2022

State of Metropolitan Housing Report

TOWARDS A JUST HOUSING FUTURE IN UNCERTAIN TIMES

Metropolitan Housing Coalition

UNIVERSITY OF LOUISVILLE
CENTER FOR ENVIRONMENTAL POLICY & MANAGEMENT

Table of Contents

Dear MHC Members and Friends,

Over the past year, MHC experienced another change in leadership, as Cathy Kuhn announced her resignation and moved on to an exciting opportunity to serve people in a new role as the Chief Training, Policy, and Research Officer of Easterseals New Hampshire. Cathy and her family continue to reside here in Louisville, and she looks forward to continue advocating for housing justice. Tony Curtis was named MHC's Interim Executive Director in December 2021 and appointed permanent Executive Director by the MHC Board of Directors at the end of January 2022. Tony knows the challenges for fair, accessible, and attainable housing in Louisville are daunting, but with a broad coalition of Louisville housing advocates activated and collaborating, MHC can make progress to create housing opportunities and housing choice a reality for low- and fixed-income households across all of Louisville.

Early in Tony's tenure as leader, MHC launched the Attainable Housing For All (AHA!) Initiative with a focus on changing the housing conversation. The AHA! Initiative is an opportunity to advocate and educate across the community to eliminate all barriers to housing choice. The main focus of this effort is to pass Phase 2 and Phase 3 Land Development Code (LDC) Reforms in order to create a policy environment favorable to closing the housing affordability gap. Through the AHA! Initiative, MHC seeks to decrease residential segregation by increasing housing choice in all parts of Louisville, increase the production of attainable housing, and increase the production of diverse housing types to meet the changing needs in the community. The initiative launched in February and is already having an impact on the community conversation.
Read more about the AHA! Initiative here: ***metropolitanhousing.org/aha***

The COVID-19 pandemic dominates the headlines, forcing us to collectively alter the way in which we live and work, and further magnifies the housing crisis that envelopes our city, state, and country. This is a housing crisis born out of a history of intentional discriminatory policies, barriers to wealth creation, and seemingly insurmountable challenges to attaining a just housing future for all in our community.

With a change in Louisville's local leadership on the horizon, in both the Mayor's office and at Metro Council, there is perhaps no better time to create a housing policy roadmap to spur Louisville forward. The 2022 State of Metropolitan Housing Report is a critical review of Louisville's current housing policies, efforts to improve or implement new solutions, and additional recommendations for policies that will move Louisville toward a more just housing future. We also follow-up on the 2020-2021 Report to further our understanding of pandemic-related funding and programs, and how those dollars have affected people in our community that continue to face pandemic-induced housing instability due to the threat of an eviction, job loss, familial health crisis, lack of childcare, school closures, and the list goes on and on. We must be vigilant in tracking the short-term and long-term costs of the COVID-19 pandemic on our society, especially in relation to the housing crisis. We are just now seeing the short-term effects and MHC will continue to track the long-term effects.

Housing advocacy work is always about long-term systemic change. The 2022 State of Metropolitan Housing Report is a snapshot on this journey to a more just housing future. To ensure this work continues, we need your voice in these advocacy efforts, we need you to drive change. So, what do you say, will you join MHC in our efforts to make attainable housing a reality for all people, in all parts of our community?

Adam Hall
MHC Board Chair

Anthony P. Curtis
MHC Executive Director

MHC Key Accomplishments in the Last Year

01

In the summer of 2020, amid growing demands for racial justice, Louisville Metro Council ordered a racial equity review of the Land Development Code (LDC). The groundwork for this review of the LDC began with the implementation of Louisville's new Comprehensive Plan. As a result of MHC's tireless advocacy, **Plan 2040 included fair and affordable housing for the first time.** MHC continued to lead advocacy efforts and saw the first results from passage of Phase 1 of LDC Reform, including accessory dwelling units (ADUs) by right.

02

MHC launched the **Attainable Housing For All (AHA!) Initiative** in February 2022 with a focus on changing the housing conversation. The AHA! Initiative is an opportunity to advocate and educate across the community to eliminate all barriers to housing choice. The main focus of this effort is to pass Phase 2 and Phase 3 Land Development Code (LDC) Reforms in order to create a policy environment favorable to closing the housing affordability gap. Through the AHA! Initiative, MHC seeks to decrease residential segregation by **increasing housing choice** in all parts of Louisville, **increase the production of attainable housing,** and **increase the production of diverse housing types to meet the changing needs in the community.** MHC received a $75,000 Humana Foundation grant to create this initiative and support advocacy work on Phase 2. Read more about the AHA! Initiative here: ***metropolitanhousing.org/aha***

03

MHC was granted **intervenor status** in the latest Integrated Resource Plan (IRP) case before the Kentucky Public Service Commission, represented by attorney Tom Fitzgerald through the Kentucky Resources Council and Earthjustice. In this case, MHC is co-intervenor with Kentuckians for the Commonwealth, the Mountain Association, and the Kentucky Solar Energy Society. MHC's goal is to **represent low- and fixed-income households** and to **make sure that their interests are considered in all analysis and studies** as LG&E-KU finalize long-term energy planning in the proposed IRP. This case remains open as of April 2022.

04 MHC hosted our 2021 Virtual Annual Meeting, presented by Brown-Forman, on June 10, 2021. The topic of health and housing is more relevant than ever and we were fortunate to have **Matthew Desmond as our keynote speaker.** Desmond is the Pulitzer Prize Winning Author of Evicted: Poverty and Profit in the American City, Principal Investigator of Princeton's Eviction Lab, and Maurice P. During Professor of Sociology at Princeton University.

05 MHC received a **$120,000 philanthropic investment from JPMorgan Chase** to increase landlord engagement in order to reduce the very high rate of evictions in Louisville, KY. The project is centered around understanding what drives landlord decision-making when it comes to evictions and what interventions would be most effective in preventing eviction filings from the landlord perspective.

06 MHC has long been associated with our work intervening on behalf of low-income households before the Kentucky Public Service Commission in LG&E-KU rate cases. Expanding on this work, MHC partnered with the Louisville Metropolitan Sewer District (MSD) and the Louisville Water Company, through an opportunity with the U.S. Water Alliance on a ten-city pilot project to prevent water shutoffs. The goals of this pilot project are to **develop strategies that utility managers and policymakers can use to prevent water shutoff among low-income households** and **promote long-term affordability** through building effective collaboration between utilities and community-based organizations to design and implement strategies to achieve **equitable water access alongside financial resilience.**

07 MHC is leading Louisville's team as **one of eight cities selected to be a part of the Housing Solutions Collaborative** led by ChangeLab Solutions. As a member of the Housing Solutions Collaborative, Louisville received technical assistance and a shared foundation for collective problem solving to advance policy goals and build capacity to address the housing crisis. This work has focused on analysis of the West End Opportunity Partnership (WEOP)/TIF legislation and on anti-displacement measures to protect current renters and homeowners in the nine neighborhoods focused on by the WEOP/TIF.

08 MHC, with our partners at the University of Louisville Center for Environmental Policy & Management, published the **2020-2021 State of Metropolitan Housing Report** on May 4, 2021. The Report detailed how COVID-19 has exacerbated housing insecurity and long standing racial and ethnic disparities in our community.

09 MHC completed Unfair Housing in Louisville: A Legacy Project, an oral history project focused on **preserving the stories of 19 individuals who have faced housing discrimination** across multiple generations in Louisville. The interviews now reside in the University of Louisville Oral History Center archives.

10 MHC completed a five-part, virtual Vacant and Abandoned Properties Learning Series designed to **increase community engagement and understanding** about the challenges that vacant and abandoned properties bring to our neighborhoods and the solutions for how we can get these properties back into productive use.

11 MHC continued to work as a part of the COVID-19 Eviction Response coalition focused on **preventing evictions in our community through rental assistance programs, eviction court monitoring, and direct outreach to impacted residents.** This coalition also successfully advocated for American Rescue Plan (ARP) funding commitments totaling $100 million dollars with the overwhelming support of the Louisville community to focus ARP funding on housing and homelessness. This funding included a **$40 million commitment to the Louisville Affordable Housing Trust Fund** (LAHTF) to create units at 30% and below area median income (AMI) and $32 million for permanent supportive housing.

12 MHC helped fund the creation of **many new affordable housing units** in our community through the MHC revolving loan pool.

Towards a Just Housing Future in Uncertain Times

Introduction

Access to safe, fair, and affordable housing continues to be elusive for too many people in Louisville, Kentucky, the broader metropolitan area, the state, and across the United States. Crafting and implementing policies and programs to address this remains an ongoing challenge for policymakers and advocates. In November 2022, Louisville, KY voters will elect a new mayor and new Metro Council members. The new administration, along with Metro Council, will have the opportunity to build on some recent promising efforts to address Louisville's housing affordability gap, racialized housing policies and practices, growing housing insecurity among our residents, and involuntary displacements and evictions.

In 2019, Louisville Metro Government (LMG) published a housing needs assessment in which the authors noted crucial areas of improvement were necessary to address gaps in housing supply in general and gaps in supply attainable to residents at the lower end of Louisville's income spectrum. Specifically, the report highlighted a gap of over 30,000 homes for Louisville residents who earn 30 percent or less than the area median income (AMI), or at the time, $21,450 for a family of four (Louisville Forward 2019). Previous State of Metropolitan

Housing Reports have also consistently recommended changes in Louisville's housing policies and practices necessary to improve access to safe, fair, and affordable housing for everyone in Louisville. Reports from previous years have focused on a variety of housing policy areas including but not limited to affordable rental, homeownership gaps, housing for aging Louisvillians and those living with disabilities, transportation policy impacts on housing, land development code review, fair housing legislation, and last year, the impact of COVID-19.

