

**Minutes**  
**Community Development**  
**Affordable Housing Advisory Board Meeting**  
**Downtown Library, Meeting Room A**  
**Wednesday, October 25, 2017, 4 p.m.**

**Members Present:** Aaron Baker, Annie Brokenleg, Jon Carroll, Alex Ramirez, and Gayleen Riedemann

**Members Absent:** Frank Adams, Hirsi Mohamed, Ngoc Phan, Shawn Pritchett, and Cynthia Mickelson (ex officio)

**Guests Present:** Katy Coyle, Sioux Falls Resident

Also present: Katie Dunn, Assistant City Attorney; Les Kinstad, Matt Cerny and Al Roettger, Community Development staff

**Agenda**

**1. Call to Order**

Jon Carroll called the meeting to order at 4:08 p.m.

**2. Additions or Deletions to the Agenda**

There were no additions or deletions to the agenda.

**3. Approval of the Minutes for the Meeting of July 26, 2017**

Upon motion by Gayleen Riedemann, seconded by Alex Ramirez, the Board approved the minutes for the July 26, 2017, Community Development Affordable Housing Advisory Board meeting as provided. Motion carried unanimously.

**4. Old Business**

There was no old business to discuss.

**5. New Business**

**a) Review of SF Housing & Redevelopment Commission – Karl Fulmer, Executive Director**

This item was deferred to a later date.

**b) Discussion of City's Fair Housing Program – Katie Dunn, Assistant City Attorney in Human Relations Office**

Katie Dunn presented a PowerPoint presentation reviewing the City's Fair Housing Program and distributed a handout outlining the program (see attached Exhibit A).

Alex Ramirez questioned Katie if there was a document available for landlords/renters explaining fair housing rules and regulations to distribute to tenants. Katie responded that the City's Human Relations office has a document available listing the landlords/renter's responsibilities and rights based on South Dakota law.

**c) Public Hearing & Review of the 2018 Annual Action Plan**

Community Development staff provided a handout (see attached Exhibit B) to all attendees outlining the details of the 14 projects that will be undertaken in 2018 with the use of federal CDBG and/or HOME funds.

The 14 programs/projects are listed below:

- 1) Single-Family Housing Rehabilitation Loan Program
- 2) Homebuyers Assistance Program
- 3) Furnace Replacement Program
- 4) Emergency Mobile Home Repair Program
- 5) Affordable Housing Solutions: Neighborhood Revitalization
- 6) Sioux Falls Housing and Redevelopment Commission: TBRA
- 7) Inter-Lakes Community Action Partnership (ICAP): Bright Futures
- 8) Inter-Lakes Community Action Partnership (ICAP): Security Deposit Assist.
- 9) Independent Living Choices: Rental Modification Program
- 10) Sioux Empire Home Builders Care Foundation: Repair Affair Program
- 11) Habitat for Humanity: Land Acquisition
- 12) Fair Housing Outreach and Education
- 13) CDBG Administration
- 14) HOME Administration

Alex questioned if the funding allocated for the fair housing outreach (project 12) includes flyers and documents that are distributed. Les responded that the funding will only be used for payroll purposes for performing the fair housing outreach/education events.

Les announced today's board meeting was also a public hearing for the 2018 Annual Action Plan.

Katy Coyle, a Sioux Falls resident, came to today's public hearing after seeing it on the City's website. Les indicated he would be talking more with Katy after meeting adjournment to listen to any comments/questions she had regarding the annual action plan.

**6. Other Business**

Les thanked Jon Carroll and Gayleen Riedemann who both have served two consecutive terms on this board. Jon and Gayleen's term limits expire January 2018. Les also stated that Shawn Pritchett's term also expires January 2018.

**7. Adjourn**

Upon motion by Aaron Baker, seconded by Gayleen Riedemann, the meeting adjourned at 5:00 pm.

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Secretary

DRAFT

1  **Fair Housing Awareness**

City of Sioux Falls Human Relations Commission

2  **Fair Housing Act  
(Title VIII of the Civil Rights Act of 1968)**

▶ Purpose: To prohibit discrimination in housing in the United States

▶ Important Dates:

▶ 1866: Legislation passed guaranteeing property rights (and citizenship) to those that had previously been enslaved (contained language that purposefully excluded Native Americans)

▶ 1968: Civil Rights Act of 1968 Passed – Title VIII, known as the Fair Housing Act, prohibited discrimination in housing based on four protected classes: race, color, religion, national origin

▶ 1974: Sex was added

▶ 1988: Familial status and disability added

3  **Fair Housing Act**

1 ▶ What is it?

