.21	25.73	11.52	81.1%
Tonawanda	16.21	28.20	12.00	74.0%

Sources: U.S. Census 2010 Decennial Census and 2018-22 Five-Year American Community Survey (ACS); calculations by the authors; **bold text indicates high value**

***Table 3.18**: White-All Non-White Populations Dissimilarity Index, 2010-2022*

Grantee	2010	2022	Absolute Difference, 2010-2022	% Difference, 2010-2022
Amherst	22.77	24.88	2.12	9.3%
Buffalo	**55.64**	53.05	-2.60	-4.7%
Cheektowaga	41.86	36.29	-5.57	-13.3%
Erie County – Urban County	37.76	33.43	-4.33	-11.5%
Hamburg	12.95	17.64	4.69	36.2%
Tonawanda	15.97	20.40	4.43	27.7%

Sources: U.S. Census 2010 Decennial Census and 2018-22 Five-Year American Community Survey (ACS); calculations by the authors; **bold text indicates high value**

According to the AFFH Rule Guidebook, dissimilarity index values between 0 and 39 reflect low segregation, values from 40 to 54 describe moderate segregation, and values above 54 are evidence of high segregation. By this classification scheme, two of the entitlement communities – Buffalo and the Urban County – are characterized by high White-Black segregation. Promisingly, in Cheektowaga, what was high White-Black segregation in 2010 has fallen since

that time – faster than anywhere else in the County – and is currently considered to be only moderate.

More troublingly, White-Asian and White-Hispanic/Latinx segregation are rising everywhere in Erie County. In Buffalo, where the Asian population has more than doubled since 2010 (Table 3.5), segregation between Asian residents and white residents has gone from moderate to high, suggesting that in-migrating Asian residents might be facing limited residential and housing opportunities, thereby resulting in concentrated (i.e., segregated) settlement patterns.[41] Although no other Grantee communities are yet characterized by "high" values of White-Asian or White-Hispanic/Latinx segregation, recall that both the Asian and Hispanic/Latinx subpopulations are growing throughout Erie County. And, as the Buffalo case seems to warn, these growth patterns have been uneven. The implication is that continued growth in these populations may lead to high levels of segregation in years to come absent any affirmative interventions that open up housing and residential choice to in-migrating residents of color.

***Table 3.19**: Eight-Category Racial and Ethnic Diversity Index, 2010-2022*

Grantee	2010	2022	Absolute Difference, 2010-2022	% Difference, 2010-2022
Amherst	32.52	39.82	7.30	22.5%
Buffalo	64.53	68.36	3.83	5.9%
Cheektowaga	37.25	38.99	1.73	4.7%
Erie County – Urban County	13.02	16.49	3.47	26.7%
Hamburg	4.09	13.58	9.49	232.3%
Tonawanda	31.46	29.16	-2.30	-7.3%

Sources: U.S. Census 2010 Decennial Census and 2018-22 Five-Year American Community Survey (ACS); calculations by the authors.

Moving away from dissimilarity indices, two advantages of the eight-category diversity index over two-group segregation measures are that it (1) can be computed for as many groups for which there are usable data, and (2) can be computed at any geographic level of analysis. With respect to the latter, recall from above that the dissimilarity index is an area-wide measure. Information from census tracts is aggregated to create a Grantee community-wide index value. To compute dissimilarity indices for census tracts requires collecting finer resolution (e.g., block-level) data. By contrast, the diversity index can be computed for census tracts without having to obtain additional data at other geographic levels of analysis. The reason that this observation is useful for monitoring integration is that it facilitates a simple comparison – i.e., it is possible to compare the areawide diversity values from Table 3.19 with values obtained by averaging the tract-level diversity indices for each Grantee community. From a practical perspective, the comparison allows one to see how much more (or less) diverse a Grantee community's neighborhoods are, on average, relative to

[41] However, one should not discount the possibility that in-migrants might also be actively moving to established ethnic communities where they are able to access and build support networks.

the Grantee community as a whole.[42] Along those lines, Figure 3.12 compares the tract-level average diversity index values for the six Grantee communities to the aggregate values from Table 3.19 above. Observe that, in all but one case (Hamburg), Grantee communities' neighborhoods (i.e., tracts) are consistently less diverse, on average, than the overall racial/ethnic composition of the Grantee communities (Table 3.19) would suggest. The situation is starkest in Buffalo, where the overall Diversity Index is equal to 68.4 but the average tract only has a Diversity Index of 50.0 – a sizeable discrepancy that is indicative of neighborhood-level residential segregation. More explicitly, if diversity levels in neighborhoods (i.e., tracts) were representative of the overall diversity levels of the entitlement communities in which those neighborhoods are situated, then average tract-level diversity would equal or nearly equal overall Grantee diversity. Lower tract averages suggest that neighborhoods are less diverse, and therefore more segregated, than they would be if a Grantee's population were evenly spread throughout its boundaries.

The major takeaways from the segregation-integration analyses presented above is that all entitlement communities – perhaps with the exception of Tonawanda (Table 3.19) – are experiencing increasing levels of diversity; however, in the main, these changes to population composition are not resulting in greater racial integration. Segregation remains a prominent issue throughout Erie County.

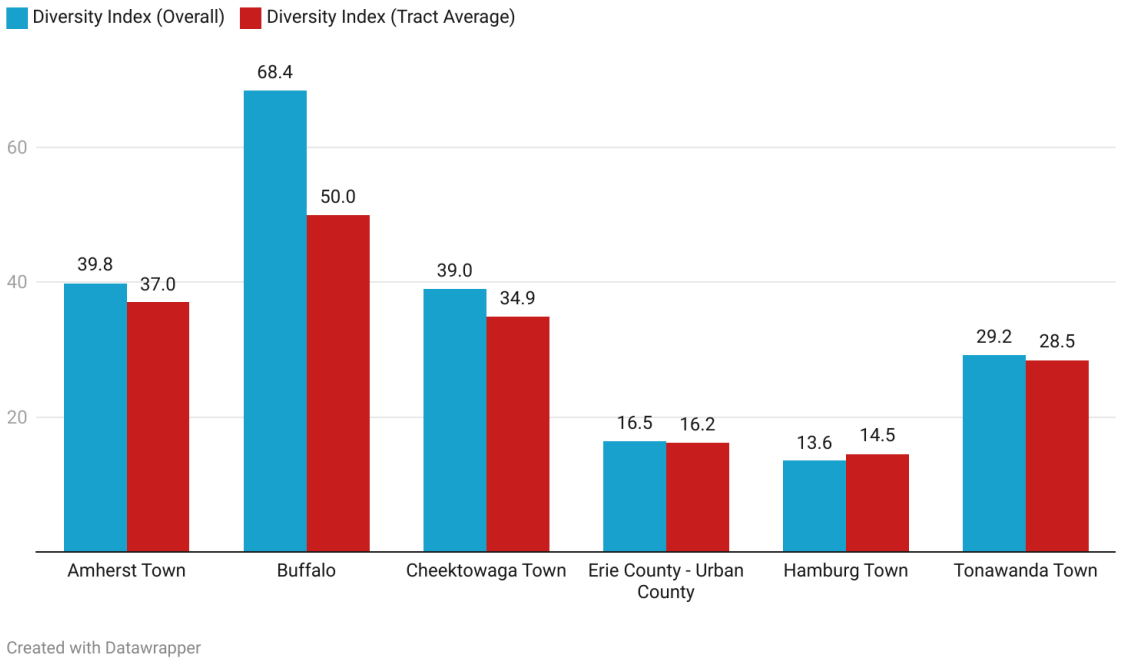

Figure 3.12: Comparing aggregate and tract average diversity indices in the six Entitlement Communities

[42] While census tracts are frequently used as proxies for "neighborhoods" in social science research, they are not drawn to represent social or cultural neighborhoods. See: Weaver, R. (2014). Contextual influences on political behavior in cities: Toward urban electoral geography. *Geography Compass*, *8*(12), 874-891.

RACE/ETHNICITY AND INCOME

Given the close correspondence between R/ECAs and CAPs identified above, it is reasonable to assume that economic conditions in the six entitlement communities will vary meaningfully with race and ethnicity. To explore this relationship, Figure 3.13 graphs income distributions, by selected racial and ethnic groups, for all six entitlement communities.[43] Table 3.20 then summarizes poverty data by Grantee area, including a breakdown of conditions inside and outside of R/ECAPs within each Grantee community.

Supporting earlier observations about the prevalence of R/ECAPs in Buffalo, Figure 3.13 shows that household income distribution in the City is bottom-heavy, with more than half of households earning less than $50,000 in annual income. However, the distribution is much less extreme for the White population, where households are more evenly distributed across the income spectrum. In stark contrast, household income distribution for Black households and Hispanic/Latinx households present much more extreme cases of the overall bottom-heavy income distribution. More than 61% of Black-headed households and roughly 65% of Hispanic- or Latinx-headed households earn below $50,000 per year. More than half (55.3%) of Asian-headed households also fall into this low rung on the income distribution ladder.

Offering a contrast to the situation in Buffalo, the household income distribution in Amherst is relatively even, with nearly half of households earning above (46.6%) and half below (53.4%) $100,000 per year. This overall distribution is effectively mirrored among White households (i.e., the White income distribution is representative of the Grantee's overall population). However, Black, Asian, and Hispanic/Latinx households all fall disproportionately within the lower income categories represented in the graph, once again providing evidence of a concerning link between race/ethnicity and income.

The income distribution in Cheektowaga is characteristic of a low-to-middle income suburban community, with most households earning below $100,000 per year and a very small percentage of households in the topmost category under consideration. The distribution for White households is representative of this overall distribution; however, households headed by Black residents are meaningfully more likely to fall in the lowest income tier shown in the graph. Reflecting the possibility that poverty in Cheektowaga is deconcentrating and becoming less racialized, Cheektowaga's growing Hispanic/Latinx population live in households that are *less* likely than White-headed households to earn below $50,000. Indeed, Hispanic/Latinx households in Cheektowaga are

[43] Recall that the racial-ethnic population composition of each Grantee community was covered earlier in this chapter, in the section entitled "Population Trends". See especially Tables 3.4 through 3.6 for a refresher on how large or small the racial-ethnic groups covered in Figure 3.13 are in each Grantee community.

considerably more likely to fall in the middle class than their counterparts in other Grantee communities.

The overall household income distributions in the Urban County and Hamburg are consistent with what was observed for Amherst. As in Amherst, the income distributions for White households in these jurisdictions are almost perfect mirrors of their respective overall distributions. Among the non-White population groups under investigation, however, both the Urban County and Hamburg depart from Amherst insofar as households headed by Black residents are much more likely to fall in the lowest income category under investigation. More than half of Black households in the Urban County (52.6%) and nearly two-thirds of such households in Hamburg (65.5%) earn below $50,000 per year, compared to just 27.9% and 28.2% of White-headed households, respectively. Hispanic or Latinx-headed households are also disproportionately likely to earn below $50,000 in these jurisdictions, but not to the same extremes observed for Black or African American households. Finally, the shape of Tonawanda's income distribution is highly consistent with patterns observed in Hamburg and the Urban County; however, Tonawanda has proportionally fewer high-income households compared to these other Grantee communities.

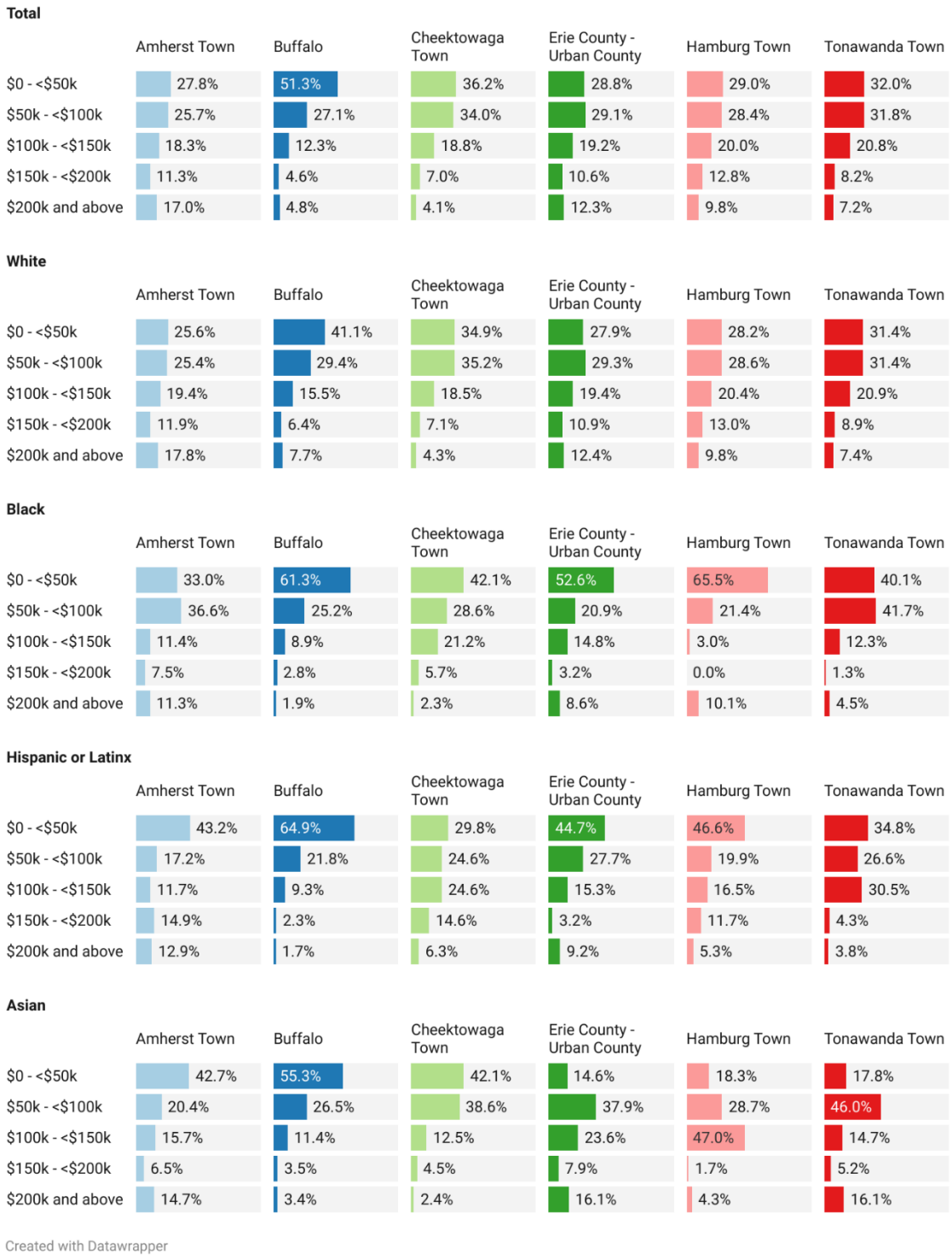

Figure 3.13: Distribution of household income by selected racial-ethnic group and Grantee community

Next, Table 3.20 summarizes poverty rates in the Grantee communities with an added dimension: namely, the table considers how poverty by race-ethnicity varies by presence within or outside of a R/ECAP.

***Table 3.20**: Poverty by Race and Ethnicity (Source: 2018-22 ACS)*

	Total	In R/ECAP	Not in R/ECAP	Ratio of R/ECAP rate to non-R/ECAP rate
Amherst	***9.2%***	***25.1%***	***7.5%***	***3.3***
White	6.5%	15.4%	5.7%	2.7
Black	15.4%	48.0%	8.9%	5.4
Asian	23.9%	46.7%	18.2%	2.6
Hispanic/Latinx	14.7%	40.7%	10.5%	3.9
Buffalo	***27.2%***	***35.1%***	***21.2%***	***1.7***
White	17.8%	28.2%	15.4%	1.8
Black	30.8%	32.8%	26.9%	1.2
Asian	41.5%	41.4%	41.8%	1.0
Hispanic/Latinx	40.0%	45.6%	33.7%	1.4
Cheektowaga	***9.1%***	***N/A***	***9.1%***	***N/A***
White	7.6%	N/A	7.6%	N/A
Black	10.6%	N/A	10.6%	N/A
Asian	17.2%	N/A	17.2%	N/A
Hispanic/Latinx	16.9%	N/A	16.9%	N/A
Erie County – Urban County	***7.7%***	***26.4%***	***6.7%***	***3.9***
White	6.6%	20.6%	6.1%	3.4
Black	23.0%	38.0%	11.4%	3.3
Asian	11.7%	0.0%	12.8%	0.0
Hispanic/Latinx	17.1%	54.8%	12.8%	4.3
Hamburg	***7.0%***	***14.4%***	***6.5%***	***2.2***
White	6.3%	13.2%	5.9%	2.2
Black	44.7%	37.8%	45.2%	0.8
Asian	5.9%	0.7%	9.4%	0.1
Hispanic/Latinx	8.3%	22.3%	5.4%	4.1
Tonawanda	***9.3%***	***20.8%***	***8.9%***	***2.3***
White	8.3%	29.0%	7.9%	3.7
Black	12.0%	2.2%	14.8%	0.1
Asian	11.9%	N/A	11.9%	N/A
Hispanic/Latinx	14.4%	22.6%	14.3%	1.6

Note: "White" refers to the population of persons classified as White, Not Hispanic or Latinx. For the Black and Asian subgroups, the relevant Census ACS tables do not account for Hispanic/Latinx ethnicity. R/ECAP designations come from author calculations.

Table 3.20 shows marked unevenness in poverty by race and ethnicity throughout the County, and presence in a R/ECAP intuitively exacerbates these issues. In Amherst, for example, a Black or African American resident is nearly five-and-a-half times more likely to live in poverty in a R/ECAP (48.0%) compared to living outside of one (8.9%). In the Urban County, over half (54.8%) of Hispanic or Latinx residents who live in R/ECAPs live below the federal poverty level, compared to just 12.8% of such residents living outside of the jurisdiction's R/ECAPs. Similar patterns can be observed throughout the County; however, disparities are somewhat less extreme in Buffalo, where poverty rates are relatively high throughout much of the City.

DISABILITY AND INCOME

According to federal regulations, a disability is a "physical or mental impairment that substantially limits one or more major life activities."[44] Disabilities that are tracked by the U.S. Census Bureau in its American Community Survey (ACS) include hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty. Table 3.21 summarizes the presence of these difficulties in each of the six Grantee communities, by location in a R/ECAP.

***Table 3.21**: Summary of Selected Difficulties, by Grantee Community (Source: 2018-22 ACS)*

Grantee	**# of Individuals with Difficulty**			**% of Universe***		
Amherst	**In R/ECAP**	**Not in R/ECAP**	**Total**	**In R/ECAP**	**Not in R/ECAP**	**Total**
Hearing	251	3,331	3,582	2.1%	2.9%	2.8%
Vision	203	1,631	1,834	1.7%	1.4%	1.4%
Cognitive	477	4,572	5,049	4.2%	4.1%	4.1%
Ambulatory	480	5,211	5,691	4.2%	4.7%	4.7%
Self-Care	206	2,285	2,491	1.8%	2.1%	2.0%
Independent Living	527	5,114	5,641	5.2%	5.5%	5.5%
Buffalo	**In R/ECAP**	**Not in R/ECAP**	**Total**	**In R/ECAP**	**Not in R/ECAP**	**Total**
Hearing	2,988	4,441	7,429	2.6%	2.8%	2.7%
Vision	4,826	3,693	8,519	4.1%	2.3%	3.1%
Cognitive	9,691	10,318	20,009	9.0%	6.9%	7.8%
Ambulatory	10,653	11,530	22,183	9.9%	7.7%	8.6%
Self-Care	3,697	4,366	8,063	3.4%	2.9%	3.1%
Independent Living	7,431	8,965	16,396	8.8%	7.0%	7.7%
Cheektowaga	**In R/ECAP**	**Not in R/ECAP**	**Total**	**In R/ECAP**	**Not in R/ECAP**	**Total**
Hearing	N/A	3,156	3,156	N/A	3.5%	3.5%
Vision	N/A	1,694	1,694	N/A	1.9%	1.9%
Cognitive	N/A	3,809	3,809	N/A	4.5%	4.5%
Ambulatory	N/A	6,146	6,146	N/A	7.2%	7.2%
Self-Care	N/A	2,130	2,130	N/A	2.5%	2.5%
Independent Living	N/A	4,679	4,679	N/A	6.4%	6.4%
Erie County – Urban County	**In R/ECAP**	**Not in R/ECAP**	**Total**	**In R/ECAP**	**Not in R/ECAP**	**Total**
Hearing	668	12,172	12,840	4.2%	4.0%	4.0%
Vision	338	5,658	5,996	2.1%	1.9%	1.9%
Cognitive	1,333	13,218	14,551	9.2%	4.6%	4.8%
Ambulatory	1,563	17,742	19,305	10.8%	6.1%	6.4%
Self-Care	572	7,289	7,861	4.0%	2.5%	2.6%
Independent Living	825	13,378	14,203	6.9%	5.5%	5.6%

Table continues on next page…

[44] AFFH Rule Guidebook (p. 100)

Hamburg	**In R/ECAP**	**Not in R/ECAP**	**Total**	**In R/ECAP**	**Not in R/ECAP**	**Total**
Hearing	78	2,109	2,187	2.1%	3.8%	3.7%
Vision	100	1,198	1,298	2.7%	2.1%	2.2%
Cognitive	176	2,460	2,636	4.9%	4.6%	4.6%
Ambulatory	277	3,511	3,788	7.7%	6.6%	6.6%
Self-Care	122	1,384	1,506	3.4%	2.6%	2.6%
Independent Living	249	2,441	2,690	7.9%	5.4%	5.6%
Tonawanda	**In R/ECAP**	**Not in R/ECAP**	**Total**	**In R/ECAP**	**Not in R/ECAP**	**Total**
Hearing	163	2,504	2,667	7.2%	3.6%	3.7%
Vision	156	1,137	1,293	6.9%	1.6%	1.8%
Cognitive	256	3,304	3,560	12.2%	5.0%	5.2%
Ambulatory	391	4,429	4,820	18.6%	6.6%	7.0%
Self-Care	124	1,538	1,662	5.9%	2.3%	2.4%
Independent Living	306	3,442	3,748	17.1%	6.0%	6.3%

*The relevant universes include: civilian non-institutionalized population for Hearing and Vision; civilian non-institutionalized population, 5 years or over, for Cognitive, Ambulatory, and Self-Care; and civilian non-institutionalized population, 18 or over, for Independent Living. R/ECAP designations from author calculations.

Table 3.21 demonstrates that persons with disabilities are disproportionately likely to live in R/ECAPs in Buffalo, the Urban County, and, especially, Tonawanda. One implication of this observation is that housing opportunities for persons with disabilities in these jurisdictions might not be distributed in ways that are conducive to connecting vulnerable populations to the resources they need to thrive. R/ECAPs are, by definition, low-wealth communities that are characterized by concentrated poverty. When housing options for vulnerable population groups are disproportionately situated in such spaces, the difficulties faced by those groups can become exacerbated through a lack of access to opportunities for social and economic mobility.

In addition to the challenges that persons with disabilities tend to face, there is an established, negative link between income and having a disability. To illustrate, Table 3.22 shows median earnings for residents in each Grantee community by disability status and gender. In all six communities, the median earnings for persons with disabilities are consistently at least $10,000 lower per year than for someone of the same gender without a disability. In Buffalo in particular, the median earnings for a person with a disability are near federal poverty wages.

***Table 3.22**: Median Earnings, by Disability and Gender (Source: 2018-22 ACS)*

Grantee	**With a Disability**		**No Disability**		**Total**
	Male	**Female**	**Male**	**Female**	
Amherst	$30,566	$24,968	$58,545	$42,322	$48,410
Buffalo	$22,965	$23,042	$36,722	$33,515	$34,213
Cheektowaga	$27,912	$35,324	$49,043	$40,385	$44,217
Erie County – Urban County*	$31,003	$25,559	$51,940	$40,005	$44,446
Hamburg	$51,209	$23,364	$60,691	$44,026	$50,934
Tonawanda	$34,978	N/A	$59,047	$45,288	$48,962

*Data are for all Erie County – median income data by gender and disability status could not be separated out for the Urban County.

ANCESTRY AND LANGUAGE

Place of birth or ancestry is a protected class for considerations of housing. Of the six entitlement communities, and likely owing to the presence of SUNY Buffalo and the international community that it serves, Amherst has the largest percentage of foreign-born residents at 12.8% of the population, according to the 2018-22 ACS. Nearly 11% (10.8%) of Buffalo's residents are foreign-born. The corresponding numbers for Cheektowaga, the Urban County, Hamburg, and Tonawanda are 6.6%, 3.7%, 2.4%, and 6.3%, respectively. Aggregating over the six entitlement communities, 7.4% of Erie County's residents, or 70,049 persons, were born outside of the United States. With such a meaningful number of foreign-born residents, it is essential to take stock of what language residents speak, so that vital documents can be made available in a group's primary language. HUD recommends "that a Grantee community provide translation of its vital documents into any language with more than 1,000 [limited English proficiency (LEP)] speakers, or whose LEP speakers represent at least 1% of the total population to be served."[45]

Table 3.23 presents a Grantee-by-Grantee breakdown of the most common languages spoken by LEP individuals. To the extent that languages categorized by the Census Bureau as "other" do not offer practical information on what language – if any – translation would benefit LEP speakers, such categories are excluded from the table.

***Table 3.23**: Size of LEP Language Groups by Grantee (Source: 2018-22 ACS)*

Grantee	Language Group	# of LEP Speakers	% of Universe*	Action Recommended
Amherst	Spanish	***589***	***0.5%***	***Consider translating all vital documents into Spanish***
	French, Haitian, Cajun	120	0.1%	
	German	0	0.0%	
	Russian, Polish, Slavic	***658***	***0.5%***	***Consider performing a Townwide survey to determine language access needs for this combined group***
	Korean	451	0.4%	
	Chinese	**1,668**	**1.4%**	**Translate all vital documents into Chinese**
	Vietnamese	94	0.1%	
	Tagalog (including Filipino)	109	0.1%	
	Arabic	500	0.4%	

[45] https://www.buffalony.gov/DocumentCenter/View/1713/2014-Analysis-of-Impediments-PDF (p. 37)

Buffalo	Spanish	**7,483**	**2.9%**	**Translate all vital documents into Spanish**
	French, Haitian, Cajun	550	0.2%	
	German	67	0.0%	
	Russian, Polish, Slavic	240	0.1%	
	Korean	72	0.0%	
	Chinese	427	0.2%	
	Vietnamese	291	0.1%	
	Tagalog (including Filipino)	80	0.0%	
	Arabic	**1,233**	**0.5%**	**Translate all vital documents into Arabic**
Cheektowaga	Spanish	329	0.4%	
	French, Haitian, Cajun	152	0.2%	
	German	21	0.0%	
	Russian, Polish, Slavic	357	0.4%	
	Korean	16	0.0%	
	Chinese	123	0.1%	
	Vietnamese	119	0.1%	
	Tagalog (including Filipino)	68	0.1%	
	Arabic	***549***	***0.6%***	***Consider translating all vital documents into Arabic***
Erie County – Urban County	Spanish	**1,026**	**0.3%**	**Translate all vital documents into Spanish**
	French, Haitian, Cajun	51	0.0%	
	German	127	0.0%	
	Russian, Polish, Slavic	559	0.2%	
	Korean	115	0.0%	
	Chinese	69	0.0%	
	Vietnamese	13	0.0%	
	Tagalog (including Filipino)	28	0.0%	
	Arabic	**1,360**	**0.4%**	**Translate all vital documents into Arabic**
Hamburg	Spanish	143	0.2%	
	French, Haitian, Cajun	58	0.1%	
	German	32	0.1%	
	Russian, Polish, Slavic	88	0.2%	
	Korean	0	0.0%	
	Chinese	11	0.0%	
	Vietnamese	41	0.1%	
	Tagalog (including Filipino)	0	0.0%	

	Arabic	27	0.0%	
Tonawanda	Spanish	258	0.4%	
	French, Haitian, Cajun	31	0.0%	
	German	31	0.0%	
	Russian, Polish, Slavic	213	0.3%	
	Korean	28	0.0%	
	Chinese	78	0.1%	
	Vietnamese	40	0.1%	
	Tagalog (including Filipino)	0	0.0%	
	Arabic	***370***	***0.5%***	***Consider translating all vital documents into Arabic***

Bold text indicates that a translation threshold has been met; *italicized bold text* indicates that an LEP population is sufficiently close to a translation threshold such that translation should be considered (e.g., % of LEP speakers reaches 1% when rounded up to the nearest percentage point)
*relevant universe is persons 5 years or over

Based on the preceding table, Chinese LEP speakers make up a critical mass in Amherst, meaning that all vital documents should be translated into Chinese (though, there is no specificity on which Chinese language varieties are represented among the Grantee's LEP population). Spanish LEP speakers in Amherst nearly meet translation thresholds, suggesting that vital documents should likely be made available in Spanish as well. Finally, LEP persons in Amherst who speak "Russian, Polish, [or] Slavic" also nearly form a critical mass for translation. However, because Census ACS data do not pinpoint precisely how LEP speakers are distributed across languages included in this category, Amherst might consider funding a Townwide survey to determine what language access needs exist within this particular linguistic group.

In both Buffalo and the Urban County, critical masses exist for Spanish and Arabic LEP speakers. As such, all vital documents should be made available in both of these languages. Finally, in both Cheektowaga and Tonawanda, the numbers of LEP persons who speak Arabic are nearing threshold levels. As such, both entitlement communities should consider translating all vital documents into Arabic. Hamburg is the only Grantee community where no LEP language groups are at or nearing translation thresholds. Nevertheless, to the extent feasible, all Grantee communities should commit to comprehensive language access for all linguistic subgroups that are represented within their jurisdictions.

EMPLOYMENT AND PROTECTED CLASS STATUS

Ample empirical research has demonstrated that certain individual ascriptive characteristics, including gender, race, and disability status, are systematically

linked to employment barriers.[46] Tables 3.24 and 3.25 summarize unemployment rates for selected protected classes, by Grantee community, relative to comparable rates for New York State. Two tables are presented for greater legibility. Each table contains the same final column, which shows how individual Grantee communities compare to statewide averages on the selected unemployment measures.

***Table 3.24**: Unemployment Rates for Selected Protected Classes, Part 1 (Source: 2018-22 ACS)*

Civilian Labor Force	**Amherst**		**Buffalo**		**Cheektowaga**		**New York State**
	#	**%**	**#**	**%**	**#**	**%**	**%**
Total	66,271		133,080		48,670		
Unemployed	2,353	3.6%	9,348	7.0%	1,851	3.8%	6.2%
Male	34,861		65,036		24,623		
Unemployed	1,127	3.2%	5,266	8.1%	1,062	4.3%	6.5%
Female	31,410		68,044		24,047		
Unemployed	1,226	3.9%	4,082	6.0%	789	3.3%	5.9%
White	52,539		68,216		38,225		
Unemployed	1,637	3.1%	3,641	5.3%	1,491	3.9%	4.8%
Black	3,587		40,174		5,737		
Unemployed	227	6.3%	3,827	9.5%	204	3.6%	9.3%
Asian	5,413		7,991		1,173		
Unemployed	186	3.4%	429	5.4%	32	2.7%	5.6%
Hispanic/Latinx	2,861		13,610		1,894		
Unemployed	65	2.3%	1,249	9.2%	60	3.2%	8.3%
With a Disability	2,330		10,587		2,626		
Unemployed	231	9.9%	1,878	17.7%	263	10.0%	13.9%

Observe immediately that, on most measures, Grantees in Erie County tend to have lower unemployment rates – both total and for the selected protected classes – than New York State. However, there is considerable variation in this pattern of outcomes among the six Grantee communities. Buffalo, for instance, has a higher overall unemployment rate than New York State, as well as higher group-level unemployment rates for all of the listed protected classes save for Asian workers. Arguably the most concerning data point in Buffalo is for workers with disabilities, nearly 18% of whom are unemployed – a rate that is nearly four percentage points higher than the statewide group average.[47]

In Amherst, Cheektowaga, and Hamburg, all total and group-specific unemployment rates fall below statewide averages. The same statement nearly holds for the Urban County; however, unemployment rates for Black and Hispanic/Latinx workers in this jurisdiction are at or negligibly above their statewide counterparts.

[46] Maroto, M., Pettinicchio, D., & Patterson, A. C. (2019). Hierarchies of categorical disadvantage: Economic insecurity at the intersection of disability, gender, and race. *Gender & Society*, *33*, 64-93.
[47] However, relative to each Grantee's total unemployment rate, persons with disabilities are more likely to be unemployed in Amherst, Cheektowaga, and Tonawanda.

***Table 3.25**: Unemployment Rates for Selected Protected Classes, Part 2 (Source: 2018-22 ACS)*

	Erie County – Urban County		Hamburg		Tonawanda		New York State
	#	%	#	%	#	%	%
Total	169,515		32,037		40,729		
Unemployed	7,552	4.5%	1,451	4.5%	1,719	4.2%	6.2%
Male	89,708		15,978		20,874		
Unemployed	4,201	4.7%	730	4.6%	953	4.6%	6.5%
Female	79,807		16,059		19,855		
Unemployed	3,351	4.2%	721	4.5%	766	3.9%	5.9%
White	156,670		29,963		34,585		
Unemployed	6,542	4.2%	1,343	4.5%	1,026	3.0%	4.8%
Black	2,599		350		2,458		
Unemployed	248	9.5%	16	4.6%	452	18.4%	9.3%
Asian	1,744		148		1,011		
Unemployed	86	4.9%	0	0.0%	1	0.1%	5.6%
Hispanic/Latinx	4,442		927		1,683		
Unemployed	367	8.3%	39	4.2%	27	1.6%	8.3%
With a Disability	8,726		1,345		2,240		
Unemployed	889	10.2%	114	8.5%	331	14.8%	13.9%

In Tonawanda, despite below-average unemployment rates for all workers, male workers, female workers, white workers, Asian workers, and Hispanic/Latinx workers, the Town exhibits concerning unemployment trends for Black workers and workers with disabilities. The 18.4% unemployment rate recorded for Black workers in Tonawanda is higher than anywhere else in Erie County, and it is almost double the statewide Black unemployment rate (9.3%). The unemployment rate for workers with disabilities in Tonawanda currently sits at almost 15%, higher than anywhere in Erie County except for Buffalo and nearly a full percentage point ahead of the state average.

Within Grantee communities, different protected classes clearly have differential access to employment opportunities. Overwhelmingly, African American workers and workers with disabilities have much higher unemployment rates than other groups. These disparate outcomes can have important implications for differential ability to gain access to housing, either via rental or ownership, where proof of employment is often required to facilitate occupancy.

HOUSING INVENTORY

Whereas preceding analyses of demographic trends have documented how Erie County's population has been shifting over the course of roughly the past decade, this section turns to more recent changes to the region's housing stock and whether those changes have the potential to expand access to fair and affordable housing throughout the County.

To begin, recall that the Census ACS data that power the bulk of AI investigations are collected and published in five-year vintages. Pooling data in this way is done to ensure that sample sizes are large enough to provide reliable estimates for geographic units at the neighborhood scale of analysis (e.g., census tracts). That being said, a new release of the five-year ACS is published every year in December. As such, it can be tempting to obtain the new vintage each year and compare data points from the current release to corresponding data points in the prior year's release. Doing so, however, is not advisable, given that the current vintage will overlap with the prior year's vintage by four years. Thus, when using five-year ACS data to make "recent" comparisons, the preferred strategy is to select the two most recent non-overlapping periods. In the present case, the current ACS vintage covers the period 2018-22. The most recent non-overlapping period to which to compare the current data is therefore the ACS for the years 2013-17. By comparing housing stock changes across these two time periods, one can gain insights into how active, ongoing processes of construction and demolition are reshaping housing opportunities throughout Erie County in the here and now. Table 3.26 begins such an analysis for the County as a whole, and subsequent tables perform analogous functions for each Grantee community.

***Table 3.26**: Housing Stock by Structure Type, Erie County Total*

Erie County	Current (2022)	% of Current	Prior ACS (2017)	% of 2017	Net Change
Population	951,214	--	923,995	--	27,219
Housing Units	438,630	--	425,716	--	12,914
1, Detached	258,550	58.9%	249,242	55.4%	9,308
1, Attached	14,429	3.3%	11,860	3.1%	2,569
2	76,094	17.3%	79,444	21.9%	-3,350
3 or 4	24,738	5.6%	25,016	7.0%	(278)
5 to 9	21,231	4.8%	20,074	4.6%	1,157
10 to 19	8,665	2.0%	10,112	2.3%	-1,447
20 to 49	9,912	2.3%	7,550	1.3%	2,362
50 or More	18,425	4.2%	16,430	2.9%	1,995
Mobile Home	6,411	1.5%	5,900	1.4%	511
Boat, Rv, Van, Etc.	175	<0.1%	88	<0.1%	87
Total Multifamily*	159,065	36.3%	158,626	40.0%	439

*For the purposes of this section, "multifamily" is taken to mean any housing structure that contains more than one unit.