With the future administration in mind, the 2022 State of Metropolitan Housing Report offers up a critical review of Louisville's current housing policies, efforts to improve or implement new solutions, and additional recommendations for policies that will move Louisville toward a more just housing future. Local efforts to help people remain safely housed during the COVID-19 pandemic and the deployment of federal assistance under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and American Rescue Plan (ARP) funds through the end of 2021 offer Louisville some important lessons about what is possible and how to best disseminate support. This will not be the last pandemic, nor will it be the last public health emergency. Therefore, discussions that move Louisville toward a more just housing future must be had within the context of mitigating the harms of future global crises. **Thus, our review begins by highlighting how federal assistance under the CARES Act and the ARP was used to support housing stability for Louisville residents during 2021.** Louisville housing advocates and policymakers have the opportunity to learn from the experiences they had implementing swift changes to housing programs during the COVID-19 pandemic. We discuss these efforts in the context of a **comprehensive inventory of Louisville's housing policy and programs that support various aspects of improving access to safe, fair, and affordable housing.** To establish a baseline for evaluating Louisville Metro's current housing policy landscape we use the Housing Policy Framework developed by Local Housing Solutions (2021a). We highlight policies and programs Louisville agencies and advocates have implemented or are developing and then review those that still need to be considered if we are to move toward a just housing policy landscape.

The report also revisits several measures of Louisville's safe, fair, and affordable housing landscape including **Homeownership and Affordability; Housing Insecurity and Displacement; Housing Segregation; and Production, Rehabilitation, and Inventory of Affordable and Subsidized Housing.** Finally, we provide a few updates on the changes occurring in the Russell neighborhood where the Louisville Metro Housing Authority (LMHA) is in its 7th year of implementing Vision Russell funded through HUD Choice Neighborhood Planning and Implementation Grants, and Russell: A Place of Promise is in its 4th year of developing a new community organization and programs related to Black wealth and asset building.

Local Use of Federal Funding Under the CARES Act and ARP

When COVID-19 hit, federal funding began to flow to states and local communities to help people remain safe in their homes during the ensuing health and economic crisis. It is clear that these efforts helped keep people safely housed who would have otherwise been subject to eviction and potential loss of stable housing. Eviction Lab estimates that federal assistance prevented at least 1.36 million evictions nationwide (Hepburn et al. 2022). Locally, eviction prevention programs, emergency rental assistance, and other funds to support Louisville residents' housing stability benefited tremendously from the federal CARES Act and ARP funding allocated directly to LMG or through the state's federal allocations. The 2020-2021 State of Metropolitan Housing Report described the massive local efforts to support families through eviction prevention programs, expanded and emergency rental assistance, direct cash assistance, expanded unemployment eligibility, and utility assistance through 2021.

Louisville Metro Government's expenditures during FY 2021, July 2020 through June 2021, reflect the scale of that spending. LMG spent a total of $94,957,055 of Federal CARES funding allocations. Of that, $20,444,919 came from the first round of CARES funding administered by the U.S. Treasury, $198,064 from the second round and $21,518,121 under the CARES Coronavirus Relief Fund went directly to eviction prevention and rental assistance for Louisville residents. Eviction Prevention spending under the Office of Housing and Community Development totaled $18,170,482 and $23,990,622 was spent providing rental assistance through the Neighborhood Place through June 2021 (LMG 2022a).

As the pandemic continues, federal funding to states and localities to mitigate housing insecurity continues to shift and transform. American Rescue Plan (ARP) funds were allocated to states and localities later in 2021. In November 2021, Metro Council approved $89 million in ARP funds to be spent on addressing the increasing numbers of residents experiencing homelessness and the ongoing need for more affordable housing. Close to half of that, $40 million, was allocated to the Louisville Affordable Housing Trust Fund with the stipulation that it will be used to provide 100 percent financing of 200-250 units for residents whose incomes are at or below 30 percent of area median income (or $23,050 for a family of four; HUD 2021). An additional $32 million was allocated for an estimated 200 permanent supportive housing units, $8 million in homeowner assistance and home repair funds, $1.5 million for a safe outdoor space for people in need of shelter, and $7.5 million to renovate and convert a building adjacent to the safe outdoor space into affordable housing units (LMG 2021a). LMG also has $11.0 million in HOME ARP funds, which could be used to address needed repairs and improvements to the emergency shelter system (LMG 2021b).

In March 2022, the state allocated an additional $27 million to LMG for emergency rental assistance. LMG reports that, through the end of January 2022, they have assisted 42,000 residents with emergency rental assistance and spent a total of $96 million (LMG 2022b). However, by early April 2022, LMG ceased accepting applications for emergency rental assistance due to the high volume of open applications and the limited remaining available funds.

Unemployment Assistance Funds

Unemployment funds, which Kentuckians were able to draw for up to 26 weeks, have been critical to keeping unemployed Louisvillians housed. Unemployment assistance provides a semi-stable source of income to people who are experiencing a sudden and drastic decrease in their income, provided they qualify. It does not replace their income completely. Data from the Department of Labor shows that in the third quarter of 2021, the average unemployment benefit in Kentucky replaced only 37.0 percent of the average wage in Kentucky during the same quarter (2022). In January 2022, Jefferson County's unemployment rate was 4.7 percent, down from the January 2021 unemployment rate of 5.7 percent but still higher than the January 2020 unemployment rate of 3.9 percent, just before the onset of COVID-19 (Kentucky Center for Statistics 2022). Because Kentucky state legislators perceive the increase workforce participation, they passed House Bill 4, known as the Unemployment Insurance Sustainability Act of 2022, which limits the number of weeks Kentuckians are eligible to draw unemployment to a minimum of 12 weeks and maximum of 24 weeks (2022a). The exact number of weeks an unemployed Kentuckian will be able to draw benefits is determined by a system that uses the statewide unemployment rate for the previous 9 to 12 months. Prior to this change, unemployment was permitted to be drawn for up to 26 weeks. Kentucky is one of only nine states that have set their maximum to less than 26 weeks (Pugel 2022). This new limit went into effect on March 22, 2022 and will certainly impact families still struggling to make ends meet due to the ongoing pandemic.

Outcomes and Lessons in Eviction Prevention and Emergency Rental Assistance

During 2020, the CARES Act made available emergency rental assistance for tenants facing housing instability because of the pandemic. Although this funding expired at the end of 2020, the LMG Offices of Housing and Resilience & Community Services continued to disburse funding to pending applications that had applied for assistance prior to January 1, 2021. To continue to address housing insecurity caused by the pandemic, the federal Emergency Rental Assistance (ERA) programs through the Department of Treasury were initiated in 2021 and LMG resumed accepting new rental assistance applications in mid-February 2021 (Harris and Laird 2022). Louisville Metro Government used ERA funds to support three programs – Court Eviction Diversion Program ($4 million), Community Service Partners Program ($3 million), and Office of Resilience & Community Services Eviction Prevention for Households Program ($13 million) (Harris and Laird 2022). In addition, LMG restarted the Landlord Tenant Rental Assistance Program ($1 million) using ARP funds. Collectively, these programs disbursed approximately $68.5 million in past and future rent payments to both landlords and tenants through the end of 2021, stabilizing the housing of 10,086 households and keeping 22,809 individuals housed (Harris and Laird 2022).

Rental Assistance Distribution Processes

The ERA funds included more onerous eligibility requirements compared to the CARES Act rental assistance funds, which only required proof of a court date, proof of property occupancy in Jefferson County, a W-9 tax form, and an updated ledger listing the tenant's past due balance. CARES Act funding, however, only helped with any past due rent, while ERA assistance covered any rent past due beginning April 2020 to the current month, plus 3 months of future rent benefits. ERA required formalized applications from tenants, including contact information, demographics, details on their monthly rent including their past due balance, income verification including pay stubs showing earnings equal to 80 percent of area median income or less, and a lease, utility bill, or written statement from the landlord attesting to their legal occupancy. In addition, tenants had to provide an attestation of some kind proving their inability to pay rent because of COVID-19. Landlords who chose to participate in the program were required to apply with contact information, proof of property occupancy in Jefferson County, a W-9 tax form, an updated ledger for listing the tenant's past due balance, and agree to forgive 100 percent of any late fees, interest, legal and/or court costs and/or any penalties related to nonpayment of rent since April 1, 2020. Landlords were also required to allow tenants 45 days from the last day of the final month for which assistance covered rent before filing for eviction proceedings for nonpayment of rent or nonrenewal of the lease and to provide tenants with 30 days' notice of eviction for nonpayment of rent or non-renewal of the lease.

The individual programs funded by LMG also included slightly different requirements. For example, the Court Eviction Diversion Program was limited to tenants with a forcible detainer filed against them. Tenants could apply for the Court Eviction Diversion Program both in person at LMG offices downtown and electronically through ***stopmyeviction.org***. The Landlord Tenant Rental Assistance Program did not include future rent benefits, it only assisted tenant's past due rent but did not require eviction proceedings to be in process. The Office of Resilience & Community Services Eviction Prevention for Households Program was coordinated through the nine Neighborhood Place locations across Louisville/ Jefferson County (Bridges of Hope, Cane Run, First Neighborhood Place, NorthWest, South Central, South Jefferson, Ujima, Edison Center, and the East End Drop Box). Tenants could apply for rental assistance by filling out applications and dropping them off at these listed locations before an in-person appointment was scheduled and this program was open to both tenants facing eviction proceedings or those behind on rent but without an eviction filing. The Community Service Partners Program included coordination through area community ministries, community centers, churches, and health care centers. Tenants could not be in eviction court at the time of submission, and a third-party advocate, or service provider, was required to sign off on the application. Allowing community-based organizations to facilitate applications for tenants who were behind on their rent was an important component of larger eviction prevention efforts and helped to distribute available rental assistance more effectively to tenants in need through community-based outreach and clinics.