▶ The Fair Housing Act protects the right of all people to be free from discrimination in the rental, sale, or financing of housing

2 ▶ What does it prohibit?

▶ The Fair Housing Act makes it illegal to discriminate in the rental or sale of housing

▶ The Fair Housing Act makes it illegal to discriminate in the terms, conditions, privileges, services, or facilities of housing

▶

4  **Activities Covered by the Fair Housing Act**

▶ Rental

▶ Sales

▶ Lending

▶ Appraisals

▶ Insurance

▶ Advertising

5  **Protected Classes**

▶ Race

▶ Color

▶ Religion

▶ National Origin

▶ Sex

▶ Disability

▶ Familial Status

6  **Race**

▶ Race refers to the concept of dividing people into populations or groups on the basis of

various sets of physical characteristics

7  **Color**

- ▶ Refers to the skin pigmentation of the individual
- ▶ Not to be confused with race

8  **Religion**

- ▶ A person's membership (or lack thereof) in an organized religious group
- ▶ A person's spiritual ideas or faith beliefs or practices
- ▶

9  **National Origin**

- ▶ Can include an individual's ancestry, language, and customs

10  **Familial Status**

- ▶ The presence of one or more children under the age of 18 in the household
- ▶ Pregnancy is also included in this category
- ▶ Exception for Senior Housing that meets certain criteria

11  **Disability**

- ▶ A person with a physical or mental impairment that substantially limits one or more major life activities
- ▶ One can have either a history of impairment or can be viewed by others as having an impairment

12  **Housing Issues Relating to Disability**

- ▶ Reasonable Accommodation
  - ▶ A reasonable accommodation is a change in rules, policies, practices, and the way services are provided
  - ▶ Reasonable accommodations enable an individual with a disability to have an equal opportunity to use and enjoy a dwelling unit or any common areas
- ▶ Reasonable Modification
  - ▶ A reasonable modification is a change to the structure of a residence due to a disability (shower, ramps, grab-bar, widening doorway, etc.)
  - ▶ Generally, a landlord must allow this, but it is at the resident's expense
  - ▶ Landlord has to approve the plans, but cannot force tenant to hire certain contractor
  - ▶ Must be Restored to original condition upon departure

13  **Service and Assistance Animals**

- ▶ Service and Assistance Animals are NOT PETS
- ▶ A housing unit with a "no pet" policy must accommodate service or assistance animals
- ▶ Certification is not required

14  **Retaliation**

- ▶ Retaliation is an act of harm by a housing provider against an applicant or resident because he or she asserted fair housing rights, or has been a witness in a fair housing situation

15  **Enforcement of Fair Housing Rights**

- ▶ City of Sioux Falls Human Relations Office
  - ▶ Sioux Falls City Ordinance, Chapter 98
  - ▶ Must file a claim with 180 days of last incident of discrimination
  - ▶ Located in City Hall, 224 W. 9<sup>th</sup> Street
- ▶ Department of Housing and Urban Development
  - ▶ One year to file a claim
  - ▶ Regional offices throughout the country
  - ▶ Office serving South Dakota is located in Denver, CO

16  **Questions?**17  **City of Sioux Falls Human Relations Office**

- ▶ Phone: 605.367.8745
- ▶ Address: 224 W. 9<sup>th</sup> St., P.O. Box 7402, Sioux Falls, SD 57117
- ▶ Website: <http://www.siouxfalls.org/city-attorney/relations>
- ▶ Email: [humanrelations@siouxfalls.org](mailto:humanrelations@siouxfalls.org)

## Projects

### AP-35 Projects – 91.220(d)

#### Introduction

The following activities will be undertaken in 2018 with the use of federal CDBG and/or HOME funds. Programs, projects, and activities funded entirely with City of Sioux Falls General Funds are not included here.

#### Projects

#	Project Name
1	Single-Family Housing Rehabilitation Loan Program
2	Homebuyers Assistance Program
3	Furnace Replacement Program
4	Emergency Mobile Home Repair Program
5	Affordable Housing Solutions: Neighborhood Revitalization
6	Sioux Falls Housing and Redevelopment Commission: TBRA
7	Inter-Lakes Community Action Partnership (ICAP): Bright Futures
8	Inter-Lakes Community Action Partnership (ICAP): Security Deposit Assistance
9	Independent Living Choices: Rental Modification Program
10	Sioux Empire Home Builders Care Foundation: Repair Affair Program
11	Habitat for Humanity: Land Acquisition
12	Fair Housing Outreach and Education
13	CDBG Administration
14	HOME Administration

Table 7 - Project Information

#### Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocations were made based on existing priorities and needs.