According to ACS data, Erie County's housing stock has grown at roughly the same pace as its population since about 2017. However, observe that nearly all of the net gain in housing units has come in the form of one-family units. Namely, the County netted 12,914 total housing units over approximately the last five years, with 11,877 (92.0%) of those units being either detached or attached one-family units. Structures with two or more units (labeled "multifamily" in Table 3.26) only increased by an estimated 439 (+0.3%). Because of the differential rates at

which one- and multi-family units were added to and subtracted from the housing stock between the past two non-overlapping ACS periods, the fraction of housing units with more than one unit actually fell from two-in-five (40.0%) to just over one-in-three (36.3%). Insofar as multifamily units in Erie County are associated with significantly lower housing costs than single-family units,[48] one potential implication of these housing stock changes is that – on their face – they might not be expanding access to fair and affordable housing throughout the region.

Table 3.27 breaks the Countywide data from above out for Amherst. Over roughly the past five years, Amherst's housing stock netted just over 2,200 units. Unlike the Countywide trend, whereby one-family units accounted for more than 90% of all net growth in the housing stock, Amherst's split was relatively even: single-family units increased in number by 1,173 (53.3% of all gained units), whereas multifamily units increased by 873 (39.6% of gained units). In fact, growth in multifamily units (+5.2%) slightly outpaced growth in one-family units (+3.3%) in Amherst over this time period, causing the multifamily share of the area's housing stock to tick up slightly.

***Table 3.27**: Housing Stock by Structure Type, Amherst*

	Current (2022)	% of Current	Prior ACS (2017)	% of 2017	Net Change
Population	129,577	--	125,024	--	4,553
Housing Units	54,866	--	52,664	--	2,202
1, Detached	34,031	62.0%	33,351	63.3%	680
1, Attached	2,875	5.2%	2,382	4.5%	493
2	3,674	6.7%	3,170	6.0%	504
3 or 4	4,102	7.5%	4,253	8.1%	-151
5 to 9	3,904	7.1%	3,833	7.3%	71
10 to 19	998	1.8%	1,342	2.5%	-344
20 to 49	1,715	3.1%	851	1.6%	864
50 or More	3,373	6.1%	3,444	6.5%	-71
Mobile Home	136**	0.2%	38	0.1%	98
Boat, Rv, Van, Etc.	58	0.1%	0	0.0%	58
Total Multifamily*	17,766	32.4%	16,893	32.1%	873

*For the purposes of this section, "multifamily" is taken to mean any housing structure that contains more than one unit. **The Town of Amherst proper does not contain any mobile homes. These units are presumably located in the Amherst County subdivision outside of the Town's boundaries.

Whereas a growing share of multifamily units in an entitlement community's housing stock has the potential to bring more access to fair and affordable housing in that jurisdiction, one cannot overlook the fact that Amherst is home to New York State's largest public university in SUNY Buffalo, with more than 32,000 enrolled students.[49] As such, it is reasonable to conclude that many of the housing stock changes observed in Amherst are likely directed toward the

[48] Weaver and Knight (2020).
[49] https://admissions.buffalo.edu/academics/about-ub.php

Town's substantial student population, and are therefore not exclusively or even primarily byproducts of actions to affirmatively further fair housing for federally protected classes of the population.

Next, Table 3.28 shows an equivalent housing stock breakdown for the City of Buffalo. If ACS data are correct, then Buffalo's housing stock grew by about 4,300 units over the past five years (+3.3%), but with effectively all of the gains coming from single-family units. The number of structures containing two or more units appears to have decreased, as the ACS reports a net loss of nearly 1,900 multifamily structures since 2017. Meanwhile, the Census Bureau suggests that the number of one-family units in Buffalo shot up by nearly 6,200.[50] The interplay of those two forces seemingly led to a 3.4-percentage-point drop in the multifamily share of the City's housing stock between 2017 and 2022 (from 63.1% down to 59.7%, respectively). Once again, to the extent that multifamily housing opportunities tend to, on average, be more affordable than single-family housing options in Erie County,[51] the patterns of recent changes in Buffalo's housing stock should be of concern to organizations and decisionmakers committed to affirmatively furthering fair housing in the City.

***Table 3.28**: Housing Stock by Structure Type, Buffalo*

	Current (2022)	% of Current	Prior ACS (2017)	% of 2017	Net Change
Population	276,688	--	259,574	--	17,114
Housing Units	136,421	--	132,066	--	4,355
1, Detached	49,994	36.6%	44,763	33.9%	5,231
1, Attached	4,584	3.4%	3,619	2.7%	965
2	48,308	35.4%	51,570	39.0%	-3,262
3 or 4	10,262	7.5%	10,277	7.8%	-15
5 to 9	5,124	3.8%	5,789	4.4%	-665
10 to 19	3,355	2.5%	3,743	2.8%	-388
20 to 49	5,333	3.9%	4,685	3.5%	648
50 or More	9,086	6.7%	7,280	5.5%	1,806
Mobile Home	292	0.2%	303	0.2%	-11
Boat, Rv, Van, Etc.	83	0.1%	37	<0.1%	46
Total Multifamily*	81,468	59.7%	83,344	63.1%	-1,876

*For the purposes of this section, "multifamily" is taken to mean any housing structure that contains more than one unit.

Recent housing stock changes for Cheektowaga are summarized in Table 3.29. Counter to trends observed elsewhere throughout Erie County, the size of the housing stock in Cheektowaga appears to have contracted – albeit slightly – over the past five years. Specifically, the Census ACS estimates that Cheektowaga experienced a net loss of about 621 housing units between

[50] Such a large jump in one-family units in a city like Buffalo seems improbable based on construction patterns. It is likely that the changes documented here include some combination of (1) misclassification and/or correcting misclassification in the ACS, (2) unit conversions, and (3) some new construction.
[51] Weaver and Knight (2020).

roughly 2017 and 2022 (-1.5%). However, even as the overall stock shrank in size, the number of single-family units is estimated to have grown by about 257 homes (+0.9%). Accordingly, the overall decrease in Cheektowaga's housing stock was driven by a net loss of multifamily units (-6.8%).

Although shrinking absolute and relative stocks of multifamily units are often counterproductive to the goal of affirmatively furthering fair housing, recall that Cheektowaga is the only Erie County CDBG entitlement community that is not associated with the presence of R/ECAPs, even though there were three such areas detected in the Town at the time of the last AI, in 2020. Consequently, one cannot automatically point to the declining share of multifamily units in Cheektowaga as a barrier to the provision of fair and affordable housing. As a final note, observe that the contraction in Cheektowaga's housing stock unfolded alongside a slightly growing population, which would seem to indicate upward pressure on household sizes.

***Table 3.29**: Housing Stock by Structure Type, Cheektowaga*

	Current (2022)	% of Current	Prior ACS (2017)	% of 2017	Net Change
Population	89,474	--	87,484	--	1,990
Housing Units	41,183	--	41,804	--	-621
1, Detached	26,899	65.3%	26,656	63.8%	243
1, Attached	655	1.6%	641	1.5%	14
2	6,789	16.5%	7,267	17.4%	-478
3 or 4	2,198	5.3%	2,350	5.6%	-152
5 to 9	1,667	4.0%	1,786	4.3%	-119
10 to 19	766	1.9%	1,116	2.7%	-350
20 to 49	367	0.9%	174	0.4%	193
50 or More	685	1.7%	695	1.7%	-10
Mobile Home	1,157	2.8%	1,119	2.7%	38
Boat, Rv, Van, Etc.	0	0.0%	0	0.0%	0
Total Multifamily*	12,472	30.3%	13,388	32.0%	-916

*For the purposes of this section, "multifamily" is taken to mean any housing structure that contains more than one unit

In the Erie County – Urban County Grantee community, the housing stock experienced a net increase of almost 4,300 units (+3.9%) since the ACS period ending in 2017 (Table 3.30). Roughly four out of every five units gained (79.4%) came in the form of single-family structures. Although the number of multifamily units in the Urban County did edge up (+867 units, +3.0%), single-family growth occurred at a larger magnitude. As such, the multifamily share of the housing stock ticked slightly down (from 21.1% to 20.9% of units) over the last two non-overlapping ACS periods.

***Table 3.30**: Housing Stock by Structure Type, Erie County – Urban County*

	Current (2022)	% of Current	Prior ACS (2017)	% of 2017	Net Change
Population	323,146	--	320,722	--	2,424
Housing Units	143,956	--	138,557	--	5,399
1, Detached	105,316	73.2%	101,966	73.6%	3,350
1, Attached	4,718	3.3%	3,779	2.7%	939
2	10,947	7.6%	11,339	8.2%	-392
3 or 4	5,786	4.0%	5,876	4.2%	-90
5 to 9	6,972	4.8%	5,971	4.3%	1,001
10 to 19	1,663	1.2%	2,049	1.5%	-386
20 to 49	1,630	1.1%	1,321	1.0%	309
50 or More	3,106	2.2%	2,681	1.9%	425
Mobile Home	3,784	2.6%	3,550	2.6%	234
Boat, Rv, Van, Etc.	34	0.0%	25	<0.1%	9
Total Multifamily*	30,104	20.9%	29,237	21.1%	867

*For the purposes of this section, "multifamily" is taken to mean any housing structure that contains more than one unit

Among the six Erie County entitlement communities, Hamburg is one of only two locations to add more multifamily units (+949 units, +15.3%) to their housing stocks than single-family units (+533 units, +2.9%) since the ACS period that ended in 2017 (Tonawanda is the other – see below). This relatively strong net growth in multifamily units raised the share of such units in Hamburg's overall housing stock by more than two percentage points, from 24.3% circa 2017 to 26.4% at present. Insofar as Hamburg has been among the Grantee communities that have been least accessible to low-income persons and persons of color (as evidenced by the jurisdiction's relatively homogeneous racial composition [Table 3.3] and low poverty rates for the region [Table 3.20]), the growing availability of multifamily housing has the potential to open the area to a wider array of residents. Indeed, despite having a population that is still more than 90% white (Table 3.3), most of Hamburg's population growth since 2010 has been driven by growth in the area's Asian and Hispanic/Latinx communities. Whereas attributing that growth to gains in Hamburg's multifamily housing stock is arguably a case of mistaking correlation for causation, it is still reasonable to conclude that investments into lower-cost housing opportunities like multifamily structures can increase a place's racial, ethnic, and economic diversity.

***Table 3.31**: Housing Stock by Structure Type, Hamburg*

	Current (2022)	% of Current	Prior ACS (2017)	% of 2017	Net Change
Population	59,982	--	58,147	--	1,835
Housing Units	27,120	--	25,514	--	1,606
1, Detached	18,126	66.8%	17,709	69.4%	417
1, Attached	921	3.4%	805	3.2%	116
2	2,091	7.7%	1,968	7.7%	123
3 or 4	1,094	4.0%	985	3.9%	109
5 to 9	1,790	6.6%	1,238	4.9%	552
10 to 19	1,054	3.9%	1,016	4.0%	38
20 to 49	421	1.6%	216	0.8%	205
50 or More	699	2.6%	777	3.0%	-78
Mobile Home	924	3.4%	796	3.1%	128
Boat, Rv, Van, Etc.	0	0.0%	4	<0.1%	-4
Total Multifamily*	7,149	26.4%	6,200	24.3%	949

*For the purposes of this section, "multifamily" is taken to mean any housing structure that contains more than one unit

Finally, Table 3.31 summarizes recent housing stock changes in the Town of Tonawanda. Of all six entitlement communities, only Tonawanda experienced population loss between the 2010 and 2020 Decennial Censuses. As Table 3.31 reveals, that population shrinkage has been accompanied by inchoate signs of housing stock shrinkage – a potential indicator that Tonawanda's housing stock is on course to "rightsize", or to be brought into closer alignment with the Town's falling population.[52] Even more importantly, though, while the overall stock underwent a net loss of units between the ACS periods ending in 2017 and 2022 (-571 units, -0.9%), the number of multifamily units *increased* by nearly 550 (+5.7%). Between this net gain, and accompanying net losses in single-family detached units, the percentage of multifamily units in the Town's overall housing stock inched up by 1.6 percentage points, from 27.2% circa 2017 to 28.8% at present. As was the case with Hamburg, these sorts of investments into what tend to be lower-cost housing opportunities can increase a place's racial, ethnic, and economic diversity, thereby leading to a deconcentration of poverty over time.

[52] Weaver, R., Bagchi-Sen, S., Knight, J., & Frazier, A. E. (2016). *Shrinking cities: Understanding urban decline in the United States*. Routledge.

***Table 3.31**: Housing Stock by Structure Type, Tonawanda*

	Current (2022)	% of Current	Prior ACS (2017)	% of 2017	Net Change
Population	72,365	--	73,044	--	-679
Housing Units	35,084	--	35,111	--	-27
1, Detached	24,184	68.9%	24,797	70.6%	-613
1, Attached	676	1.9%	634	1.8%	42
2	4,285	12.2%	4,130	11.8%	155
3 or 4	1,296	3.7%	1,275	3.6%	21
5 to 9	1,774	5.1%	1,457	4.1%	317
10 to 19	829	2.4%	846	2.4%	-17
20 to 49	446	1.3%	303	0.9%	143
50 or More	1,476	4.2%	1,553	4.4%	-77
Mobile Home	118	0.3%	94	0.3%	24
Boat, Rv, Van, Etc.	0	0.0%	22	0.1%	-22
Total Multifamily*	10,106	28.8%	9,564	27.2%	542

*For the purposes of this section, "multifamily" is taken to mean any housing structure that contains more than one unit

Figure 3.14 depicts the current distribution of housing units throughout the County using dot density mapping. Whereas it is always difficult to discern patterns from zoomed-out maps, careful observers might notice that multifamily units – especially in Buffalo, Lackawanna (Urban County), and Amherst, appear to be overrepresented in R/ECAP tracts. To investigate this possibility more precisely, Table 3.32 lists the total number of units present in each Grantee community, and the fraction of those units that are designated for two or more families, by R/ECAP status.

***Table 3.32**: Share of Multifamily Units by Grantee Community and Presence in a R/ECAP*

	Not in R/ECAP		In R/ECAP		Total	
Grantee	**# Units**	**% Multi-family**	**# Units**	**% Multi-family**	**# Units**	**% Multi-family**
Amherst	48,690	29.2%	6,176	57.8%	54,866	32.4%
Buffalo	80,865	61.3%	55,556	57.4%	136,421	59.7%
Cheektowaga	41,183	30.3%	N/A	N/A	41,183	30.3%
Erie County – Urban County	136,157	20.0%	7,799	36.4%	143,956	20.9%
Hamburg	25,207	25.7%	1,913	34.7%	27,120	26.4%
Tonawanda	33,950	27.2%	1,134	75.4%	35,084	28.8%

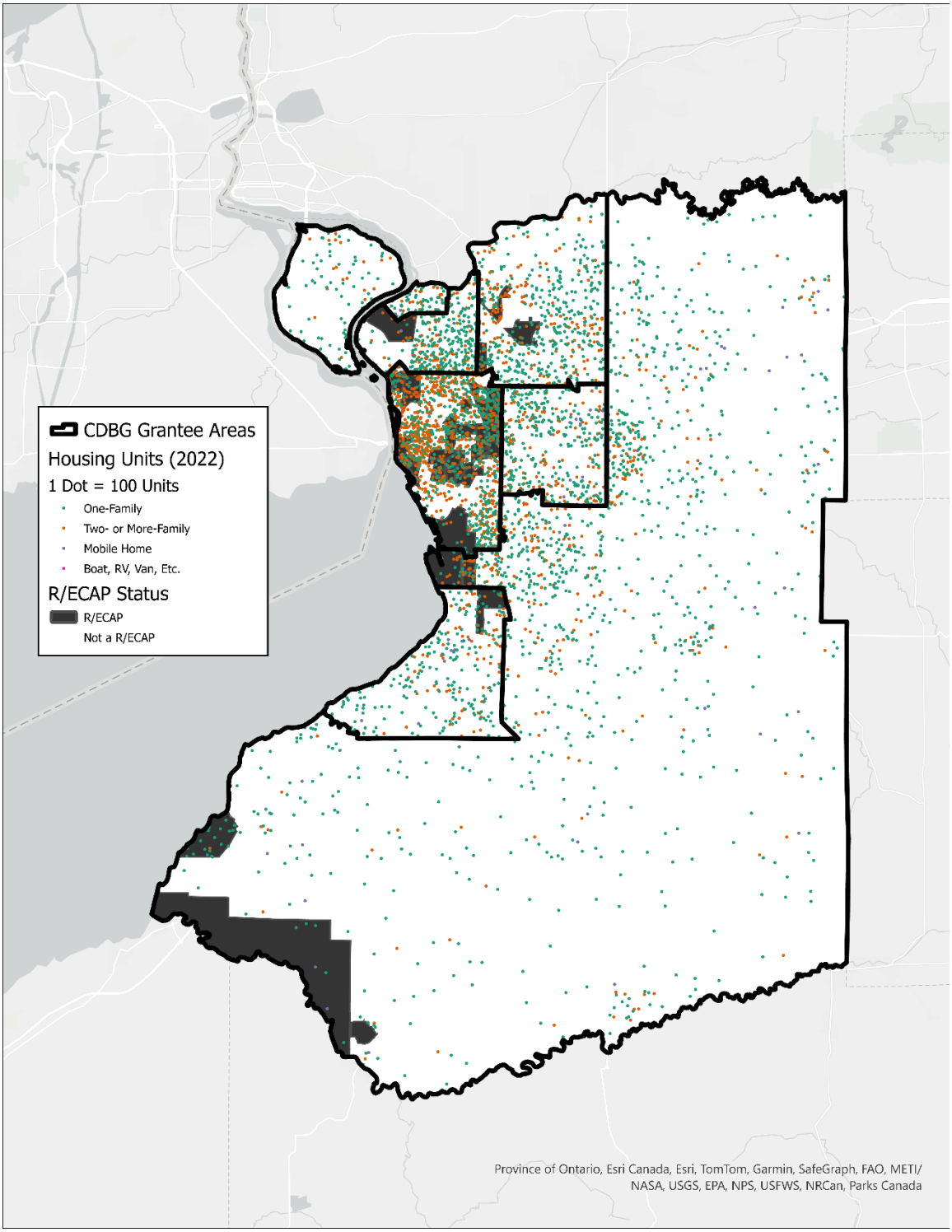

Figure 3.14: Distribution of housing units in Erie County (2022)

Crucially, the housing stocks in R/ECAPs throughout all Grantee communities except for Buffalo are characterized by disproportionately high shares of multifamily units. The proportionally greater availability of multifamily units in these spaces is potentially one factor that contributes to the relatively high concentrations of low-income residents in these spaces. The largest disparity occurs in Tonawanda, where just 28.8% of all units are multifamily but more than three in every four R/ECAP units (75.4%) are multifamily units. To the extent that multifamily housing options tend to be more affordable than one-family options, the heavy concentration of such units in R/ECAPs promises to exacerbate conditions of concentrated poverty in a given jurisdiction.

Next, Table 3.33 summarizes, for each Grantee community, the overall housing stock by the year structures were built. Data come from the 2018-22 ACS. More than three of every five units in Buffalo were built prior to 1940, while 75.6% of Tonawanda's and 51.1% of Cheektowaga's units were built prior to 1960. In all three cases, high density of older housing units is likely to be linked to presence of lead paint, as well as risk of deterioration.

***Table 3.33**: Housing Stock by Year Structure was Built (source: 2018-22 ACS)*

	Amherst	Buffalo	Cheektowaga	Erie County - Urban County	Hamburg	Tonawanda
Total	54,866	136,421	41,183	143,956	27,120	35,084
Built 2010 or later	6.3%	2.5%	0.7%	6.0%	8.3%	1.4%
Built 2000 to 2009	6.2%	1.4%	2.4%	7.6%	7.4%	1.9%
Built 1990 to 1999	9.0%	2.9%	2.9%	10.7%	9.7%	1.9%
Built 1980 to 1989	12.0%	2.6%	6.3%	8.7%	9.7%	3.4%
Built 1970 to 1979	17.2%	4.5%	12.2%	12.3%	15.2%	5.6%
Built 1960 to 1969	17.3%	5.1%	24.4%	12.7%	9.9%	10.3%
Built 1950 to 1959	16.6%	11.7%	27.5%	17.4%	17.3%	40.8%
Built 1940 to 1949	6.5%	8.5%	12.0%	5.8%	6.8%	15.4%
Built 1939 or Earlier	8.8%	60.8%	11.6%	18.7%	15.8%	19.4%

Tables 3.34-3.39 expand on both the tenure structure and single-/multi-family character of the units summarized above, for each Grantee community. Among other observations, the data suggest that:

- *Amherst's multi-family market is oriented almost entirely toward renters, while single-family homes are nearly all owner-occupied;*
- *Buffalo's oldest homes, both single- and multi-family, are characterized by the highest rate of owner-occupancy, while the few newer units that have been built since 2000 are disproportionately renter-occupied;*

- *Cheektowaga, Tonawanda, and the Urban County are characterized by relatively high owner-occupancy rates for older multi-family units, and high ownership rates in general; and*
- *Very few single-family homes outside of Buffalo are renter-occupied, while the large majority of multi-family units are renter-occupied.*

***Table 3.34**: Tenure by Year Built and Number of Units, Amherst (source: 2018-22 ACS)*

	Single-Family			Multi-family		
	#	% Own	% Rent	#	% Own	% Rent
Built 2000 or Later	2,932	91.5%	8.5%	3,385	5.8%	94.2%
Built 1980 to 1999	7,141	92.2%	7.8%	3,882	22.7%	77.3%
Built 1960 to 1979	11,996	95.0%	5.0%	6,140	28.4%	71.6%
Built 1940 to 1959	10,004	95.0%	5.0%	1,983	8.3%	91.7%
Built 1939 or Earlier	3,657	93.2%	6.8%	848	14.2%	85.8%

***Table 3.35**: Tenure by Year Built and Number of Units, Buffalo (source: 2018-22 ACS)*

	Single-Family			Multi-family		
	#	% Own	% Rent	#	% Own	% Rent
Built 2000 or Later	1,238	55.5%	44.5%	3,256	6.6%	93.4%
Built 1980 to 1999	3,354	68.8%	31.2%	3,182	6.9%	93.1%
Built 1960 to 1979	3,794	57.1%	42.9%	7,820	7.1%	92.9%
Built 1940 to 1959	12,050	76.1%	23.9%	12,640	12.0%	88.0%
Built 1939 or Earlier	29,562	76.1%	23.9%	41,626	26.7%	73.3%

***Table 3.36**: Tenure by Year Built and Number of Units, Cheektowaga (source: 2018-22 ACS)*

	Single-Family			Multi-family		
	#	% Own	% Rent	#	% Own	% Rent
Built 2000 or Later	523	96.0%	4.0%	712	15.4%	84.6%
Built 1980 to 1999	1,683	89.3%	10.7%	1,295	17.1%	82.9%
Built 1960 to 1979	9,410	93.1%	6.9%	4,721	15.7%	84.3%
Built 1940 to 1959	12,583	94.1%	5.9%	3,063	21.7%	78.3%
Built 1939 or Earlier	2,403	85.6%	14.4%	2,031	35.8%	64.2%

***Table 3.37**: Tenure by Year Built and Number of Units, Erie County – Urban County (source: 2018-22 ACS)*

	Single-Family			Multi-family		
	#	% Own	% Rent	#	% Own	% Rent
Built 2000 or Later	13,219	95.0%	5.0%	4,642	4.2%	95.8%
Built 1980 to 1999	21,177	96.3%	3.7%	4,461	17.0%	83.0%
Built 1960 to 1979	26,593	93.7%	6.3%	7,140	18.3%	81.7%
Built 1940 to 1959	26,322	91.6%	8.4%	4,926	23.0%	77.0%
Built 1939 or Earlier	18,059	87.4%	12.6%	6,339	37.3%	62.7%

***Table 3.38**: Tenure by Year Built and Number of Units, Hamburg (source: 2018-22 ACS)*

	Single-Family			Multi-family		
	#	% Own	% Rent	#	% Own	% Rent
Built 2000 or Later	2,754	99.6%	0.4%	1,251	8.4%	91.6%
Built 1980 to 1999	3,216	96.2%	3.8%	1,285	14.6%	85.4%
Built 1960 to 1979	4,116	95.9%	4.1%	2,291	6.6%	93.4%
Built 1940 to 1959	5,645	93.7%	6.3%	704	17.6%	82.4%
Built 1939 or Earlier	2,993	90.2%	9.8%	1,117	15.2%	84.8%

***Table 3.39**: Tenure by Year Built and Number of Units, Tonawanda (source: 2018-22 ACS)*

	Single-Family			Multi-family		
	#	% Own	% Rent	#	% Own	% Rent
Built 2000 or Later	323	83.9%	16.1%	746	3.2%	96.8%
Built 1980 to 1999	506	89.3%	10.7%	1,203	4.1%	95.9%
Built 1960 to 1979	2,722	86.8%	13.2%	2,618	8.0%	92.0%
Built 1940 to 1959	16,017	94.2%	5.8%	3,011	18.6%	81.4%
Built 1939 or Earlier	4,802	94.3%	5.7%	1,604	37.8%	62.2%

HOME OWNERSHIP AND PROTECTED CLASS STATUS

Owning a home allows a household to build wealth and equity over time. Rather than paying rent to a landlord indefinitely, making payments to satisfy a mortgage loan eventually ends. At that time, under normal circumstances, other claims to the property dissolve and the household is left with a sizeable asset. The value of (equity built into) that asset can be borrowed against, thereby providing ample opportunities for the owner to access credit in the future. And, if the owner wishes to sell the home for any reason, any residual surplus from the sale (i.e., sales price minus fees and payback on any outstanding loans taken out against the home) goes directly to the owner. In all of these respects, homeownership is arguably one of the most – if not the most – direct paths to prosperity for most individuals and households. However, ample research has shown that homeownership opportunities are not equitably distributed among different subpopulations. Racial and ethnic groups of color have faced numerous barriers to ownership, as have low-income populations that lack access to credit, down-payment funds, and other key resources.[53] Table 3.40 presents ownership rates by Grantee community for the largest racial/ethnic groups in Erie County. In all communities, white households are considerably

[53] https://prosperitynow.org/files/PDFs/2017_Prosperity_Now_Scorecard_Homeownership_Housing.pdf

more likely to own their homes (with the sole exception of Cheektowaga, where Asian households have a slight edge). Homeownership rates for Black households are consistently less than 50% everywhere in the County, and, in the cases of Hamburg and Tonawanda, less than 30%.

***Table 3.40**: Tenure by Race and Ethnicity (source: 2018-22 ACS)*

Grantee Community	Total		White		Black		Asian		Hispanic/ Latinx	
	#	% Own	#	% Own	#	% Own	#	% Own	#	% Own
Amherst	52,137	70.5	43,273	74.9	2,239	44.2	4,198	48.1	1,339	47.1
Buffalo	118,897	42.6	58,991	50.4	39,694	37.5	5,336	47.6	11,942	21.5
Cheektowaga	39,581	70.9	32,760	74.4	4,253	46.5	718	78.6	974	63.3
Erie County - Urban County	136,118	77.9	128,035	79.0	1,995	41.8	1,037	66.2	2,264	52.9
Hamburg	26,144	73.3	24,708	74.4	168	17.3	115	47.8	588	54.3
Tonawanda	33,670	72.1	29,595	76.3	1,706	26.7	539	64.7	1,151	55.3

FAMILY STATUS, TENURE, AND INCOME

Housing discrimination based on gender or presence of children is unlawful under federal regulations. As such, it is essential to evaluate housing and related social and economic outcomes with respect to these protected classes, and to identify instances in which opportunities appear to be inequitable.

Tables 3.41 through 3.46 summarize current housing tenure by household type for the six entitlement communities from the 2018-22 ACS data. In all six Grantee communities, female single-parent households have the lowest ownership rate of any household type, suggesting that ownership opportunities are not available to single mother households at the same rate as other household types. This situation is starkest in Buffalo, where just 16.8% of female-headed single parent households are owner-occupied, compared to 42.6% of all households. However, the figures in Cheektowaga are equally as extreme: single mother households in the Town are nearly 30 percentage points less likely to be homeowners (41.3%) relative to the total population (70.9%).

***Table 3.41**: Tenure by Household Type, Amherst (Source: 2018-22 ACS)*

	#	% Own	% Rent
Married couple with children	9,745	90.5%	9.5%
Married couple, no children	14,802	88.8%	11.2%
Male single parent household	632	78.3%	21.7%
Male householder, no children	1040	58.5%	41.5%
Female single parent household	2,020	52.1%	47.9%
Female householder, no children	2,611	68.7%	31.3%
Nonfamily household	21,287	51.0%	49.0%
All Households	**52,137**	**70.5%**	**29.5%**

***Table 3.42**: Tenure by Household Type, Buffalo (Source: 2018-22 ACS)*

	#	% Own	% Rent
Married couple with children	12,385	58.7%	41.3%
Married couple, no children	16,840	77.6%	22.4%
Male single parent household	2292	27.7%	72.3%
Male householder, no children	3768	54.3%	45.7%
Female single parent household	12,167	16.8%	83.2%
Female householder, no children	10,725	49.5%	50.5%
Nonfamily household	60,720	33.5%	66.5%
All Households	**118,897**	**42.6%**	**57.4%**

***Table 3.43**: Tenure by Household Type, Cheektowaga (Source: 2018-22 ACS)*

	#	% Own	% Rent
Married couple with children	5,255	82.5%	17.5%
Married couple, no children	10,117	89.8%	10.2%
Male single parent household	765	48.5%	51.5%
Male householder, no children	1075	66.8%	33.2%
Female single parent household	2,223	41.3%	58.7%
Female householder, no children	2,813	76.4%	23.6%
Nonfamily household	17,333	60.4%	39.6%
All Households	**39,581**	**70.9%**	**29.1%**

***Table 3.44**: Tenure by Household Type, Urban County (Source: 2018-22 ACS)*

	#	% Own	% Rent
Married couple with children	24,136	90.5%	9.5%
Married couple, no children	44,973	92.4%	7.6%
Male single parent household	2769	66.3%	33.7%
Male householder, no children	3296	80.5%	19.5%
Female single parent household	5,487	55.4%	44.6%
Female householder, no children	6,385	76.4%	23.6%
Nonfamily household	49,072	61.6%	38.4%
All Households	**136,118**	**77.9%**	**22.1%**

***Table 3.45**: Tenure by Household Type, Hamburg (Source: 2018-22 ACS)*

	#	% Own	% Rent
Married couple with children	4,132	88.4%	11.6%
Married couple, no children	8,255	89.6%	10.4%
Male single parent household	624	71.0%	29.0%
Male householder, no children	770	86.8%	13.2%
Female single parent household	1,483	55.2%	44.8%
Female householder, no children	1,297	87.0%	13.0%
Nonfamily household	9,583	52.9%	47.1%
All Households	**26,144**	**73.3%**	**26.7%**

***Table 3.46**: Tenure by Household Type, Tonawanda (Source: 2018-22 ACS)*

	#	% Own	% Rent
Married couple with children	4,629	88.3%	11.7%
Married couple, no children	9,012	92.5%	7.5%
Male single parent household	684	59.6%	40.4%
Male householder, no children	902	67.6%	32.4%
Female single parent household	1,456	53.8%	46.2%
Female householder, no children	1,805	73.6%	26.4%
Nonfamily household	15,182	57.4%	42.6%
All Households	**33,670**	**72.1%**	**27.9%**

Table 3.47 identifies a likely source for the disparate ownership rates identified above: meaningfully lower median family incomes for single parent households, particularly those headed by women. In all Grantee communities except for Cheektowaga and Tonawanda, single mother households earn less than half of the median family income for all households in the Grantee area. The Countywide outcome is the most severe, with the median single mother household in Erie County earning 37.3% of the areawide median family income.

***Table 3.47**: Median Family Income by Household Type (Source: 2018-22 ACS)*

	Amherst	Buffalo	Cheektowaga	Erie County*	Hamburg	Tonawanda
All Households	$129,305	$60,057	$84,527	$95,835	$112,684	$98,706
Married Couple with Children	$157,443	$78,329	$105,503	$126,471	$148,781	$116,374
Married Couple with No Children	$139,959	$95,671	$91,909	$110,060	$114,547	$107,843
Male Single Parent Household	$92,411	$38,246	$60,017	$58,491	$71,974	$80,748
Male Householder, No Children Present	$92,789	$64,135	$81,728	$79,283	$99,604	$94,233
Female Single Parent Household	$60,211	$25,812	$43,629	$35,778	$48,369	$57,316
Female Householder, No Children Present	$83,129	$51,965	$68,651	$65,605	$77,426	$58,835
Median Family Income for Female Single Parent Households, as a % of Median for all Family Households	**46.6%**	**43.0%**	**51.6%**	**37.3%**	**42.9%**	**58.1%**

*Median data not available for the aggregate Urban County; data here are for all of Erie County

HOUSING COSTS

Whereas real estate market forces are not considered to be discriminatory by federal regulations, in practice market tendencies have disparate effects on different subpopulations. In Western New York, the housing market has been surging for several years, characterized by lower inventories and prices that are climbing ever higher.[54] The impacts of such dynamics trickle down to even the lowest price units. As a headline for the City of Buffalo from a few years ago succinctly observes, "Buffalo's tax assessments to finally catch up with booming housing values."[55] Put another way, soaring housing prices throughout the region have created a growing mismatch between current property tax assessments and what properties might fetch on the open market. While more closely aligning assessments to current market values does not necessarily mean that property owners will be paying higher taxes (which, in turn, could lead to rent increases in non-owner-occupied units), the prospect of such an outcome – along with the uncertain implications of booming real estate market more generally – have many vulnerable homeowners and renters sufficiently worried.[56] And, as the empirical evidence described in this chapter suggest, low income residents in the six entitlement communities are disproportionately members of protected classes. Accordingly, it is important to acknowledge the influences that Western New York's thriving real estate market on housing affordability for vulnerable residents.

Figure 3.15 graphs the median, inflation-adjusted sales price (2023$) for Erie County's single-family housing market since 2015. Data were acquired from the New York State (NYS) Office of Real Property Tax Services (ORPTS), and transactions were filtered to show only arm's length sales with sales prices of at least $5,000. In keeping with the narrative of a "hot" housing market, the median Countywide price of a single-family home in 2023 USD increased by 38.2% since 2015, from $184,470 to $255,500. Amherst, Buffalo, and Cheektowaga all experienced above-average percent increases in median sales prices over the same time horizon. The median inflation-adjusted price in these three entitlement communities increased by 46.4%, 54.9%, and 69.3%, respectively, between 2015 and 2023.