Some internal capacity and administrative infrastructure for the ERA Program were already in place due to emergency rental assistance distributed through CARES Act in 2020. In 2021, LMG increased internal capacity for eviction prevention efforts through expanded staffing including both interns and full-time staff. Expanded staffing allowed for more efficient distribution of funds and was critical for tenants in eviction court, where the LMG Office of Housing maintained a dedicated presence to provide updates for judges on cases associated with rental assistance. This helped ensure cases were dismissed when rental assistance had been paid to landlords. Tenants and landlords who had previously applied for assistance through CARES were more familiar with the application process, and many internal staff review processes were better established under the ERA Program.

Community-based prevention efforts also expanded in 2021, with support from the Community Service Partners Program, building from the effectiveness of ***stopmyeviction.org***, a centralized website created by community advocacy groups from the Louisville Rapid Access Network to help tenants navigate resources available specifically for rental assistance and eviction protection. In March 2021, the Coalition for the Homeless and other community partners began a massive outreach effort dedicated to tenants with pending eviction cases, including collecting data to track all filings included in weekly eviction dockets, door-knocking efforts to notify those with eviction filings of available rental assistance, and monitoring virtual eviction court to observe and track case outcomes. As a result of these community-based efforts, there were proposals to establish a Housing Stability Team, a single entity working to promote housing security and connect tenants to available assistance, but LMG did not allocate American Rescue Plan resources for this proposal (Loosemore 2021).

Below we summarize data from the 2021 Community Service Partners Program (CSP), Court Eviction Diversion Program (CED), and Landlord Tenant Rental Assistance Program (LTRAP) obtained from LMG through an Open Records Request. For the CED program, the data summarized here include applications received through approximately the end of July 2021. After this, LMG shifted to processing applications electronically using the Neighborly software. Applications received through the Neighborly system are not included in this analysis.

Distribution of Rental Assistance in 2021

In 2021, per the data obtained through the Open Records Request, 1,218 applicants received emergency rental assistance through the CSP program, 1,552 through the CED program, and 242 through LTRAP. Most applicants receiving assistance from CED and LTRAP were earning 30 percent AMI or below **(Figure 1, p. 13)**. Nearly half (47.9 percent) of households supported through LTRAP were single-person households, with 2- and 3- person households accounting for 34.8 percent of the total, and 4-person households' 9.5 percent of total applications **(Figure 2, p. 13)**. In the CED program, 1-person households again comprise the largest group supported (38.3 percent), followed by 2-person households (27.0 percent), 3-person households (17.1 percent), and 4-person households (10.4 percent). Income and household size information was not provided for CSP program applicants.

Figure 1: Household Income Ranges of Emergency Rental Assistance Applicants *Jefferson County, KY*

	Landlord Tenant Rental Assistance Program		Court Eviction Diversion Program*	
	Applicants Assisted	**Percent of Total Applicants**	**Applicants Assisted**	**Percent of Total Applicants**
30% AMI and below	189	78.1%	1107	71.3%
30-50% AMI	22	9.1%	236	15.2%
50-80% AMI	30	12.4%	209	13.5%
80%+ AMI	1	0.4%	0	0.0%
Total Applicants	**242**	**100.0%**	**1552**	**100.0%**

*Includes applications received through the approximately the end of July 2021

Figure 2: Household Size of Emergency Rental Assistance Applicants - *Jefferson County, KY*

Landlord Tenant Rental Assistance Program			Court Eviction Diversion Program*	
Household Size	**Number of Applicants**	**Percent of Total**	**Number of Applicants**	**Percent of Total**
1	116	47.9%	595	38.3%
2	42	17.4%	419	27.0%
3	42	17.4%	266	17.1%
4	23	9.5%	162	10.4%
5	7	2.9%	65	4.2%
6	3	1.2%	25	1.6%
7	6	2.5%	8	0.5%
8	2	0.8%	3	0.2%
9	0	0.0%	0	0.0%
10	0	0.0%	1	0.1%
11	0	0.0%	1	0.1%
Missing Data	1	0.4%	7	0.5%
Total	**242**	**100%**	**1552**	**100%**

*Includes applications received through the approximately the end of July 2021

Figure 3 displays the amount distributed by month for the CED and CSP programs. A total of approximately $12.1 million was distributed through the CED program in 2021, with an average of $1.9 million disbursed monthly from February-December. Total assistance issued averaged $7,807 per household, averaging $5,319 in past due rent, and $2,574 in future rent benefits.

The CSP program distributed approximately $6.8 million in 2021, with an average of approximately $684,000 disbursed monthly from March-December.

The LTRAP program disbursed $544,068 in funding during 2021 for past due rent only. **Figure 4** (p. 15) summarizes the 15 landlords that received funding through the LTRAP program, with Louisville Metro Housing Authority and its tenants being the largest beneficiary, accounting for more than half (53.3 percent) of all applications and 40.6 percent of total funding awarded in 2021. Tenants across 22 zip codes were assisted through the LTRAP program **(Map 1, p. 15)**. The largest share of assistance was received by tenants living in the 40202 zip code (20.2 percent of total) followed by 40219 (10.3 percent) and 40210 (9.5 percent). Among these tenants, 66.1 percent identified as Black or African American, 19.0 percent as White, and 4.1 percent as multiracial, with the remaining choosing not to disclose their race/ethnicity.

Figure 3: Distribution of Emergency Rental Assistance by Month, 2021 - *Jefferson County, KY*

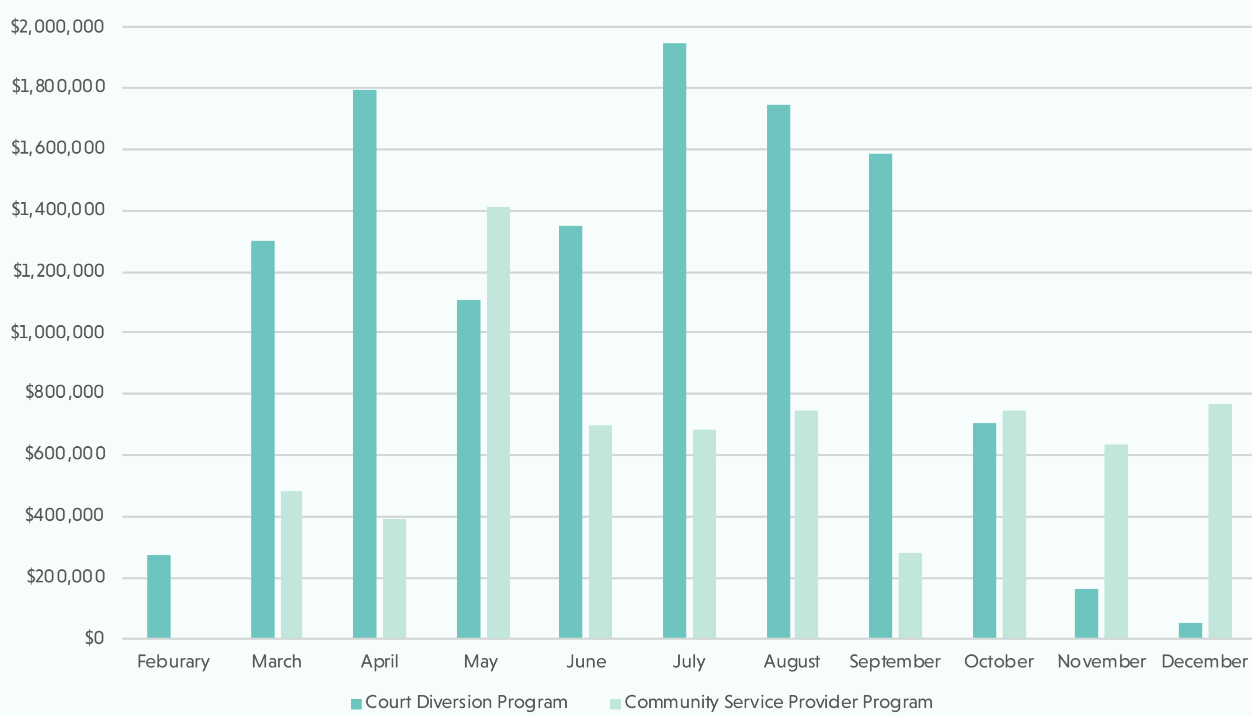


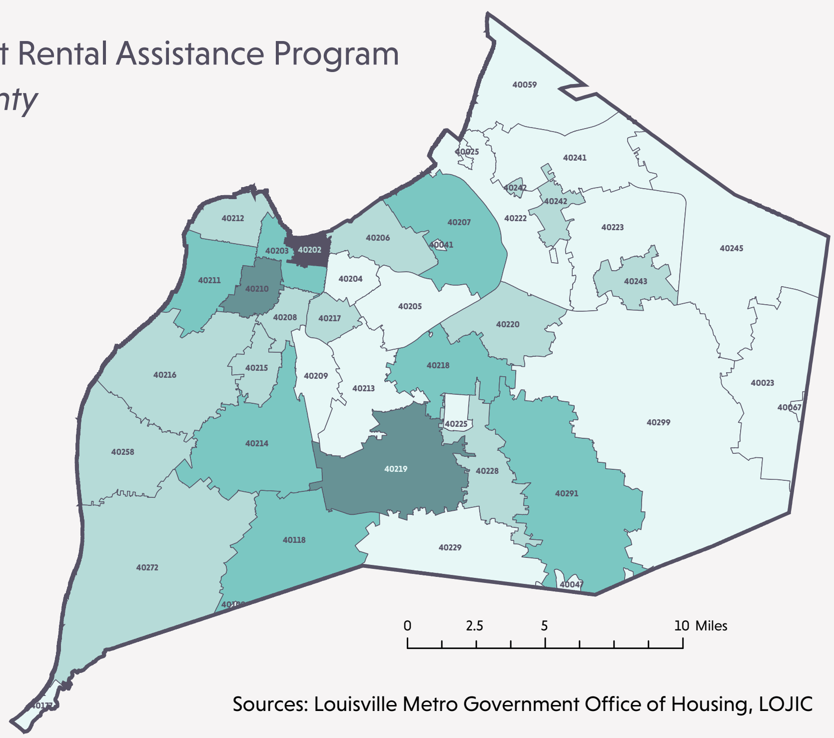
Figure 4: Payments Received by Landlords through the Landlord Tenant Rental Assistance Program - *Jefferson County, KY*