No obstacles were identified in meeting underserved needs; therefore, no specific actions will be taken. Sioux Falls Community Development is committed to soliciting greater involvement from traditionally underserved populations. This is done through notification of social service providers about the needs assessment hearings at the start of the planning process.

1	<b>Project Name</b>	Single-Family Housing Rehabilitation Loan Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand & Maintain Affordable Housing
	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	CDBG: \$606,210 All other: \$60,000
	<b>Description</b>	Matrix Code 14A (14H for rehabilitation administration). Funds are provided to low-income owner-occupants to maintain their homes in a decent, safe, and sanitary condition. The maximum household income is 80% MFI. The maximum funding available per project is \$24,999, but could be further limited based on rehabilitation needs, length of ownership, county assessed value, equity, and income. The following funding sources are budgeted for 2018: (a) \$449,042 of CDBG funds for project costs, (b) \$60,000 of City general funds for project costs, and (c) \$157,168 of CDBG funds for rehabilitation administration. Funds would be provided to an eligible homeowner as a no-interest deferred payment or low-interest monthly repayment loan, dependent upon income.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	55 single-family homes will be rehabilitated.
	<b>Location Description</b>	Citywide
	<b>Planned Activities</b>	Rehabilitation activities undertaken may include repair or replacement of roofing, siding, plumbing, heating, electrical, windows, doors, painting, weatherization, etc.
2	<b>Project Name</b>	Homebuyers Assistance Program
	<b>Target Area</b>	Neighborhood Conservation Areas/Future Conservation Areas Whittier, Pettigrew Heights, All Saints, North End
	<b>Goals Supported</b>	Expand & Maintain Affordable Housing
	<b>Needs Addressed</b>	Home Ownership Assistance
	<b>Funding</b>	CDBG: \$40,000 All other: \$15,926



	<b>Description</b>	Matrix Code 13. Loans are provided for a portion of the down payment and/or closing costs in an effort to make the purchase of a house more feasible for low-income households. Maximum household income is 80% MFI. Assistance is provided as a no-interest deferred payment loan and may be used toward the purchase of a house within designated program areas in Sioux Falls. The City of Sioux Falls will contribute up to \$40,000 in CDBG funds. Up to \$15,926 of General funds will be used for program delivery expenses.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	8 low-income, first-time homebuyers.
	<b>Location Description</b>	Core Neighborhoods.
	<b>Planned Activities</b>	Down payment and/or closing costs will be provided as an incentive for low-income households seeking to purchase a house within core neighborhoods of Sioux Falls.
3	<b>Project Name</b>	Furnace Replacement Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand & Maintain Affordable Housing
	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	CDBG: \$121,660
	<b>Description</b>	Matrix Code 14A (14H for delivery costs). Funds are provided to low-income owner-occupants for replacement of older, inefficient heating systems (less than 80% Annual Fuel Utilization Efficiency) with a 95% efficient furnace. Maximum household income is 80% MFI. Funds are provided as a loan with one-third forgiven after one year of ownership and occupancy, and a second third forgiven after a second year of ownership and occupancy. The final one-third remains as a no-interest loan against the property due upon sale or discontinuance of occupancy. The maximum loan amount is \$3,000. Up to \$27,660 of CDBG funds will be used for rehabilitation administrative costs.
	<b>Target Date</b>	12/31/2018

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	35 low-income households will be assisted.
	<b>Location Description</b>	Citywide.
	<b>Planned Activities</b>	New energy-efficient furnaces will be assisted.
4	<b>Project Name</b>	Emergency Mobile Home Repair Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand & Maintain Affordable Housing
	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	CDBG: \$32,916
	<b>Description</b>	Matrix Code 14A (14H for delivery costs). Loans are provided to owner-occupants of mobile homes to repair deficiencies that could be potentially life threatening. Maximum household income is 80% MFI. The program provides up to \$3,000 per unit during the life of the mobile home. Funding is provided as a no-interest deferred loan that is forgiven after one-year of ownership and occupancy following completion of the repair work. Up to \$10,916 of this allocation will be used for rehabilitation administration costs.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	8 housing units will be rehabilitated.
	<b>Location Description</b>	Citywide.
	<b>Planned Activities</b>	Repairs are limited to those that are emergency in nature which may include the repair or replacement of faulty heating, electrical, or plumbing systems.
5	<b>Project Name</b>	Affordable Housing Solutions: Neighborhood Revitalization
	<b>Target Area</b>	Neighborhood Conservation Areas/Future Conservation Areas Whittier, Pettigrew Heights, All Saints, North End
	<b>Goals Supported</b>	Invest in Core Neighborhoods
	<b>Needs Addressed</b>	Neighborhood Revitalization