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[54] Weaver, R., & Knight, J. (2021). *Engaging the Future of Housing in Buffalo-Niagara*. LISC WNY and PPG Buffalo. https://ppgbuffalo.org/files/documents/housing_neighborhoods/general/housingneighborhoods-_engaging_the_future_of_housing_in_the_buffalo-niagara_region.pdf

[55] https://buffalonews.com/2019/09/01/years-in-the-making-buffalos-reassessment-expected-to-reflect-housing-market-boom/

[56] https://www.wkbw.com/news/local-news/not-fair-homeowners-speak-on-city-of-buffalos-2025-reassessment-project

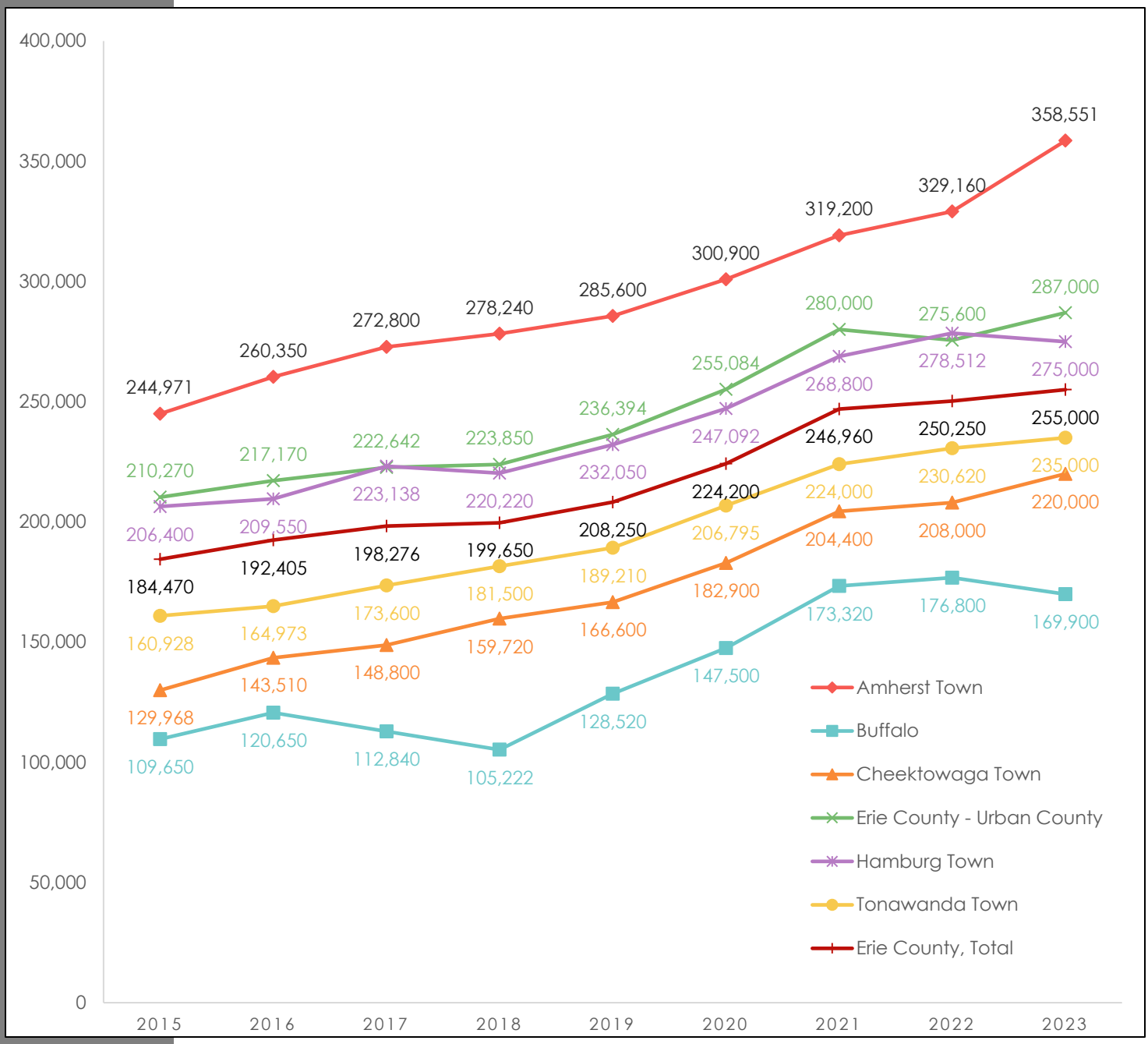

Figure 3.15: Median sales price (2023$) for single-family, arm's length transactions, 2015-2023

By way of comparison, Table 3.48 shows median income for owner-occupied households, by Grantee community, in inflation-adjusted 2023$, for the two most recent non-overlapping five-year Census ACS periods (2013-17 and 2018-22). In an attempt to align the timeframe of the comparison, the table also shows median sales price, by Grantee community, for 2017 (the end of the former ACS period) and 2022 (the end of the current ACS period). As the table shows, while median sales prices spiked by roughly 21% to 57% during that horizon, median owner incomes increased by between just 2% and 9% depending on the

jurisdiction. In the housing literature, this situation – whereby housing prices are rising faster than income – is known as an *affordability gap*. Given the fast pace at which median housing prices have risen relative to median owner income, one can conclude that housing affordability is and promises to be an ongoing challenge across Erie County.

***Table 3.48**: A Growing Affordability Gap for Erie County Homeowners and Homebuyers*

	Median Owner Income (2023$)			**Median Single-Family Sales Price (2023$)**		
Grantee	***2022***	***2017***	***% Change***	***2022***	***2017***	***% Change***
Amherst Town	$117,542	$113,497	3.6%	$329,160	$272,800	20.7%
Buffalo	$72,067	$66,893	7.7%	$176,800	$112,840	56.7%
Cheektowaga Town	$77,787	$75,057	3.6%	$208,000	$148,800	39.8%
Erie County - Urban County	$99,280	$97,610	1.7%	$275,600	$222,642	23.8%
Hamburg Town	$105,210	$98,493	6.8%	$278,512	$223,138	24.8%
Tonawanda Town	$92,408	$84,809	9.0%	$230,620	$173,600	32.8%
Erie County, Total	**$93,252**	**$89,726**	**3.9%**	**$250,250**	**$198,276**	**26.2%**

To the extent that nearly all of the protected classes discussed in this chapter have much lower homeownership rates relative to their parent populations and key comparison groups (e.g., white householders), it is important to look beyond the real estate sales market and get a better handle on the rental market. Table 3.49 provides selected summary statistics on median renter household income and median gross rent[57] from the current five-year Census ACS (ending in 2022), by Grantee community. Observe that, per federal guidelines and regulations, a household's monthly housing costs are considered to be affordable if they account for less than 30% of the household's gross monthly income. Any household for whom monthly housing costs exceed that guideline are said to be *housing cost-burdened*.[58] Using that definition, one can compute a maximum "median affordable rent" from ACS data for any available geography by multiplying median renter household annual income by 30% and dividing by 12 months. The second column in Table 3.49 juxtaposes these "affordable" rent prices for each Erie County entitlement community with median gross rent prices reported in the ACS. The median "affordable" rent prices computed from median renter household income are then subtracted from median observable (i.e., actual) rent prices obtained from the ACS. The resulting difference is labeled in Table 3.49 the *affordability gap or surplus* for the median renter in a given jurisdiction. When the values in this column are positive, the median renter household in the relevant jurisdiction is *not* housing cost-burdened. Rather, the median renter household spends less than 30% of its monthly income on housing.

[57] The Census Bureau defines *gross rent* as sum of the rent paid to the owner plus any utility costs incurred by the tenant.
[58] Weaver and Knight (2020).

On the other hand, negative values in this column indicate that the median renter household in the relevant jurisdiction *is* housing cost-burdened, and it is paying in excess of what might be considered that household's maximum "affordable" rent price. As such, one might say that the household is operating at an affordability deficit, insofar as there is a negative gap between what that household is paying and the maximum rent that the household would be able to afford (per federal guidelines) given its income.

***Table 3.49**: Median Renter Household Income, Median Affordable Rent, Median Gross Rent, and Renter Affordability Gaps/Surpluses by Grantee Community (Sources: ACS 2018-22)*

Grantee	Median Renter Income	Median Affordable Rent (30% of Income)	Median Rent	Affordability Gap/Surplus	Renter Households	Renter Households as a % of All Households
Amherst Town	$47,882	$1,197	$1,331	($133.95)	15,375	29.5%
Buffalo	$35,277	$882	$981	($99.08)	68,204	57.4%
Cheektowaga Town	$44,342	$1,109	$1,017	$91.55	11,527	29.1%
Erie County - Urban County	$44,839	$1,121	$1,010	$110.98	30,081	22.1%
Hamburg Town	$45,604	$1,140	$1,049	$91.10	6,973	26.7%
Tonawanda Town	$41,553	$1,039	$1,015	$23.83	9,407	27.9%
Erie County, Total	**$40,184**	**$1,005**	**$1,025**	**($20.40)**	**141,567**	**34.8%**

Table 3.49 reveals that in the two entitlement communities with the highest rates of rentership – Buffalo (57.4% of households are renters) and Amherst (29.5% of households are renters) – the median renter household experiences a monthly affordability gap or deficit. That is, most renter households in Buffalo and Amherst are paying rent prices that exceed federal definitions and guidelines for what constitutes an "affordable" monthly rent for those households. Because nearly three out of every five (59.0%) Erie County renter households live in either Buffalo or Amherst, these observations mean that the median renter across all of Erie County is also experiencing a monthly affordability gap.

Tables 3.48 and 3.49 suggest that, irrespective of tenure, many households in Erie County are experiencing or at risk of experiencing housing affordability gaps – largely due to the extent to which rising housing costs are outpacing growth in income. To more carefully quantify the universe currently experiencing affordability issues, the remainder of this section describes conditions of *housing cost burden* throughout the County. Recall that housing cost burden is defined in federal regulations as spending 30% or more of gross monthly household income on housing. Tables 3.50 through 3.55 summarize cost burden data from the 2018-22 Census ACS, by tenure and income, for each entitlement community. In all six communities, low-income households are disproportionately cost-burdened – and highly so – though low-income renters are more likely to experience cost burden relative to owner occupants almost everywhere in the County. Virtually nine out of every ten renter households earning less than $35,000 per year are

presently cost-burdened and experiencing hefty monthly affordability gaps. Actions to stabilize housing costs and boost incomes for low-income residents are sorely needed across the County.

***Table 3.50**: Cost Burden by Tenure and Income in Amherst (Source: 2018-22 ACS)*

Household Income	Own		Rent		Total	
	#	% Cost Burdened	#	% Cost Burdened	#	% Cost Burdened
Less than $20,000	1,607	94.4%	2,919	85.3%	4,526	88.5%
$20,000 to $34,999	2,514	59.1%	2,856	88.3%	5,370	74.7%
$35,000 to $49,999	2,498	33.8%	1,884	67.7%	4,382	48.4%
$50,000 to $74,999	4,557	18.5%	2,801	41.7%	7,358	27.3%
$75,000 or More	25,386	3.5%	3,836	10.6%	29,222	4.4%
Total	**36,562**	**15.3%**	**14,296**	**37.5%**	**50,858**	**26.4%**

***Table 3.51**: Cost Burden by Tenure and Income in Buffalo (Source: 2018-22 ACS)*

Household Income	Own		Rent		Total	
	#	% Cost Burdened	#	% Cost Burdened	#	% Cost Burdened
Less than $20,000	5,357	78.7%	20,213	89.8%	25,570	87.5%
$20,000 to $34,999	6,167	37.0%	12,004	79.2%	18,171	64.9%
$35,000 to $49,999	5,579	20.0%	9,523	39.3%	15,102	32.2%
$50,000 to $74,999	9,484	6.7%	10,286	12.2%	19,770	9.5%
$75,000 or More	23,342	2.6%	12,416	1.6%	35,758	2.3%
Total	**49,929**	**17.8%**	**64,442**	**8.3%**	**114,371**	**36.5%**

***Table 3.52**: Cost Burden by Tenure and Income in Cheektowaga (2018-22 ACS)*

Household Income	Own		Rent		Total	
	#	% Cost Burdened	#	% Cost Burdened	#	% Cost Burdened
Less than $20,000	1,581	89.0%	1,937	96.5%	3,518	93.1%
$20,000 to $34,999	3,076	52.9%	2,320	86.1%	5,396	67.2%
$35,000 to $49,999	3,664	37.0%	1,716	49.1%	5,380	40.8%
$50,000 to $74,999	5,475	14.4%	2,029	8.2%	7,504	12.7%
$75,000 or More	13,972	1.3%	2,782	2.7%	16,754	1.5%
Total	**27,768**	**19.3%**	**10,784**	**49.7%**	**38,552**	**26.7%**

***Table 3.53**: Cost Burden by Tenure and Income in Erie County – Urban County (Source: 2018-22 ACS)*

Household Income	Own		Rent		Total	
	#	% Cost Burdened	#	% Cost Burdened	#	% Cost Burdened
Less than $20,000	5,512	89.7%	5,219	87.9%	10,731	88.8%
$20,000 to $34,999	8,439	56.0%	5,555	78.9%	13,994	65.1%
$35,000 to $49,999	9,477	39.0%	4,507	50.2%	13,984	42.6%
$50,000 to $74,999	15,949	16.2%	5,937	18.6%	21,886	16.9%
$75,000 or More	65,890	4.3%	6,494	3.2%	72,384	4.2%
Total	**105,267**	**17.9%**	**27,712**	**67.8%**	**132,979**	**23.6%**

***Table 3.54**: Cost Burden by Tenure and Income in Hamburg (Source: 2018-22 ACS)*

Household Income	Own		Rent		Total	
	#	% Cost Burdened	#	% Cost Burdened	#	% Cost Burdened
Less than $20,000	660	81.4%	1,379	86.6%	2,039	84.9%
$20,000 to $34,999	1,644	63.0%	1,208	86.3%	2,852	72.9%
$35,000 to $49,999	1,765	36.7%	1,122	41.4%	2,887	38.5%
$50,000 to $74,999	2,927	17.9%	1,472	11.0%	4,399	15.6%
$75,000 or More	12,097	2.3%	1,479	0.0%	13,576	2.0%
Total	**19,093**	**15.8%**	**6,660**	**45.3%**	**25,753**	**22.8%**

***Table 3.55**: Cost Burden by Tenure and Income in Tonawanda (Source: 2018-22 ACS)*

Household Income	Own		Rent		Total	
	#	% Cost Burdened	#	% Cost Burdened	#	% Cost Burdened
Less than $20,000	1,357	89.1%	2,144	88.0%	3,501	88.4%
$20,000 to $34,999	1,724	45.0%	1,733	89.8%	3,457	67.5%
$35,000 to $49,999	2,392	30.4%	1,468	59.7%	3,860	41.6%
$50,000 to $74,999	3,861	17.8%	1,679	19.8%	5,540	18.4%
$75,000 or More	14,737	1.1%	1,881	0.5%	16,618	1.1%
Total	24,071	14.8%	8,905	40.0%	32,976	25.0%

AN ASIDE: CONTINUING THE PUSH FOR A REGIONAL APPROACH TO R/ECAP IDENTIFICATION

The most recent (2020) joint AI for the Erie County CDBG entitlement communities pointed out that an authentic regional or Countywide approach to the AI should engage with the broader nature of spatially concentrated poverty and relatively segregated populations of color across the six jurisdictions. That is, it called for decisionmakers to take stock of census tract-level distributions of poverty and persons of color irrespective of Grantee boundaries. To advance that call, the AI advanced two possible options for identifying and monitoring R/ECAPs from a regionwide perspective, rather than on a Grantee-by-Grantee basis. Of the two approaches, one remained relatively arbitrary and observed that R/ECA and CAP identification could all be accomplished using thresholds based on Countywide subgroup population shares and poverty rates, respectively. Whereas such an approach brings uniformity and consistency into R/ECAP identification across multiple boundaries, the threshold method was still critiqued as being fairly rigid.

The second option, by contrast, called for the use of spatial statistical methods to detect clustering in the census tract-level distributions of (1) persons of color living in households and (2) households living in poverty. Under this option, a R/ECAP is defined as all census tracts where (1) clusters of high racial or ethnic concentration overlap with (or *spatially intersect*) (2) clusters of high poverty concentration. The advantage of this option is that it does not rely on arbitrary thresholds. Instead, it detects locations where spatial concentrations in race/ethnicity and poverty are significantly different from what one would expect by chance alone, given the size of the two populations of interest (persons of color and households living in poverty) in Erie County. Put another way, the results of such analyses show where target populations are over-concentrated relative to the hypothetical scenario in which members of the target populations were located randomly across Erie County's full set of census tracts.

Acknowledging that there are several statistical methods available to perform this type of analysis, each of which involves making a number of decisions,[59] the previous AI advanced an example of using spatial analysis to define R/ECAPs that is easily replicable using open source software.[60] The proposed method relied on a test statistic known as the Gi* (pronounced "gee eye star"), which is used to detect clusters of high (or low) values of a particular variable. In short, the method compares the value of a variable (e.g., the poverty rate for persons

[59] See, for example: Rogerson, Peter, and Ikuho Yamada. *Statistical detection and surveillance of geographic clusters*. Chapman and Hall/CRC, 2008.
[60] https://geodacenter.github.io/

in households) in a given census tract to the values of that variable in neighboring tracts.[61] The observed value for any tract is then compared to the value that would be expected if the variable were randomly distributed across the study area. Tracts where the observed value is significantly larger than this "random" expected value are flagged as clusters, or "hot spots" of the phenomenon of interest.[62]

Figures 3.16-3.17 map the results from applying the Gi* version of this cluster detection method to the percentage of household population classified as persons of color, and to the household poverty rate, for census tracts in Erie County, respectively. The first of these maps shows racially or ethnically concentrated areas (R/ECAs), while the second shows concentrated areas of poverty (CAPs). Finally, Figure 3.18 maps R/ECAPs as the set of all tracts that were flagged as both RECAs (Fig. 3.16) and CAPs (Fig. 3.17). All of the clusters, or "hot spots", identified in the three maps were statistically significant at a 95% level of confidence or better,[63] indicating that they show areas where poverty and persons of color are meaningfully more concentrated than what one would expect by chance alone. Not surprisingly, these R/ECAPs are all found in the City of Buffalo. The conclusion, consistent with the prior AI, is that an authentic regional approach to fair housing must run through Buffalo. That is, it is necessary for jurisdictions to cooperatively engage with the forces that simultaneously concentrate vulnerable residents in certain parts of the City and prevent them from accessing housing opportunities in the surrounding communities.

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[61] Note that there are several ways to specify which tracts are "neighbors" of one another. In the example presented here, simple contiguity is used to define neighboring tracts. In other words, any two tracts that have a border (e.g., street) or a point (e.g., intersection) in common are defined as neighbors. For more information, refer to: Mitchel, Andy. "The ESRI Guide to GIS analysis, Volume 2: Spatial measurements and statistics." *ESRI Guide to GIS analysis* (2005).

[62] https://desktop.arcgis.com/en/arcmap/latest/tools/spatial-statistics-toolbox/h-how-hot-spot-analysis-getis-ord-gi-spatial-stati.htm

[63] After applying a false discovery rate correction.

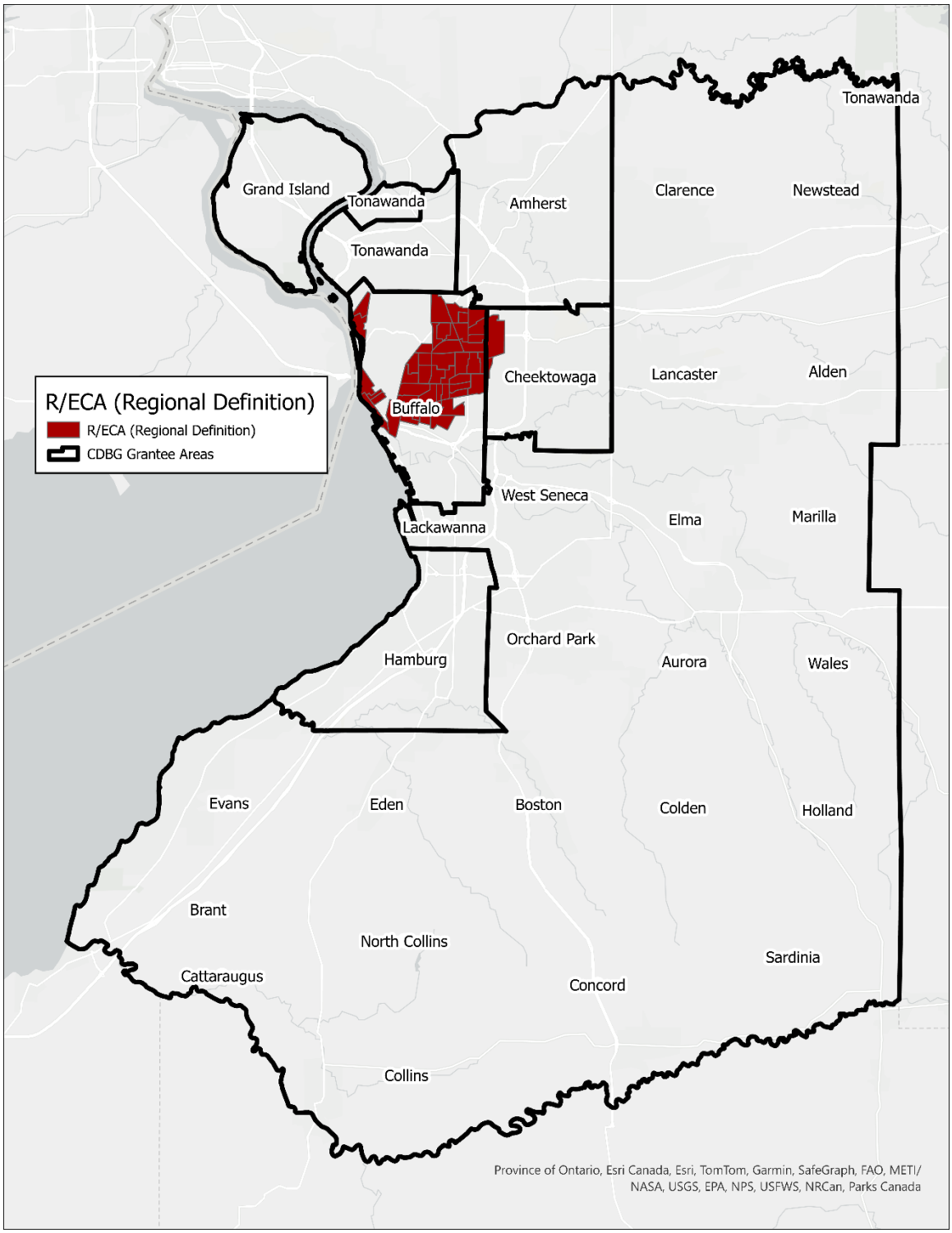

Figure 3.16: Racially or Ethnically Concentrated Areas (R/ECAs) in Erie County, Using a Spatial Statistical Regional Approach

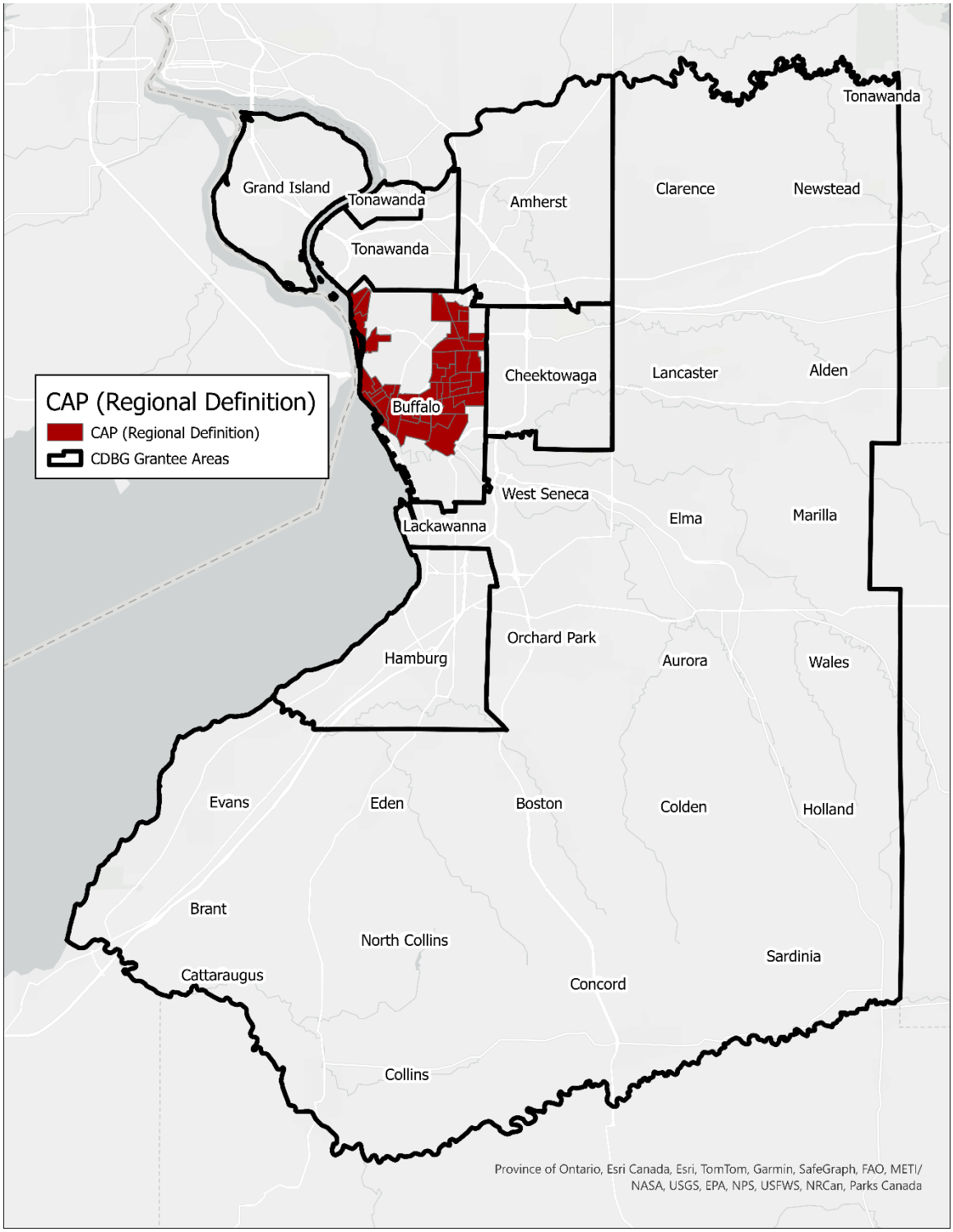

Figure 3.17: Concentrated Areas of Poverty (CAPs) in Erie County, Using a Spatial Statistical Regional Approach

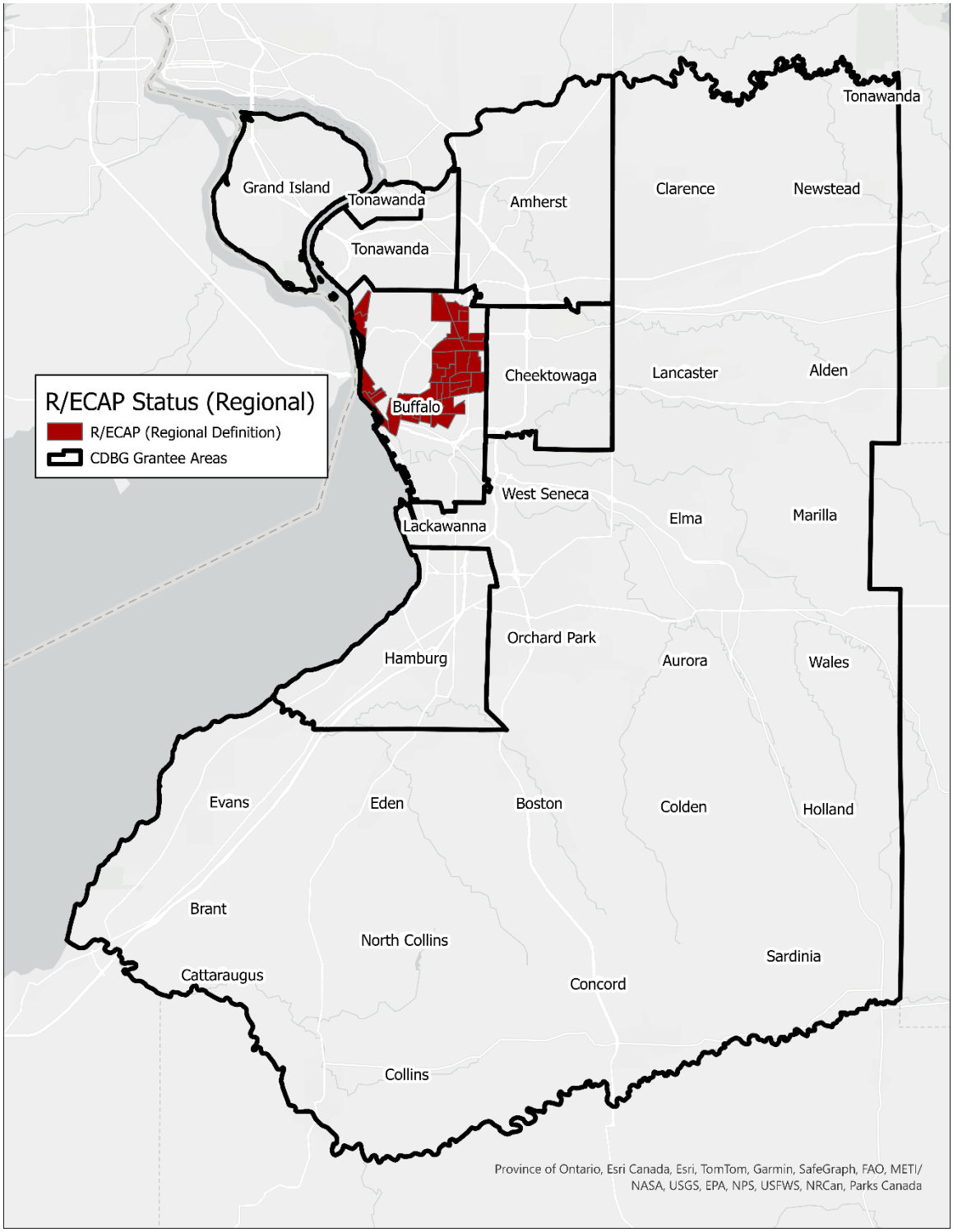

Figure 3.18: Racially- or Ethnically- Concentrated Areas of Poverty (R/ECAPs) in Erie County, Using a Spatial Statistical Regional Approach

IV. REVIEW OF EXISTING FAIR HOUSING STRUCTURE

Since the last AI in 2020, little has changed in the legal foundation of fair housing laws and structures; however, additional funding has been provided in response to the COVID pandemic that has been utilized for addressing housing challenges in Erie County. This additional funding is being used to build several hundred new affordable units as well as address homelessness and other issues identified in the prior AI. Although this funding is being used for alleviating housing challenges, the underlying structure of fair housing laws, CDBG programming, and related issues has not fundamentally changed. Despite the added funding, other policies, such as eviction moratoria at the State and Federal level, served to protect renters during the pandemic; however, these programs have largely expired creating challenges for those still recovering from lost employment and other issues during that time. This chapter surveys how funding is being used across the varied jurisdictions within Erie County.

ERIE COUNTY AND URBAN CONSORTIUM CDBG AND HOME FUNDING REVIEW

As a recipient of CDBG and HOME funding, Erie County is required to submit an Annual Community Assessment to HUD to ensure appropriate use of awarded money. The most recent CAPER report covers program year 2023. Per the report, Erie County met the requirements to keep planning and administration costs below 20% of total funding, with 16.19% spent on these activities as well as staying below the 15% threshold for public service activities, spending 8.58% on these projects.

In total, Erie County received $6,434,840.00 in program funding.

Table 4.1: HUD Funding Erie County

Program	Amount Awarded (2023 PY)
Community Development Block Grant (CDBG)	$3,550,068.00
HOME	$2,640,251
Emergency Solutions Grant	$244,521
Total:	$6,434,840

Additional funding to the County through the supplemental CDBG-CV program from the CARES Act include the following:

Table 4.2: CDBG-CV Funding Erie County

Program	Amount Awarded (2023 PY)
CDBG-CV	$301,081
HOME ARP	$10,041
ESG-CV	$189,369
Total:	$500,491

The emergency funds were used for rental assistance, homeless prevention, and safety improvements to senior living facilities, along with park improvements that are currently in development.

A variety of projects were funded across Erie County, with a focus on low median income (LMI) areas and neighborhoods. The first and second ward neighborhoods of Lackawanna are the poorest in the service area and received 14% of total funds for projects including housing rehabilitation and road improvements. The Village of Depew, the third poorest, received 9% of funding, also for housing rehabilitation and road improvements. These projects improved housing conditions for low-income residents and better access to services and employment. Funding supported a range of projects including housing assistance, homeless services, economic development, and community development efforts in line with the 5-year consolidated plan and one year action plan adopted by Erie County.

Efforts to Ensure AFFH Obligation: Per the CAPER report, $44,302.72 was spent explicitly on Fair Housing Services. This was split between two services: Housing Opportunities Made Equal, received $24,265.72. Housing Opportunities Made Equal provides housing assistance to low-income residents in Erie County including discrimination investigations, paralegal counseling for landlords and tenants, and other services. The remaining $20,037.00 was provided to Belmont Housing Resources for Western NY, which provides housing and services for low-income residents. The amount spent is in-line with expectations for spending in this area. Fair Housing Activities include planning, education, outreach, and other services to ensure access to affordable housing is available to all residents.

Erie County works with its partner organizations to ensure they are meeting AFFH requirements by limiting CDBG expenditures to Neighborhood Revitalization Strategy Areas, Community Development Impact areas, or other primarily LMI neighborhoods. Targets for investment from the most recent Consolidated Plan include:

- *First Ward City of Lackawanna*
- *Main Street area of the Village of Depew*
- *Lake Erie Beach neighborhood of the Town of Evans*
- *City of Tonawanda Niagara St. neighborhood*
- *Town of West Seneca City-Line neighborhood*

As mentioned above, the Lackawanna and Depew received significant funding in PY 2023, with remaining funding distributed across the entire service area. Projects include sewer and water improvements, flood mitigation, and transportation improvements.

Affirmative Marketing Plan: Applicants for participation in subsidized multi-family projects are required to submit an Affirmative Fair Housing Marketing Plan (AFHMP) via HUD form 935.2A. The AFHMP provides a path to for agents and owners to effectively market housing availability to both minority and non-minority populations. The plan includes addressing the demographics of the market area to determine what populations might require special outreach efforts.

Efforts to Ensure Program Accessibility: Public participation is a cornerstone of decision-making for the Consortium. All planning activities involve extensive stakeholder engagement, with multiple opportunities for residents to engage in these processes. There is also efforts to work with local organizations to gather input from service providers and others, as well as to leverage their connections to encourage resident participation. Meetings are held at various times and places to allow access for all to participate.

The County requires developers to do a marketing plan with any affordable housing projects and the Language Access Plan ensures all residents have access to information in their own language.

Site and Neighborhood Selection Standards: Erie County complies with regulations that serve to promote greater housing choice and avoid undue concentration of assisted persons through its RFP process for housing providers. Site and Neighborhood Standards (24 CFR 983.6) for new construction are utilized during the project evaluation process.

Tenant-Based Rental Assistance Program: There is a concentration of available units within the City of Buffalo and a recognized need to expand the supply of units to other areas within Erie County. Because of a lack of appropriate units, people with disabilities are regularly approved for a payment standard exception (up to 120 percent of fair market rent) to find suitable housing. Counseling services are provided to residents to help ensure adequate housing and to build capacity to leave subsidized housing.

Efforts to Expand Affordable and Accessible Housing Opportunities Outside of R/ECAPS: Within the service area, six areas are identified as R/ECAPS, primarily within the City of Lackawanna. The public housing units are located in these areas and much of the other housing is aging, resulting in deterioration. This has contributed to a need for rehabilitation assistance in this area. Efforts are being made to expand affordable housing options throughout Erie County to reduce concentrated poverty and ensure adequate housing in proximity to employment opportunities for residents.

Language Access Plan: Erie County updated its Language Access Plan in 2020 which identified approximately 3% of the population as having low English

proficiency within the urban consortium area. The majority lives within the City of Lackawanna. The County provides a range of services for this population to ensure full participation including translation services, translated materials such as reports, pamphlets, etc., and ensuring staff are available to assist with translation services when necessary.

CITY OF BUFFALO CDBG AND HOME FUNDING REVIEW

The 2022 Annual Community Assessment Report provides data for the program year running from April 1, 2022 through March 31, 2023 the most current data for CDBG funding at the City. The City's expenditures on administration were below the 20% threshold and approximately 15% were awarded to public services with youth and senior services receiving the majority of funding and the remaining going towards workforce development, fair housing, and crime prevention.

Table 4.2: HUD Funding City of Buffalo

Program	Amount Awarded (2023 PY)
Community Development Block Grant (CDBG)	$3,115,575
HOME	$1,095,213
Emergency Solutions Grant	$239,111
Total:	$4,449,899

Geographically, projects were completed across the City and included infrastructure improvements, housing rehabilitation and weatherization, access improvements for streets and sidewalks, and more.

Efforts to Ensure AFFH Obligation: The City spent $71,030.72 with the Buffalo Urban League ($28,412.41) and Housing Opportunities Made Equal (HOMENY) ($42,618.31) for affordable housing access services. This is in line with other providers in spending on fair housing activities. Additionally, the City of Buffalo partners with Buffalo Municipal Housing Authority, Buffalo Employment and Training Workforce Development Office, faith-based and community service providers, and HUD to provide training and outreach to providers to ensure compliance with all policies and regulations.

The City of Buffalo targets block groups with at least 51% low / moderate income populations and those with growing employment to support economic opportunities for lower income residents.

Affirmative Marketing Plan: Applicants for participation in subsidized multi-family projects are required to submit an Affirmative Fair Housing Marketing Plan (AFHMP) via HUD form 935.2A. The AFHMP provides a path to for agents and owners to effectively market housing availability to both minority and non-minority populations. The plan includes addressing the demographics of the market area to determine what populations might require special outreach efforts.