Landlord	Count of LTRAP Payments Received in 2021	Share of Total Applications	Total Amount Received	Share of Total Funding
Louisville Metro Housing Authority	129	53.3%	$220,890	40.6%
Vines at StonyBrook	18	7.4%	$59,161	10.9%
Aries Properties	15	6.2%	$60,858	11.2%
White Oak Park Apartments	24	9.9%	$42,851	7.9%
Regency Park of Louisville	14	5.8%	$11,884	2.2%
Village Manor Apartments	17	7.0%	$67,657	12.4%
Willowbrook Apartments	4	1.7%	$9,529	1.8%
Williamsburg Apartments	5	2.1%	$12,090	2.2%
Royal Gardens Apartments	8	3.3%	$17,378	3.2%
Franklin Properties	3	1.2%	$9,200	1.7%
Left Back Properties	1	0.4%	$3,000	0.6%
804 Palatka Rd	1	0.4%	$16,150	3.0%
1812 Baird Street	1	0.4%	$6,900	1.3%
J&S Investors	1	0.4%	$2,000	0.4%
Kiefer Property Management	1	0.4%	$4,520	0.8%
Totals:	**242**	**100%**	**$544,068.70**	**100%**

Map 1: 2021 Landlord Tenant Rental Assistance Program
By ZIP code – Jefferson County

Percent of Total Applications

- 0.0%
- 1.0% - 2.5%
- 2.6% - 7.9%
- 8.0% - 10%
- 11% - 20%



Sources: Louisville Metro Government Office of Housing, LOJIC

Towards Greater Housing Affordability in Uncertain Times, A Road Map

Louisville Housing Policy Inventory at a Glance

To develop a baseline understanding of existing housing policies, we used the Local Housing Solutions Policy Framework as a heuristic to analyze the current landscape of local affordable housing strategies in Louisville, KY. Local Housing Solutions (LHS) is a "one-stop housing policy platform with actionable resources and step-by-step guidance to help cities develop, implement, and monitor local housing strategies" (2018). The framework is a component of the larger LHS website, which was created in 2018 by the Community of Practice on Local Housing Strategies – a collaborative project of the New York University Furman Center and Abt Associates – "to support the development of comprehensive, balanced, and equitable housing strategies that enhance affordability, protect low-income residents from displacement and unsafe conditions, and foster inclusive neighborhoods" (2018). We chose this framework because it is comprehensive, recent, practical, and oriented towards reducing existing racial and economic disparities through housing policy.

The LHS policy framework includes four primary categories:

- I Create and preserve dedicated affordable housing units
- II Increase the overall housing supply
- III Help households access and afford private-market homes
- IV Protect against displacement and poor housing conditions

Within each of these primary categories are policy sub-categories (e.g., supporting affordable housing through subsidies) that organize related individual policies. In total, there are 97 individual policies across the four primary categories.

The following pages present the LHS policy framework, the status of each policy in Louisville, and a brief summary of the existing or related policies. As this framework is oriented towards policymakers and practitioners, LMG policies are the primary focus and we also include references to state policy as appropriate. We did not analyze the policies of other incorporated areas/cities within Jefferson County that may be relevant or other non-government actors.

I. CREATE AND PRESERVE DEDICATED AFFORDABLE HOUSING UNITS

ESTABLISHING INCENTIVES OR REQUIREMENTS FOR AFFORDABLE HOUSING

Density Bonuses - *Partially implemented*

The existing Mixed Residential Development Incentive[1] in the current Land Development Code allows for density bonuses in return for affordable housing and mixed-use housing. However, the affordability thresholds (80-100 percent AMI) do not meet the current affordable housing needs in Louisville.

Reduced Parking Requirements for Qualifying Developments - *Partially implemented*

Parking requirements were eliminated for all housing developments in Traditional Form Districts and significantly reduced for all uses in all form districts in 2020. However, none of the 12 small cities with zoning authority in Jefferson County have adopted this amendment.

Tax Abatements or Exemptions - *Partially implemented*

LMG's Property Assessment and Reassessment Moratorium Program[2] encourages the repair, rehabilitation, restoration, or stabilization of qualifying commercial and residential structures 25 years and older. There are no affordability thresholds associated with the program. However, in 2020, the program was changed to lower the investment threshold needed to qualify, as part of LMG's Anti-Displacement Strategies targeting homeowners in historically disinvested neighborhoods.

Expedited Permitting for Qualifying Projects - *Proposed in Land Development Code Reform*

Phase 2 of LMG's Land Development Code Reform Recommendations[3] includes a proposed amendment to Incentivize Desirable Development Types by streamlining the review process for development that is encouraged by the 2040 Comprehensive Plan (p. 3)

Inclusionary Zoning - *Proposed in Land Development Code Reform*

Phase 3 of LMG's Land Development Code Reform Recommendations proposes the development of an Inclusionary Zoning ordinance that would require a percentage of developments of a certain size to provide affordable housing.

Reduced or Waived Fees for Qualifying Projects - *Not implemented*

This policy is common in localities with impact fees, which are not permissible in Kentucky.

GENERATING REVENUE FOR AFFORDABLE HOUSING

General Obligation Bonds for Affordable Housing - *Implemented*

LMG supports the Louisville Affordable Housing Trust Fund (LAHTF)[4] through general obligation bonds.

Housing Trust Funds - *Implemented*

The LAHTF provides financing for creating new and preserving existing affordable housing units in Louisville/Jefferson County through grants and loans to non-profit and for profit real estate developers. Public funds directed to the LAHTF must support projects housing residents earning 80% or less of the area median income (AMI) and half of those funds must serve households earning 50% or less of area median income. The current priorities of the LAHTF include homeownership opportunities in the urban core or other Tax Diversion Districts; adaptive rehab and re-use of vacant, abandoned properties; developments in non-impacted areas; energy efficient projects; and projects incorporating universal design features. Established in 1992, the Kentucky Affordable Housing Trust Fund[5] supports real estate development projects that assist persons at or below 60 percent of the area median income, with a preference to help persons at or below 30 percent of the area median income. Funds are limited to nonprofit real estate developers and units must remain affordable for at least 30 years.

Increased Use of Multifamily Private Activity Bonds to Draw Down 4 Percent Low Income Housing Tax Credits - *Implemented*

Kentucky Housing Corporation (KHC) Multifamily Programs Department[6] provides financing through tax-exempt private activity bonds in conjunction with the 4 percent Low-Income Housing Tax Credit. Bond authority is awarded to multifamily housing developers on a first-come, first-served basis and, in some cases, by competitive application when other KHC gap resources are available.

Tax Increment Financing - *Implemented*

Tax increment financing is used as an economic development tool in Louisville/Jefferson County.[7] Most existing TIF projects are not oriented towards affordable housing and ones that are (e.g., Vesta Derby Oaks Project[8]) set the affordability threshold at 80 percent AMI and below, which means these units are unlikely to address Louisville's most acute affordable housing needs for household at or below 50 percent and 30 percent AMI.

State Tax Credits for Affordable Housing - *Proposed in KY State Legislature*

House Bill 86[9] proposes the establishment of a nonrefundable Kentucky affordable housing credit beginning on or after January 1, 2025, for a period of five years. The credit could be applied to income and insurance taxes, in an amount equal to the amount of the federal low-income housing tax credit. The aggregate amount of annual funding for the tax credit would not exceed $12.5 million.

Employer-Assisted Housing Programs - *Partially implemented*

Norton offers an Employer Assisted Housing[10] program through partnerships with Habitat for Humanity and The Housing Partnership, Inc. Full-time employees who are first time homebuyers are eligible for a $5,000 forgivable loan. LMPD offers $5,000 towards down payment assistance[11] for officers purchasing a primary residence in a low- and moderate-income census tracts.

Dedicated Revenue Sources - *Not implemented*

The Louisville Affordable Housing Trust Fund still lacks a dedicated funding source, despite its 14 year existence. While the LAHTF has been awarded general funds on a regular basis in recent years, a dedicated revenue source would help reduce the uncertainty associated with relying on annual appropriation decisions, signal LMG's long-term commitment to investing in affordable housing, and increase the total funding available for affordable housing development.