	<b>Funding</b>	HOME: \$252,007 All other: \$1,694,397
	<b>Description</b>	Properties are acquired for development of affordable housing. Many times, properties with extremely dilapidated structures contributing to neighborhood deterioration are acquired for redevelopment. The existing structures will be (a) demolished with new housing constructed on the site, or (b) rehabilitated into quality affordable housing. Alternatively, properties without existing structures are acquired under favorable circumstances in order to develop new affordable housing. Each new or rehabilitated unit is made available for sale or lease to a household whose income is no greater than 80% of median family income.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	15 housing units will be created for households with incomes no greater than 80% of the area median income.
	<b>Location Description</b>	Could be citywide, but mostly in core neighborhoods.
	<b>Planned Activities</b>	Existing dilapidated properties are acquired and replaced with new or rehabilitated quality affordable housing.
6	<b>Project Name</b>	Sioux Falls Housing and Redevelopment Commission: TBRA
	<b>Target Area</b>	
	<b>Goals Supported</b>	Assist homeless and those at risk of homelessness
	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	HOME: \$230,000
	<b>Description</b>	Matrix Code N/A. SFHRC will provide TBRA to households with incomes no greater than 50% MFI who are homeless or in danger of becoming homeless. This is done through a collaborative effort with Inter-Lakes Community Action Partnership (ICAP). ICAP provides security deposit assistance to homeless families with children then refers them to SFHRC for rental assistance. ICAP will provide ongoing case management through Bright Futures. TBRA is provided for a period of up to 24 months. Up to \$20,000 may be used by SFHRC for eligible administrative expenses.
	<b>Target Date</b>	8/30/2019

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	60 low-income households that are homeless or at risk of homelessness.
	<b>Location Description</b>	Citywide.
	<b>Planned Activities</b>	Rental assistance for low-income households who are homeless or at risk of homelessness.
7	<b>Project Name</b>	Inter-Lakes Community Action Partnership (ICAP): Bright Futures
	<b>Target Area</b>	
	<b>Goals Supported</b>	Assist homeless and those at risk of homelessness
	<b>Needs Addressed</b>	Programs that Increase Self-Sufficiency
	<b>Funding</b>	CDBG: \$140,000
	<b>Description</b>	Matrix Code 05. ICAP will provide intense case management to families residing in rental units subsidized with Tenant-Based Rental Assistance (TBRA) and security deposit funds. Each eligible household must be homeless or near homeless with an income no greater than 50% MFI. ICAP works in partnership with Sioux Falls Housing and Redevelopment Commission (SFHRC) under a memorandum of understanding whereby SFHRC provides TBRA, and ICAP administers security deposit assistance and provides case management under Bright Futures. The long-term goal for the participants is self-sufficiency.
	<b>Target Date</b>	8/30/2019
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	80 low-income households that are homeless or at risk of homelessness.
	<b>Location Description</b>	Citywide.
	<b>Planned Activities</b>	Case management is provided to households receiving tenant-based rental assistance or security deposit assistance in an effort to move toward self-sufficiency.
8	<b>Project Name</b>	Inter-Lakes Community Action Partnership (ICAP): Security Deposit Assistance
	<b>Target Area</b>	
	<b>Goals Supported</b>	Assist homeless and those at risk of homelessness

	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	HOME: \$35,000
	<b>Description</b>	Matrix Code N/A. Security deposit and first month rental assistance is provided to families with children that are homeless or in danger of becoming homeless. Maximum household income is 50% MFI. A key component of the program is required case management, offered through Bright Futures, and protective payee services.
	<b>Target Date</b>	8/30/2019
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	60 low-income households that are homeless or at risk of homelessness.
	<b>Location Description</b>	Citywide.
	<b>Planned Activities</b>	Assistance will be provided to help low-income households with the necessary security deposit to obtain housing.
9	<b>Project Name</b>	Independent Living Choices: Rental Modification Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Assist Special Needs Clientele
	<b>Needs Addressed</b>	Accessibility Modifications
	<b>Funding</b>	CDBG: \$10,000
	<b>Description</b>	Matrix Code 14B. These grant funds will provide accessibility modifications to rental units occupied by individuals with significant disabilities and incomes no greater than 50% MFI. Examples of eligible accessibility modifications include: construction of wheelchair ramps, installation of grab bars, widening of doorways, replacement of doorknobs with levers, and installation of lever faucets. Up to \$5,000 may be provided per rental unit.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	3 low-income households with at least one member with a disability will be assisted.
	<b>Location Description</b>	Citywide.