Efforts to Ensure Program Accessibility: The City of Buffalo leverages local non-profits, civic organizations, and a wide array of public engagement opportunities to encourage participation in public planning and decision-making processes. The City requires developers to do a marketing plan to inform residents of available affordable units and provides language assistance.

Site and Neighborhood Selection Standards: The City of Buffalo complies with regulations that serve to promote greater housing choice and avoid undue concentration of assisted persons through its RFP process for housing providers. Site and Neighborhood Standards (24 CFR 983.6) for new construction are utilized during the project evaluation process.

Tenant-Based Rental Assistance Program: The majority of multi-family units in Buffalo were built prior to the passing of the ADA, making accessibility a challenge. Buffalo complies with existing regulations on all new development and rehabilitation projects to expand the availability of accessible housing. Mobility counseling services are provided to those in need through a variety of providers to help ensure housing access. Additionally, language assistance is provided to ensure all residents have access to information about available programs and services.

Efforts to Expand Affordable and Accessible Housing Opportunities Outside of R/ECAPS: Per the 2020-2024 Action Plan the significant number of R/ECAPS in the City of Buffalo creates hardship in developing projects outside of these areas. Given this condition, waivers are used consistently to provide funding for projects in these areas.

Language Access Plan: Approximately 17% of Buffalo residents have limited English proficiency. In 2022 the City Council passed a resolution requiring access to translation and interpretation services for all residents. The City developed a Language and Disability Access Plan to identify needed changes in staffing, policies, etc. to ensure appropriate accessibility for all.

AMHERST CDBG AND HOME FUNDING REVIEW (FOR AMHERST, CHEEKTOWAGA, AND TONAWANDA)

CDBG and HOME funds are used in these communities, known as the ACT Consortium, for a range of services benefiting low-income residents. Services include home rehabilitation, lead remediation, blight eradication (through demolition or rehabilitation), first time homebuyer assistance, and other community services. For program year 2023:

Table 4.4: HUD Funding ACT Consortium

Program	Total Amount Awarded (2023 PY)	Amherst CDBG	Cheektowaga	Tonawanda
Community Development Block Grant (CDBG)	$3,370,027	$797,711	$948,212	$1,624,104
HOME	$2,150,668			
Other*	$1,526,012			
Total:	$7,046,707	$797,711	$948,212	$1,624,104

* Note that "Other" funding is not given a definition in the CAPER report

Home rehabilitation is the priority for funding and assistance was provided for a number of projects in the consortium jurisdictions. Additionally, properties were purchased for demolition or renovation to be made available for first-time homebuyers. Cheektowaga completed two affordable home construction projects allowing two families to become homeowners.

Efforts to Ensure AFFH Obligation: HUD funding was provided to a variety of organizations engaged in fair housing activities including Belmont Housing Counseling, Buffalo Urban League, and Housing Opportunities Made Equal. The amounts provided are in line with past annual expenditures and expected amounts to meet expectations for the use of HUD funding.

Eggertsville is the lowest income community in the service area and is the main target for investment. This neighborhood received the majority of funding for home rehabilitation projects. Other projects in Eggertsville and other neighborhoods included additional home rehabilitation, homebuyer assistance, and acquiring homes for resell. These efforts are intended to stabilize the neighborhoods and reduce blight. Other projects include infrastructure improvements and support for senior services and other projects throughout the three towns.

Affirmative Marketing Plan: Members have an extensive outreach program to ensure compliance with affirmative marketing requirements. This includes using notices in local newspapers, website announcements, and information flyers provided to tenants and managers about HOME programming in the communities. Additionally, owners receiving HOME funds are required to keep records on the race, ethnicity, and gender of applicants and tenants in the 90 days following initial availability. Owners must keep records of activities undertaken to inform the public of availability. Participants must comply with affirmative marketing requirements by means of a 10-year agreement, failure to carry out the agreement can result in ineligibility to participate in the HOME program. Developers must also do an Affirmative Marketing Plan for projects including affordable housing.

Tenant-Based Rental Assistance: All Erie County residents have access to mobility counseling through Housing Opportunities Made Equal. Reasonable accommodation to people with disabilities is provided.

Efforts to Expand Affordable and Accessible Housing Opportunities Outside of R/ECAPS: Incentives are provided to housing developers who include affordable units in market rate projects. Additionally, Section 504 standards are enforced on HOME-assisted projects with five or more units to provide additional accessible units. Two recent projects in Amherst, Alberta Place with 46 senior units and Blocher Apartments with 93 units for adults are both located outside of R/ECAPS.

Language Access Plan: The Town of Amherst has adopted a Language Access Plan, that outlines policies for staff. This includes the use of automated translation services and the provision of information in needed languages. Tonawanda enacted a Language Access Plan as part of a Voluntary Compliance Agreement with HUD in 2011. This provided direction on compliance with language requirements. Additionally, Tonawanda complies with the ACT HOME Consortium Citizens' Participation Plan for providing information to the public. The Town of Cheektowaga uses the Town Court's contract as their Language Access Plan and adopted a Language Access Plan in 2020.

TOWN OF HAMBURG CDBG AND HOME FUNDING REVIEW

The Town of Hamburg received $437,889 in CDBG funding for PY 2023 and $184,432 in HOME funding via Erie County. Two road reconstruction projects were completed, one in the Village of Blasdell and the other in the Town of Hamburg.

Efforts to Ensure AFFH Obligation: As with the most recent ACT Consortium CAPER, specific dollar amounts spent on Fair Housing services were not provided; however, the report does show 100 individuals were served with some form of Fair Housing assistance. Hamburg works with all providers and the County to ensure compliance with all regulations and policies for CDBG and HOME programs.

PUBLIC AND ASSISTED HOUSING AND SECTION 8 HOUSING CHOICE VOUCHER PROGRAMS

Public housing authorities are direct providers of affordable housing, building and managing properties for low-income residents. Providers are required to follow all HUD regulations regarding the affirmative provision of fair housing, including the location of any new housing units, how vouchers are managed, in grievance and eviction actions, and so on. Per HUD regulations, a minimum of 5 percent of inventory must be accessible for mobility impaired residents and an additional 2 percent for those with sensory impairments.

Erie County has three public housing authorities outside the City of Buffalo that provide a combined 955 housing units. Lackawanna and Kenmore are funded through Federal, State, and local funding. Tonawanda Public Housing Authority does not receive funding through HUD, so data (other than total units) is not included in this report. Buffalo Municipal Housing Authority is by far the largest provider of public housing in the County with over 4,000 units in 27 developments. Recent funding from the Federal government is contributing to the rehabilitation of projects across Erie County and the construction of new, affordable units as well. These projects will expand options for low-income residents to find suitable housing.

PUBLIC HOUSING INVENTORY

The Tonawanda Housing Authority is in process of major redevelopment of its current housing inventory. A new senior housing building will be constructed allowing for demolition of the existing senior housing. On that site, 4 – 6 accessible units will be constructed. This project was announced in 2023 and is underway, with some delays due to funding issues and other challenges. Additionally, the remaining housing will undergo full rehabilitation with Phase One being the 62 family units at the Arthur Albright community. In 2026, 150 units at the Colin Kelly community will also be fully renovated. These projects will provide a few additional accessible units along with improving safety and well-being for residents having upgraded living quarters. Because Tonawanda is not federally funded, these projects are being funded through state tax credits and other sources.

Buffalo Municipal Housing Authority manages the most units in Erie County. With funding from COVID recovery programs and other recent Federal funding a number of projects are underway to improve and expand public housing in Buffalo. A notable project is the redevelopment of the Commodore Perry Homes which will result in the demolition of 24 blighted, vacant buildings to be replaced with 405 units of mixed housing along with commercial uses. Other projects will also be funded in Buffalo and Hamburg, adding over 100 additional affordable units. Additional money is being used for significant renovations in existing properties to improve safety and health for residents.

Other forms of affordable housing are available across Erie County through other programs, in addition to these public housing units. A fairly high percentage of public housing units (~36%) are designated only for those aged 62+ and seniors occupy some family units in non-age restricted properties as well.

Table 4.5: Public Housing Units

Housing Authority	Total
Buffalo	4,266
Lackawanna	491
Kenmore	294
Tonawanda*	264
Total	**5,570**

*Tonawanda Public Housing Authority is state-funded and does not receive HUD funding

CURRENT PHA TENANTS SERVED

Minority residents are highly over-represented in the public housing units in Buffalo and Lackawanna, with Black residents representing a disproportionate percentage of public housing tenants based on racial characteristics of the larger population. The racial breakdown in Kenmore more accurately reflects the racial characteristics of the community as a whole.

In terms of income, Buffalo tenants are well below the federal poverty threshold of $19,720 for a 2-person household. This is an indication that they are extremely low-income. Lackawanna residents are closer to the poverty threshold, while Kenmore tenants are well above the standard of $14,580 for a single person household. However, given that Kenmore is a higher income and property value community, residents making $19,256 would struggle to find suitable housing on the open market.

Table 4.6: Public Housing Tenant Characteristics

	Buffalo Municipal Housing Authority	**Lackawanna**	**Kenmore**
Average Annual Income	$17,170	$21,961	$19,256
Average Household Size	1.8	2	1
Average Months Since Move In	180	126	84
Race and Ethnicity			
Black	59%	57%	17%
White, non-Hispanic	14%	19%	76%
Asian	0%	0%	1%
American Indian / Alaska Native	1%	1%	1%
Other	0%	0%	0%
Hispanic*	26%	23%	6%
Disability			
Disability	33%	26%	90%

*Hispanic ethnicity is counted separately from race

PUBLIC HOUSING WAITING LISTS

BUFFALO MUNICIPAL HOUSING AUTHORITY

The Buffalo Municipal Housing Authority is currently accepting applications to the waiting list for families and elderly or disabled residents.

LACKAWANNA MUNICIPAL HOUSING AUTHORITY

The waiting list for housing is open.

KENMORE MUNICIPAL HOUSING AUTHORITY

The waiting list for public housing in Kenmore is open indefinitely to elderly or disabled applicants. Preference is given to those living or working in Kenmore.

SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Housing Choice Vouchers (formerly Section 8) are managed in Erie County by three entities, Belmont Housing Resources, Rental Assistance Corporation of Buffalo (RAC), and the Buffalo Municipal Housing Authority. Belmont is the contracted agency managing the voucher program for the Town of Amherst. Vouchers from all providers can be used for housing throughout Erie County, offering flexibility and options for participants to find appropriate housing without geographic constraints.

Despite vouchers serving all of Erie County, a significant majority of vouchers are used within the City of Buffalo. This is because of a lack of available properties in other communities, especially those outside of the first ring suburbs and, of course, the City of Buffalo. All voucher providers are working to encourage landlords to accept vouchers and have raised rent allowances to provide more flexibility for participants. However, limited options remain for finding suitable housing in the suburban areas of the County.

Table 4.7: Housing Choice Vouchers

Provider	Active Vouchers*
Buffalo Municipal Housing Authority	617
Belmont Housing Resources	5,402
Rental Assistance Corp of Buffalo	5,390

*per Affordable Housing Online referencing most recent VMS reports

SECTION 8 VOUCHER ADMINISTRATIVE PLANS

Voucher Administrative Plans are the policy and procedure manuals for agencies administering the Housing Choice program. Each of the three providers in Erie County submitted their plans and these were reviewed from the perspective of fair housing issues, through the lens of the Fair Housing Act:

- *Fair housing and equal opportunity non-discrimination clause that provides a list of the protected classes,*
- *Reasonable accommodation policies for persons with disabilities (in the application process, unit search and selection, and grievance process),*
- *Accommodations for persons with limited English proficiency and a list of services a PHA provides to such persons,*
- *Definition of "family" and whether or not it includes non-traditional households with unrelated individuals, tenant selection policies and waiting list preferences to determine whether members of the protected classes are given any special consideration or if the local preferences restrict their housing choice,*

- *Recruitment of landlords who own properties in non-impacted areas (i.e., outside of R/ECAPs),*
- *Portability policies and procedures and their effect on members of the protected classes,*
- *Higher payment standards for units that accommodate persons with disabilities, and*
- *Grievance policies and procedures.*

Based on these criteria, all three providers' administrative plans adhere to the legal requirements and indicate an active interest in ensuring fair access to housing and providing all needed assistance to current and prospective voucher recipients.

SECTION 8 VOUCHER WAITING LISTS

The waiting lists for Housing Choice vouchers for all three providers are currently closed.

BUFFALO MUNICIPAL HOUSING AUTHORITY

The Buffalo Municipal Housing Authority opened its portal for families to apply for available vouchers in 2022. They had 3,547 applicants added to the waiting list and it is now closed until at least 2026. BMHA raised rent allowances between 10% and 12.7% depending on unit size to accommodate rising rents across the region. Vouchers can be used anywhere within Erie County. BMHA also put out a call for more landlords to accept vouchers to increase options for voucher recipients.

RENTAL ASSISTANCE CORPORATION

The waiting list for RAC was last open for one month from September to October 2018. At that time, applicants were placed on the waiting list via lottery with preference for those living, working, or with a job offer in Erie County.

BELMONT HOUSING

Belmont is not accepting new applications for its waiting list. The waiting list last opened in June 2024. Monitoring of the waiting list suggests that a typical recipient has been on the waiting list for 10 years.

It is important to note that Housing Choice voucher applicants may be on more than one waiting list between the three providers. This may affect total numbers on the waiting lists and residents may receive assistance from one provider, thereby reducing the wait list for multiple providers.

SECTION 8 HOUSING CHOICE LOCATION ANALYSIS

As noted above, voucher recipients are heavily concentrated in City of Buffalo and a few inner ring suburbs. Despite efforts to provide location flexibility via higher payments, a lack of available units and continued discrimination from landlords limits options for residents in other communities. The Erie County Fair Housing law and ongoing efforts are focused on addressing this issue, but it will take time for results to be seen on the ground. Relatedly, The Town of Hamburg continues to work with Housing Opportunities Made Equal's Greater Buffalo Community Housing Center (CHC) to provide housing search assistance and security deposit grants to Section 8 recipients coming off the housing voucher list, or other qualified housing assistance recipients. Participants can move from a current residence within a high poverty census tract to an area with less poverty and better opportunities. This Town of Hamburg Mobility Initiative was established so that families entering the Section 8 program or just wishing for a better quality of life can reside within the township. Hamburg provides special mobility assistance grants totaling up to $1,000 for security deposits/moving assistance payments and are available as part of the Town's housing assistance programs.

On that backdrop, Figure 4.1 maps the location of all assisted multifamily housing projects in Erie County, including Project-Based Section 8, Public Housing, and Other Multifamily drawn from the HUD Picture of Subsidized Housing dataset.[64] Figure 4.2 leverages dot density mapping to show the location of all Housing Choice Voucher (HCV) opportunities across the County. Due to low observed frequencies of some programs in many Grantee communities, Table 4.8 provides counts of units associated with all major HUD assisted housing programs, by their location in a R/ECAP. The data reveal that, in Buffalo, assisted housing projects are highly concentrated in R/ECAPs. While such a finding makes intuitive sense (i.e., insofar as assisted housing programs serve low-income residents, it is reasonable to expect a relationship between the distribution of low-income households and the distribution of assisted housing projects), data from the remaining five entitlement communities suggest that such a relationship is not a certainty. Put another way, with the exception of public housing, the vast majority of assisted housing units outside of Buffalo are not located within R/ECAPs.

[64] https://www.huduser.gov/portal/datasets/assthsg.html

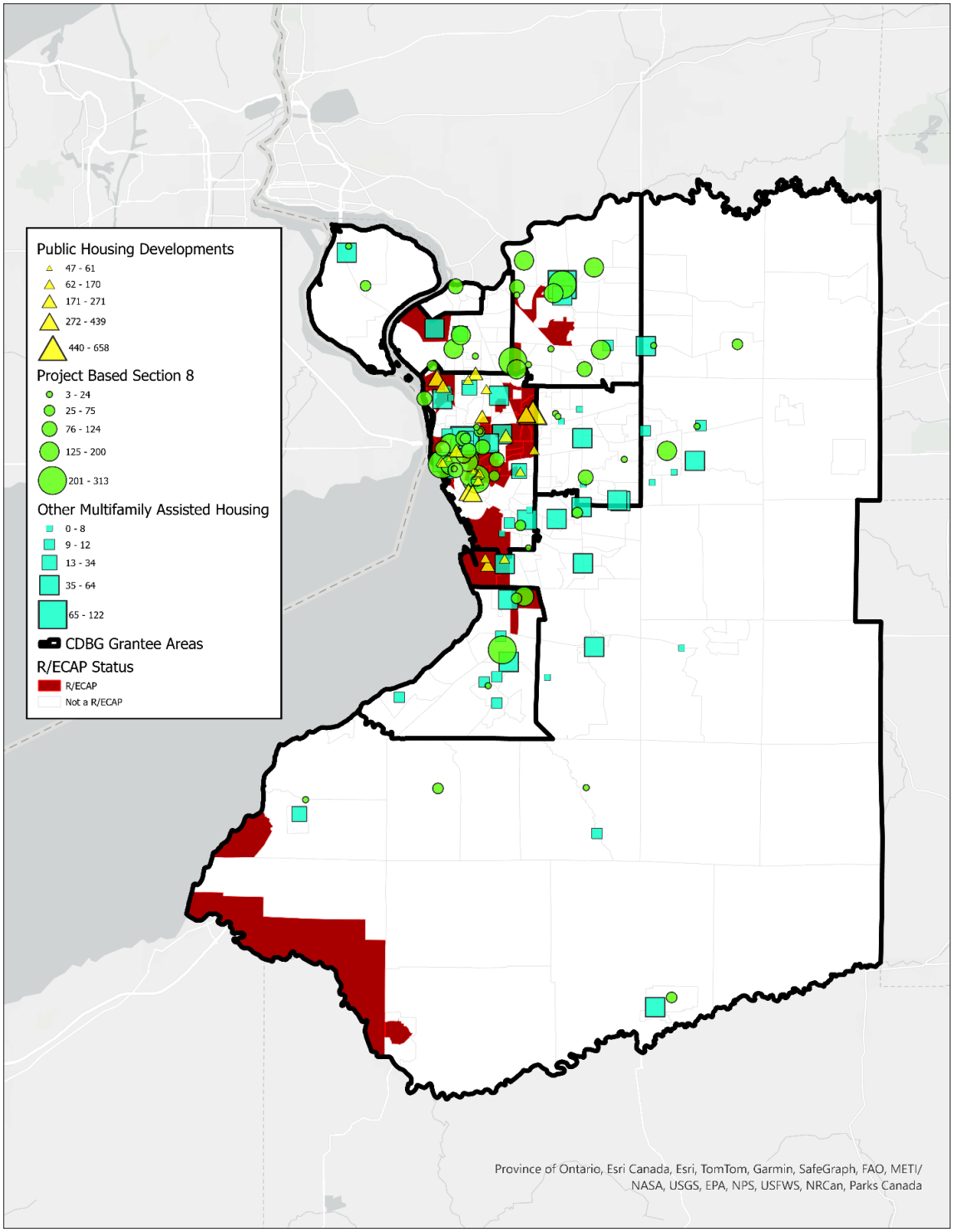

Figure 4.1: Locations of assisted housing projects in Erie County (source: HUD)[65]

[65] A new affordable housing complex for adults aged 55 and over, Alberta Place, contains 46 subsidized housing units. This complex is located in southwest Amherst and does not appear to have made it into the current HUD Picture of Subsidized Housing dataset as of this writing.

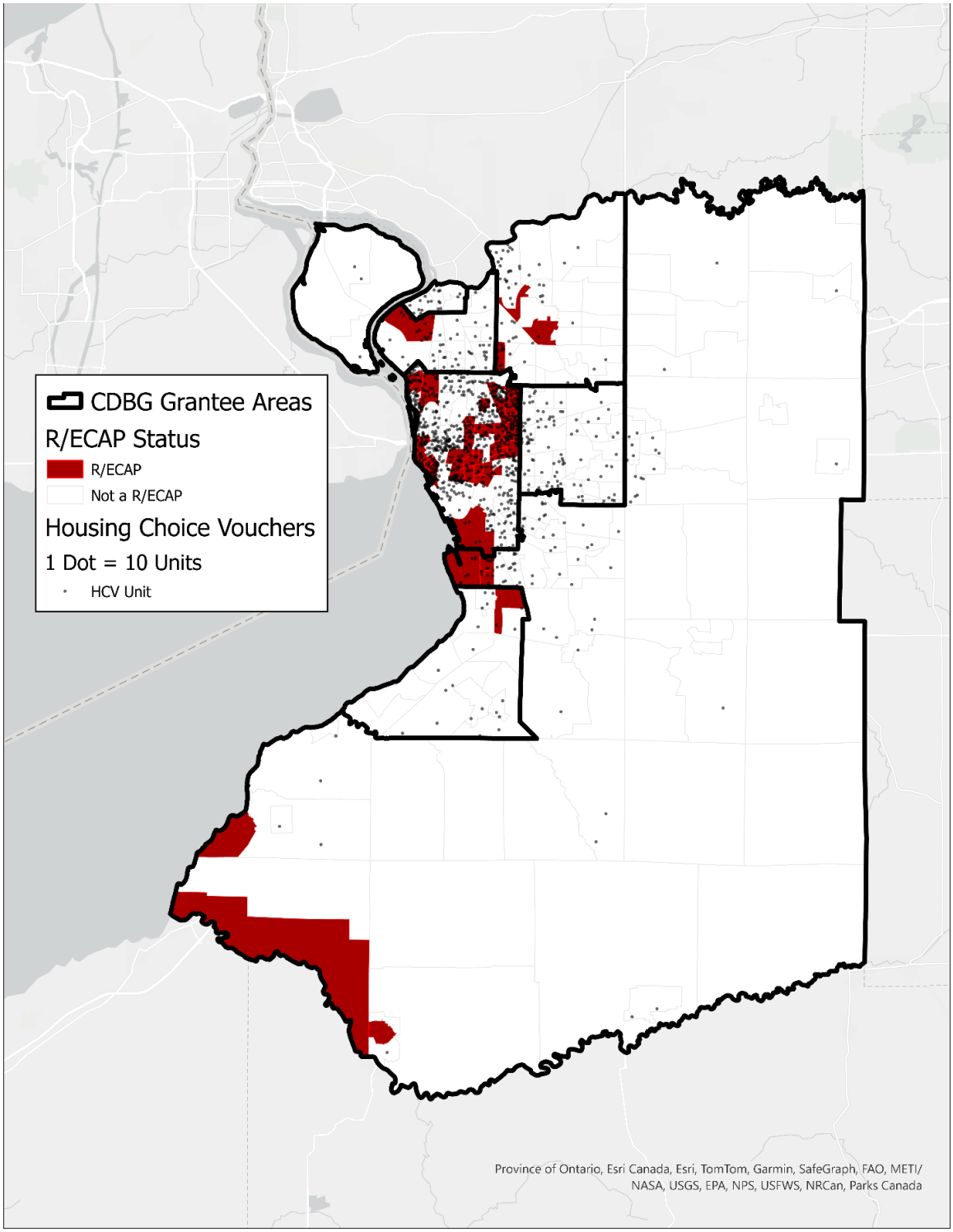

Figure 4.2: Distribution of Housing Choice Vouchers in Erie County (source: HUD)

***Table 4.8**: Publicly Subsidized Housing Units by Presence in R/ECAPs*

	Housing Choice Vouchers		Project-Based Section 8		Public Housing		Other Multifamily Assisted	
Grantee	***Units***	***% in R/ECAP***	***Units***	***% in R/ECAP***	***Units***	***% in R/ECAP***	***Units***	***% in R/ECAP***
Amherst Town	614	22.1%	1,607	28.1%	0	N/A	116	1.7%
Buffalo	8,832	57.4%	2,770	62.5%	4,008	58.0%	575	44.2%
Cheektowaga Town	1,048	0.0%	110	0.0%	0	N/A	160	0.0%
Erie County - Urban County	1,259	15.7%	568	0.0%	490	100.0%	504	9.9%
Hamburg Town	219	9.1%	448	41.5%	0	N/A	172	0.0%
Tonawanda Town	592	24.3%	364	0.0%	194	0.0%	78	62.8%
Erie County, Total	**12,564**	**44.3%**	**5,867**	**40.4%**	**4,692**	**60.0%**	**1,605**	**22.1%**

The siting of assisted housing projects outside of R/ECAPs creates opportunities for low-income households to exit concentrated areas of poverty and find affordable housing options elsewhere throughout the County. At present, the City of Buffalo accounts for: 70.3% of all HCV units (the majority of which are located in R/ECAPs); 47.2% of all project-based Section 8 units (the majority of which are located in R/ECAPs); 85.4% of all public housing units (the majority of which are located in R/ECAPs); and 35.8% of other multifamily assisted units (the majority of which are located *outside* of R/ECAPs). This concentration of publicly-supported housing options in low-income areas of the City limits fair housing choice. Expanding assisted housing options to locations of opportunity both in Buffalo and throughout the County are important actions to affirmatively further fair housing in Erie County. In order to reduce the concentration of poverty in Buffalo, municipalities throughout the County need to collaborate on crafting and passing policies that impede the development of publicly-subsidized housing options. It is not just a lack of housing at issue. Most of the new jobs being created in Erie County are in the suburban communities, where access via public transit is often limited. In order to provide adequate opportunities to residents, there is a need to expand housing in proximity to these new jobs (see Chapter VII).

As detailed later in this report, Erie County has funded numerous affordable housing projects in the Consortium area. As the County continues to fund such projects, it will be important to require developers to increase their outreach and marketing efforts in disadvantaged communities throughout all of Erie county to reach new potential low-income renters.

V. EVALUATION OF PUBLIC SECTOR POLICIES

Housing is affected by a complex network of public and private policies that impact the availability and accessibility of prospective renters and buyers. In order to develop a complete picture of possible impediments to housing access, a thorough understanding of these policies is necessary. This chapter will focus on describing the public policies across the study area that influence housing accessibility in order to identify those that may serve as a barrier to affordable housing. This inventory will inform the strategies discussed in a later section that can be implemented to increase access to housing for all residents of Erie County.

Ensuring diversity of housing options was identified as a goal in essentially every plan reviewed in this section. It is clear that those who participated in these planning processes recognize the challenge of ensuring adequate housing for all residents. Unfortunately, these values are not always translated into the ordinances which dictate how development occurs in these communities. Despite having goals of housing affordability, significant impediments were identified in nearly every zoning ordinance reviewed. These impediments ranged from large minimum lot sizes, high parking requirements, or simply having very limited land zoned for higher densities or multi-family uses. This may be a result of some plans being recently adopted, which means recommendations have not yet been implemented, or, more likely, a failure to make policy and regulation changes that reflect goals identified in the adopted plans.

To ensure housing diversity and opportunity for all residents of Erie County to find appropriate housing, it would be beneficial for those communities with dated comprehensive plans to consider revising them. Additionally, dated zoning ordinances should be reviewed to ensure compliance with the goals identified in the planning process and to ensure they reflect current trends and activities within these communities. More specific recommendations for revisions can be found in Chapter X where strategies are presented.

COMPREHENSIVE PLANS

Comprehensive plans are strategy documents intended to identify community values and priorities, and set goals designed to realize those priorities. Comprehensive plans typically incorporate a broad range of topics from land use, transportation, economic development, parks and recreation, housing, and more. This allows for issues to be addressed in a more holistic manner than is

possible with stand-alone plans that only focus on a single topic. Often, these plans can become a 'plan to plan' as the focus is on broader themes and strategies rather than specific actions.

The planning process typically involves significant public engagement and outreach. Community residents typically have many opportunities to provide input and engage in the planning process. This is intended to ensure the plan accurately reflects concerns and priorities of residents and will have their support when implementation moves forward.

The challenge of comprehensive plans is that they are not usually enforceable and may not result in meaningful change in communities. This is because implementation of plan goals, especially those related to land use and housing development, require changes in ordinances, regulations, and policies that may not occur. A comprehensive plan may call for the creation of affordable housing; however, if the zoning and subdivision ordinances require large minimum lot sizes, restrict multi-family, and similar policies, that goal from the plan will not be realized. The challenge for communities is to utilize the comprehensive plan as a guide for revising and updating policies to ensure plan goals can be realized. The City of Buffalo provides an example of a community that utilized its comprehensive planning effort as the foundation for adopting a new 'Green Code,' a form-based zoning ordinance that provides more flexibility and opportunities than a conventional Euclidean zoning ordinance. This type of action is how cities can translate the vision of their comprehensive plan into meaningful action to improve their communities.

For this report, the Comprehensive Plans for a number of entities within Erie County were reviewed to understand how housing issues were accommodated. The reviewed plans include the five municipal grantees:

- *City of Buffalo*
- *Town of Amherst*
- *Town of Cheektowaga*
- *Town of Tonawanda*
- *Town of Hamburg*

Additionally, a number of communities within the Urban Consortium were selected based places of sustained population and housing unit growth. Those communities are:

- *Town of Clarence*
- *Town of Grand Island*
- *Town of Lancaster*
- *Town of Orchard Park*
- *Town of West Seneca*

Special attention was paid to statements of housing aspirations and housing related goals, along with the land use section to understand the challenge of housing affordability and diversity, and any strategies identified in their plans to address identified challenges.

CITY OF BUFFALO – QUEEN CITY IN THE 21ST CENTURY – ADOPTED FEBRUARY 2006 AND BUFFALO LAND USE PLAN – ADOPTED FEBRUARY 2014

The 2006 comprehensive plan recognizes the disinvestment and decline that has affected many neighborhoods across Buffalo. Housing age and a lack of maintenance were a critical challenge identified, along with the significant number of vacant homes. There was very limited private investment in new housing within Buffalo, the majority of new housing built in the 1990s was public housing or otherwise subsidized. The plan calls for continued support for existing housing programs, including support for local non-profits and other groups. Additionally, it calls for increased housing near employment centers, possibly through conversion of existing uses to housing, and increased mixed-use and densities in these areas. It also identifies a goal of making 1,000 new housing units available annually through a combination of 500 rehabilitated units and 500 new units. This would be offset by a goal of 1,000 demolitions annually to address vacant and blighted homes. It also calls for a reduction in public housing units from 7,000 to 5,000 as residents find employment and gain income to move out of the system. Buffalo Municipal Housing Authority (BMHA) currently manages 4,266 units in its system, below the stated goal of 5,000 units.

The 2014 Land Use Plan is an update to the land use section of the comprehensive plan and sets the foundation for the adoption of the Buffalo Green Code. The land use plan recognizes the challenges of planning for decline and makes a concerted effort to address more realistically how Buffalo can encourage development within the larger context of a lack of population growth. The plan calls for encouraging infill development and redevelopment around existing employment nodes, mitigating blight and preserving neighborhood integrity. The plan calls for greater flexibility in development regulations to encourage new development in targeted areas, higher densities in areas served by existing infrastructure, and supporting transit and alternative transportation modes for residents. This is embodied in the goal to keep housing and transportation costs to less than 45 percent of income for residents. As mentioned, the goals identified in the land use update provided the framework for the creation of the Buffalo Green Code where policies and regulations were revised to achieve community goals.

TOWN OF AMHERST BICENTENNIAL COMPREHENSIVE PLAN – AMENDED DECEMBER 2020

Amherst specifically identifies the challenge of ensuring a diversity of housing as an issue in its plan, along with a chapter dedicated to housing and neighborhood strategies. Most new housing in Amherst consists of single-family homes, with multi-family primarily being new off campus housing for students at area universities. This contributes to the suburban character of the Town. Additionally, it presents a challenge for lower income residents to find appropriate housing. The Plan has a goal of 'Decent and affordable housing choices available to all residents' (Chapter 8, page 2). Policies to achieve this

goal include continuing to work with the existing HOME Investment Partnership Program to support low-income families who wish to purchase and rehabilitate homes, along with homebuyer education. Amherst also has a program to purchase, rehabilitate, and sell one and two-family homes to first-time homebuyers. The plan also identifies the need for education and outreach to the public about the need for housing for lower income families. This policy would be beneficial to overcoming NIMBY-ism (discussed elsewhere in this report), which is a significant issue in affordable housing development.

From a land use perspective, the plan calls for the Town to promote housing diversity by supporting the development of higher density housing, particularly in mixed-use centers and adjacent to commercial centers. This is a notable goal, and the Town has made recent zoning amendments to unlock 20% of its land higher density multifamily uses. With these zoning changes, the Town of Amherst is likely to see increased development of multifamily housing.

TOWN OF CHEEKTOWAGA COMPREHENSIVE PLAN – ADOPTED SEPTEMBER 2021

Cheektowaga adopted a new comprehensive plan since the completion of the last AI. As an older first ring suburb, Cheektowaga is nearly built out, with only about 4% of its land categorized as vacant. Recognizing this, the plan calls for the Town to "reinvest and protect" housing. The plan laid out a vision for the Town based on themes, including Housing and Neighborhoods. The vision for housing in Cheektowaga is "create neighborhoods that are not only diverse in housing choices, but also in affordability, creating a community that caters to a variety of demographics and socioeconomic levels." The Action Plan identifies three important Housing and Neighborhood actions: Town-wide zoning update; Support At-Risk Housing Stock, and Fill in the Housing Inequality Gap. The plan is clear, in multiple sections, that developing more walkable, less auto-centric, and public transit accessible neighborhoods is key to providing diverse housing options to people across various incomes and stages of their life, stating that "multi-family dwellings should be tailored for income-diverse residents and suitable for all stages of life."

TOWN OF TONAWANDA 2014 COMPREHENSIVE PLAN UPDATE – ADOPTED JANUARY 2015

This plan has an explicit goal to '...retain a diverse stock of residential properties that meets the needs of all residents.' The Town has seen slow growth in the number of housing units in recent years, which reflects the limited developable land remaining in the community. There has been some affordable housing development in existing neighborhoods, including some patio homes. Tonawanda is fortunate to have a fairly low vacancy rate compared to other Erie County communities, at only 4 percent, but the smaller size of homes means they remain more affordable than many areas in Erie County. Most of the housing in the Town is single family, with approximately 12 percent in 3-unit or more. Most of the large apartment buildings are reserved for senior citizens.

The plan has goals of addressing housing, including a recommendation to revise the zoning ordinance to allow for mixed use development, potentially with a form-based code. There is also an interest in improving access and walkability across neighborhoods, improving conditions for those without access to a car. Education and outreach should be provided to homeowners regarding available programs for home improvement / maintenance and encourage private investment in the housing stock.

TOWN OF HAMBURG COMPREHENSIVE PLAN – ADOPTED DECEMBER 2022

Since the prior AI, the Town of Hamburg has prepared and adopted a new comprehensive plan. Within the plan, "strong and healthy neighborhoods" and "neighborhood and community" were the top survey response when residents were asked why they live in Hamburg. Further, stakeholders made it clear that Hamburg needs housing that meets the needs of all community members and the plan states that the Town "will continue to promote housing that is truly for all." However, there is a lack of clarity or action plans that explain how the Town will ensure that future new residential development cuts across various housing types and price points, which would make it "truly for all." It should be noted, however, that the Town's Fair Housing Law has a density bonus available for market-rate multifamily developments that would allow a developer to increase the number of market-rate units with a 10% affordable unit requirement. As with the prior comprehensive plan, the new one recognizes that local regulations and processes may be an impediment to development. The copy of the plan available publicly has only a one-year action plan, none of which directly identify the ways the Town will make housing "truly for all."

URBAN CONSORTIUM COMMUNITIES

As stated above, the following communities within the Urban Consortium were selected based on population and housing unit growth. Among the top eight municipalities in Erie County that experienced that largest percent increase in population, Clarence, Elma, and Lancaster, were first, second and third. Grand Island was fourth and Orchard Park was eighth. Grantees Amherst and Hamburg were sixth and seventh. Additionally, the County added 5,742 units from 2010 to 2017 and 2,722 (47.4%) were added in these five municipalities alone. The implication here is that these communities have experienced a disproportionate amount of population and new housing growth, which, in theory, should result in an increase in multi-family and affordable units that would support classes protected by the Fair Housing Law. Most importantly, as members of the Urban Consortium and recipients of HUD funding, they are obligated to affirmatively further fair housing.

TOWN OF CLARENCE 2030 COMPREHENSIVE PLAN – ADOPTED DECEMBER 2016

The Town of Clarence is a higher income, higher housing cost community within Erie County. Limited infrastructure, particularly wastewater limits housing options, which means it will likely maintain its low density, single family development pattern. Additionally, the plan recognizes that a lack of transit options will limit options for seniors and others with limited automobile access. The plan does recognize the opportunity for higher density and mixed uses in hamlets within the Town where sewer facilities may be available. The plan calls for zoning regulations to reflect that and allow for higher densities in areas where it is suitable. However, as noted below, the zoning ordinance has not been revised to reflect these goals.