Demolition Taxes and Condominium Conversion Fees - *Not implemented*

The conversion of rental units to condominiums or the sale of rental buildings can lead to the displacement of existing tenants. Currently, renters in Louisville have no protections against this type of private market activity.

Linkage Fees/Affordable Housing Impact Fees - *Not implemented*

These fees are not permitted in Kentucky and would require State level policy change.

Transfers of Development Rights - *Not implemented*

This policy is not used for affordable housing purposes, but is permitted in the Land Development Code[1] for parcels or adjacent parcels where environmental features like steep slopes limit development potential, allowing developable rights to be transferred.

Activation of Housing Finance Agency Reserves - *Partially implemented*

Kentucky Housing Corporation has, in the past, used reserve fund proceeds from mortgage revenue bonds to support down payment and closing cost assistance for extremely low-income homeowners.

SUPPORTING AFFORDABLE HOUSING THROUGH SUBSIDIES

Acquisition and Operation of Moderate-Cost Rental Units - *Implemented*

The Small Multifamily Affordable Loan Program[12] through Kentucky Housing Corporation finances projects with 11 units or fewer for households earning at or below 120 percent of the area median income.

Below-Market Financing of Affordable Housing Development - *Implemented*

LMG supports below market financing for affordable housing with federal funds through the CDBG and HOME programs, as well with local funds through the Louisville Affordable Housing Trust Fund (LAHTF). In 2021, the LAHTF Revolving Loan Fund[13] allocated $3M to finance affordable housing projects at interest rates between 0-3 percent. American Rescue Plan funds have expanded the capacity of LMG to finance affordable housing projects.

Capital Subsidies for Building Affordable Housing Developments - *Implemented*

LMG supports capital subsidies for affordable housing with federal funds through the CDBG and HOME programs, as well as with local funds through the LAHTF. In 2021, the LAHTF was allocated $9.75M from Louisville Metro Council. This funding allocation requires $2.5M to support units affordable for households earning 30 percent area median income and below and $2.5M to support units affordable for households earning 50 percent area median income and below, with the remaining for supporting units affordable to households earning 80 percent area median income and below.

Low Income Housing Tax Credit - *Implemented*

Kentucky Housing Corporation administers the federal Low-Income Housing Tax Credit (LIHTC)[14] for projects across the Commonwealth. The program provides a 10-year tax credit to eligible property owners of at least $20,000 per unit for each newly created or rehabilitated affordable unit. Nonprofit and for-profit real estate developers are eligible for LIHTC. There are two tiers of funding: 4 percent LIHTC, for which projects funded with tax-exempt bonds are automatically eligible and covers about 30 percent of costs associated with low-income units; and 9 percent LIHTC, which is awarded on a competitive basis according to the state's Qualified Action Plan.[15]

Project-Basing of Housing Choice Vouchers - *Implemented*

LMHA uses project-based vouchers as part of its toolkit to provide affordable housing and improve housing choice for the residents it serves. Project-based vouchers are associated with a specific housing unit, which can help reduce some of the barriers associated with housing choice vouchers where tenants may face difficulty finding a qualifying rental unit in the private market. LMHA's priorities for using project-based vouchers include meeting the requirements of the Beecher Terrace Choice Neighborhood Initiative Implementation Grant, providing additional housing choices for low-income households in high opportunity areas, and incentivizing developers to preserve or create affordable housing units. Project-based vouchers are also intended to expand housing opportunity for voucher holders in higher rent areas, and LMHA uses HUD's Small Area Fair Market Rent[16] standards with project-based vouchers to do this.

Operating Subsidies for Affordable Housing Developments - *Partially implemented*

Operating subsidies are provided through the federal government for public housing and project-based Section 8. HOME program funds are used to support short-term operating subsidies. American Rescue Plan funding expanded the available funding pool for long-term operating subsidies, which helps to support projects for households earning 30 percent or less of area median income.

PRESERVING EXISTING AFFORDABLE HOUSING

Preservation Inventories - *Implemented*

The 2019 Housing Needs Assessment[17] documented the location and expiration year of units with income restrictions. Per the Anti-Displacement Strategies,[18] LMG will extend affordability requirements to at least 30 years for development and preservation projects.

The Rental Assistance Demonstration (RAD) - *Implemented*

LMHA participates in the Rental Assistance Demonstration (RAD), which allows housing authorities to convert public housing and certain types of project-based rental assistance to project-based housing choice vouchers or Section 8 project-based rental assistance. The conversion makes the units eligible for a more financing sources, including private sources, to address long-standing capital improvement, which is necessitated through underfunding from the federal government. While a potentially important financing mechanisms, RAD offers few tenant protections and may result in rent increases and displacement of current tenants. In March 2022, LMHA began a Physical Conditions Assessments[19] of its public housing portfolio, which will be used to prioritize future RAD conversions.

Rights of First Refusal - *Partially implemented*

LMG does not include right of first refusal terms as part the affordable multifamily housing projects supported through various funding sources. Right of first refusal terms will be included in LMG's Shared Equity Homeownership Program.[20]

EXPANDING THE AVAILABILITY OF AFFORDABLE HOUSING IN RESOURCE-RICH AREAS

Targeted Efforts to Create and Preserve Dedicated Affordable Housing in Resource-Rich Areas - *Implemented*

LMHA is using project-based vouchers to create and preserve affordable housing in resource-rich areas.

Targeted Efforts to Expand the Supply of Rental Housing and Lower-Cost Housing Types in Resource-Rich Areas - *Proposed in Land Development Code Reform*

The Land Development Code Reform[21] efforts underway by LMG are focused on expanding the supply of rental housing across Louisville/Jefferson County, by changing the zoning code to allow multifamily housing and other types of lower-cost housing.

Regional Collaboration to Support the Development of Affordable Housing in Resource-rich Areas - *Not implemented*

While regional collaboration generally limited, LMG did collaborate with Lexington and Kentucky Housing Corporation during the COVID-19 pandemic to support efficient and effective delivery of emergency rental assistance.

CREATING DURABLE AFFORDABLE HOMEOWNERSHIP OPPORTUNITIES

Community Land Trusts - *Implementation in progress*

LMG announced the creation of a community land trust[22] in December 2020, to be geographically focused in the Russell and Smoketown neighborhoods. Partners for this effort include REBOUND, River City Housing, and Center for Neighborhoods, and the project is supported by $2.1M of CBDG funds. According to LMG's Anti-Displacement Strategies,[23] the Land Bank will dedicate parcels to CLT. Land Bank parcels will be transferred to the CLT once its structure is determined by community residents.

Deed-Restricted Homeownership - *Implementation in progress*

LMG's Shared Equity Homebuyer Program[24] will support long-term affordability through deed restrictions that will pass on subsidies to the next owner.

Limited Equity Cooperatives - *Not implemented*

A limited equity cooperative (LEC) is a homeownership model in which residents purchase a share in a development (rather than an individual unit) and commit to resell their share at a price determined by formula—an arrangement that maintains affordability at purchase and over the long term.

FACILITATING THE ACQUISITION OR IDENTIFICATION OF LAND FOR AFFORDABLE HOUSING

Brownfields - *Partially implemented*

LMG's Office of Advanced Planning & Sustainability helps coordinate the Brownfield Cleanup Loan Program (BCLP)[25], which is funded by the federal Environmental Protection Agency, and offers below-market rate loans to brownfield property owners and prospective purchasers with the objective to assist in the cleanup of brownfield properties to return them to productive use. In general, the redevelopment of brownfield sites has not been connected to addressing Louisville's affordable housing needs, but has been used to increase overall supply of multifamily units.

Land Banks - *Implemented*

The Landbank Authority, under the purview of LMG's Office of Housing & Community Development,[26] works to "put vacant and abandoned properties back into productive use to improve our neighborhoods by increasing property values, stimulate the tax base, and reducing crime rates." Per LMG's Anti-Displacement Strategies,[27] the Landbank is currently reviewing its disposition policies using the Racial Equity Toolkit towards recommending revisions that will the use vacant, Landbank-owned properties for LAHTF-funded single-family properties.

Property Acquisition Funds - *Implemented*

The LAHTF supports the acquisition of units for rent and ownership. LMG also uses federal funds through CDBG and HOME to support property acquisition. American Rescue Plan funds have expanded resources to support acquisition for affordable housing.

Use Of Publicly Owned Property For Affordable Housing - *Partially Implemented*

LMG prioritizes the reuse of Landbank owned properties through the Louisville CARES and LAHTF. LMG does not have a consistent policy that requires the inclusion of affordable housing units on other publicly owned land or for other incentives like Tax Increment Financing.

Joint Development on Land Owned by Transit and Other Agencies - *Partially implemented*

LMG has at times collaborated with JCPS to repurpose school facilities as affordable housing.[28]

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II. INCREASE THE OVERALL HOUSING SUPPLY

PLANNING

Understanding Neighborhood Variation to Inform a Local Housing Strategy - *Implemented*

The Market Area Profiles created as part of the 2019 Housing Needs Assessment[1] are useful for understanding neighborhood level variation in housing needs and applying appropriate policies to address these differences.

REDUCING DEVELOPMENT COSTS AND BARRIERS

Accessory Dwelling Units - *Implemented*

The reforms passed in Phase 1 of LMG's Land Development Code Reform[2] made it easier to create accessory dwelling units, eliminating existing regulatory barriers.

Reduced Parking Requirements - *Partially implemented*

Parking requirements were eliminated for all housing developments in Traditional Form Districts and significantly reduced for all uses in all form districts in 2020. However, none of the 12 small cities with zoning authority in Jefferson County have adopted this amendment.