	<b>Planned Activities</b>	Accessibility modifications may include: construction of wheelchair ramps, installation of grab bars, widening of doorways, replacement of doorknobs with levers, and installation of lever faucets.
10	<b>Project Name</b>	Sioux Empire Home Builders Care Foundation: Repair Affair Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Assist Special Needs Clientele
	<b>Needs Addressed</b>	Accessibility Modifications
	<b>Funding</b>	CDBG: \$3,500
	<b>Description</b>	Matrix Code 14A. These grant funds will purchase materials necessary to make accessibility modifications to homes owned and occupied by low-income persons who are elderly or with permanent disabilities. Maximum household income is 80% MFI. Examples of eligible accessibility modifications include: construction of wheelchair ramps, installation of grab bars, widening of doorways, replacement of doorknobs with levers, and installation of lever faucets. The members of the Home Builders Care Foundation volunteer their labor. Up to \$5,000 may be provided per house.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	4 low-income households will benefit. At least one member of the household must be elderly or disabled.
	<b>Location Description</b>	Citywide.
	<b>Planned Activities</b>	Accessibility modifications may include: construction of wheelchair ramps, installation of grab bars, widening of doorways, replacement of doorknobs with levers, and installation of lever faucets.
11	<b>Project Name</b>	Habitat for Humanity: Land Acquisition
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand & Maintain Affordable Housing
	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	CDBG: \$34,000

	<b>Description</b>	Matrix Code 01. No-interest deferred payment loans provided for acquisition of buildable lots. Houses will be constructed on these lots utilizing volunteer labor, sweat equity, and donated materials and services. Habitat for Humanity builds simple, affordable, decent houses for households with incomes at or below 50% MFI. Funding will purchase two lots.
	<b>Target Date</b>	12/31/2019
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	2 housing units will be created for households with incomes no greater than 50% of the area median income.
	<b>Location Description</b>	1700-1800 East Tracy Lane.
	<b>Planned Activities</b>	Funds will be provided to acquire two lots on which affordable, single-family homes will be constructed and sold to low-income households.
<b>12</b>	<b>Project Name</b>	Fair Housing Outreach and Education
	<b>Target Area</b>	
	<b>Goals Supported</b>	Fair Housing Education and Outreach
	<b>Needs Addressed</b>	Fair Housing Education and Outreach
	<b>Funding</b>	CDBG: \$16,000
	<b>Description</b>	Matrix Code 21D. Fair housing outreach and education.
	<b>Target Date</b>	9/30/2019
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	12 fair housing outreach and events will be supported.
	<b>Location Description</b>	Citywide.
	<b>Planned Activities</b>	12 fair housing outreach and events will be supported.
<b>13</b>	<b>Project Name</b>	CDBG Administration
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand & Maintain Affordable Housing Invest in Core Neighborhoods Assist homeless and those at risk of homelessness Assist Special Needs Clientele Fair Housing Education and Outreach

	<b>Needs Addressed</b>	Core Neighborhood Redevelopment Neighborhood Revitalization Affordable Housing Home Ownership Assistance Programs that Increase Self-Sufficiency Fair Housing Education and Outreach Accessibility Modifications Public Facilities
	<b>Funding</b>	CDBG: \$192,850 All other: \$182,847
	<b>Description</b>	Matrix Code 21A. These funds will be used for management, coordination, monitoring, and evaluation of the Community Development Block Grant Program in 2018.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	N/A
	<b>Location Description</b>	235 West 10th Street
	<b>Planned Activities</b>	Administration of the CDBG program.
14	<b>Project Name</b>	HOME Administration
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand & Maintain Affordable Housing Invest in Core Neighborhoods Assist homeless and those at risk of homelessness
	<b>Needs Addressed</b>	Core Neighborhood Redevelopment Neighborhood Revitalization Affordable Housing
	<b>Funding</b>	HOME: \$25,375 All other: \$68,920
	<b>Description</b>	Matrix Code N/A. These funds will be used for management, coordination, monitoring, and evaluation of the HOME Investment Partnership Program.
	<b>Target Date</b>	12/31/2018



	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	N/A
	<b>Location Description</b>	235 West Tenth Street
	<b>Planned Activities</b>	Administration of the HOME program.