TOWN OF GRAND ISLAND COMPREHENSIVE PLAN – ADOPTED SEPTEMBER 2018

Grand Island is another relatively high-income, lower density community in Erie County, it is also unique in being on an island in the Niagara River. Grand Island has seen steady growth and increasing home values over time, along with an aging population with shrinking household size. The plan has very limited discussion about housing, indicating that there is little interest in promoting new development that may change the character of the community. There are only two parcels zoned for multi-family development in the entire town, which means there is very limited opportunities for higher density housing. The plan does include a recommendation to allow for accessory dwelling units (ADU's), which will create some housing opportunities for seniors and lower income residents. It also provides an additional income source for prospective homeowners who may be able to afford a home because of rental income from an ADU.

TOWN OF LANCASTER, VILLAGE OF LANCASTER, VILLAGE OF DEPEW JOINT COMPREHENSIVE PLAN – ADOPTED FEBRUARY 2018

The Town of Lancaster is a more rural part of Erie County and the issues identified in the comprehensive plan for these communities reflect that reality. The plan identifies a goal of promoting infill development and redevelopment in areas already served with infrastructure while preserving undeveloped areas. There is a recommendation for mixed use development, with rental apartments located above commercial uses in village centers and other appropriate areas. This may provide a more affordable option for housing in proximity to employment as well. The plan also recommends that ADU's be allowed across residential zones. This would encourage density in already developed areas while providing a lower cost housing option and an additional source of income for homeowners. Finally, there is a call for higher densities and mixed use in proximity to transit and other services which would provide options for residents without access to an automobile.

THE ORCHARD PARK PLAN – ADOPTED JULY 2002

The Town of Orchard Park is another enclave of growth within Erie County, seeing primarily single-family homes built in a suburban setting. Most multi-family units are in relatively small complexes, with only a few large-scale complexes across the town. Affordable housing is an identified concern in the comprehensive plan, especially for senior citizens. There is a subsidized senior/disabled housing project with 72 units. Given the limited rental options, it is especially challenging to find affordable housing. In many cases, it is more affordable to purchase; however, those with limited access to down payments are challenged to do that. The plan explicitly states that 'the market will drive the construction of affordable units', which is an indication there is little interest to support additional affordable housing, especially for non-seniors or disabled residents.

Town of West Seneca Comprehensive Plan Strategic Update 2016 – Adopted April 2016

West Seneca adopted its comprehensive plan in 2016 with vision statement calling for "safe and attractive neighborhoods" that followed with Neighborhoods being an identified Policy Area the Town would focus on. The action plan for Neighborhoods aimed to "Maximize the revitalization activities in neighborhoods by researching and securing funding sources (CDBG, Homestead Program, NYS Consolidated Funding Process, etc.)." Specific objectives within the Neighborhoods Policy Area include "preserve housing quality and affordability," pursue sustainable residential development that provides a variety of living options to residents," "consider ways to permit adaptability of existing housing stock to meet changing resident needs," and "enhance sidewalk connections between residential neighborhoods and destination/activity centers." Like many communities, the comprehensive plan is aspirational and seeks to increase the types of units available (variety of living options); increase walkability (enhance sidewalk connections); and address affordability (preserve housing quality and affordability).

MUNICIPAL ZONING ORDINANCES

One of the common themes identified during the public engagement process was the complexity and expense of the regulatory systems and development processes in place across the county. Developers, whether for profit or non-profit, are faced with what can be a very time consuming and expensive exercise in moving proposals through the development process, which is often fraught with challenging regulatory requirements, especially zoning. This can be a challenge for the building of affordable housing because of the expense and time, and the high potential for denial as highlighted in some community codes discussed below. For a detailed exploration of zoning in Erie County, including its exclusionary and restrictive tendencies, see *Developing Opportunity: Aligning*

Zoning with Affordable Housing Needs.[66] Ensuring an efficient and fair development process is incumbent on local government to ensure this does not serve as a barrier to the provision of affordable housing in the region.

Zoning ordinances are the regulations passed at the local level that have the most significant impact on development within jurisdictions. These ordinances are grounded in local governments' responsibility to protect public health, safety, and welfare by setting standards for the type and intensity of development allowed. These ordinances typically address issues such as allowed land use and densities and may also include related issues such as building material type, landscaping, and other factors. These regulations can be an impediment to housing development, particularly affordable housing, as policies such as large lot sizes, strict façade material standards, limited multi-family zoning, and other practices increases development costs and limits opportunity for accessible housing. HUD has developed a checklist that is the basis of the analysis of regulations in the jurisdictions included in this report. Additionally, these ordinances regulate the development process, which as discussed above, can be a significant impediment to fair housing access.

BENCHMARKING

Development regulations for each jurisdiction were reviewed to identify policies that may serve as an impediment to affordable housing and recommendations for mitigating those barriers are included in the plan strategies. These include HUD recommendations regarding the following:

- *Housing for persons with disabilities – such as restrictions on group homes*
- *Minimum lot sizes – overly large minimum lot sizes increase housing costs*
- *Variety of housing types – housing not limited to single family*
- *Parking requirements – mandatory parking increases development costs*
- *Planning, development, and building fees – excessive fees impedes development*
- *Accessibility requirements – accessibility standards included in local regulations*
- *Occupancy requirements – floor area allowances, definition of family, etc.*

ENTITLEMENT GRANTEES

CITY OF BUFFALO

The City of Buffalo recently adopted its Green Code, a comprehensive re-write of its existing development regulations. This new ordinance was grounded in the recent Land Use Plan update and is focused on making development in Buffalo more attractive and easier, while also protecting community values, such as environmental protection and housing affordability. The new ordinance allows

[66] Knight, J. (2024). Developing Opportunity: Aligning Zoning with Affordable Housing Needs - An Assessment of Affordable Housing Needs and Zoning Controls in Erie County

for mixed uses, including residential uses in proximity to employment centers and mixed-use development where commercial and retail development can support lower cost residential options. Additionally, lot sizes across districts are reasonable and do not add an undue burden on new development. Group homes and halfway houses are explicitly recognized and allowed where appropriate, along with emergency shelters and similar facilities. The Buffalo Green Code can serve as a model for other communities to revise their codes in a way that preserves community values, while also allowing for new development patterns that will support larger community goals.

TOWN OF AMHERST

The zoning ordinance for the Town of Amherst is fairly typical of ordinances across Erie County. There are limitations that impact the potential for development of multi-family and other lower cost residential options, as well as limited availability of land for higher density projects. One potential issue is that single family detached units are allowed in all multi-family zones, which may result in the already limited multi-family zoned land being developed as single family because that is where demand is. Additionally, lot coverages of only 35-40 percent add cost to development. This is an area where conflict often occurs because of the public interest in limiting impervious cover conflicts with a desire for affordability.

The Town has adopted mixed use zoning districts as a goal in its Comprehensive Plan. These districts allow for higher densities in targeted geographic areas where the town is encouraging density; however, property owners can also seek rezoning to mixed-use zoning, steering development to greenfield areas instead. Outside of the targeted geographic areas, density is limited. The highest density allowed for multi-family housing is 12 -60 units per acre within the Town's MFR-5, MFR-6 and MRF-7 zoning districts. The MFR-7 district is limited to Senior Housing. The Town's parking requirements also add to costs, with two parking spaces per unit required. This can add significant cost for a developer wanting to put in one bedroom or studio units as an affordable option. The Town's ordinance does permit the use of an alternative parking analysis which can offer a significant reduction in the standard required parking ratio.

Lastly, the Town is currently exploring a zoning revision to address growing vacancies in its office parks and general business zoned parcels. The goal would be to permit ground floor residential, multifamily attached infill or mixed-uses in these districts, as opposed to the current requirement of upper story residential units only.

TOWN OF CHEEKTOWAGA

Relatively speaking, Cheektowaga has some of the more affordable homes in Erie County. However, the current zoning ordinance has standards that may make it difficult for new affordable development to be built. One area of concern is lot sizes where 7,200 square foot minimums for single family and 10,200 square foot for two family increases costs and may make redevelopment on

vacant lots that do not meet this requirement more difficult. The Town requires architectural approval for new two-family homes, which adds time and cost, as well as providing an opportunity to arbitrarily reject proposed buildings. In multi-family zones there is a 12,000 square foot minimum for 3 units, plus 3,500 square feet for each additional unit, again adding costs. Finally, requiring two off-street parking spots, plus additional guest parking for multi-family projects, increases the cost.

TOWN OF TONAWANDA

The Town of Tonawanda formally adopted a new zoning ordinance in April 2024, which includes mixed-use zoning districts that permit larger multifamily developments over four units. The regulations within mixed-use districts that permit high density multifamily (4+ units) developments have no minimum lot size and a high unit density per acre at 21 units, which can help reduce per-unit costs and make infill development more feasible. Additionally, in the Mixed-Use General Commercial district, building heights of three stories are permitted, another way more units can be constructed and help make affordable housing financially viable. The only challenge is that 4+-unit multifamily developments are not as-of-right uses and require a special use permit, which is a discretionary approval which can result in a project being denied. Overall, Tonawanda's new code is an example of a code revision that makes affordable housing more likely, not less.

TOWN OF HAMBURG

Hamburg has high minimum lot sizes in its single- and two-family districts (10,000 and 7,000 square feet with sewer service), which limits affordability. There is no maximum density defined in the multi-family district; however, there are strict requirements on setbacks and lot size requirements that may limit opportunities for multi-family development. The Town requires 10 percent of units in any multi-family project of 8 or more units to be affordable to those making 80 percent or less of median income, and also provides a density bonus for projects incorporating affordable units. Additionally, the Town waives development fees for CDBG funded projects. Hamburg also has a Fair Housing Law which prohibits discrimination on protected classes, as well as source of income, veteran status, and presence of children. Additionally, it requires reasonable accommodation for disabled residents. The ordinance requires affordable units to be mixed into the community and not clustered, and that they have similar exterior facades as market rate units and that affordable status be maintained for a minimum of 30 years, even if the property changes ownership.

URBAN CONSORTIUM COMMUNITIES

TOWN OF CLARENCE

The zoning ordinance in Clarence reflects the rural character and limited infrastructure capacity of this community. It has very large minimum lot sizes

(20,000 square feet) even for lots served with sewer. In the Traditional Neighborhood Design District, eight units per acre are allowed, but there is still a challenge to make these units affordable. There is a nod to affordability with the allowance of residential uses in the Lifestyle Center District, where mixed uses are permitted, along with multi-family allowed in Restricted Business and Commercial zones. However, in RB and C, multifamily is not an as-of-right use and requires a special use permit, which is discretionary. However, with density of eight units per acre, affordable unit production is unlikely given land costs and the challenging finances for an affordable housing project. Additionally, all residential units require two parking spots, which is likely in excess of the number of automobiles owned by a low- or moderate-income household in an affordable unit. Although the comprehensive plan recognizes issues of affordability, the existing ordinance remains an impediment to affordable housing development.

TOWN OF GRAND ISLAND

Grand Island is one of the more expensive communities in Erie County, so land costs already serve as a potential barrier for affordable housing development. The regulations in the zoning ordinance, for the most part is fairly reasonable and would allow for the development of potentially affordable options, especially if ADU's are allowed as recommended in the comprehensive plan. However, very little land is zoned for multi-family options, which restricts opportunity for development, although mixed use is allowed in hamlets and town center districts. Density bonuses of up to 25 percent are available for public improvements, such as parks, etc. which may allow for some flexibility. Finally, parking requirements are fairly high, (1.8 spots for a one bedroom, 2.3 for two bedrooms) which adds costs and land requirements.

TOWN OF LANCASTER

Lancaster is another primarily rural/suburban community that has a zoning ordinance that reflects that character. Minimum lot sizes and setbacks are large, reducing affordable options, and land identified for multi-family or higher density uses is very limited. Even in the highest density multi-family zone, only nine units per acre are allowed, severely restricting opportunity for units to be made affordable. Parking is another area of added development costs, with two parking spots required for each unit. For multi-family units, this can be a significant added expense. Currently, the Town has a moratorium on multifamily projects while is addresses the long-term impacts of its considerable growth in the last few decades.

TOWN OF ORCHARD PARK

Orchard Park is another community with fairly stringent zoning that can be an impediment to housing development. The maximum allowed density is 11 units per acre, with only 6 units per acre in areas subject to revised ordinances. Additionally, single family uses are allowed in multi-family zones, which may mean already limited multi-family districts get built out as single family. The

ordinance also limits multi-family to 8 units per building, limiting options for developers and increasing per unit rents. The most limiting factor in multifamily development in Orchard Park is the lot area requirements. In an R-3 Residential District, minimum lot dimensions for multifamily is 10 acres and in R-4 Residential is four acres. In one of the most expensive land markets in Erie County, these large lot sizes, coupled with low unit density, add cost beyond what affordable housing developers could built affordable units for. Further, the single-family zoning districts have minimum lot sizes ranging from 13,500 to 40,000 square feet. Additionally, minimum unit sizes for one-story single-family homes is 1,000 square feet and 1,300 for two stories. Two parking spots per unit (2.5 for 3+ bedrooms) are another challenge.

TOWN OF WEST SENECA

Despite West Seneca's comprehensive plan aspiring to make units affordable, its zoning code is a classic suburban code that is dominated by significant area for single-family zoning. The potential for multifamily affordable units to be constructed is severely limited by all multifamily projects requiring a special use permit, which is an arbitrary and discretionary approval that can be denied. It adds time and costs to projects without guaranteed approval. A developer is unlikely to consider a process where the code states that an approval of a special use permit states that "The Town Board may prescribe any conditions that it deems to be necessary or desirable." Further, special use permits are, in effect, a request to rezone a parcel of land as the code clearly states "Before authorizing a special permit, the Town Board shall give public notice and hold a public hearing on the application for such special permit in the same manner as required by law for amendments to a zoning ordinance." Additionally, if at least 20% of adjacent owners protest the special use permit, it triggers a super majority of the Town Board to approve. Collectively, these rules and procedures likely act to deter affordable housing developers from considering a project in West Seneca. Further, each unit requires two parking spaces, increasing development costs. One positive aspect of the multifamily zoning requirements is a small livable floor area per unit of just 500 square feet.

CONCLUSION

Communities across Erie County recognize the challenge of providing housing diversity. Nearly every comprehensive plan reviewed at least mentioned housing options and/or housing affordability as a goal. That recognition of the problem does not always transfer to the ordinances that regulate development. If housing affordability is a goal, local regulations will need to be reviewed and revised to allow for greater diversity of housing to be built in most municipalities across Erie County. Of course, local regulations should reflect local priorities and values; however, given that housing diversity is an identified goal in nearly every plan, it seems there is support for this effort. As a starting point for considering changes that might need to occur, Figures 5.1 and 5.2 show the challenging distributions of exclusively single-family zoning districts in Erie County (Fig. 5.1) vis-à-vis areas that allow multifamily development as of right. Observe that the latter are almost

exclusively in places like Buffalo, whereas most suburban communities are set up almost wholly for single-family development.

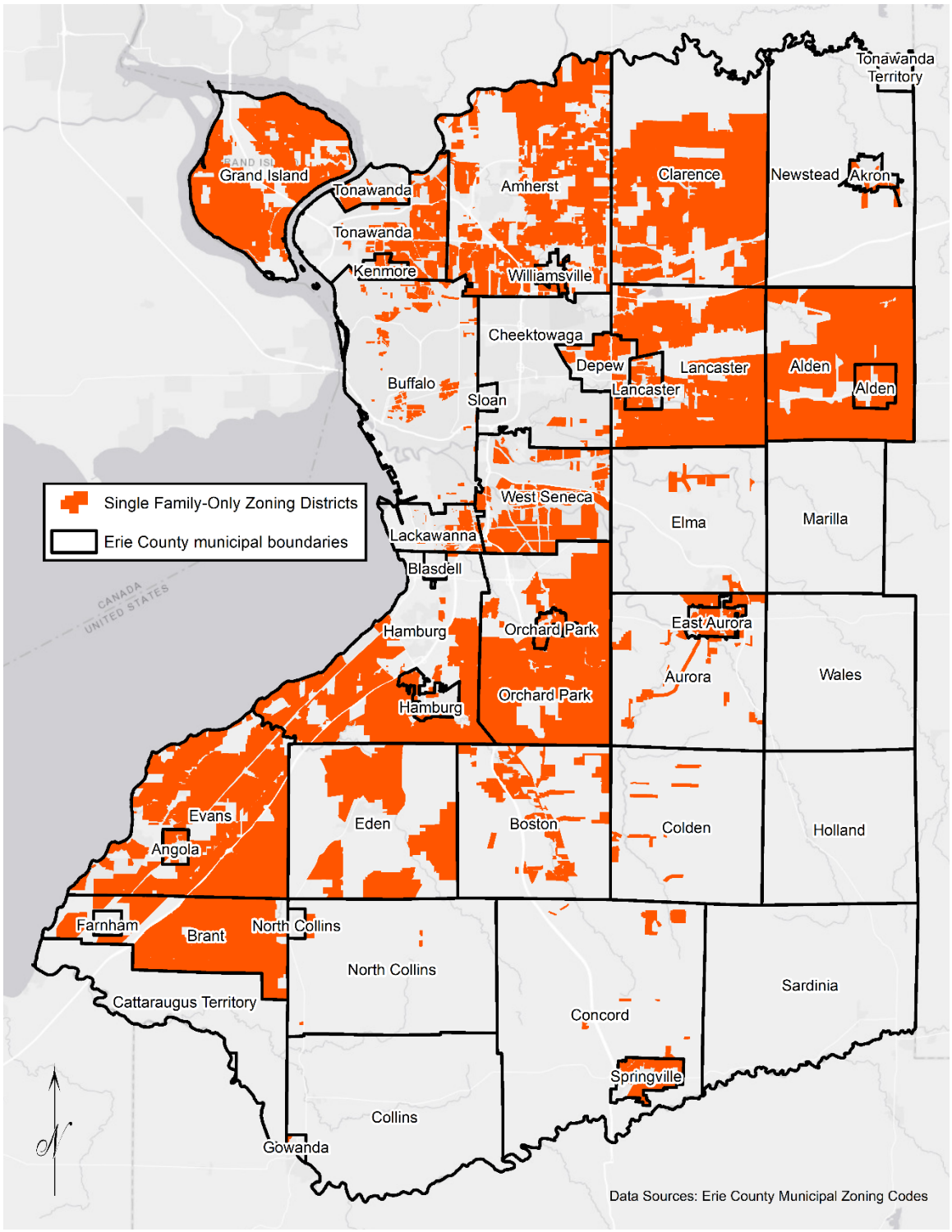

Figure 5.1: Distribution of single-family-only zoning districts throughout Erie County, NY

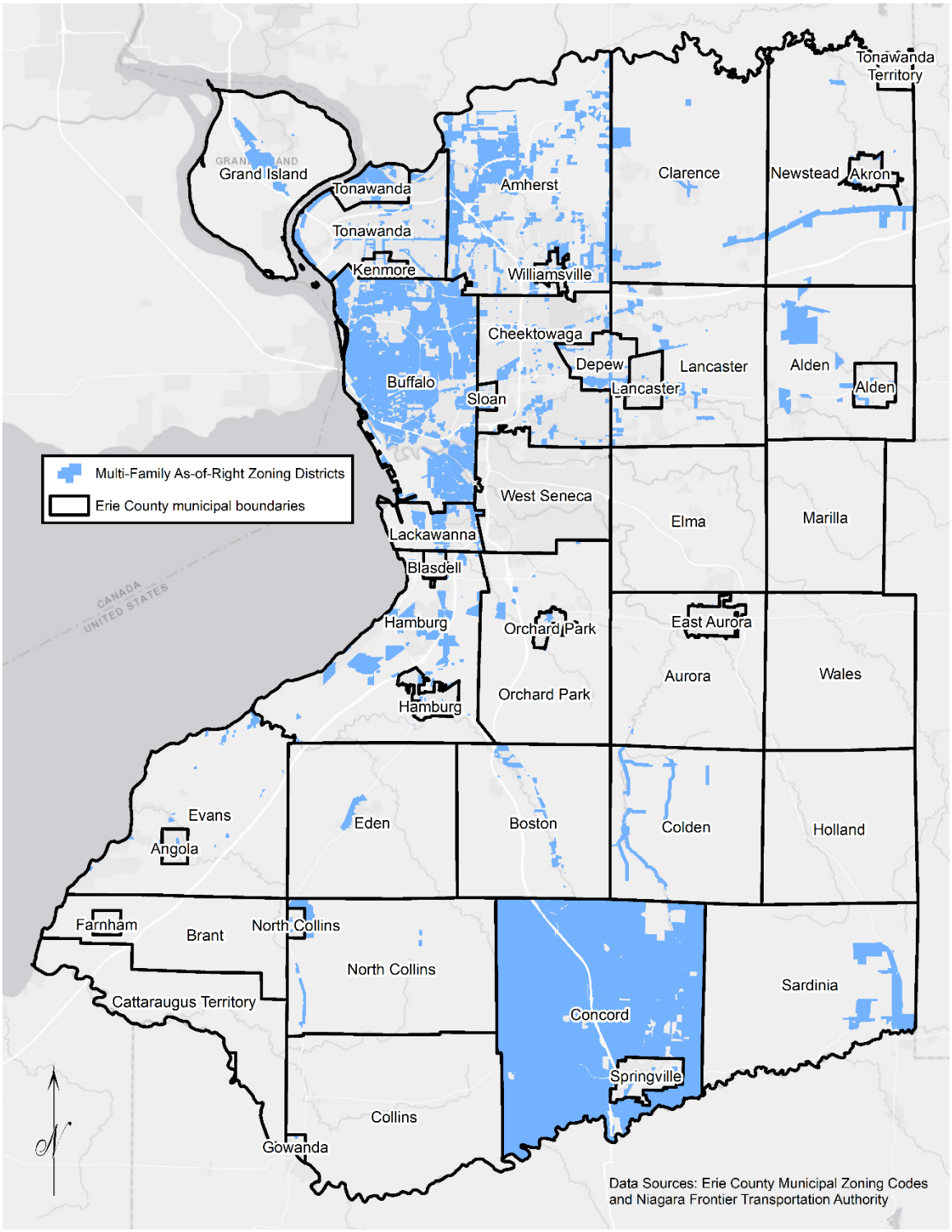

Figure 5.2: Distribution of multifamily as-of-right zoning districts throughout Erie County, NY

VI. PRIVATE SECTOR PRACTICES

Homeownership is one of the primary pathways to building household wealth. Homeownership also supports community building, as high levels of home ownership contribute to more civic engagement and stronger social capital. To achieve the goal of expanding home ownership, residents require equitable access to home mortgage lending and real estate practices that are non-discriminatory. The Fair Housing Act prohibits lenders from discriminating against members of the protected classes in granting mortgage loans, providing information on loans, imposing the terms and conditions of loans (such as interest rates and fees), conducting appraisals, and considering whether to purchase loans. Additionally, local fair housing ordinances expand protected classes to include additional residents and ensure fair access to mortgages and other services.

For this report, data provided to the Federal Reserve Bank under the Home Mortgage Disclosure Act (HMDA) was analyzed. This analysis can identify patterns of denials or other factors that may show discriminatory behavior as well as clusters of high-cost lending. These are signs that lenders are not equitably serving Erie County residents and may be violating Fair Housing Laws.

To promote consistency between the HMDA data analysis and the bulk of the American Community Survey (ACS) data analyses summarized thus far, HMDA data were collected and aggregated for the 2018-2022 period covered by the current ACS, with the most recent calendar year (2023) added into the dataset for currency. The data cover all types of applications received by lenders: home purchase, refinancing, or home improvement mortgage applications for one-to-four-family dwellings, manufactured housing units, and five or more ("multifamily") units across the entire County. The demographic and income information described below comes directly from the HMDA dataset. In instances for which co-applicants for a loan record have disparate racial identities, the HMDA assigns the value "Joint" to the given record.

GENERAL MORTGAGE LENDING PATTERNS

The total number of loan applications for home purchases covered in the HMDA dataset are summarized in Table 6.1 by property type. The overwhelming majority (97.5%) of applications related to one-to-four-family homes.

***Table 6.1**: Total Number of Home Purchase Loan Applications, by Grantee and Property Type (2018-23)*[67]

Grantee	One to Four Family	Manufactured Housing	Multifamily	Total
Amherst Town	9,310	0	38	9,348
Buffalo	11,806	16	249	12,071
Cheektowaga Town	7,406	263	38	7,707
Erie County - Urban County	22,623	541	111	23,275
Hamburg Town	4,461	222	27	4,710
Tonawanda Town	6,564	28	28	6,620
Missing Census Tract Data*	11	51	1	63
Erie County, Total	**62,181**	**1,121**	**492**	**63,794**

*The HMDA dataset contains several records with the entry "NA" in the census tract field. These records cannot be assigned to a Grantee community.

Table 6.2 summarizes application results by community. Countywide, 89.1% of all home purchase loan applications resulted in loan origination.[68] Buffalo experienced the lowest origination rate at 85.4%, as well as the highest denial rate at 12.7%. Amherst and Tonawanda were associated with the highest origination (91.6%) rates, and Amherst had the lowest denial (6.9%) rate.

***Table 6.2**: Home Purchase Loan Results by Grantee, 2018-23*

Grantee	Loan originated	Application approved but not accepted	Application denied	Preapproval request denied	Preapproval request approved but not accepted
Amherst Town	91.6%	1.3%	6.9%	0.1%	0.1%
Buffalo	85.4%	1.6%	12.7%	0.1%	0.2%
Cheektowaga Town	86.7%	2.0%	11.1%	0.1%	0.1%
Erie County - Urban County	90.3%	1.6%	7.9%	0.0%	0.1%
Hamburg Town	88.7%	2.1%	9.0%	0.0%	0.2%
Tonawanda Town	91.6%	1.0%	7.3%	0.0%	0.2%
Missing Census Tract Data	3.2%	0.0%	81.0%	14.3%	1.6%
Erie County, Total	**89.1%**	**1.6%**	**9.1%**	**0.1%**	**0.1%**

[67] This analysis is restricted to home purchase loan applications that were not withdrawn, not marked as incomplete, and were not associated with loans purchased by other financial entities.
[68] See previous footnote

Table 6.3 breaks applications down by conventional FHA, VA, and Farm Service Agency (FSA)/Rural Housing Service (RHS) status. In general, more than eight of every ten loans Countywide were conventional. Cheektowaga and Tonawanda were the only areas that fell below that threshold, with above average rates of FHA applicants. VA loans were disproportionately accessed in Hamburg.

***Table 6.3**: Applications by Grantee and Loan Type, 2018-23*

Grantee	Conventional	Federal Housing Administration insured (FHA)	Veterans Affairs guaranteed (VA)	USDA Rural Housing Service or Farm Service Agency guaranteed (RHS or FSA)	Total
Amherst Town	88.5%	7.8%	3.7%	0.0%	9,348
Buffalo	80.8%	16.8%	2.4%	0.0%	12,071
Cheektowaga Town	74.1%	21.0%	4.9%	0.0%	7,707
Erie County - Urban County	80.8%	12.6%	5.6%	0.9%	23,275
Hamburg Town	79.0%	14.0%	7.0%	0.0%	4,710
Tonawanda Town	78.7%	17.2%	4.0%	0.0%	6,620
Missing Census Tract Data	98.4%	1.6%	0.0%	0.0%	63
Erie County, Total	**80.8%**	**14.3%**	**4.6%**	**0.3%**	**63,794**

Figure 6.1 summarizes denial rates by race-ethnicity. Countywide, African Americans experience denial (16.5%) at a 2.4-times greater rate than white applicants (6.9%). In general, white applicants tend to be the least likely persons to be denied home purchase loans in all six Grantee communities (with small exceptions in Hamburg and Tonawanda[69]). Applicants of color are substantially more likely to be denied mortgages to purchase homes throughout Erie County, especially applicants with racial-ethnic identities that do not conform to Census Bureau standards (e.g., especially persons who report "Other or Multiple Racial Identities").

The observation that persons of color – especially persons who identify as Black or African American – are more likely to be denied mortgage loans is not unique

[69] In Hamburg, Asian applicants were slightly less likely to be denied a home purchase loan (6.7%) relative to white applicants (7.9%). However, there were only 60 total Asian-identifying applicants in Hamburg between 2018 and 2023, compared to 3,891 white-identifying applicants. In Tonawanda, persons reporting racial-ethnic identities that do not fit into one of the four major categories tracked by the Census Bureau and covered in this section (i.e., Asian, Black or African American, Hispanic or Latinx, or white) were slightly less likely to be denied a home purchase loan (4.3%) compared to white applicants (5.7%). However, as in Hamburg, applicants reporting "Other or Multiple Racial Identities" in Tonawanda numbered just 23 between 2018 and 2023, compared to nearly 5,000 white applicants. In both cases – Hamburg and Tonawanda – the small sample sizes for the "least likely to be denied" groups suggest that these denial rates are likely to be less stable than the denial rates for white applicants, which are based on much larger sets of observations.

to Buffalo or Erie County. Nationally, analysts at the Urban Institute have shown that "Black [would-be] borrowers ha[ve] the highest denial rate" of all racial-ethnic groups, nearly two-times the rate of white borrowers. The analysts suggest that such outcomes are consistent with evidence of "legacies of racist policies and practices" that negatively affect the ability of persons of color to "tap into the security and wealth-building power of homeownership."[70] The HMDA data for Erie County strongly suggest that this same line of reasoning applies locally, and lenders in the region have a role to play in unlocking access to homeownership opportunities for persons from HUD protected classes.

Figure 6.2 breaks down the primary reasons that home purchase applications in each Grantee community were denied. Unfavorable debt-to-income ratios, lack of collateral, and problematic credit history are the most common denial reasons across the County. Finally, Figure 6.3 maps the distribution of loan denials by census tract, relative to Racially- or Ethnically- Concentrated Areas of Poverty (R/ECAPs; see Chapter III).[71] At least in the City of Buffalo, the highest denial rates are found in R/ECAPs on the East Side, where the City's Black or African American population is heavily concentrated.

Based on the review of home purchase mortgage lending patterns in this section, one can conclude that private sector lenders are still contributing to the uneven and segregated patterns of housing opportunities in Erie County. Applicants of color are much more likely to be denied loans compared to white applicants, and home purchase mortgages are denied in R/ECAP geographies on the predominantly Black East Side of Buffalo at higher rates than virtually everywhere else in the County. Challenging financial institutions to practice more equitable lending patterns remains a goal for decisionmakers and institutions that are committed to affirmatively furthering fair housing in and throughout Erie County.

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[70] Choi, J.H., & Mattingly, P.J. (2022). "What Different Denial Rates Can Tell Us About Racial Disparities in the Mortgage Market." The Urban Institute. https://www.urban.org/urban-wire/what-different-denial-rates-can-tell-us-about-racial-disparities-mortgage-market

[71] Within the HMDA dataset under investigation, loan application records for the years 2018 through 2021 are associated census tracts that were delineated after the 2010 decennial census. All records for the years 2022 and 2023 are associated with the updated census geographic framework that went into effect after the 2020 decennial census. Because R/ECAPs in this report were generated from current (i.e., 2018-22 Five-Year) American Community Survey data, which are published for the updated (post-2020 decennial census) Census Bureau geographic framework, the denial rates shown in Figure 6.3 are the rates for only the final two years of the HMDA dataset used in this report (i.e., 2022 and 2023). Even so, the patterns shown in Figure 6.3 are highly representative of mortgage denials in the wider 2018-2023 time horizon, and the currency of the data shown in the map provide a picture of the lending landscape that exists in Erie County at present.