Zoning Changes to Allow for Higher Residential Density - *Implementation in progress*

The adopted changes in Phase 1 of LDC Reform allow for higher residential density through accessory dwelling units and by adjusting density requirements to allow two dwellings in Multifamily Zoning districts. Other changes proposed in Phases 2 and 3 will also support zoning changes for higher density development.

Zoning Changes to Facilitate the Use of Lower-Cost Housing Types - *Implementation in progress*

The adopted changes in Phase 1 of LDC Reform facilitate the creation of housing types that may be lower-cost, like accessory dwelling units and duplexes. Other changes proposed in Phases 2 and 3 will also support zoning changes for lower-cost housing types (e.g., Tiny House Review).

Streamlined Permitting Processes - *Proposed in Land Development Code Reform*

Simplifying the existing regulations and streamlining permitting processes to improve predictability is one of three main goals of LMG's LDC Reform initiative.

Changes to Increase the Predictability of the Regulatory Process - *Proposed in Land Development Code Reform*

Simplifying the existing regulations and processes to improve predictability is one of three main goals of LMG's LDC Reform initiative.

Missing Middle Housing - *Proposed in Land Development Code Reform*

Missing middle housing is a key focus of Phase 2 of LDC Reform. Several proposed recommendations are intended to change the zoning code to make these types of housing developments, including townhomes, duplexes, triplexes, and courtyard clusters, easier to build across Louisville/Jefferson County.

Housing Rehabilitation Codes - *Not implemented*

Housing rehabilitation codes are a type of building code that can promote the reuse of the existing building stock.

Increases in the Supply of Buildable Land by Expanding Growth Boundaries - *Not implemented*

Louisville/Jefferson County does not have a growth boundary, which would serve to encourage more efficient land use, protect and preserve rural areas or other sensitive environments, and reduce energy use and greenhouse gas emissions through land use patterns that facilitate walking, biking, and public transit.

Reductions In Impact Fees and Exactions - *Not implemented*

These fees are not permitted in Kentucky and would require State level policy change.

Reforms To Construction Standards and Building Codes - *Not implemented*

Reforms to construction standards and building codes would require changes to the statewide Kentucky Building Code.

Streamlined Environmental Review Processes - *Not implemented*

Environmental review commonly proceeds in conjunction with other review processes, which are intended to be streamlined under LDC Reform.[3]

CREATING INCENTIVES FOR NEW DEVELOPMENT OR REDEVELOPMENT

Tax Incentives for New Construction and Substantial Rehabilitation - *Implemented*

LMG offers a 5-year waiver[4] of the local incremental tax value for added improvements to existing buildings, including residential and commercial structures that are at least 25 years old meeting one the following criteria:

1) costs of improvements are equal to at least 25 percent of the property value
2) costs of improvements are equal to at least 10 percent of the property value and property is located in a HUD Qualified Census Tract[5]
3) cost of improvements are equal to 5 percent of the property value and property is owner-occupied and located in one of the following neighborhoods - Algonquin, California, Chickasaw, Park Duvalle, Park Hill, Parkland, Portland, Russell, Shawnee, Shelby Park, and Smoketown Jackson
4) property is LEED certified[6] after improvements are completed.

Brownfields - *Partially implemented*

LMG's Office of Advanced Planning & Sustainability helps coordinate the Brownfield Cleanup Loan Program,[7] which is funded by the federal Environmental Protection Agency, and offers below-market rate loans to brownfield property owners and prospective purchasers with the objective to assist in the cleanup of brownfield properties to return them to productive use. In general, the redevelopment of Brownfield sites has not been connected to addressing Louisville's affordable housing needs, but has been used to increase overall supply of multifamily units.

Incentives to Encourage the Development of Lower-Cost Housing Types - *Partially implemented*

LMG offers a variety of incentives that could encourage the development of lower-cost housing types, including density bonuses (Mixed Residential Development Incentive) that allow more units to be built on a site than would otherwise be allowed by the underlying zoning code; zoning variances that allow higher-density development or other departures from underlying land use regulations; reduced parking requirements (eliminated for all housing developments in Traditional Form Districts) that lower land or construction costs by requiring fewer spaces to be provided; and tax moratoria for qualifying structures that lower tax liability for a specified period of time. Recommended changes in LDC Reform[2] would build upon existing incentives and help streamline the development approval process.

Appraisal Gap Financing - *Partially implemented*

HOME funds can be used when the combined costs of purchasing and rehabilitating a property are greater than the resulting appraised value of the property, limiting traditional financing options.

Land Value Taxation - *Not implemented*

Changes to Louisville's taxation system would require permission from the Kentucky State Legislature. According to LHS,[8] "While not widely used in the U.S., these approaches discourage speculation and holding of empty sites, and encourage owners of vacant or underutilized parcels to make improvements that increase their returns without having to worry about the tax consequences."

DEALING WITH VACANT, ABANDONED, AND TAX-DELINQUENT PROPERTIES

Land Banks - *Implemented*

The Landbank Authority, under the purview of LMG's Office of Housing & Community Development,[9] works to "put vacant and abandoned properties back into productive use to improve our neighborhoods by increasing property values, stimulate the tax base, and reducing crime rates." Per LMG's Anti-Displacement Strategies,[10] the Landbank is currently reviewing its disposition policies using the Racial Equity Toolkit towards recommending revisions that will the use vacant, Landbank-owned properties for LAHTF-funded single-family properties.

Creating and Managing Vacant Property Inventories - *Implemented*

LMG's Office of Housing & Community Development manages the inventory of vacant properties owned by the Landbank Authority.[11]

Demolition of Neglected Properties - *Implemented*

LMG's Office of Housing & Community Development leads the demolition of vacant structures[12] in a dilapidated, deteriorated, or unsafe condition, including emergency demolitions for buildings deemed an imminent threat to health and safety and in danger of further collapse, and structural demolitions when the structural integrity is compromised but is not considered an emergency candidate.

Foreclosure and Disposition of Tax-Delinquent Properties - *Implemented*

LMG's Office of Housing & Community Development is the lead agency for Metro-led foreclosure[13] because of delinquent property taxes, property abandonment, or code violations.

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III. HELP HOUSEHOLDS ACCESS AND AFFORD PRIVATE-MARKET HOMES

PROVIDING TENANT-BASED RENTAL ASSISTANCE

HOME Tenant-Based Rental Assistance - *Implemented*

HOME Tenant-Based Rental Assistance[1] is used to support housing rental/utility assistance and case management for people experiencing homelessness for up to two years.

Housing Choice Vouchers - *Implemented*

Louisville Metro Housing Authority (LMHA) manages the Housing Choice Voucher[2] program, which was projected to serve 10,052 households in FY 2022.[3]

Security Deposit and/or First and Last Month's Rent Assistance - *Partially implemented*

LMG's Office of Resilience & Community Services[4] provides assistance with security deposits for people experiencing homelessness. American Rescue Plan[5] funds allowed for the expansion of this financial support.

State or Local Funded Tenant-Based Rental Assistance - *Not implemented*

Prior to federal Emergency Rental Assistance provided because of the COVID-19 pandemic, the Financial Assistance Program[6] administered through LMG's Office of Resilience & Community Services provided limited relief for qualifying households. Limited funding and other program requirements (having earned income within previous six months, be willing to participate in case management, and meeting other eligibility criteria) were barriers for households facing eviction.

PROMOTING MOBILITY FOR HOUSING CHOICE VOUCHER HOLDERS

Landlord Recruitment and Retention - *Implemented*

LMHA uses various financial incentives as a means of recruiting and retaining landlords for the Housing Choice Voucher and Project-Based programs, including providing damage loss payments to owners who agree to accept a reduced security deposit, expediting inspection processes to quicken lease-up times, shifting from annual to bi-annual inspections for selected properties, and providing monetary incentives to landlords to lease new units (MTW Plan FY 21[7] and FY 22[8]).

Mobility Counseling for Housing Choice Voucher Holders - *Partially implemented*

Mobility counseling was provided as part of the relocation plans for residents of Beecher Terrace[9] and residents of other public housing projects that were demolished and redeveloped via federal HOPE VI and Choice Neighborhoods.

Increased Voucher Payment Standards In High-Cost Areas - *Partially implemented*

LMHA adopted Exception Payment Standards for its homeownership programs in FY 2016, adjusting payment standards to 120 percent of Fair Market Rent in high opportunity tracts and has made similar changes for Project-Based Voucher units, increasing payment standards to 110 percent the Metropolitan Area Fair Market Rent (MAFMR) or 110 percent of the Small Area Fair Market Rent.

REDUCING BARRIERS TO HOMEOWNERSHIP

Discounted Sales of City-Owned Property - *Implemented*

LMG sells properties through the Landbank Authority[10] for deeply discounted prices. While this program helps return properties to productive use, there are no affordability requirements tied to properties purchased through the Landbank.

Shared Appreciation Mortgages - *Implemented*

LMG's Shared Equity Homebuyer Program[11] is part of Louisville CARES and it uses shared appreciation mortgages to provide homeownership opportunities for low- and moderate-income persons in higher income neighborhoods. The program is intended to support homeowners earning 80 percent area median income or less afford home purchases that would otherwise be outside their affordability range. In exchange for upfront purchase assistance from LMG, buyers agree to share a portion of their equity upon sale, which will be used to make the house affordable for the next buyer.

Subsidized Home Mortgages - *Implemented*

LMG's Shared Equity Homebuyer Program provides subsidized mortgages using a shared equity model that is intended to support the long-term affordability of the property for low- and moderate-income households. Kentucky Housing Corporation also offers homebuyer Loan Programs.[12] LMHA's Section 8 Homeownership program[14] helps eligible Public Housing and Housing Choice Voucher participants apply their subsidy towards a monthly home mortgage payment, instead of rent.

Housing Education and Counseling - *Implemented*

Interested homebuyers in Louisville can access HUD certified[14] housing education and counseling through Apprisen, the Louisville Urban League, and Housing Partnership Inc. Housing education and counseling are required for LMG's Down Payment Assistance Program.[15]

Asset Building Programs - *Implemented*

LMG's Office of Financial Empowerment[16] was established in 2021 through a planning grant from Cities for Financial Empowerment Fund, with the goal of integrating financial counseling into partners providing social services like Neighborhood Place, Community Ministries, and other nonprofit partners.

Small Balance Home Mortgages - *Implemented*

A pilot project, the MicroMortgage Marketplace,[17] for small balance home mortgages was funded with a $300,000 grant through the 2019 Access Venture's Reconstruct Challenge,[18] a partnership between FAHE and the Urban Institute.[19] Interested homebuyers can still apply for loans through this program: realtor.com/micromortgage/program.

REDUCING ENERGY USE AND COSTS

Energy-Efficiency Retrofits - *Implemented*

LMG's Office of Advanced Planning & Sustainability[20] offers multiple programs supporting energy-efficient retrofits, including the Energy Project Assessment District (EPAD) program, which allows repayment for energy-efficient upgrades through a voluntary assessment and finances up 100% of eligible projects costs; the Cool Roof Incentive Program, which supports the installation of cool roofing materials, prioritizing high heat island locations; the Solar Over Louisville program, which provides bulk purchasing power for households to invest in solar installation; and the Weatherization Assistance Program,[21] which provides financial assistance to low-income residents for energy conservation improvements to their homes. LHOME, a community development financial institution, offers a low-interest Home Repair and Energy Efficiency Loan.[22]

Energy-Efficiency Standards - *Not implemented*

LMG identified strengthening sustainability efforts as a priority in its 2022 Kentucky Generally Assembly legislative agenda,[23] specifically to "allow flexibility in the state building code to allow for higher standards for energy efficiency in new construction, allowances for "solar ready" buildings, and inclusion of electric vehicle charging infrastructure in commercial and multi-family developments."

COMBATING HOUSING DISCRIMINATION

Enforcement of Fair Housing Laws - *Implemented*

LMG Human Relations Commission helps enforce fair housing law[24] by disseminating information to tenants and landlords and by investigating complaints of housing discrimination. The Lexington Fair Housing Council[25] is a nonprofit civil rights agency that both investigates complaints of housing discrimination and provides free advocacy and legal assistance for victims of housing discrimination.

Fair Housing Education for Real Estate Professionals and Consumers - *Implemented*

The Lexington Fair Housing Council offers fair housing training and education.[26] MHC has a video series of Fair Housing Public Service Announcements.[27] The Kentucky Human Rights Commission also provides fair housing resources[28] and the Louisville Apartment Association has assembled information[29] and training for landlords related to Louisville's Fair Housing Ordinance and LMHA's Housing Choice Voucher Program.

Source of Income Laws - *Implemented*

In 2020, Metro Council amended Louisville's local fair housing ordinance[30] to include sources of income, homeless and veteran status, arrest history, and some criminal convictions to its list of locally protected classes.

Legal Assistance for Victims of Discrimination - *Implemented*

The Lexington Fair Housing Council is a nonprofit civil rights agency that both investigates complaints of housing discrimination and provides free advocacy and legal assistance for victims of housing discrimination.

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IV. PROTECT AGAINST DISPLACEMENT AND POOR HOUSING CONDITIONS

ENHANCING RENTERS' HOUSING STABILITY

Legal Assistance for At-Risk Renters - *Implemented*

In April 2021, Louisville Metro Council passed an ordinance[1] to provide free legal services to renters facing eviction through partnerships with Legal Aid Society and the Coalition for the Homeless. Other bills proposed in the 2022 KY General Assembly would provide additional protections for tenants facing eviction, including reforms to the setout process to require protection of renters' property (HB 160[2])and expungement for those who have been evicted in the past (HB 159[3]).

Eviction Prevention Programs - *Partially implemented*

Eviction prevention programs were substantially expanded during the COVID-19 pandemic through federal funding sources that supported emergency rental assistance.

Rent Regulation - *Proposed for West End TIF District*

A bill proposed in the 2022 KY General Assembly (HB 131[4]) calls for amendments to the West End Opportunity Partnership[5] legislation passed in 2021, to include protections for renters by allowing the adoption and enforcement of a rent control ordinance applicable to the nine West End neighborhoods that are part of the tax increment financing district.

Just Cause Eviction Policies - *Not implemented*

Currently, the Uniform Residential Landlord Tenant Act (URLTA[6]) governs tenant-landlords relations in Louisville/Jefferson County. Two bills (HB 152[7] and SB 368[8]) proposed in the 2022 KY General Assembly session would allow local governments to adopt provisions of URLTA, without having to adopt the law in its entirety, allowing greater flexibility and additional amendments to meet local needs. If adopted, this change could allow LMG to adopt a local just cause eviction ordinance.

Protection from Condo Conversions - *Not implemented*

The conversion of rental units to condominiums or the sale of rental buildings can lead to the displacement of existing tenants. Currently, renters in Louisville have no protections against this type of private market activity.

ENHANCING HOMEOWNERS' HOUSING STABILITY

Property Tax Relief for Income-Qualified Homeowners - *Implemented*

LMG expanded existing property tax moratorium programs as part of its Anti-Displacement Strategies to reduce the cost of enhancements needed to qualify for the moratorium to five percent of the property value in historically disinvested neighborhoods, including Algonquin, California, Chickasaw, Park Duvalle, Park Hill, Parkland, Portland, Russell, Shawnee, Shelby Park, and Smoketown Jackson. The moratorium program also applies to properties 25 years and older with improvements of at least 25 percent of value, properties in Qualified Census Tracts with improvements of at least ten percent of value, and properties that are LEED certified post-improvements. Older homeowners and homeowners who are disabled are also eligible for Homestead Exemption[9] or Disability Exemption,[10] which reduces tax liability. In 2017, LMG created the Tax Delinquency Diversion Program,[11] preventing third-party purchases of tax delinquent properties in targeted neighborhoods and allowing homeowners additional time to establish payment plans. The West End Opportunity Partnership[12] intends to provide refundable tax credits to homeowners for any property tax increases incurred after January 1, 2021, for a period of twenty years. LHOME offers a Property Tax Assistance Loan[13] of up to $5,000 that can be used for property tax bills.

Foreclosure Prevention Programs - *Partially implemented*

Foreclosure prevention programs were available to homeowners due to the COVID-19 pandemic, through the Team Kentucky Homeownership Assistance Fund,[14] which provided up to $35,000 of assistance for mortgage, utility, insurance, property tax, and homeowners' association fees. In Louisville/Jefferson County, the income limit for a 4 person household is $115,350 to qualify for these funds. As part of its Anti-Displacement Strategies,[15] LMG committed to "create and distribute communication materials to ensure residents are aware that Louisville Urban League and Legal Aid provide foreclosure counseling to at-risk residents."

ENHANCING COMMUNITY STABILITY

Stabilizing High-Poverty Neighborhoods Through a Mixed-Income Approach - *Implemented*

The federal HUD grants (HOPE VI and Choice Neighborhoods)[16] supporting the demolition and redevelopment of public housing are rooted in this policy approach. LMHA[17] has carried out four projects redeveloping public housing into mixed-income housing (Cotter and Lang Homes/Park DuValle, Clarksdale/Liberty Green, Sheppard Square, and Beecher Terrace). Neighborhood Revitalization Strategy Areas[18] are another tool intended to promote income diversity and attract middle-income households by allowing greater flexibility in the use of CDBG funds.

Insurance Against Property Value Decline - *Not implemented*

These programs are generally intended to mitigate property value decline and stabilize housing demand, which generally does not characterize current housing trends in Louisville/Jefferson County.

IMPROVING QUALITY OF BOTH NEW AND EXISTING HOUSING

Assistance for Home Safety Modifications - *Implemented*

LMG's Home Repair Programs[19] are available to support health and safety repairs for households earning 80 percent area median income or less. The Regular Home Repair Program is available across Jefferson County; the At-Risk Program provides targeted assistance for homeowners in the Algonquin, California, Chickasaw, Hallmark, Park DuValle, Parkland, Park Hill, Portland, Shawnee, Shelby Park and Smoketown neighborhoods; the Russell Rental Rehab Program partners with landlords in the Russell neighborhood to increase the supply and long-term availability of affordable, decent, safe, and sanitary units for low-and-moderate income renters; the Exterior Code Alleviation Program is available across Jefferson County for exterior code violations and minor exterior repairs. LHOME[20] offers a low-interest Home Repair and Energy Efficiency Loan of up to $50,000.

Code Enforcement - *Implemented*

The Exterior Code Alleviation Repair Program is intended to work with other Anti-Displacement Strategies[21] to help support low-income homeowners with existing code violations that can be remediated through repairs and rehabilitation. Code enforcement in Louisville/Jefferson County is reactive, or complaint driven.