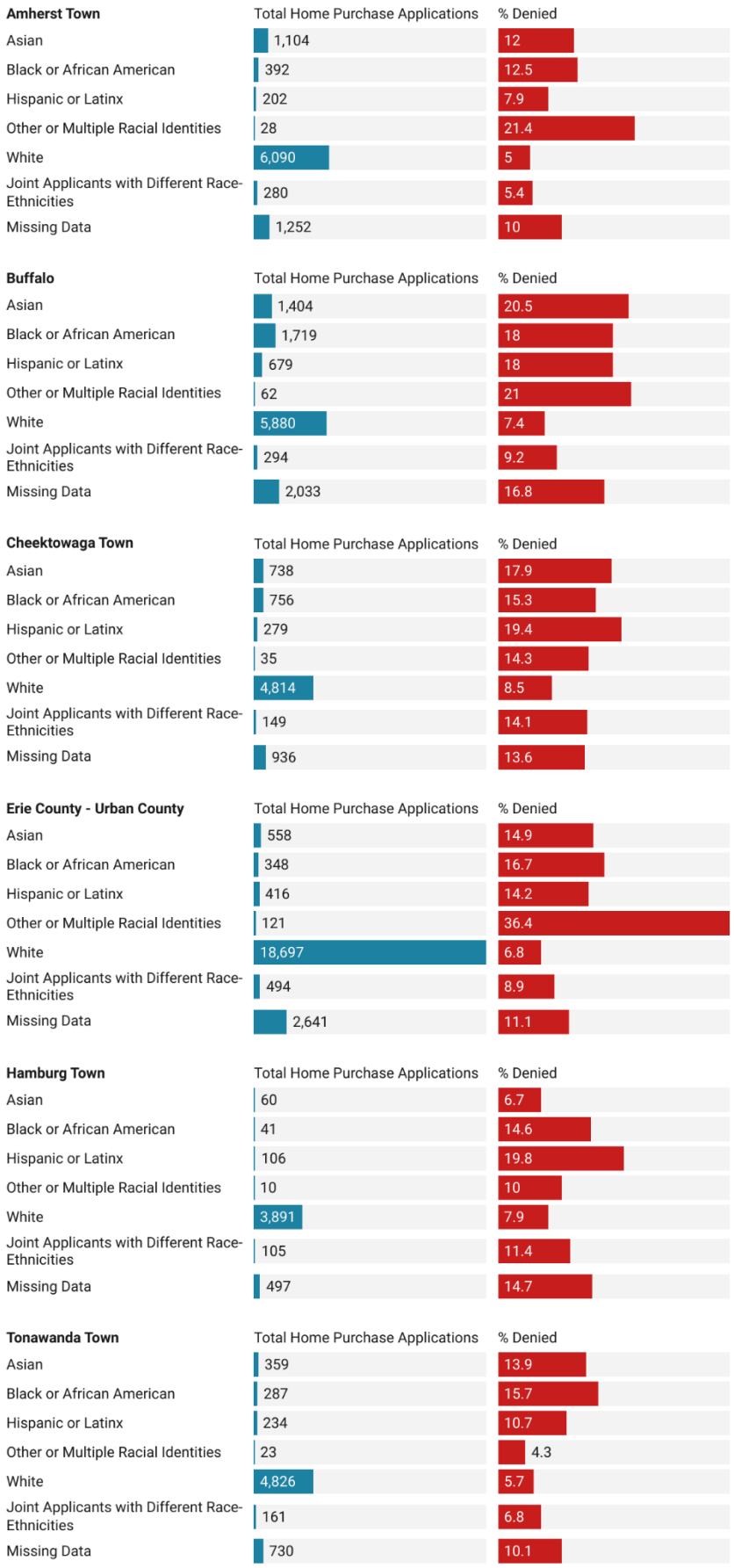
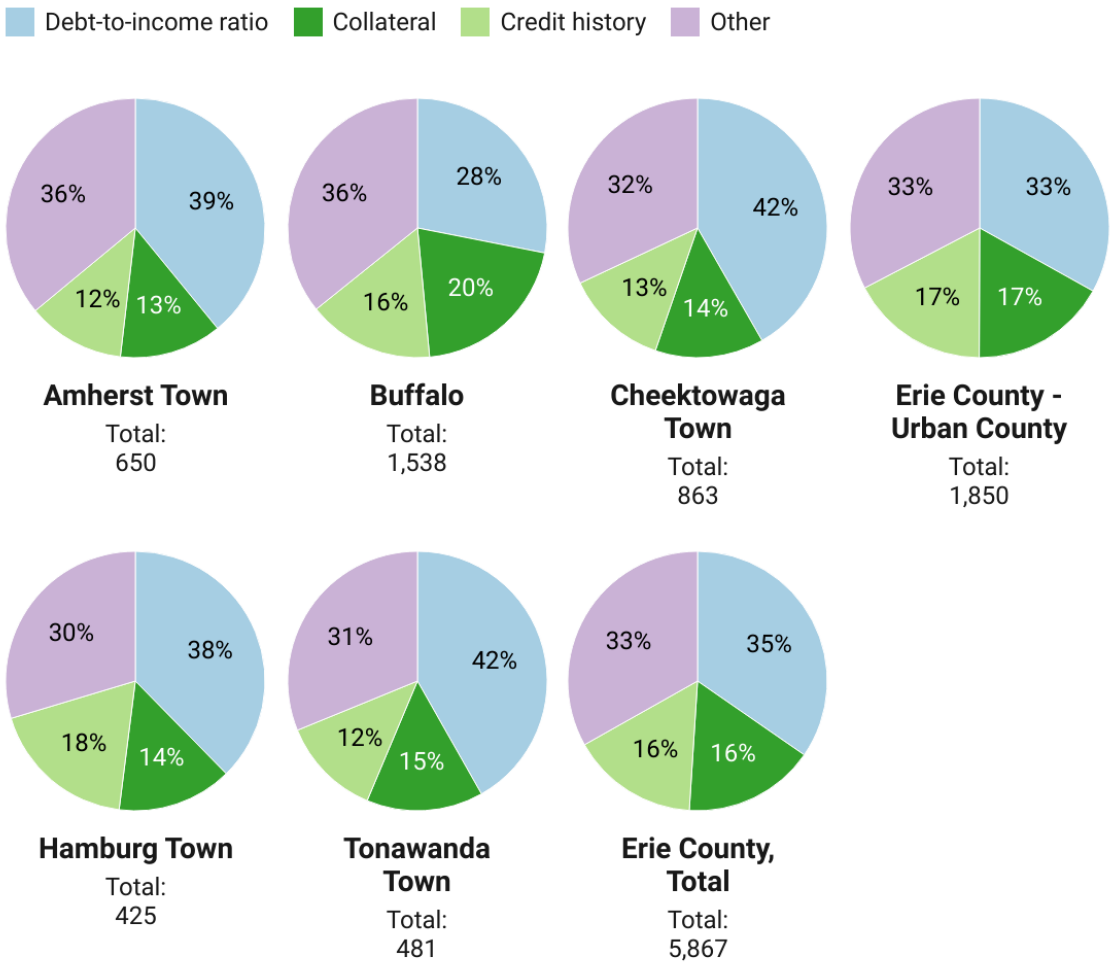


Figure 6.1: Home purchase mortgage denial rates (2018-23), by Grantee community and applicant race-ethnicity



Excludes records with missing data (n=60)

Created with Datawrapper

Figure 6.2: Primary reason for home purchase mortgage denial (2018-23), by Grantee community

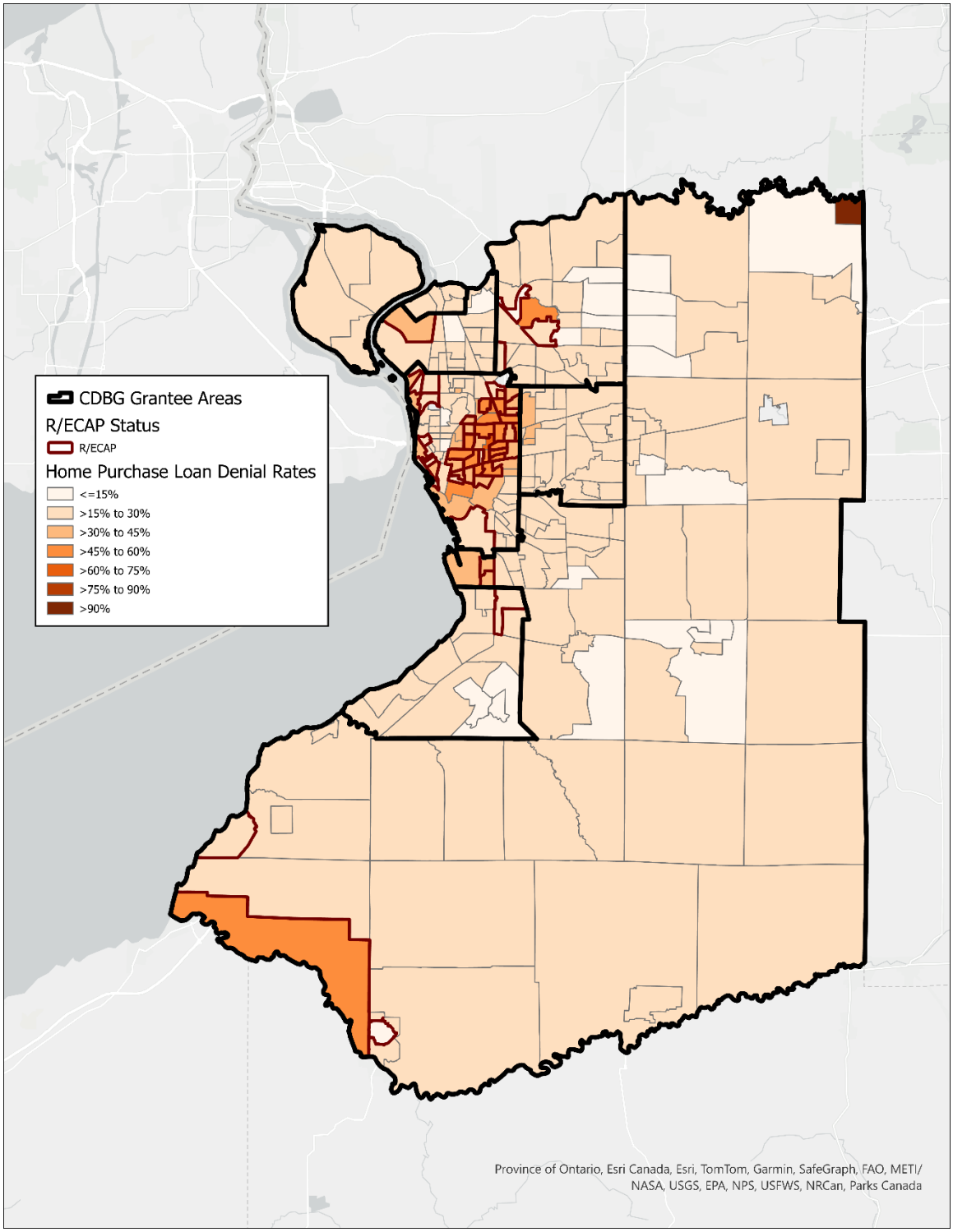


***Figure 6.3**: HMDA Denial rates by census tract, 2018-23, relative to R/ECAPs*

Prior to moving on, even though more than eight of every ten home purchase loan applications in Erie County between 2018 and 2023 were for conventional loans, it is worth exploring denial rates for Federal Housing Administration (FHA) loans, which are often more accessible to lower-income applicants or first-time homebuyers. Because such loans account for a relatively small fraction (14.3%)

of the overall countywide lending landscape, breaking FHA denials out by both geography (i.e., Grantee) *and* race-ethnicity can result in relatively unstable estimates due to small sample sizes. As such, herein these two attributes are explored independent of one another. In the first instance, Figure 6.4 shows denial rates for FHA loans for all of Erie County. Consistent with broader observations for all loan types, borrowers of color are meaningfully more likely to be denied FHA loans than their white counterparts. For the time horizon under investigation (2018-23), Asian FHA loan applicants were the most likely to have their applications denied (26.8%), followed by persons with Other or Multiple Racial Identities (26.6%) and Black or African American applicants (21.2%). The denial rates for all three of these racial-ethnic groups were more than double the denial rate observed for white applicants (9.4%).

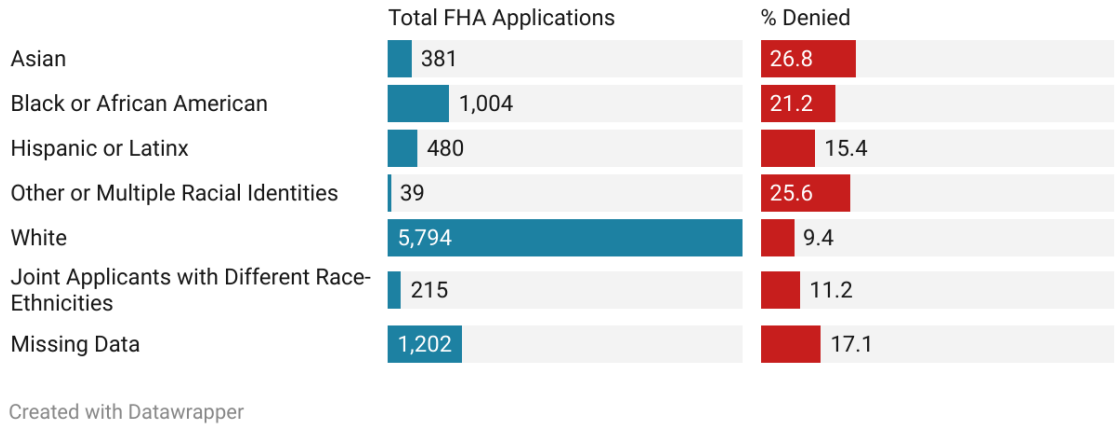


Figure 6.4: Home purchase mortgage denial rates for FHA loans (2018-23), by applicant race-ethnicity

Figure 6.5 replicates this process for Grantee communities. Across the county, Buffalo-based FHA loan borrowers are most likely to have their applications denied (17.7%), followed by Amherst (15.0%). FHA applicants in Hamburg are the least likely to be denied a loan (8.8%).

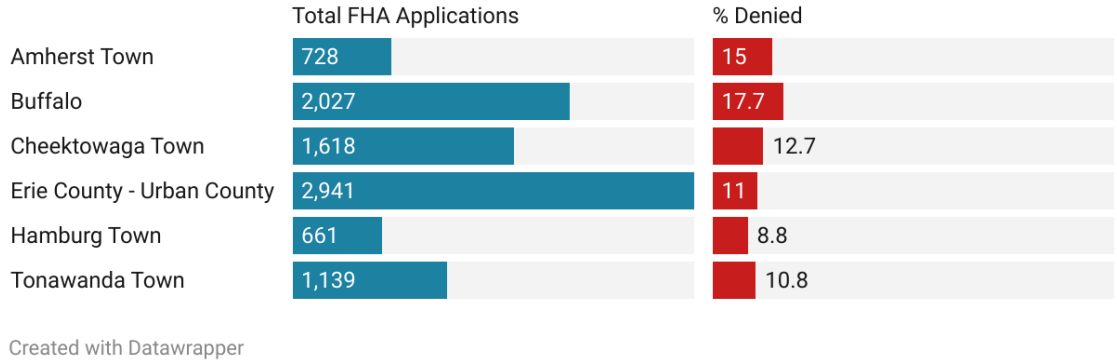


Figure 6.5: Home purchase mortgage denial rates for FHA loans (2018-23), by Grantee Community

REAL ESTATE PRACTICES

REAL ESTATE ADVERTISING

The Fair Housing Amendments Act of 1988 makes it illegal to include any discriminatory language in any real estate advertising. Additionally, any advertisement can make no indication of preference based on a federally protected class. Much of the local real estate advertising in Erie County is published by the Bee Group, which owns local papers in many Erie County communities, including:

- *Amherst Bee*
- *Cheektowaga Bee*
- *Depew Bee*
- *West Seneca Bee*
- *Orchard Park Bee*
- *Ken-Ton Bee (serving the Village of Kenmore and the Town of Tonawanda)*
- *East Aurora Bee*
- *Lancaster Bee*
- *Clarence Bee*

These newspapers also publish public notices regarding HOME Investment Partnerships and CDBG programs, public hearings and meetings, and other public notices. All of the Bee Group newspapers include real estate advertising, along with a website dedicated to real estate advertising.

A review of real estate advertising of these newspapers was conducted to determine if any discriminatory language was present. One feature on the website was a section called Legal Center that provided information related to legal issues surrounding real estate and resources for prospective homebuyers. A review of ads found no discriminatory language in the reviewed ads.

A review of the *Buffalo News,* the other major newspaper also showed no indication of discriminatory language in real estate ads.

REAL ESTATE AGENCY PRACTICES

Licensed realtors in New York are required by law to complete three hours of continuing education focused on fair housing law. This policy ensures realtors understand fair housing policy and requirements for their practice. The Buffalo Niagara Association of Realtors (BNAR) provides this education to area realtors on a generally monthly basis to ensure access for agents in the area. BNAR also has a 'Fair Housing Declaration' that all agents must abide by to be members. This includes the responsibility to affirmatively further fair housing through the following practices:

- *Providing equal professional service without regard to the race, color, religion, sex, handicap, familial status, national origin or sexual orientation of any prospective client, customer, or of the residents of any community*
- *Keeping informed about fair housing law and practices*
- *Developing advertising that indicates that everyone is welcome, and no one is excluded*
- *Informing clients and customers about their rights and responsibilities under the fair housing laws by providing brochures and other information*
- *Refusing to tolerate non-compliance*
- *Taking a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law, and*
- *Developing and implementing fair housing practices at the corporate level*

MLS listings are monitored to ensure they do not include discriminatory language as well. Discriminatory practices by realtors were not identified as an issue during the public engagement process, and a review of fair housing complaints did not identify realtor practices as a basis of complaints. Based on this analysis, it appears mortgage practices may be an impediment to fair housing, but other real estate practices are not identified as an issue.

VII. FAIR HOUSING PROFILE

A number of organizations provide fair housing services to Erie County residents including:

- *Housing Opportunities Made Equal*
- *Legal Aid Bureau of Buffalo*
- *Neighborhood Legal Services*
- *Fair Housing Officers in each jurisdiction*

These organizations provide a range of services for tenants and prospective homebuyers to ensure understanding of rights and assistance available to them. They also work with landlords to help them comply with local, State, and Federal regulations and requirements including responsibilities to provide fair access to housing for everyone. These organizations, particularly Housing Opportunities Made Equal, provide an avenue for investigating and processing fair housing complaints and supporting those making complaints.

EXISTENCE OF HOUSING DISCRIMINATION COMPLAINTS

Access to Fair Housing is protected by laws at the Federal, State, and local levels. However, many residents are unaware of their rights to protection and so never file a complaint when they experience discrimination in the housing market. This may be because those affected may not be aware that housing discrimination is illegal, or they may believe that no action will be taken in response to a complaint. A 2023 story in *The Buffalo News*[72] found that 2022 saw a significant increase in housing complaints made to Housing Opportunities Made Equal, with over 430 filed complaints. This may be related to the passage of the Erie County Fair Housing Law in 2018 providing additional protection for residents and the increased awareness among residents of their rights under the law. When discrimination is found, Housing Opportunities Made Equal files cases with HUD, the Erie County Fair Housing Board, or the New York State Appellate Division. Housing Opportunities Made Equal has also increased its investigations into discriminatory practices such as advertising that states no children, or other signs of potential discrimination. The four most common sources of complaints noted by Housing Opportunities Made Equal are Source of Income, Disability, Family Status, and Race.

[72] "Housing Discrimination Complaints Soared in Western NY in 2022." https://buffalonews.com/news/local/business/housing-discrimination-complaints-soared-in-western-new-york-in-2022/article_213e8cc6-c101-11ed-b93f-1bec3828f796.html

It is important to note that the different laws protect different classes of individuals. The Federal law protects on the basis of race, color, religion / creed, national origin, sex, disability, and familial status. New York's Fair Housing law protects those characteristics and adds sexual orientation, military status, age, and marital status. Erie County's Fair Housing Law adds source of income, gender identity, and citizenship / immigration status to the protected classes. The Towns of Hamburg and West Seneca fair housing laws currently protect the same classes of people as the State law, with the addition of source of income. These laws are intended to ensure access to housing for all residents; however, if residents do not know their rights, or the process for filing a complaint, they will not receive the benefit of these laws. That is why the services of local housing organizations are so important to provide outreach and education to residents about their rights and access to legal protection.

HOUSING COMPLAINT PROCESS

Per the Erie County Fair Housing Law, every city, town, and village within Erie County now has a designated (and trained) Fair Housing Officer. Contact information for these individuals can be found on the Erie County Fair Housing website. Additionally, Housing Opportunities Made Equal and Neighborhood Legal Services serve as conduits for fair housing complaints.

Resolution of complaints begins with an informal resolution process. Fair Housing Officers will work to resolve the issue through a conference, conciliation, or persuasion between the parties. If this does not resolve the issue, a formal complaint will be filed with the State Division of Human Rights and HUD. The Town of Hamburg processes its own fair housing complaints, using fines and the revocation of rental licenses as the enforcement mechanism.

Responses from community meetings indicates that discrimination, particularly for disabled residents and Section 8 voucher holders, remains an issue. It is important to ensure adequate outreach and education to Erie County residents to ensure they understand their rights and the process for addressing discrimination. It is also vital to educate landlords on their responsibilities. As the new Erie County Fair Housing Law comes into effect, especially with the new focus on Fair Housing Officers at the local level, there may be a change in how fair housing complaints are identified and processed and an improvement in access to housing for residents across the County.

Complaints to Housing Opportunities Made Equal, which serves Erie County to process Fair Housing complaints, have skyrocketed in the last several years. This may be because of the County Fair Housing Law which expanded protected classes and included significant outreach and education to the public as to their rights under the law.

COMPLAINTS TO HOUSING OPPORTUNITIES MADE EQUAL

Housing Opportunities Made Equal is a non-profit organization that provides fair housing services to Erie County residents and landlords. Erie County has retained Housing Opportunities Made Equal to provide fair housing services as well as assist in implementing the County's fair housing law. Data provided by Housing Opportunities Made Equal shows the number of complaints processed through that organization from 2015 through 2023, the most recent available. Per the Erie County Fair Housing Board 2023 Annual Report, 1 case from 2022 was resolved in 2023 with a pre-filing settlement agreement that included unspecified public interest and $2500 to the Complainant. Three cases were closed after Complainants withdrew complaints or could not be contacted. One case referred to the County Attorney's office was closed after the Respondent sold the property. Additionally, 41 cases were investigated and resolved by the Board; however, no details were provided in the report as to cause or resolution.[73] Per the report, an additional 99 people were helped with resolving landlord / tenant disputes.

Table 7.1: Total complaints to the Office of Fair Housing and Equal Opportunity, 2015 - 2024

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Total Complaints	**195**	**177**	**185**	**207**	**210**	**203**	**320**	**417**	**489**
Basis of Complaint									
Race	48	41	26	31	24	76	107	134	204
Religion	1	5	0	0	2	0	6	3	10
National Origin	15	20	7	5	6	10	14	8	14
Sex	9	10	10	5	5	10	32	26	31
Marital Status	3	8	4	6	4	6	6	11	14
Disability	49	62	49	29	50	67	88	128	157
Children	23	34	79	35	25	29	40	72	71
Age	6	19	31	7	9	18	15	25	20
Source of Income	88	58	50	93	129	68	121	158	205
Sexual Orientation	2	4	3	0	4	9	7	6	5
Military Status	0	0	0	1	0	0	1	1	0
Gender Identity	3	2	5	3	2	6	3	5	7
Other	7	5	5	4	2	14	17	28	33

Source of income is the biggest source of complaints to Housing Opportunities Made Equal over the last several years, by a significant margin. This issue is supported by comments from the public engagement, which indicate residents can have issues with landlords not accepting vouchers, often for deposits, which creates a significant barrier. Disability, presence of children, and race are consistently identified as a source of discrimination, which again correlates with public input. Children and source of income are not considered a protected class by HUD but are part of the State law and Erie County's new law.

[73] https://www3.erie.gov/environment/sites/www3.erie.gov.environment/files/2024-02/2023_fhb_board_report.pdf

COMPLAINTS TO CITY OF BUFFALO FAIR HOUSING OFFICER

The City of Buffalo has a Fair Housing Officer tasked with assisting city residents with a variety of issues related to housing. This includes providing training, outreach, and education to tenants, landlords, and organizations involved with housing in the city. The officer is also tasked with investigating fair housing complaints. The first step once probable cause is found is to attempt to resolve the case through conciliation. If this is not successful, cases are referred to the city's Law Department for litigation.

The most recent Fair Housing report covered 24 months from April 2022 through April 2024. In that time, 37 cases of housing discrimination were reported. Of those, 32 were found to have probable cause resulting in 16 cases being referred to the City Law Department with litigation pending. The remaining 21 cases were conciliated with fines and payments totaling $47,650 to tenants. Additionally, the Fair Housing Office responded to over 4,500 phone calls regarding fair housing issues, along with 64 walk-in consultations in the two-year period

ASSESSMENT OF FAIR HOUSING ORGANIZATIONS AND ORDINANCES

LOCAL FAIR HOUSING ORDINANCES

As mentioned, most jurisdictions in Erie County have some type of fair housing discrimination protection via local ordinances in addition to the County law that covers all of Erie County along with relevant state and Federal laws. These local regulations expand protections to more residents than are protected by the State and Federal laws. These local regulations bring enforcement closer to residents and make them more accessible by ensuring local contact through the Fair Housing Officers. Additionally, the County partnership with Housing Opportunities Made Equal offers more access for residents to submit complaints and resources for investigation and compliance with local rules.

FAIR HOUSING ORGANIZATIONS

A number of organizations across Erie County provide a variety of services related to fair housing. Housing Opportunities Made Equal is the primary service provider and assists local governments with enforcing fair housing laws as well as providing education, counseling, and paralegal services for tenants, landlords, Housing Opportunities Made Equal buyers, and others involved in housing issues. Housing Opportunities Made Equal also works with organizations to provide language access to Erie County residents for whom English is not their primary language. Another key partner for Housing Opportunities Made Equal is the

Buffalo Urban League, which targets mortgage discrimination and predatory lending, along with foreclosure prevention and other assistance. Neighborhood Legal Services provides assistance to disabled and low-income residents and has a housing unit specifically to help those affected by housing discrimination. Additional organizations that do not have an explicit fair housing role also provide assistance and are an avenue for outreach for fair housing including:

- *Buffalo Urban League*
- *University District Community Development Association*
- *Hispanics United*
- *Arab-American Community Center for Economic and Social Services (ACCESS)*
- *Homeless Alliance of Western New York*
- *People, Inc.*
- *Lackawanna Community Development Corporation*
- *Lackawanna Community Housing Development Corporation*
- *Southtowns Rural Preservation Corporation*
- *Belmont Housing Resources for WNY*
- *YWCA*

These groups provide micro-loans, fair housing counseling, and other assistance in partnership with local jurisdictions and organizations. These organizations particularly target protected classes as defined by Federal, State, and local ordinances making them key partners in ensuring fair housing access. The role of organizations and non-profits is a critical piece to ensuring fair housing access to residents of Erie County and they are a valuable partner to local governments in this effort.

VIII. IMPEDIMENTS TO FAIR HOUSING

Since the prior AI in 2020, progress has continued to expand access to affordable housing for residents in Erie County. As discussed in Chapter 8, Federal funding is being used to construct new affordable housing units across Erie County, enforcement of the County Fair Housing Law has offered recourse for residents facing discrimination, and actions by local governments, non-profits, and other organizations have provided additional support for those experiencing homelessness and other populations. However, continued impediments remain, and work is still needed to ensure all residents have access to appropriate housing in proximity to employment and other services. It will take continued coordination across government, non-profits, developers, and others to address the identified barriers.

SUMMARY OF IMPEDIMENTS

HOMELESSNESS

The 2024 Point in Time Report identified 1125 people experiencing homelessness in Erie County, nearly double the number from 2019. The ending of the COVID era eviction moratorium and increasing housing costs are likely key drivers of this increase. The Erie County Housing Opportunities Made Equal Team Homeless and Housing Coalition works with agencies and organizations to serve this population. Services and programs include emergency shelters, rapid rehousing, transitional housing, and support for those in danger of losing housing, among other programs. Despite these efforts, too many individuals and families are unable to find permanent housing. One issue is the resistance to the provision of shelters and supportive housing, particularly in the suburban jurisdictions and rural areas. NIMBYism continues to be a barrier to developing necessary facilities for this population. Additionally, zoning and other regulatory barriers in these jurisdictions are another hurdle that limit options, resulting in the homeless population concentrating in Buffalo and inner ring suburbs. This includes domestic violence shelters, leaving many victims with nowhere to turn for assistance.

In addition, a lack of permanent housing options and funding for supportive services makes it difficult to transition people out of homelessness. There are not enough housing units or vouchers available to serve the population in need. What affordable housing, shelters, and services are available are generally not in locations near employment, so residents struggle to balance housing and

employment. Also, effective transition requires supportive services such as counseling, education, etc. and these service providers do not have the resources to serve the growing homeless population.

LACK OF AFFORDABLE HOUSING

There is a lack of affordable housing in Erie County, especially in the suburban communities that are seeing the highest increase in employment opportunities. New projects are under construction in Amherst and other jurisdictions that will add public housing in those areas but will not be sufficient to meet demand. NIMBYism, regulatory barriers in zoning ordinances, and other policies make it difficult to provide affordable housing in proximity to work. This means affordable housing remains concentrated in Buffalo and the inner ring suburbs, creating a disconnect between housing and employment and placing an additional burden on low-income residents. Redesign of the NFTA bus system has also reduced service and left those without a car even less access to jobs in the suburbs. Funding from the American Recovery Act and other Federal sources is being used to construct more affordable housing across the County, the fundamental disconnect between housing and employment remains a challenge and will not be sufficient to ensure every resident can find appropriate housing.

Zoning and other regulatory barriers in suburban jurisdictions limit the supply of multi-family housing, increasing the cost of rent in these areas. The 2020 AI identified zoning and other barriers as impediments and since then little has changed. Despite comprehensive plans and other documents indicating the need for housing diversity, changing regulations is difficult, often because of community resistance and NIMBYism. Despite resistance, there has been some progress. Tonawanda has revised its code to allow for more multi-family and mixed residential and Amherst has also created a new mixed use zoning district although no districts have been defined. Despite this, most jurisdictions have maintained their restrictive policies. Although there is dispute over whether construction of new market rate housing impacts housing costs, areas that have seen increases in multi-family housing, such as Austin, Texas, have seen declining rents. This indicates that allowing construction of new multi-family housing, particularly in suburban areas of the County may lead to lower rents as supply increases.

Family units with 3+ bedrooms are in demand and few are being added to the housing supply. Most new construction is one- or two-bedroom units, leaving families with limited options for appropriate housing, particularly in areas with the best schools and employment options. Limited supply also increases rent, meaning those with vouchers cannot access the units that are available. Accessible units are also in growing demand. Current regulations require accessible units in new construction; however, the required limits are insufficient to the need for this type of housing.

Another challenge is the inadequate availability of vouchers, all of the waiting lists for vouchers are currently closed, indicating that there is far more demand than availability. Vouchers provide more flexibility for residents to find appropriate housing near work or other needed services; however, residents cannot access them. There are also other barriers for those who do have vouchers. Rising rents make housing unaffordable despite voucher providers raising the rent limits residents can access. There are also reports that landlords continue to deny voucher holders access, despite protection under the County Fair Housing Law. Finally, the lack of multi-family units in many suburban and rural areas of the County leaves voucher holders with few options in areas where employment is growing.

PUBLIC IMPEDIMENTS

As mentioned above, public policies have a significant effect on the availability of affordable housing. The primary challenge, identified in previous AIs, remains restrictive zoning and resistance to multi-family, group and supportive housing, shelters, etc. Most of the suburban jurisdictions in Erie County continue to restrict the development of anything other than single family homes, making it difficult to provide affordable housing in these areas that are seeing the most employment growth, best schools, and other attractions. Restrictive zoning impedes the development of denser, more affordable units and limits the opportunity for lower income residents to find housing within their income limits. A need exists to expand to address regulatory barriers to expand housing diversity in these communities to allow more people to live in proximity to jobs, good schools, and other amenities and reducing the concentration of poverty in Buffalo and the inner ring suburbs. Policies such as smaller lot sizes, higher density allowances, and zoning more land for multi-family housing can all be utilized to increase housing diversity creating more options for residents of different incomes to find appropriate housing. This will benefit not just very low-income residents, but all prospective renters and buyers. Parking requirements, special use permits, design guidelines, and other requirements limit multi-family housing development and increase costs for its construction, thereby increasing rents. These requirements may be well intentioned but are also a tool for limiting new construction and restricting housing diversity.

Strict code enforcement is also a need to ensure housing, particularly low-cost housing, is properly maintained and provides safe, adequate shelter. Absentee landlords, and those unwilling to invest in older units, are sometimes not investing adequately in their properties, leaving residents to deal with mold, non-working appliances, and other challenges. These are not just an inconvenience for residents, they can create unsafe conditions. Code enforcement should be a priority because maintaining property is vital to ensure residents have access to safe, healthy living spaces. The City of Buffalo requires landlords to have proactive rental inspections before properties can be rented. This is an opportunity to ensure all code requirements are met before tenants move in. This

policy allows issues to be addressed prior to occupation to ensure safe conditions.

In addition to health and safety enforcement, proper enforcement of fair housing laws is necessary. Housing Opportunities Made Equal has identified an increase in fair housing complaints, with familial status and payment source being common issues. The new County Fair Housing Law ensures every jurisdiction has a fair housing officer and has increased education around fair housing policies; however, enforcement must be in place to ensure landlords are meeting requirements. There is also a need to continue educating landlords and tenants to ensure they understand their rights and responsibilities within the law.

RURAL HOUSING

Access to affordable housing in rural parts of Erie County remains an issue. The overwhelming majority of multi-family, public housing, group homes, etc. are in the urban core, leaving rural underserved with housing options outside of single-family homes. This leaves residents who work in these parts of the County or have other reasons to want to live there with few options. Developers are less willing to work in these areas because of an overall lack of demand and funding, making the construction of new housing options very difficult.

An additional challenge is the lack of transportation options in these areas. NFTA provides very limited service outside the urban core and para-transit services are not adequate to demand. Residents who do not have access to a car are therefore limited in their ability to travel to work, shopping, and other needs. This is exacerbated by a lack of services in rural areas. The lack of population density means there is limited demand for retail, etc. leaving residents without access to daily needs and services.

TRANSPORTATION-HOUSING-JOBS LINK

The challenge of affordable housing goes beyond simply the number of units or vouchers that are available. Location of housing is critical, as this affects access to employment, services, retail, and other needs. Location was a key impediment identified during the public engagement process, as participants ranging from disability service organizations, fair housing activists, and providers all identified transportation as an issue. Participants in the public engagement for the AI noted that the focus has been on expanding transit options rather than addressing housing shortages in desirable areas.

According to the 2018-22 ACS, 76.1 percent of County residents drove alone to work, while 7.2 percent carpooled. The remainder relied on public transportation, walked or cycled, or worked from home. Across Erie County, 20,907 workers aged 16 years or older have no access to a vehicle. According to the Partnership for the Public Good report *Poverty in Buffalo: Causes, Impacts,*

Solutions published in 2018, 58 percent of jobs in the region were inaccessible without an automobile. The lack of a robust, multimodal transportation system limits opportunities for those without a car to access employment options, especially with the concentration of affordable housing in the City of Buffalo and first ring suburbs.

Erie County is served by the Niagara Frontier Transportation Authority (NFTA). Service is focused on the City of Buffalo, where frequent service provides excellent access for those living and working within the City. Additionally, express service covers areas in the first ring suburbs, providing efficient access for those working downtown during regular business hours. However, for those working in retail and other jobs that require evening or weekend work, efficient access can be an issue when express buses are not available. Outside of the inner ring suburbs, service becomes increasingly less frequent and accessible. A particular issue is service between the more suburban communities across Erie County. This is a challenge because it essentially excludes many jobs from those without access to an automobile. Stakeholders indicated the focus has been on working to expand transit options rather than encouraging more housing development in areas where employment is increasing. Despite the attention paid to transit, it remains an obstacle.

To highlight some of these issues Figure 8.1 shows the change in job density throughout Erie County from 2017 to 2021 with NFTA routes overlaid onto it. With respect to the latter, the map overlays current (fall 2024) NFTA routes onto the routes that existed at the time the last AI for Erie County entitlement communities was performed (2020). Continuing a trend observed in the prior AI, the NFTA cut routes in the past five years, especially routes serving lower density outer-ring communities.

The jobs data summarized here come from the U.S. Census Longitudinal Employer Household Dynamics (LEHD) program, specifically from the LEHD Origin-Destination Employment Statistics (LODES) Workplace Area Characteristics (WAC) tables for New York State. An interactive version of the dataset can be accessed at https://onthemap.ces.census.gov/. The current version of the dataset contains census block-level job counts through 2021. The data for NFTA's routes and stops are available directly from NFTA (current), with past route data available from Transit Feeds, at: https://transitfeeds.com/p/niagara-frontier-transportation-authority/230.

Tables 8.1 and 8.2 summarize changes in job counts in each of the six Grantee communities with respect to two considerations: location in a R/ECAP (Table 8.1), and location within a ¼ -mile buffer of an NFTA stop (Table 8.2). Overall, the County experienced a net decrease of more than 28,000 jobs between 2017 and 2021, a drop of about -5.9%. Crucially, in 2021 – the most recent year for which LODES data are available – the COVID-19 pandemic was still in full swing, and massive job losses from the 2020 economic shutdowns were still taking their toll on communities across the country. Erie County's job contraction over this interval is neither unique nor extreme. According to the LODES, New York State

collectively saw its number of jobs shrink by -6.3%. From that perspective, the magnitude of loss in Erie County was slightly lower than the statewide average.

***Table 8.1**: Change in Jobs, 2017-21, by Grantee Community and Location in R/ECAP*

	2021			Absolute Change, 2017-21			% Change, 2017-21		
Grantee	**Not in R/ECAP**	**In R/ECAP**	**Total**	**Not in R/ECAP**	**In R/ECAP**	**Total**	**Not in R/ECAP**	**In R/ECAP**	**Total**
Amherst Town	92,310	3,481	95,791	(4,339)	(395)	(4,734)	-4.5%	-10.2%	-4.7%
Buffalo	97,063	41,955	39,018	(14,911)	4,768	(10,143)	-13.3%	12.8%	-6.8%
Cheektowaga Town	45,828		45,828	(3,481)	0	(3,481)	-7.1%		-7.1%
Erie County - Urban County	119,065	2,769	121,834	(3,985)	(1,167)	(5,152)	-3.2%	-29.6%	-4.1%
Hamburg Town	20,089	1,407	21,496	417	(1,278)	(861)	2.1%	-47.6%	-3.9%
Tonawanda Town	24,266	4,777	29,043	(3,408)	(634)	(4,042)	-12.3%	-11.7%	-12.2%
Erie County, Total	**398,621**	**54,389**	**453,010**	**(29,707)**	**1,294**	**(28,413)**	**-6.9%**	**2.4%**	**-5.9%**

If there is a silver lining to the pattern of job changes described in Table 8.1, it is that the number of jobs in the County's R/ECAPs actually *increased* between 2017 and 2021, even while widespread job loss was the common experience everywhere else. This increase was driven by strong job growth in Buffalo's R/ECAPs (+4,768 jobs, +12.8%).

Unfortunately, little if any job growth occurred in close proximity to public transit stops. As shown in Table 8.2, jobs within one-quarter of a mile of NFTA stops contracted faster (-6.9%) than the Countywide average (-5.9%), while areas more than one-quarter of a mile from an NFTA stop experienced slower levels of job loss (-4.0%). One implication of these patterns is that, while more jobs might be available in R/ECAPs now compared to before the COVID-19 pandemic, the broader geography of jobs in Erie County became more difficult to navigate and access for workers and prospective workers who do not have reliable access to a personal vehicle – especially public transit riders.

***Table 8.2**: Change in Jobs, 2017-21, by Grantee Community and Proximity to NFTA Stop*

	2021			Absolute Change, 2017-21			% Change, 2017-21		
Grantee	**Not within 0.25-mi of NFTA Stop**	**Within 0.25-mi of NFTA Stop**	**Total**	**Not within 0.25-mi of NFTA Stop**	**Within 0.25-mi of NFTA Stop**	**Total**	**Not within 0.25-mi of NFTA Stop**	**Within 0.25-mi of NFTA Stop**	**Total**
Amherst Town	27,484	68,307	95,791	(2,851)	(1,883)	(4,734)	-9.4%	-2.7%	-4.7%
Buffalo	3,789	135,229	139,018	530	(10,673)	(10,143)	16.3%	-7.3%	-6.8%
Cheektowaga Town	15,725	30,103	45,828	148	(3,629)	(3,481)	1.0%	--	-7.1%
Erie County - Urban County	90,304	31,530	121,834	(2,612)	(2,540)	(5,152)	-2.8%	-7.5%	-4.1%
Hamburg Town	11,045	10,451	21,496	154	(1,015)	(861)	1.4%	-8.9%	-3.9%
Tonawanda Town	7,377	21,666	29,043	(1,836)	(2,206)	(4,042)	-19.9%	-9.2%	-12.2%
Erie County, Total	**155,724**	**297,286**	**453,010**	**(6,467)**	**(21,946)**	**(28,413)**	**-4.0%**	**-6.9%**	**-5.9%**

The absence of a robust public transit system negatively affects the lives of workers and communities in numerous ways. As just one example, Table 8.3 shows the percentage of all workers and public transit commuters, by Grantee area, who have 30-plus and 60-plus minute commutes. In general, public transit commuters are two- to three-times more likely than an average worker to have a 30-minute-or-longer commute, and they are over *seven times* more likely than an average worker to have a 60-minute-or-greater commute.

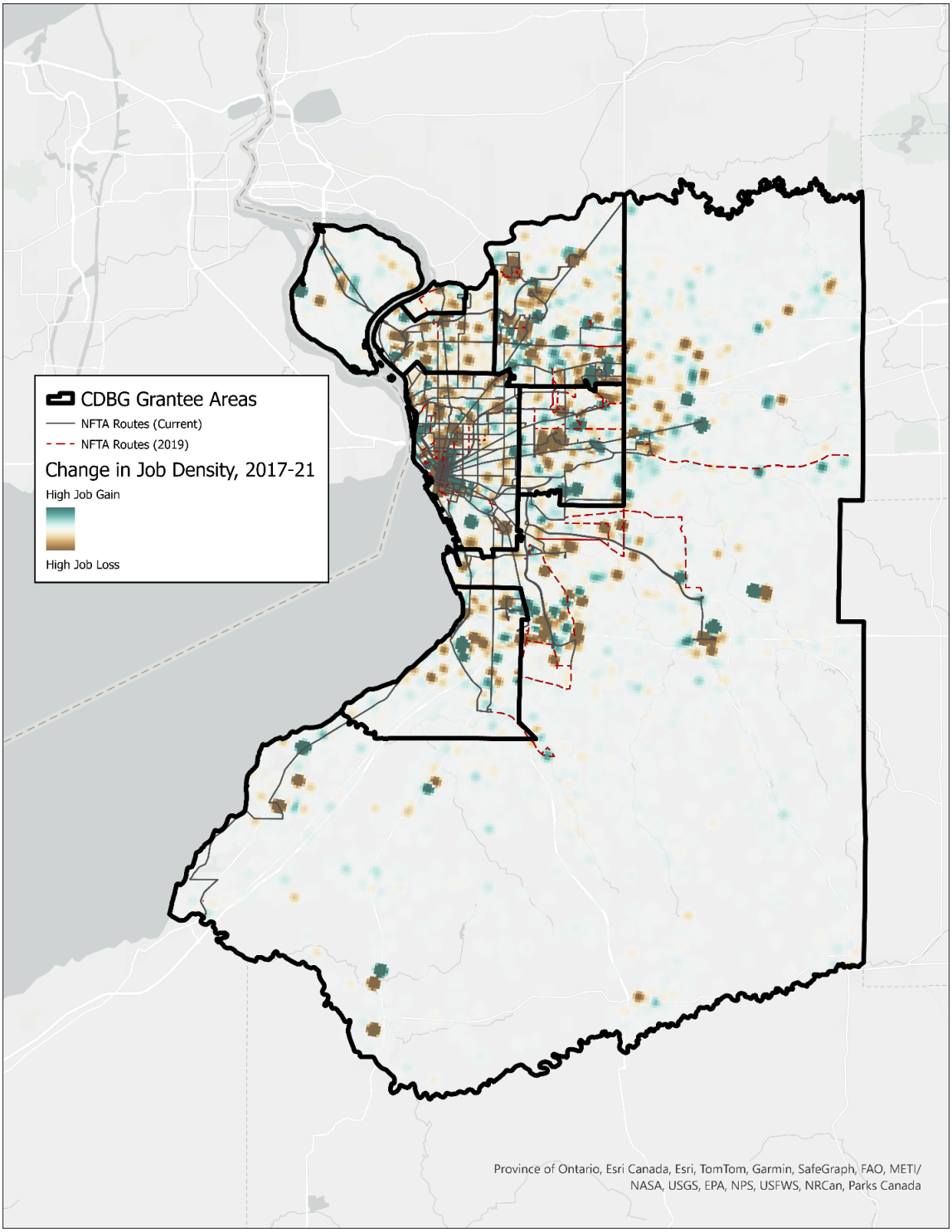


***Figure 8.1**: Change in job density (2017-2021) and public transit routes (2019-24)*

Table 8.3: Public Transit Commute Times Relative to Grantee Community Averages (source: 2018-22 ACS)

	% With 30+ Minute Commute		% With 60+ Minute Commute	
	All Workers	**Public Transit Commuters**	**All Workers**	**Public Transit Commuters**
Amherst	17.4%	59.7%	2.1%	17.2%
Buffalo	17.6%	63.3%	3.5%	21.3%
Cheektowaga	16.2%	64.5%	2.6%	21.5%
Erie County - Urban County	28.2%	63.0%	3.0%	24.2%
Hamburg	29.7%	69.0%	3.7%	32.4%
Tonawanda	17.4%	75.5%	2.2%	25.1%
Erie County, Total	**21.9%**	**63.7%**	**2.9%**	**21.6%**

Issues of long commutes and inaccessible jobs for public transit riders disproportionately affect communities of color and foreign-born residents in all six Grantee communities. Table 8.4 summarizes levels of public transit use for commuting to work for the County's largest racial and ethnic groups, for all Grantee areas. In all Grantee areas, Black workers have the highest reliance on public transit for commuting to work. Across Erie County, Black workers are roughly 13-times more likely than white workers to use public transit to commute to and from work. Hispanic or Latinx workers are more than 8-times as likely as white workers to use public transit, and Asian workers ride public transit at roughly 6-times the rate of white workers. With respect to nativity, foreign-born workers use public transit at double the rate of U.S.-born workers throughout the County.

In addition to the uneven patterns of job-transit linkages illustrated above, transit access for disabled residents was identified by several stakeholders as a regional challenge. The lack of transit options in the suburban communities and rural areas creates a significant burden for this population. A number of providers offer para-transit service for elderly and disabled residents in Erie County, including NFTA, Rural Transit Service (a volunteer led community service), and the Going Places program for seniors run through Erie County. These services help to fill the gap but cannot replace dedicated transit service for efficient service for disabled residents.

***Table 8.4**: Public Transit Usage for Commuting, by Race, Ethnicity, and Nativity (source: 2018-22 ACS)*

Worker Group	Amherst Town	Buffalo	Cheektowaga Town	Erie County - Urban County	Hamburg Town	Tonawanda Town	Erie County, Total
White	50,169	63,089	35,920	146,833	27,826	33,191	357,028
% Public Transit Riders	0.5%	3.4%	0.7%	0.5%	0.8%	1.3%	1.1%
Black or African American	3,284	34,977	5,331	2,310	334	1,964	48,200
% Public Transit Riders	8.6%	15.5%	3.9%	12.9%	4.5%	5.4%	13.1%
Asian	5,105	7,206	1,072	1,646	137	985	16,151
% Public Transit Riders	4.9%	10.2%	0.0%	1.4%	0.0%	0.5%	6.2%
Hispanic or Latinx	2,737	12,243	1,786	3,941	872	1,633	23,212
% Public Transit Riders	7.1%	14.0%	3.5%	0.7%	1.3%	0.0%	8.6%
US Born	54,310	105,741	42,738	152,422	29,003	35,740	419,954
% Public Transit Riders	1.5%	8.1%	1.2%	0.7%	0.9%	1.5%	2.8%
Foreign Born	8,574	14,440	2,818	5,894	762	2,812	35,300
% Public Transit Riders	2.9%	11.5%	0.3%	0.6%	0.7%	1.6%	5.7%

DISCRIMINATION

Despite the adoption of the County Fair Housing Law, as well as local, State and Federal protections against housing discrimination, discrimination remains a barrier to people in need of housing. Fair housing complaints to Housing Opportunities Made Equal indicate that discrimination on familial status and source of payment are significant concerns in the region, with landlords finding ways to deny rentals to tenants despite protections. Some concerns over lack of enforcement have also been raised, indicating a need for additional enforcement and education for landlords as to their responsibilities under the law. Gender and disability discrimination have also been noted.

Mortgage applications for persons of color are much more likely to be denied throughout the region – even for FHA loans that tend to be more accessible to lower-income residents –which may indicate discrimination in lending practices. This is the primary private impediment identified in this report. Real estate practices do not seem to be an issue based on filed complaints and analysis of practices. Local housing organizations and jurisdictions should continue to work with lending organizations to reduce the unfairness in lending practices.

IX. PROGRESS SINCE PRIOR AI

This section reviews actions taken since the previous AI to implement recommendations and further efforts to promote fair access to housing. The AI had 15 goals identified based on the input from stakeholders and the overall assessment of fair housing practices across Erie County. Progress has been made for several of these goals, including: (1) the construction of new housing with affordable units in Amherst, Tonawanda, and Buffalo; (2) rehabilitation of existing units in multiple jurisdictions; (3) fair housing assistance; and more. Given the lack of enforcement mechanisms and regional coordination, though, it can be difficult to make effective progress on fair housing at necessary scales.

PROGRESS MADE SINCE PREVIOUS AI IN ERIE COUNTY

GOAL: EXPAND HOUSING CHOICE FOR MEMBERS OF THE PROTECTED CLASSES AND OTHER LOW-INCOME HOUSEHOLDS TO AREAS OUTSIDE OF RACIALLY/ETHNICALLY CONCENTRATED AREAS OF POVERTY

Erie County and local jurisdictions comply with site requirements for new housing projects which seek to limit concentration of affordable housing in existing low-income neighborhoods. New housing projects funded through the American Recovery Act and other Federal programs are targeted in diverse areas to make housing available in proximity to economic opportunities. Additionally, the County offers a Payment in Lieu of Taxes (PILOT) program which supported 18 affordable housing projects across the County through foregoing $194,934 in property taxes. The locations of these projects were not specified in the CAPER report. The City of Buffalo also works to encourage affordable housing development in more areas and has requirements to do so; however, given the high number of R/ECAPS and other disadvantaged areas, the City often offers waivers to developers because of limited availability of alternative sites. It does not appear that HUD funding has been withheld from any jurisdictions for having discriminatory policies.

Implementation of the City of Buffalo's Green Code since 2017 has contributed to an increase in multi-family housing. Projects that would not have been feasible with prior parking requirements were constructed. These were largely market rate units; however, increasing overall supply of housing can contribute to reduced rents, or at least slower increase in rents, which increases housing options for

residents. Other jurisdictions have not taken action on reducing parking minimums which can be a barrier to affordable housing development.

Given zoning and other restrictions in outlying, suburban jurisdictions, expanding housing availability to the more economically thriving areas of Erie County remains a challenge. Tonawanda has been making progress with a comprehensive zoning code update that will expand opportunities for mixed use and multi-family housing through a new mixed residential district and an expansion of properties zoned for greater density. There is no longer a minimum unit size requirement for multi-family units, although a minimum of 1,000 square feet is required for a single-family unit to be divided into multi-family. Additionally, accessory dwelling units are now allowed through a Special Use Permit in R-1, R-2, and Mixed Residential districts. The definition of Family has been revised to allow unrelated people to share units. The Town of Amherst adopted Mixed Use Zoning and Retrofit Districts in late 2019 to provide mixed residential and commercial development; however, the Zoning Map has not been updated to identify which areas would be available for this type of development. The Town also has an Accessory Dwelling Unit Pilot program providing up to $125,000 for property owners below 100% Area Median Income to build or renovate an ADU.

Education for the County Fair Housing Law has been extensive with information shared with landlords, residents, and civic organizations and agencies to ensure they are aware of requirements and services provided. The County has provided information via the internet, mailers to landlords, and other tools to ensure information is available to landlords and enforcement of the regulations is on-going.

GOAL: EXPAND OPTIONS FOR ACCESSIBLE HOUSING FOR DISABLED RESIDENTS

Erie County is utilizing American Recovery Act funds and other Federal assistance for the construction of new single and multi-family housing across Erie County. These projects will provide new homes for people in compliance with the Americans with Disabilities Act as well as local and State policies. Additionally, the Tonawanda Housing Authority is constructing a new senior living facility and replacing the existing senior housing with 4-6 new accessible units. No information is available on revising standards to improve visitability design in new units.

GOAL: CONTINUE TO IMPROVE QUALITY OF LIFE IN R/ECAP NEIGHBORHOODS

As discussed in Chapter 4, HUD funding is targeted to low-income neighborhoods across Erie County. Infrastructure projects in these areas have improved multi-modal transportation access, increasing accessibility to jobs and services for residents. Money is being used to rehabilitate existing housing and provide new housing in some cases. Additional projects such as stormwater improvements, water and wastewater upgrades, and park improvements have

upgraded the quality of life for residents in these neighborhoods. Funding is also being used to provide services, such as senior programming and other assistance in these neighborhoods.

GOAL: ADDRESS NIMBYISM

Erie County and local jurisdictions strive to engage with the community and provide multiple avenues for education and participation in local decision-making. Community meetings, websites, fliers, and other information is provided in multiple languages to ensure information is made available. Jurisdictions have adopted Language Accessibility Plans that identify common languages and set standards for access to information and assistance. Housing Opportunities Made Equal and other organizations work closely with residents to provide information and resources to encourage them to be informed about their rights and responsibilities.

Local planning efforts also engage with residents when specific projects are in development. These efforts include discussion and education with residents to overcome resistance to affordable housing development. One opportunity may be to discuss the economic benefits of affordable housing. If employers are struggling to find employees for service jobs, entry level positions, and other lower paying employment, housing may be an impediment. When people recognize that workers need housing, they may be more willing to support housing diversity and the creation of more affordable options. Given the lack of meaningful change in policies and practices in the more suburban jurisdictions of Erie County to reduce barriers to affordable housing, it appears NIMBYism remains an issue in these areas.

GOAL: SUPPORT EXPANSION OF GROUP HOMES, HOMELESS SHELTERS, AND RELATED SERVICES

A review of ordinances shows most jurisdictions have not made revisions or updates that would allow for group homes. However, Tonawanda did include a Community Facilities district in its revised Zoning Ordinance to allow rehabilitation and social support services through a Special Use Permit in this District. A news story in late 2023 indicated two group homes operated by People, Inc, in the Villages of Boston and Angola, were set to close because of staffing shortages, thus reducing available options for this population.

There has been significant investment in homeless services through increased Federal funding from the ARA and other pandemic policies. A centralized phone number (211) provides access to services including finding emergency housing and referrals to a variety of social services including food and utility assistance, health care, and employment. During winter months, County staff actively outreach teams to connect people with shelter. They also work with mental

health providers, local hospitals, and others to connect those in need of housing with assistance.

GOAL: EXPAND ACCESS TO NEW EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME RESIDENTS

The pandemic contributed to significant declines in ridership and changes in commuting patterns and volumes, along with difficulty in hiring sufficient bus drivers and other staff. In 2021, NFTA Metro adopted a Bus Network Improvement Plan to adapt to these challenges. The revisions focused transit to support access to employment centers, improve connections to the suburbs, and make the system more efficient. This is intended to allow more investment in service in high transit areas and improve all over accessibility for residents. These changes were the result of extensive public engagement including stakeholder meetings, surveys, and public hearings.

There has been limited action on improving housing supply in the most economically active parts of Erie County given zoning restrictions, land costs, and other factors.

GOAL: SUPPORT REGIONAL COORDINATION TO ADDRESS HOUSING AND RELATED CHALLENGES ACROSS JURISDICTIONS

In 2023, Erie County held its second Housing Summit, bringing together affordable housing stakeholders from across the County to discuss issues and opportunities for housing providers. The Summit included developers, elected and appointed officials, and key stakeholders with the goal of increasing the number of affordable units across the County. This resulted in agreement for more collaboration across jurisdictions to increase housing County-wide.

The Erie County Fair Housing Partnership provides an umbrella organization intended to guide implementation of the AI and was instrumental in helping to pass the Erie County Fair Housing Law. However, it does not seem to be currently very active, its only web presence is through Facebook which was last updated in April, 2024 in celebration of Fair Housing Month. Reinvigorating this Partnership should be a priority to ensure housing is addressed at a regional scale. Building more affordable housing in Buffalo will not solve the housing issue in Erie County, every jurisdiction needs to recognize that expanding housing options across the County is necessary to ensure all residents can live in communities close to their work and that provide desired services and amenities.

Housing Opportunities Made Equal serves as a central hub for affordable housing services in Erie County, including assistance to renters and landlords as well as training for local fair housing officers. Every jurisdiction has a Fair Housing Officer to provide a local connection for residents and help promote fair housing policies and practices. There is an Erie County Fair Housing Board that meets

quarterly and serves as the Hearing Board for fair housing complaints and serves as a resource to County leadership to promote fair housing activities.

Every jurisdiction is required to have a Fair Housing Officer to ensure local contacts for residents and ensure compliance with the County Fair Housing Law and local regulations. No action has been taken on creating a Task Force specifically empowered to implement goals identified in the Analysis of Impediments.

GOAL: ENSURE REALTORS, BANKS, MORTGAGE COMPANIES, AND OTHERS ARE NOT DISCRIMINATING AGAINST PROTECTED CLASSES

Housing Opportunities Made Equal provides monthly education for landlords to ensure they comply with local, State, and Federal regulations around affordable housing access. This includes a certification for landlords to indicate they have received training in fair housing practices. The Fair Housing Law requires landlords with 20 or more units to have a Fair Marketing Housing Plan that includes a non-discrimination clause and a strategy for marketing the available units to a diverse population. No evidence was found of efforts to work with local lenders and others to support down payment assistance.

CDBG and HOME funds are being used to provide down payment assistance for low-income buyers and to build new housing available to first time and low-income buyers specifically. This includes infill housing in existing neighborhoods across Erie County.

GOAL: EXPAND ACCESS TO AFFORDABLE, ACCESSIBLE UNITS

Every public housing provider in Erie County provides accessible units targeted to disabled tenants as well as senior facilities. New units are being constructed that will expand the overall number of accessible units, along with rehabilitation of existing units that will make them more accessible. No action has been taken to expand visitability standards for new units or education to developers on providing better accessibility in proposed projects. All projects must comply with existing ADA and other regulations; however, no action above and beyond that has been taken.

GOAL: CONTINUE TO EXPAND EDUCATION AND OUTREACH EFFORTS, ESPECIALLY RELATED TO FAIR HOUSING LAW

Since the passage of the Fair Housing Law, there has been extensive outreach to residents, landlords, realtors, and others related to it. This has included on-going educational opportunities for residents conducted by Housing Opportunities Made Equal. This outreach may have contributed to a significant uptick in fair housing complaints reported in 2022 as more residents understood their rights

and how to find resolution for them. Erie County works with a range of organizations including Housing Opportunities Made Equal, Belmont Housing Resources for Western, NY, and other non-profits and civic groups to promote fair housing and ensure all residents understand their rights. This includes providing information in a wide variety of languages so all Erie County residents can find necessary assistance.

Erie County and local jurisdictions engage in regular community meetings and other activities, such as promoting April as Fair Housing Month, sending fliers to organizations and individuals educating them on Fair Housing policies and regulations, and passing resolutions in support of Fair Housing Month. Fair Housing Officers provide local jurisdictions with trained individuals who can support local initiatives and ensure compliance with all relevant laws to ensure fair access to housing for all residents.

In addition, recognizing that the Erie County region is in desperate need of high-quality housing and that all residents of Erie County deserve to have access to safe, healthy, and affordable housing options that contribute to the vibrance of our community, Erie County has hosted three Housing Summits in recent years – one each in 2022, 2023, and 2024. All past and future Housing Summits bring awareness to the issue of affordable housing in Erie County.

Planning for the Housing Summits began in September 2019, when Live Well Erie (LWE) was launched with a mission to create a community where "no one gets left behind". The County's three Housing Summits (to date) were an extension of that ongoing effort. Erie County recognizes that the issue of affordable housing is complex, requiring collaboration between the nonprofit and private sectors, all levels of government, and individuals and families with lived experiences. Housing Summits offer opportunities to facilitate that collaboration.

In 2022, 2023, and 2024, the County's Housing Summits brought together participants who are involved in the production of and approval of affordable housing opportunities. The Summits created a space for collaboration between developers, non-profit and private organizations, and government officials, including local Consortium municipality planning and zoning board members and elected officials. There were also representatives from NYS Homes and Community Renewal Agency to discuss funding opportunities. Many developers of affordable housing in the region spoke and offered examples of successful affordable housing initiatives and strategies. Continuing to organize and facilitate Summits like these will be valuable for continuing ongoing education and outreach on fair and affordable housing throughout the region.

Finally, affordable housing projects that Erie County has recently funded in its CD Consortium area now require developers to increase outreach and marketing efforts in disadvantaged communities throughout the County, including outreach to new potential low-income renters.

X. FAIR HOUSING ACTION PLAN

Despite progress made since the prior AI, work remains to overcome barriers to access for all Erie Couty residents. This section identifies goals to address issues identified by the stakeholders and other participants in the AI process to increase the availability of housing in all jurisdictions and ensure every resident can access an affordable home that meets their needs.

GOAL: ENCOURAGE AND INCENTIVIZE AFFORDABLE HOUSING DEVELOPMENT OUTSIDE OF RACIALLY- OR ETHNICALLY- CONCENTRATED AREAS OF POVERTY (R/ECAPS)

Action: Undertake an analysis of whether the production of affordable housing will have the effect of increasing or decreasing racial or ethnic diversity in the neighborhoods in which the housing was of will be built

As documented in Chapter III, the majority of subsidized housing opportunities in the region are presently sited within R/ECAPs, ensuring that residents who qualify for and access affordable housing will stay in areas flagged by HUD for their barriers to economic mobility. Officials in Grantee communities should prioritize funding and approving projects that create new residential opportunities outside of R/ECAPs.

Action: Follow Erie County's lead by requiring developers to increase outreach and marketing efforts in disadvantaged communities throughout Erie County.

Deconcentrating poverty and breaking patterns of racial segregation will require both the production of new affordable units outside of R/ECAPs, but also outreach and incentives to help residents learn about, take advantage of, and thrive in those locations.

GOAL: ADDRESS CHALLENGES OF HOMELESSNESS INCLUDING ACCESS TO HOUSING, SUPPORTIVE SERVICES, AND OTHER NECESSARY ASSISTANCE

Action: Encourage local jurisdictions to revise ordinances to allow group homes, shelters, and other facilities where appropriate

Tonawanda has created a Community Services district in its revised Zoning Ordinance that may serve as a model for expanding areas available for group homes and other needed services. Other jurisdictions in Erie County should review this as an example and determine if it is feasible.

Action: Work with service providers to support efforts to build group homes where needed across Erie County

Action: Continue to support homeless service providers, especially through development of transitional and supportive housing, and expand assistance as funding is available

Action: Provide outreach and education to residents to reduce NIMBY resistance to shelters and other needed services to expand support to all parts of Erie County

GOAL: EXPAND ACCESS TO AFFORDABLE, ACCESSIBLE UNITS

Action: Revise Zoning Ordinances and other regulations that impede the development of lower cost housing, including policies around modular / manufactured housing

Buffalo's GreenCode and the Town of Tonawanda's recent update provide examples of policies that can reduce barriers to housing affordability. Reducing or eliminating parking requirements, reducing or eliminating minimum unit sizes, and increasing sites for multi-family or mixed residential uses can all serve to increase supply of housing.

Action: Consider using County funding or other leverage to encourage jurisdictions to revise codes to allow more multi-family and mixed residential options

Action: Continue utilizing Federal, State, and other funding to support affordable housing development and home rehabilitation across Erie County

Action: Continue utilizing Federal, State, and other funding to support affordable housing development and home rehabilitation across Erie County

Action: Provide outreach and education to residents to reduce NIMBY resistance to housing development, particularly multi-family and other affordable housing

Action: Continue outreach and education to landlords on source of payment protections to expand access for Housing Voucher recipients to find housing

Action: Consider raising rent limits for Voucher users to expand housing options

GOAL: CONNECT AFFORDABLE HOUSING WITH EMPLOYMENT, RETAIL, AND SERVICES

Action: Identify areas for infill and redevelopment to provide housing in proximity to employment, retail, and services

Action: Revise zoning and other ordinances to allow for more mixed use and infill development, especially in suburban jurisdictions with employment growth

Action: Continue to improve pedestrian and cycling infrastructure to support safe access for residents who do not or cannot drive

Action: Continue to review transit services and revise routes and service times to better connect low-income residents to employment centers and other services, particularly in rural areas of the County

Action: Continue to support para-transit and explore options to expand options for rural residents to access needed services and employment without a car

Action: Support development of grocery stores and other necessities in underserved areas to meet local needs, especially in rural areas

GOAL: INCREASE AVAILABILITY OF FAMILY UNITS AND ACCESSIBLE UNITS

Action: Encourage developers to include more 3 or more-bedroom units in projects to expand access for families

Action: Consider increasing the percentage of accessible and visitable units in new development and major rehabilitation projects

Action: Continue to educate landlords and property managers about obligations under Fair Housing Laws to accept vouchers and ensure source of payment is not a barrier for prospective residents

GOAL: CONTINUE TO EXPAND EDUCATION AND OUTREACH EFFORTS, ESPECIALLY RELATED TO FAIR HOUSING LAW

Action: Continue funding partners and housing organizations to provide counseling, education, and outreach services

Action: Ensure information is provided in appropriate languages to the growing immigrant and refugee populations across Erie County

- *Work with local service organizations to identify target populations and determine language needs*
- *Utilize foreign language newspapers, radio, and other media to ensure information is disseminated appropriately*

Action: Educate landlords about Fair Housing law and requirements and strictly enforce requirements for non-discrimination

Action: Educate realtors about Fair Housing law and requirements

Action: Ensure compliance with Federal, State, and local laws from banks and other lenders involved in housing

GOAL: ADDRESS DECLINING HOUSING QUALITY AND LACK OF MAINTENANCE

Action: Strictly enforce rental registration and require landlords to attend fair housing training as part of registration requirements

Action: Provide aggressive code enforcement to address housing decline and unsafe conditions

Action: Continue to provide education to tenants about their rights to safe and adequate housing

- *Continue partnerships with housing advocates and organizations providing outreach and education*
- *Continue practice of Fair Housing Officer participating in seminars, conferences, and education programs*

Action: Expand outreach and education to landlords on their responsibilities to provide safe, adequate housing and perform necessary maintenance on properties in a timely fashion

Action: Expand funding for home rehabilitation / blight removal efforts

APPENDIX A: STAKEHOLDERS ENGAGED DURING THE PROCESS

MASTER LIST OF INVITEES

	Name of Organization	Mailing Address	Contact Name	Title
Planning & Zoning - Municipal Officials (CP & AI)	City of Buffalo	65 Niagara Square, Room 201, Buffalo, NY 14202	Honorable Byron Brown	Mayor
	City of Lackawanna	714 Ridge Road, Lackawanna, NY 14218	Honorable Annette Iafallo	Mayor
	City of Tonawanda	200 Niagara Street, Tonawanda, NY 14150	Honorable John White	Mayor
	Town of Alden	3311 Wende Road, Alden, NY 14004	Honorable Colleen Pautler	Supervisor
	Town of Amherst	5583 Main Street, Williamsville, NY 14221	Honorable Brian J. Kulpa	Supervisor
	Town of Aurora	300 Gleed Avenue, East Aurora, NY 14052	Honorable Charles Snyder	Supervisor
	Town of Boston	8500 Boston State Road, Boston, NY 14025	Honorable Jason A. Keding	Supervisor
	Town of Brant	1272 Brant-North Collins Road, Brant, NY 14027	Honorable Mark J. Decarlo	Supervisor
	Town of Cheektowaga	3301 Broadway, Cheektowaga, NY 14227	Honorable Brian M. Nowak	Supervisor
	Town of Clarence	1 Town Place, Clarence, NY 14031	Honorable Patrick Casilio	Supervisor
	Town of Colden	8812 State Road, P.O. Box 335, Colden, NY 14033	Honorable James P. DePasquale	Supervisor
	Town of Collins	14093 Mill Street, Collins, NY 14034	Honorable Kenneth E. Martin	Supervisor
	Town of Concord	86 Franklin Street, P.O. Box 368, Springville, NY 14141	Honorable Philip Drozd	Supervisor
	Town of Eden	2795 East Church Street, Eden, NY 14057	Honorable Richard Ventry	Supervisor

Town of Elma	1600 Bowen Road, Elma, NY 14059	Honorable Wayne Clark	Supervisor
Town of Evans	8787 Erie Road, Angola, NY 14006	Honorable Raymond J. Ashton	Supervisor
Town of Grand Island	2255 Baseline Road, Grand Island, NY 14072	Honorable Peter Marston Jr.	Supervisor
Town of Hamburg	6100 South Park Avenue, Hamburg NY 14075	Honorable Randy Hoak	Supervisor
Town of Holland	47 Pearl Street, Holland, NY 14080	Honorable Geoffrey Hack	Supervisor
Town of Lancaster	21 Central Avenue, Lancaster, NY, 14086	Honorable Robert E. Leary	Supervisor
Town of Marilla	1740 Two Rod Road, Marilla, NY 14102	Honorable Earl A. Gingerich Jr.	Supervisor
Town of Newstead	5 Clarence Center Road, P.O. Box 227, Akron, NY 14001	Honorable Dawn D. Izydorczak	Supervisor
Town of North Collins	10569 Main Street, P.O Box 2, North Collins, NY 14111	Honorable John M. Tobia	Supervisor
Town of Orchard Park	4295 S. Buffalo Street, Orchard Park, NY 14127	Honorable Eugene L. Majchrzak	Supervisor
Town of Sardinia	12320 Savage Road, Sardinia, NY 14134	Honorable Beverly A. Gambino	Supervisor
Town of Tonawanda	2919 Delaware Avenue, Kenmore, NY 14217	Honorable Joseph H. Emminger	Supervisor
Town of Wales	12345 Big Tree Road, Wales Center, NY 14169	Honorable Tim B. Howard	Supervisor
Town of West Seneca	1250 Union Road, West Seneca, NY 14224	Honorable Gary A. Dickson	Supervisor
Village of Akron	21 Main Street, P.O Box 180, Akron, NY 14001	Honorable Brian T. Perry	Mayor
Village of Alden	13336 Broadway, Alden, NY 14004	Honorable Loren Prucnal	Mayor
Village of Angola	41 Commercial Street, Angola, NY 14006	Honorable Thomas Whelan	Mayor
Village of Blasdell	121 Miriam Avenue, P.O. Box 2180, Blasdell, NY 14219	Honorable Rob Hefner Jr.	Mayor
Village of Depew	85 Manitou Street, Depew, NY 14043	Honorable Kevin Peterson	Mayor
Village of East Aurora	571 Main Street, East Aurora, NY 14052	Honorable Peter Mercurio	Mayor
Village of Farnham	526 Commerical Street, Farnham, NY 14061	Honorable Jere R. Hoisington	Mayor
Village of Gowanda	27 East Main Street, Gowanda, NY 14070	Honorable David L. Smith	Mayor
Village of Hamburg	100 Main Street, Hamburg, NY 14075	Honorable Thomas P. Tallman	Mayor

	Village of Kenmore	2919 Delaware Avenue, Kenmore, NY 14217	Honorable Patrick Mang	Mayor
	Village of Lancaster	5423 Broadway, Lancaster, NY 14086	Honorable Lynne T. Ruda	Mayor
	Village of North Collins	10543 Main Street, North Collins, NY 14111	Honorable Vincent D. George	Mayor
	Village of Orchard Park	4295 South Buffalo Street, Orchard Park, NY 14127	Honorable Jo Ann Litwin Clinton	Mayor
	Village of Sloan	425 Reiman Street, Sloan, NY 14127	Honorable Thomas Ferrucci	Mayor
	Village of Springville	5 West Main Street, Springville, NY 14141	Honorable Timothy Michaels	Mayor
	Village of Williamsville	5565 Main Street, Williamsville, NY 14221	Honorable Christine L. Hunt	Mayor
Public Housing Authority (CP & AI)	Belmont Housing Resources for WNY	1195 Main St, Buffalo, NY 14209	Michael Riegel	President
	Buffalo Municipal Housing Authority	300 Perry, Buffalo, NY 14204	Gillian Brown	Excutive Director
	CVR Associates	112 E Post Rd #102 White Plains NY 10601	Michael Tonovitz	Executive Vice President
	Kenmore PHA	657 Colvin Blvd, Kenmore, NY 14217	Steve Stone	Executive Director
	Lackawanna Housing Authority	135 Odell Street, Lackawanna, NY 14218	Mark Kuwik	Executive Director
	Rental Assistance Corporation	470 Franklin Street, Buffalo, NY 14202	John McMahon	Executive Director
	Southern Tier Environments for Living	715 Central Avenue, Buffalo NY 14048	Steven Ald, Esq.	Director Real Estate Development
	Tonawanda Housing Authority	200 Gibson St., Tonawanda, NY 14150	Dale Kokanovich	Executive Director
CBOs & CHDOs (CP & AI)	Buffalo Employment And Training Center	77 Goodell St., Buffalo, NY 14203	Dixie Farr	Deputy Director
	Board of Block Clubs	201 City Hall, Buffalo, NY 14202		
	Broadway Fillmore NHS	780 Fillmore Ave., Buffalo, NY 14212	Stephen Karnath	Executive Director
	Ellicott District Community Development	644 William, Buffalo, NY 14206		
	Episcopal Community Housing Development Org.	705 Renaissance Drive, Williamsville NY 14221	Paul Campise	
	Fillmore Leroy Area Residents	307 Leroy, Buffalo, NY 14214	Anthony Williams	Executive Director
	Heart of the City Neighborhoods Inc.	251 Virginia Ave., Buffalo, NY 14201	Stephanie Simeon	Executive Director
	Lackawanna Housing Development Corporation	640 Ridge Road, Lackawanna, NY 14218	Deven Blowers	Executive Director
	Matt Urban Center	1081 Broadway, Buffalo, NY 14212	Alissa Venturini	Interim Executive Director
	New Opportunities Community Housing Dev Corp	1195 Main St, Buffalo, NY 14209	Michael Riegel	President

	Old First Ward Community Assoc	62 Republic, Buffalo, NY 14204	Alissa Schmidle	Director Community Dev. And Housing
	People United for Sustainable Housing	429 Plymouth ave, Buffalo, NY 14213	Dawn Wells-Clyburn	Executive Director
	Say Yes	712 Main St., Buffalo, NY 14202	David Rust	Chief Executive Officer
	Southtowns Rural Preservation	9441 Boston State Road, Boston, NY 14025	Jason Heatley	Executive Director
	St. John Fruitbelt CDC	382 High st, Buffalo, NY 14204	Michael Chapman	President
	University District CDA	3242 Main, Buffalo, NY 14214	Rosann Scibilia	Executive Director
	VIA Evaluation	628 Washington St. 4th Floor, Buffalo, NY 14203	Jessica Weitzel	President
	Neighborworks Community Partners Buffalo	359 Connecticut, Buffalo, NY 14213	Daniel Hawrylczak	Local Board President
Affordable Special Needs Housing (CP & AI)	Benedict House of WNY, Inc.	2211 Main St., Buffalo, NY 14214	Diane Bennett	Executive Director
	Bethesda Community Development Corp.	1365 Main St., Buffalo, NY 14209	Michael Badger	President
	Buffalo Federation Of Neighborhood Centers	423 Monroe st, Bufffalo, NY 14212	Chandra Redfern	Executive Director
	CAO of Erie County, Inc.	45 Jewett Avenue, Suite 150, Buffalo, NY 14214	Ulysees O. Wingo, Sr.	Interim President & CEO
	Cazenovia Recovery Systems	2495 Main Street, Suite 417, Buffalo, NY 14214	Lindsay Herndon	Chief Executive Officer
	Citizens Alliance Inc.	836 E. Delavan Ave., Buffalo, NY 14215	Cornelius Johnson	Executive Director
	DePaul Bridgewell Adult Care Residence	2704 Main St., Buffalo, NY, 14214		
	DePaul Community Services Inc.	1931 Buffalo Rd., Rochester, NY 14624	Gillian Conde	Program Director
	Erie County Dept of Senior Services	95 Franklin Street, Buffalo, NY 14202	Angela Marinucci	Commissioner
	Erie County Dept of Social Services	95 Franklin Street, Buffalo, NY 14202	Marie Cannon	Commissioner
	Gateway Longview Inc.	6350 Main St., Williamsville, NY 14221	Carolyne DeFranco	President and CEO
	Greater Refuge Temple of Christ	943 Jefferson Ave., Buffalo, NY 14204	Robert L. Sanders	Pastor
	Habitat for Humanity-Buffalo	1675 South Park Ave, Buffalo, NY 14220	Rick Folger	Director Strategic Initiatives
	Hamlin Park Community & Taxpayers Assoc.	60 Hedley Place, Buffalo, NY 14208		
	Harvest House	175 Jefferson Avenue, Buffalo, NY 14210	Carol Murphy	CEO
	Housing Opportunities Made Equal Inc.	1542 Main St, Buffalo, NY 14209	M. Deanna Eason	Executive Director
	Latino Housing Development Corp.	2344 Seneca St., Buffalo, NY 14210		
	Mt. Aaron Community Hope Builders	540 Genesee St. Buffalo, NY 14204	Rev Dwayne Jones	President
	Mt. Olive Community Development Corp.	701 E. Delavan Ave., Buffalo, NY 14215	Dr. William Gillison	Pastor

	New Mt. Ararat Temple of Prayer	971 Jefferson Ave., Buffalo, NY 14204	Bishop Dwight Brown	President
	NHS of South Buffalo	1937 South Park Ave., Buffalo, NY 14220	Shryl Duderwick	Executive Director
	Norstar USA LP	200 South Division St., Buffalo, NY 14204	Linda Goodman	President
	Temple Community Development Corp.	618 Jefferson Ave., Buffalo, NY 14204	Rev. Matt Brown	President
	True Community Development Corp.	594 Winslow Ave., Buffalo, NY 14211	Janice McKinnie	Executive Director
	WNY Independent Living Center	3108 Main Street, Buffalo, NY 14214	Rae Frank	Director
Homeless Assistance Providers (CP & AI)	Best Self/ WNY Homeless Coalition	1050 Niagara St., Buffalo, NY 14213	Mark Parker	Homeless Services Programer
	Bissonette House	335 Grider St., Buffalo, NY 14215	Gerry Nance	House Manager
	Buffalo City Mission	100 E. Tupper St., Buffalo, NY 14203	Aubrey Calhoun	Executive Director
	Casa DiVita	200 Albany St., Buffalo, NY 14213	Ed Cichon	VP of Advocacy, Communication, and DEI
	Child & Family Services Haven House	844 Delaware Ave., Buffalo, NY 14209	Sara Gartland	DIrector of Violence Prevention and Intervention
	Compass House	1451 Main St., Buffalo, NY 14209	Lisa Freeman	Executive Director
	Endeavor Health Services	1526 Walden Avenue, Suite 400, Cheektowaga NY 14225	Elizabeth Mauro	CEO
	Family Promise of WNY	16 Glendhu Pl., Buffalo, NY 14210	Luanne Firestone	Executive Director
	Friends of the Night People	394 Hudson Street Buffalo, NY 14201	Joe Heary	Executive Director
	Gerard Place	2515 Bailey Ave., Buffalo, NY 14215	David Zapfel	Executive Director
	Homeless Alliance / CoC	960 Main St., Buffalo, NY 14202	Kexin Ma	Executive Director
	Little Portion Friary	1305 Main Street, Buffalo, NY 14209	Ellen Wood	Executive Director
	Matt Urban	243 Sears St	Ryan Undercoffer	Executive Director
	My Place HOME for the Homeless Inc.	1230 Genesee St. Buffalo, NY 14211	Rev. Kerr	Pastor/President
	Restoration Society, Inc.	66 Englewood Ave., Buffalo, NY 14214	Nancy Singh	Chief Executive Officer
	Salvation Army	960 Main St., Buffalo, NY 14202	Major Lock	Major/President
	Saving Grace Ministries, Inc.	2025 Bailey Ave., Buffalo, NY 14211	Rev. Terry King	Executive Director
	St. Adalbert's Response to Love Center	130 Kosciuszko St., Buffalo, NY 14212	Sr. Mary Johnice	Executive Director
	Suicide Prevention and Crisis Services, Inc.	2969 Main St., Buffalo, NY 14214	Jssica Pirro	Executive Director
	TRY Program of FLARE, Inc.	228 Brinkman Ave., Buffalo, NY 14211	Sr Mary Augusta Kaiser	President

	Twin Cities Task Force for the Homeless	46 Broad St., Tonawanda, NY 14150	Karen Carman	Chair
	VIVE, Inc.	50 Wyoming Ave., Buffalo, NY 14215	Angela Jordan-Mosley	Executive Director
	WNY Veterans Housing Coalition, Inc.	25 W. Utica St., Buffalo, NY 14209	GiGi Grizanti Cooke	COO
	WNY Homeless Coalition		Diana Proske	Chair
	YWCA of the Niagara Frontier	32 Cottage St., Lockport, NY 14094	Kelly DeMatteo	CEO
	YWCA of Western New York	1005 Grant St., Buffalo, NY 14207	Michelle Sawyers	CEO
Regional Agencies (CP & AI)	2-1-1 WNY/Olmstead Center For Sight	1170 Main Street, Buffalo, NY 14209		
	Black Chamber of Commerce	836 E. Delevan, Buffalo, NY 14215		
	Buffalo Erie Niagara Land Improvement Corporation	403 Main Street, Suite 602, Buffalo, NY 14202	Jocelyn Gordon	Executive Director
	Buffalo Niagara Association of Realtors	200 John James Audubon Pkwy, Suite 201, Bflo, NY 14228	Vienna Laurendi	President
	Buffalo Niagara Partnership	257 West Genesee St, Suite 600, Buffalo, NY 14202	Dottie Gallagher	President/CEO
	Buffalo Urban Development Corporation	95 Perry St #404, Buffalo, NY 14203	Brandye Merriweather	President
	Cheektowaga Chamber of Commerce	2875 Union Road, Cheektowaga, NY 14227	Kristina Groff	President/CEO
	Consumer Credit Counseling Service of Buffalo (Parachute)	40 Gardenville Pkwy, West Seneca, NY 14224	Lisa Robertson	Mangaer of Counseling Svcs
	Empire State Development Corp	95 Perry Street, Suite 500, Buffalo, NY 14203	Karen Utz	Regional Director
	GBNRTC	438 Main Street, Suite 503 Buffalo, NY 14202		
	Local Initiatives Support Corporation (LISC)	PO Box 423, Buffalo, NY 14212	Valerie White	Senior Executive Director
	NFTA	181 Ellicott Street, Buffalo, NY 14203	Kimberly Minkel	CEO
	NYS DOT	100 Seneca Street, Buffalo, NY 14203	Francis Cirillo	Regional Director
	One Region Forward/UB Regional Institute	77 Goodell Street, Buffalo, NY 14222	Bart Roberts	Interim Director
	Rural Transit Service	1000 Brant-Farnham Road, PO Box 212, Brant, NY 14027	Suni Stachura	Executive Director
	Small Business Development Center	1300 Elmwood ave., Buffalo, NY 14222	Dr. Susan McCartney	Director
	Workforce Investment Board	726 Exchange St., Suite 632, Buffalo, NY 14210	Jacqueline Hall	Executive Director
Health & Human	African Cultural Center of Buffalo, Inc.	350 Masten Ave., Buffalo, NY 14209	Leah Angel Daniel	Executive Director
	AIDS Community Services of WNY	206 S. Elmwood Ave., Buffalo, NY 14201		
	AIDS Family Services	1092 Main St., Buffalo, NY 14209		
	Amherst Center for Senior Services	370 Audubon Pkwy, Amherst, NY 14228		

American Red Cross Buffalo NY	786 Delaware Ave., Buffalo, NY 14209		
Back To Basics Outreach Ministries, Inc.	971 Jefferson Avenue, Buffalo, NY 14204	Pastor James E. Giles	President/CEO
Best Self Behavioral Health	255 Delaware Avenue, Buffalo, NY 14202		
Big Brothers/Big Sisters	100 River Rock Drive., Buffalo, NY 14207	Emily Mahoney	CEO
Boys & Girls Clubs of Buffalo	282 Babcock St., Buffalo, NY 14210		
Boys & Girls Clubs of the Northtowns	54 Riverdale Ave., Buffalo, NY 14207	Bob O'Brocta	CEO
Buffalo Center for Arts and Technology	1221 Main Street, Buffalo, NY	Gina Burkhardt	President and CEO
Catholic Charities	741 Delaware Ave., Buffalo, NY 14209		
Catholic Health System	144 Genesee Street, Buffalo, NY 14203		
Center for Employment Opportunities	170 Franklin St. 7th Fl., Buffalo, NY 14202		
Cheektowaga Senior Services	3349 Broadway, Cheektowaga, NY 14227		
Cheektowaga Youth and Recreation	275 Alexander Ave, Buffalo, NY 14211		
Child & Family Services	330 Delaware Ave., Buffalo, NY 14202	Elizabeth McPartland	President/CEO
Compeer	1179 Kenmore Avenue, Buffalo, NY 14217	Cheri Alvarez	CEO
Concerned Ecumenical Ministry	286 Lafayette Ave., Buffalo, NY 14213		
CRUCIAL Human Services, Inc.	230 Moselle St., Buffalo, NY 14211		
Erie Regional Housing Development Corp	104 Maryland St., Buffalo, NY 14201		
Erie County Office for the Disabled	95 Franklin Street, Buffalo, NY 14202	Frank Cammarata, III	Executive Director
Evergreen Health	206 S Elmwood Ave, Buffalo, NY 14201		
Family Justice Center	438 Main Street, Buffalo NY 14202 Suite 201	Mary Murphy	Executive Director
Friends to the Elderly	118 E. Utica St., Buffalo, NY 14209		
Group Ministries	1333 Jefferson Ave., Buffalo, NY 14208		
Hispanics United of Buffalo	254 Virginia St. , Buffalo, NY 14201		
Jewish Community Center/Jewish Community Federation	338 Harris Hill Road, Suite 1088, Williamsville, NY 14221		
King Urban Life Center	938 Genesee St., Buffalo, NY 14211		
Literacy Volunteers of Buffalo and Erie County, Inc.	1 Lafayette Square, Buffalo, NY 14203		
Los Tainos Senior Citizens Center, Inc.	333 Trenton Ave., Buffalo, NY 14201		

	Love, Inc.	62 E. Main Street, Springville, NY 14141		
	Lutheran Service Society	6680 Main Street, Williamsville, NY 14221		
	Massachusetts Avenue Project	387 Massachusetts Ave, Buffalo, NY 14213		
	Meals on Wheels	100 James E. Casey Dr., Buffalo, NY 14206	Tara A. Ellis	Chief Executive Officer
	Metro Community Development Corp - Senior	877 E. Delavan Ave., Buffalo, NY 14215	Candace Moppins	Executive Director
	New Life Residential Center	24 Memorial Dr., Buffalo, NY 14240		
	North Buffalo Community Development Corp	203 Sanders Rd., Buffalo, NY 14216		
	Northwest Buffalo Community Center, Inc.	155 Lawn Ave., Buffalo, NY 14207		
	Olmsted Center for Sight/Visually Impaired Advancement	1170 Main Street, Buffalo, NY 14209	Tammy Owen	President/CEO
	Peace of the City Ministries	370 Normal Avenue, Buffalo, NY 14213	Diann Takens	Founder/Executi ve Director
	Police Athletic League of Buffalo	65 Niagara Sq., 21st Floor, Buffalo, NY 14202		
	Resouce Council of WNY	347 East Ferry Street Buffalo, New York 14208	Catherine M. Roberts	President and CEO
	Read to Succeed	392 Pearl St., Buffalo, NY 14202	Anne Ryan	Executive Director
	Seneca-Babcock Community Assoc., Inc.	1168 Seneca St., Buffalo, NY 14210		
	Seneca Street CDC	1218 Seneca Street, Buffalo, NY 14210	Cheryl Bird	President
	Shiloh Youth Foundation	15 Pine St., Buffalo, NY 14204		
	South Buffalo Community Assoc	35 Cazenovia St., Buffalo, NY 14220	Michael Weidrich	Executive Director
	The Arc Erie County	30 Wilson Road, Williamsville, NY 14221	Douglas DiGesare	CEO
	Trinity Baptist Church	2926 Bailey Ave., Buffalo, NY 14215		
	United Way of Buffalo & Erie County	742 Delaware Ave., Buffalo, NY 14209		
	Urban Christian Ministries	967 Jefferson Ave., Buffalo, NY 14204	Rev. Denise Walden Glenn	CEO
	Valley Community Assoc., Inc.	93 Leddy St., Buffalo, NY 14210	Denise Pikuzinski	Executive Director
	West Side Community Services	161 Vermont St., Buffalo, NY 14213	Crystal Selk	Executive Director
	Westminister Economic Development Initiative	436 Grant St., Buffalo, NY 14202	Carolyn Welch	Executive Director
	William Emslie YMCA	585 William St., Buffalo, NY 14206		
Lea	Community Foundation for Greater Buffalo	726 Exchange St., Suite 525, Buffalo, NY 14210	Betsy Constantine-	President/CEO

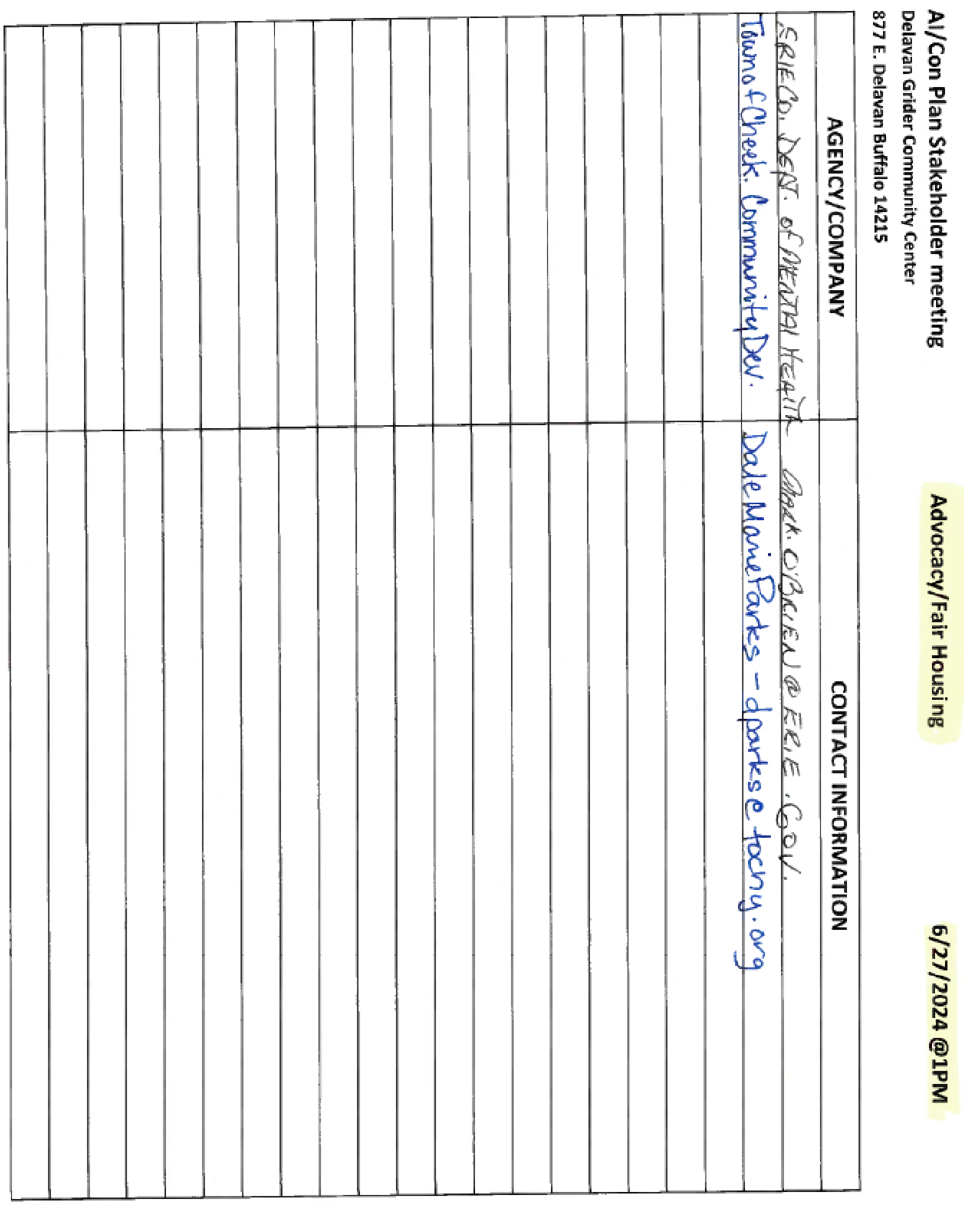
	Erie County Health Dept.	462 Grider St., Buffalo, NY 14215	Melanie Desiderio	Project Director
Business Associations (CP)	Allentown Association	61 College Street, Buffalo, NY	Patty Macdonald	President
	Exchange Street Business Association	77 Lee, Depew, NY 14043	Derrick Parson	Executive Director
	Elmwood Village Association	875 Elmwood, Buffalo, NY 14222		
	Hertel Business Association	1599 Hertel Avenue, Buffalo, NY 14216		
	Ken-Ton Chamber of Commerce	3411 Delaware Ave., Kenmore, NY 14217	Cathy Piciulo	President & CEO
	Latino Business Association	555 Niagara Street, Buffalo, NY 14201		
	Parkside Community Association	2318 Main, Buffalo, NY 14214	Pat Miller	President
	Southtowns Regional Chamber of Commerce	6122 South Park Ave, Hamburg, NY 14075	Jamie Decker	Executive Director
	South Buffalo Chamber of Commerce	2189 Seneca Street, Buffalo, NY 14210		
	Westside Business & Taxpayers Association	Grant Street, Buffalo, NY		
Advocacy Orgs. for Persons with	Community Services for Every1	180 Oak Street, Buffalo, NY 14203	Mindy Cervoni	President and CEO
	Erie County Dept. of Mental Health	95 Franklin St., 12th Floor, Buffalo, NY 14202	Mark O'Brien	Commissioner
	Erie County Office for the Disabled	95 Franklin St., 6th Floor, Buffalo, NY 14202	Frank Cammarata	Executive Director
	Heritage Centers	101 Oak, Buffalo, NY 14203		
	Learning Disabilities Association of WNY	2555 Elmwood Ave., Kenmore, NY 14207	Marc Hennig	Deputy Executive Officer
	Visually Impaired Advancement (VIA)	1170 Main Street, Buffalo, NY 14209	Michael Hill	President & CEO
	Office for Persons With Developmental Disabilities (OPWDD)	1200 East & West Rd. West Seneca, NY 14224	David Viggiani	
	People Inc.	1219 No. Forest Rd., Amherst, NY 14221	Anne McCaffrey	President/CEO
Advocacy Orgs. for	Catholic Charities	741 Delaware Ave., Buffalo, NY 14209	Dennis Walczyk	Chief Executive Officer
	International Institute	864 Delaware Ave., Buffalo, NY 14209	Jennifer Rizzo-Choi	Executive Director
	Jewish Family Services	70 Barker St., Buffalo, NY 14209	MollyCarr	President
	Journey's End Refugee Resettlement	2495 Main, Suite 317, Buffalo, NY 14214	Pamela Bos Kefi	Executive Director
	Sudanese Friends Int'l for Coord. Support Agency	607 City Hall, Buffalo, NY 14202	William Dei	President
Fair Housing	Buffalo Urban League	15 Genesee St., Buffalo, NY 14203	Thomas Beauford, Jr.	Executive Director
	Center for Elder Law & Justice	438 Main Street, Suite 1200, Buffalo, NY 14202	Karen Nicolson	CEO
	Housing Opportunities Made Equal	1542 Main St., Buffalo, NY 14209	Deana Eason	Executive Director

	Legal Aid Bureau of Buffalo	237 Main St., Suite 1602, Buffalo, NY 14203	David C. Schopp	Executive Attorney
	Neighborhood Legal Services	237 Main St., Suite 400, Buffalo, NY 14203	Lauren Breen	Executive Director
	WNY Law Center	37 Franklin st., Buffalo, NY 14202	Karen Welch	Executive Director
Non-profit Owners (AI)	Aspire of WNY	2356 N Forest Rd, Getzville, NY 14068		
	Belmont Housing Resources for WNY	1195 Main St, Buffalo, NY 14209	Michael Riegel	President
	Community Services for Every1	180 Oak Street, Buffalo, NY 14203	Mindy Cervoni	President and CEO
	Delta Development of Western New York	525 Washington Street, Buffalo NY 14203	James Lonergan	Executive Director
	Depaul	1931 Buffalo Rd., Rochester, NY 14624	Gillian Conde	Program Director
	VIA	1170 Main Street, Buffalo, NY 14209	Michael Hill	President & CEO
	People Inc. Community Housing Development Org.	1219 North Forest Road, Williamsville NY 14231	Rhonda Frederick	
For-profit owners (AI)	Ciminelli	50 Fountain Plaza Buffalo NY 14202	Christopher Keenan	SVP Property Management
	Clover Construction Management, Inc.	348 Harris Hill Road, Williamsville NY 14221	Richard Greenspan	
	Douglas Development	655 New York Ave., NW, Suite 830 , Washington , DC , 20001	Paul Millstein	
	Ellicott	295 Main St Buffalo NY 14203	William Paladino	CEO
	MJ Peterson	200 Audubon Pkwy Amherst NY 14228	Tamara Fowlston	Director of Affordable Housing
	Sinatra	617 Main St Buffalo NY 14203	Nick Sinantra	President
	Top Enterprises Inc.	P.O. Box 693, Buffalo, NY 14215		
	WinnCompanies	1 Washington Mall, Suite 500, Boston MA 02108	David Ginsberg	
Property	Belmont Housing Resources for WNY	2393 Main Street, Buffalo NY 14214	Michael Riegel	President
Broadband	ErieNet LDC	1 Seneca Street, 29th Floor, Buffalo, NY 14203	Melissa Hartman	Executive Director
Resilience &	Buffalo Niagara Waterkeeper	721 Main Street, Buffalo, NY 14203	Jill Spisiak Jedlicka	Executive Director
	Sierra Club Niagara Group	PO Box 1127, Williamsville, NY 14231		
	WNY Land Conservancy	PO Box 571, E. Aurora, NY 14052	Josh Balisteri-Stewardship Director	Stewardship Director

	Clean Air Coalition of WNY	371 Delaware Avenue, Buffalo, NY 14202	Chris Murawski-Executive Director	Executive Director
	Buffalo Niagara Waterkeeper	721 Main Street, Buffalo, NY 14203	Jill Jedlicka-Executive Director	Executive Director
	Western New York Environmental Alliance	726 Exchange Street, Suite 525, Buffalo, NY 14210	Betsy Constantine-President/CEO	President/CEO
Developers	C.J. Brown Energy & Engineering, P.C.	4245 Union Road, Cheektowaga, NY 14225	Everand (Butch) Hayes	Senior Multifamily Engineer
	Belmont Housing Resources for WNY	1195 Main St, Buffalo, NY 14209	Michael Riegel	President
	CB Emmanuel Realty LLC	221-10 Jamaica Ave LL, Queens Village, NY 11428	Benathan Upshaw	Principal
	DA Law - Divitta Alexander	50 Fountain Plaza Buffalo NY 14202	Divitta Alexander	Attorney at Law/Housing Consultant
	Edgemere Development	277 Alexander St, Rochester, NY 14604		
	Lamparelli Construction Co. Inc.	590 Kennedy Road, Cheektowaga, NY 14227	Paul Lamperilli	Owner/President
	Liberty Affordable Housing and CRM Rental Management	117 West Liberty Street, Rome, NY 13440	John Varecka	Regional Property Manager
	Onyx Global Group	PO Box 1487, 1001 East Delavan Ave, Bufflalo, NY 14215	Brenda Calhoun	Owner
	Pennrose	45 Main Street, Suite 539, Brooklyn, NY 11201		
	Rockabill	80 River Street #5e, Hoboken, NJ 07030	Katie Devine	Principal
	Second Chance Ministries	381 E. Ferry Street, Buffalo, NY 14208	Arthur Boyd	
	Savarino Companies	500 Seneca Street, Buffalo, NY 14204	Samuel Savarino	Owner/President
	St. John Baptist Church	184 Goodell St, Buffalo, NY 14204	Pastor Tommie Babbs	
	People Inc.	1219 North Forest Road, Williamsville NY 14231	Jocelyn Bos	Vice President
	ROC Affordable Housing Development Corporation		Dr. Frank Cerny	Executive Director
	Home Leasing	75 South Clinton Avenue Suite 700, Rochester, NY 14604	Bret Garwood	Chief Executive Officer
	Rochester Management Group	249 Norton Village Lane, Rochester, NY 14609	Peggy Hill	
	PathStone	400 East Avenue, Rochester, NY 14607	Jason Sackett	Senior VP of Real Estate Development
	Common Bond Real Estate	170 Florida Street, Buffalo, NY 14208	Jason Yots, Esq.	
Hambu	Hamburg Presbyterian Church	177 Main Street, Hamburg NY 14075		
	Trinity Episcopal Church	261 East Main Street, Hamburg, NY 14075		

	Saints Peter & Paul Hamburg, Parish Outreach Center	36 Pine Street, Hamburg, NY 14075		
	Southtowns Christian Center	6619 Southwestern Boulevard, Lakeview, NY 14085		
	Blasdell Church of Christ	67 Lake Avenue, Blasdell, NY 14219		

PUBLIC MEETING SIGN-IN SHEETS



AI/Con Plan Stakeholder meeting **Advocacy/Fair Housing** **6/27/2024 @1PM**

Delavan Grider Community Center

877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
ERIE CO. DEPT. of MENTAL HEALTH	MARK.O'BRIEN@ERIE.GOV.
Town of Cheek. Community Dev.	DaleMarieParks - dparks@tocny.org

AI/Con Plan Stakeholder meeting **Advocacy/Fair Housing** **6/27/2024 @1PM**

Delavan Grider Community Center

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AGENCY/COMPANY	CONTACT INFORMATION
NYS OPWDD	TIMOTHY B. GORNY TIMOTHY.B.GORNY@OPWDD.NY.GOV

AI/Con Plan Stakeholder meeting **Advocacy/Fair Housing** **6/27/2024 @1PM**

Delavan Grider Community Center

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AGENCY/COMPANY	CONTACT INFORMATION
International institute of Buffalo	716-883-1900
International Institute of Buffalo	jpaulazzo@iibuff.org
Beyond Support Network	m.hennig@beyondwny.org

AI/Con Plan Stakeholder meeting **Advocacy/Fair Housing** **6/27/2024 @1PM**

Delavan Grider Community Center

877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
Legal Aid Bureau of Buffalo	Tricia DeFilipps tdefilipps@legalaidbuffalo.org
Legal Aid Bureau of Buffalo	Pamela Lanich planich@legalaidbuffalo.org
Center for Elder Law and Justice	Alex Fehrman ffehrman@elderjusticeny.org
Journeys End	Pam Kefi pkefi@jersbuffalo.org
Housing Opportunities Made Equal	Steven Haagsma shaagsma@homeny.org
Erie County Dept of Mental Health	Christine Slocum christine.slocum@erie.gov
"	Mark O'Brien Mark.O'Brien@erie.gov

AI/Con Plan Stakeholder meeting **CBOs/CHDOs** **6/26/2024 @10AM**

Delavan Grider Community Center

877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
Buffalo Employment + Training Center	Dixie Farr dfarr@wdcinc.org 716.341.0289
The Harrison Studio	Greg Merriam 716-462-6600 x4
Buffalo Black Bills	Michael D. Mowad - 716-602-3436 —
Town of Amherst	Laurie Stilwell (716) 259-3507
UDCDA	Roseann Scibilia 716 903 1464
Lackawanna Housing Development Corp.	Deven Blowers dblowers@LHDCorpwny.org 716-823-5124
Town of Cheektowaga Comm. Dev.	Dale Marie Parks (716) 897-7200x4 dparks@tocny.org
Board of Block Clubs Blue Erie County	- Bobcbuffalo@gmail.com 716-851-6500 Deb Lombardo
BELMONT HOUSING RESOURCES FOR WNY	BRAD PACKARD - BPACKARD@BELMONTHOUSINGWNY.ORG

AI/Con Plan Stakeholder meeting CBOs/CHDOs 6/26/2024 @10AM

AGENCY/COMPANY	CONTACT INFORMATION
Old First Ward Com. Assoc.	Catherine O'Brian cobrian@old1stward.org
The Buffalo Employment & Training Center	KSabir@wdcinc.org Khalidah Sabir 716 856-8134

AI/Con Plan Stakeholder meeting **Health/Human Services** **6/26/2024 @1PM**

Delavan Grider Community Center

877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
Feed more WNY	Kathleen Grain - kgrain@feedmorewny.org
Cheektowaga Senior Services	Kerry A. Peek - kpeek@tocny.org
BCAT	Charisma.DuBois@Bufcat.org
Cheektowaga Community Develop.	Dale Marie Parks dparks@tocny.org
Peace Of The City	Dienn Takens dtakens@peaceofthecity.org
Catholic Charities	Molly Oliver molly.oliver@ccwny.org
YMCA	Anthony Gibney Agibney@ymcabn.org
WEST SIDE COMMUNITY SVCS.	CRYSTAL SELK cselk@wscsbuffalo.org
Family Justice Center	Catherine Miles-Kania cmiles-kania@fjcsnfc.org

AI/Con Plan Stakeholder meeting **Health/Human Services** **6/26/2024 @1PM**

Delavan Grider Community Center

877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
American Red Cross	Katelyn Palumbo, 716-292-1477, katelyn.palumbo@redcross.org
Big Brothers Big Sisters of ENST	Emily Mahoney, 716-440-3120, emily.mahoney@bbbsenst.org
Catholic Charities	Deacon Steve Schumer 716-218-1400, Deacon.Steve.Schumer@ccbuf.org

AI/Con Plan Stakeholder meeting **Homeless/Special Needs** **6/25/2024 @ 1PM**

Delavan Grider Community Center
877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
YWCA WNY	Talisa King tking@ywca-wny.org
Saving Grace Ministries	Trace Gillis - trace.gillis@sgnworld.org
"	Derek Betts - derek.betts@sgnworld.org
My Place Home Shelter	Joslyn Bergins joslyn.b.mph@gmail.com
My Place Homes Shelter	Kay Aylor kaitlin.aylor@MPH14211.org
PEACEPRINTS OF WNY	JANITA EVERHART jeverhart@peaceprintswny.org
Peaceprints of WNY	Lindsey Allen lallen@peaceprintswny.org
The Salvation Army	Mia Clark Mia.Clark@use.salvationarmy.org
Child + Family Services	Tiffany Pavone tpavone@cfsbny.org
@single site shp depaul co.	Grace Sanner Gsanner@depaul.org
HABITAT FOR HUMANITY BUFFALO	RICK FOLGER RFOLGER@HABITATBUFFALO.ORG
CITY OF BUFFALO/COMM SERV.	JESSICA LEAH STARKS JSTARKS@BUFFALONY.GOV
Salvation Army	Jennifer Arroyo - 716-888-6238 jennifer.arroyo@usc.salvationarmy.org

AI/Con Plan Stakeholder meeting **Homeless/Special Needs** **6/25/2024 @ 1PM**

Delavan Grider Community Center
877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
Caz Recovery	Angela Angora 716-852-4331 aangora@cazenovia recovery.org
Hamlin Park CTA, Inc	Euterphine Greene name@yahoo.com (716) 308-4320
Lisa Freeman, Compass House	lisa Freeman 716-886-1351 lfreeman@compasshouse.org
David Zapfel Grand Place	David Zapfel 716 897-5548 Dzapfel@grandplace.org
Eric DSS	Karen Rybicki 716 858-8845 Karen.Rybicki@erie.gov
DUWAYNE JONES Com Hope Builder	PASTOR DUWAYNE JONES (DJONES2522@YAHOO.COM) 716-990-1187
Friends of Night People	Joce@friendsofnightpeople.com 8845375 ext 220

AI/Con Plan Stakeholder meeting **Homeless/Special Needs** **6/25/2024 @ 1PM**

Delavan Grider Community Center
877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
Endeavor H.S.	Eric Weigel eweigel@EHSNY.org
Little Portion Friary	Ellen Wood director@littleportionfriary.com
BestSelf Behavioral Health	Meg Honan mhonan@bestselfwny.org
BestSelf	Marek Parker MParker@Bestselfwny.org
Homeless Alliance of WNY	Dan Gordon gordon@wnyhomeless.org
Friends of night people	Igohire Ogiugo (Soso) iogiugo@friendsofnightpeople.com
Family Promise	stability@fpwny.org

AI/Con Plan Stakeholder meeting **Homeless/Special Needs** **6/25/2024 @ 1PM**

Delavan Grider Community Center
877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
211 WNY	Dawn Vanderkoon 716-842-2654 dvanderkoon@211wny.org
RSI Housing Solutions	Harley Barr 716-832-2141 Ex 226
Harvest House	Celina Bryan 716-346-0709
Harvest House	DArwin Rosales Drosales@harvesthousebuffalo.org
Buffalo City Mission	Felicia Montella Fmontella@buffalocitymission.org
Town of Cheektowaga	RACHEL STRALCH (716) 897-7200

AI/Con Plan Stakeholder meeting **Housing/Property Owners/Managers** **6/27/2024 @10AM**

Delavan Grider Community Center
877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
PathStone Development	Joshua Fraass jfraass@pathstone.org
~~Paula McDonald~~ Top Enterprises Inc	PAULA McDonald topenterprisesinc@yahoo.com
CB-Emmanuel Realty LLC	Rachel Rzayev rachel.rzayev@cbemmanuel.com
Delta Development	Jim Lonergan j.lonergan@ccwny.org
PATHSTONE DEVELOPMENT	VANHNIDA PRINCE VPRINCE@PATHSTONE.ORG
Rochester Management Inc	Scott Procious sprocious@rochestermanagement.com

AI/Con Plan Stakeholder meeting
Delavan Grider Community Center
877 E. Delavan Buffalo 14215

~~**Health/Human Services**~~
Housing / Prop Own-s

~~**6/26/2024 @1PM**~~
6/27/2024 10am

AGENCY/COMPANY	CONTACT INFORMATION	
People Inc	Sarah Alessi	Salessi@people-inc.org
Belmont Housing	Erica Tornquist	etornquist@belmonthousingwny.org
~~[illegible]~~ Pathstone Development	Joshua Fraass	jfraass@pathstone.org
Rural outreach center	Frank Cerny	fcerny@theroc.co
OSP · City of Buffalo	Krishma Antoine	Kantoine@buffalo.ny.gov
OSP - ~~City of Buffalo~~	Yessica Vasquez	yvazquez@buffalo.ny.gov

AI/Con Plan Stakeholder meeting **Housing/Property Owners/Managers** **6/27/2024 @10AM**

Delavan Grider Community Center
877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
Town of Cheektowaga Comm. Dev.	Dale Marie Parks - dparks@tocny.org
Buffalo Municipal Housing	Tamara VanWey - tvanwey@bmhahousing.com 716 8556711 x 225
Rental Assistance Corp. of Buffalo	John McMahon - jmcc@racbny.org

AI/Con Plan Stakeholder meeting **Regional Agencies/Ec Dev** **6/25/2024 @10AM**

Delavan Grider Community Center
877 E. Delavan Buffalo 14215

AGENCY/COMPANY	CONTACT INFORMATION
Town of Cheektowaga	RACHEL STRAKER (716) 897-7200 RSTRAKER@tocny.org
NYSDOT	Mohammad Albayeh 716-847-3519
Southtowns Regional Chamber	Jamie Decker 716-649-7917 jamie@southtownsregionalchamber.org
The Harrison Studio	Chuck Bell 716-462-6600 cbell@harrisonplacestudio.com
Hallmark Planning + Dev.	Art Hall 716 486-9763 art@thehallmarkfirm.com
Hallmark Planning + Dev	Cambridge Bryant 716-455-4782
Hallmark Planning + Development	Courtney Kincannon (716) 348 1939 courtney@thehallmarkfirm.com
Hallmark Planning + Development	Katie Segarra (716) 939-6501 Kate@thehallmarkfirm.com
GBNRTC	Amy Weymouth 716 856 2086 aweymouth@gbnrtc.org
City of Buffalo	Maria Chudy - (716) 851-5123 - mmelcniorre@buffalony.gov
Town of Amherst	Laurie Stillwell (716) 631-7050 lstillwell@amherst.ny.us
NFTA	Nadine Chalmers (716) 855-7231 nadine.chalmers@NFTA.com
BENLIC	Jocelyn Gordon (716) 243-3996 j.gordon@benlic.org
City of Buffalo	Lisa Hicks 716-578-4545 lhicks@buffalony.gov

AI/Con Plan Stakeholder meeting **Regional Agencies/Ec Dev** **6/25/2024 @10AM**

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AGENCY/COMPANY	CONTACT INFORMATION
BNAR	BRENDA ALESII balesii@bnar.org
BNAR	JOHN LEONARDI jleonardi@bnar.org

AI/Con Plan Stakeholder meeting **Resilience/Emergency Mgmt** **6/28/2024 @10AM**

Delavan Grider Community Center
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AGENCY/COMPANY	CONTACT INFORMATION
Community Foundation for Greater Buffalo	Cara Matteliano ~~[illegible]~~ caram@cfgb.org
City of Buffalo	Thomas Luby TLuby@BFDNY.org
Sierra Club Niagara	janetlenichek@gmail.com