Homeowner Rehabilitation Assistance Programs - *Implemented*

LMG's Home Repair Programs are available to support health and safety repairs for household earning 80 percent area median income or less. The Regular Home Repair Program is available across Jefferson County; the At-Risk Program provides targeted assistance for homeowners in the Algonquin, California, Chickasaw, Hallmark, Park DuValle, Parkland, Park Hill, Portland, Shawnee, Shelby Park and Smoketown neighborhoods; the Exterior Code Alleviation Program is available across Jefferson County for exterior code violations and minor exterior repairs. LHOME offers a low-interest Home Repair and Energy Efficiency Loan of up to $50,000.

Weatherization Assistance - *Implemented*

LMG's Weatherization Assistance Program[22] provides financial assistance to low-income residents for energy conservation improvements to owner- and renter-occupied buildings.

Housing and Building Codes - *Partially implemented*

Housing and building codes are critical for supporting safe and healthy housing. Two bills (HB 152 and SB 368) proposed in the 2022 KY General Assembly session would allow local governments to adopt provisions of Uniform Residential Landlord Tenant Act (URLTA), without having to adopt the law in its entirety, allowing greater flexibility and additional amendments to meet local needs. If adopted, this change could allow LMG to adopt additional housing code standards to offer greater protections for renters and address the existing power imbalance between landlords and tenants.

Lead Abatement - *Not implemented*

Lead Safe Louisville[23] provided funding for homeowners and landlords to address lead safety issues in homes built prior to 1978, however, the program is not currently accepting applications.

ENSURING THE ONGOING VIABILITY OF UNSUBSIDIZED AFFORDABLE RENTAL PROPERTIES

Expanded Access to Capital for Owners of Unsubsidized Affordable Rental Properties - *Partially implemented*

Among LMG's Home Repair Programs, the Russell Rental Rehab Program partners with landlords in the Russell neighborhood to increase the supply and long-term availability of affordable, decent, safe, and sanitary units for low-and-moderate income renters.

Guidance for Small, Market-Affordable Rental Properties - *Not implemented*

Guidance for landlords that offer market-affordable rents could help support the long-term affordability of these units.

Tax Incentives for the Maintenance and Rehabilitation of Unsubsidized Affordable Rental Properties - *Not implemented*

Privately-owned, non-subsidized rental properties can be an important source of affordable housing. Identifying the location of these properties, particularly in communities with rising rents, and working with current owners can support long-term affordability of these units.

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LOUISVILLE METRO GOVERNMENT HOUSING POLICY DEVELOPMENTS, 2021

Fair Housing Ordinance Amendment

On December 9, 2020, Louisville's Metro Council voted to amend the local Fair Housing Ordinance to include key provisions that reduce the ability of landlords to reject potential tenants (LMG 2020a). The existing Fair Housing Ordinance non-exhaustively prohibited housing discrimination based on race, religion, disability, sex, gender, and sexual orientation. The amendment specifies that landlords in Louisville can no longer exclude potential renters based on lawful source of income, homeless status, prior military service, or conviction and arrest history in some cases. Lawful income non-exhaustively includes public housing assistance sources such as housing choice vouchers (HCV), child support, social security monies, and alimony. The amendments went into effect immediately, except for the lawful source of income amendment, which was delayed to March 1, 2021, to allow landlords time to become compliant (Elahi 2020).

Although the amendment protects income sources such as HCV, it remains unclear the degree to which this will decrease the barriers that prospective tenants with vouchers routinely face. Landlords are not able to discriminate against prospective tenants in the application process for possessing a HCV, but landlords are not required to accept the HCV. In some instances, their property may not even be eligible. HUD, which oversees the Section 8 Housing Choice Voucher program, requires that any landlords who accept HCVs meet their Housing Quality Standards as well as any other applicable program guidelines (HUDa 2022). Further, there is uncertainty regarding how the lawful income amendment to the ordinance will be fully enforced.

Land Development Code Review

LMG's Office of Planning & Design Services is leading the Equity Review of the Land Development Code (LDC), an initiative focused on amending the zoning code to allow for more equitable and inclusive development (LMG 2022c). Several reports and planning efforts informed the current Equity Review process. In 2019, LMG adopted a new comprehensive plan (*Plan 2040*), including fair housing and affordable housing for the first time, and produced an internal report (*Advancing Equity*) highlighting the land development policies and practices that shape inequities and limit wealth attainment for historically marginalized groups, in particular Black households (LMG 2019a, 2019b). A consulting firm conducted a technical review of the LDC to identify specific zoning barriers that limit inclusive development, which identified parking requirements, minimum lot sizes, floor area ratios, excessive single-family zoning, and deficient density allotments as key barriers (Opticos Design 2020). Ensuring equitable housing was also identified as a key component of *Healthy Louisville 2025,* a community health improvement plan produced by LMG's Department of Public Health and Wellness (LMG 2022d). Amid Louisville's uprising against police violence in August 2020, Metro Council adopted a resolution supporting the LDC Equity Review (LMG 2020b). LMG staff created a Story Map, *Confronting Racism in City Planning & Zoning*, which documents the racial inequities embedded in past land use and housing practices, and shows how these discriminatory policies continue to shape Louisville's communities, necessitating the changes proposed through the LDC reform process.

In June 2021, Metro Council adopted five amendments that were part of Phase 1 of the LDC Equity Review (LMG 2022e). These amendments included:

- Requiring development application notices be mailed to current residents, not just property owners
- Revising zoning requirements to reduce obstacles to urban agriculture, including market gardens, community gardens, and farmers' markets
- Changing the review process for accessory dwelling units (ADUs) from the lengthier conditional use permit to a shorter administrative staff review
- Reducing the minimum front yard setback to 15 feet in Neighborhood and Traditional Neighborhood Form Districts to help increase housing options and affordability
- Allowing two-family residential use on all lots located within the multi-family residential and office/residential zoning districts and eliminating the floor area ratio (FAR) requirement from all residential zones and the conservation subdivision provision

Despite the very recent adoption of the ADU amendments with widespread support from Louisville Metro Council, new amendments are currently under consideration that would carve out exceptions for areas with homeowner's associations. Historically, homeowner's associations have been associated with enforcing racist deed restrictions and covenants designed to create exclusionary communities of White homeowners (LMG 2021c).

More extensive changes are proposed for Phase 2 and Phase 3 elements of LDC reform, which propose 40 additional amendments related to housing, environmental justice, and simplifying the regulations and processes (LMG 2021d). Phase 2 amendments are currently being analyzed by planning staff. As noted in the LHS policy framework (p.16), many of the amendments proposed in Phase 2 and Phase 3 would support the creation and preservation of dedicated affordable housing units (e.g., inclusionary zoning) and increase the overall supply of housing (e.g., zoning changes allowing for higher density) in Louisville/Jefferson County.

Zoning reform is a necessary, but not sufficient, component of creating the policy environment needed to support the widespread accessibility of safe, fair, and affordable housing. Reducing regulation and allowing more types of multifamily housing can support long-term increases in housing supply and create mechanisms that will ensure affordable units are included in all housing developments, like inclusionary zoning. Zoning changes need to be paired with other policies that help households access and afford rental housing or homeownership, and that protect households from displacement and poor housing quality.

Community Land Trust

Community land trusts have been under consideration in Louisville for several years. In December 2020, LMG announced that it would partner with REBOUND to establish a community land trust serving two Louisville neighborhoods, Smoketown and Russell. Other partners include the Center for Neighborhoods, Bates Community Development Corporation, and River City Housing Corporation (LMG 2020c). REBOUND's proposed year one goals included neighborhood resident engagement and the establishment of a new 501(c)(3) entity (LMG 2020d). The Center for Neighborhoods has facilitated several in-person public meetings over the course of 2021 and into 2022. The funding of up to $2.1 million for these activities comes from Louisville's federal Community Development Block Grant.

Louisville Affordable Housing Trust Fund

The Louisville Affordable Housing Trust Fund (LAHTF) supports the development of affordable housing through grants, loans, and technical assistance to housing developers by reducing financing gaps and project risk. Between 2015 and 2021, LAHFT received $66 million from Louisville Metro Government, which includes an annual contribution of $10 million as a general obligation bond (Louisville Forward 2021a). LAHTF primarily relies on this annual contribution because they lack a dedicated funding source (p. 17-30). Ordinance 40.42, that established LAHTF, specifies that LAHTF must spend 50 percent of the public dollars it receives in ways that benefit households at 50 percent or less of the area median income (AMI). The other 50 percent must be spent on households at 80 percent or less of the AMI (LMG 2008). However, in FY22, the budget allocation included a requirement that LAHTF dedicates $2.5 million of the annual allocation specifically for households making 30 percent or less of the AMI. This requirement will create new reporting processes for LAHTF that improves their ability to document and report who they are serving at AMI levels below 50 percent. In addition, as mentioned above, in late 2021, Louisville Metro Council voted to approve the federal allocation of ARP funds of which $40 million will be spent to build 200-250 units for those whose incomes are at or below 30 percent AMI. While this is a drop in the bucket needed to address the more than 30,000 needed units for those at that income level, it helps agencies begin to document more clearly progress towards meeting that goal.

Vacant Property and Land Bank

Three Metro agencies participate in strategies to address vacant and abandoned properties, Codes and Regulations, Office of Management and Budget, and Office of Community Development (OCD). These agencies are charged with identifying the properties, evaluating them for acquisition, sale, or demolition, and facilitating land donations and sales. These efforts had their early start in 2003 but gained traction in response to the 2007 housing crisis and have been evolving since (LMG 2021e).

In 2018, LMG identified 6,211 vacant or abandoned properties. By February of 2021, LMG OCD reported 3,500 vacant buildings with code violations with approximately 1,000 identified as abandoned. Through Louisville Metro's vacant property monitoring efforts, OCD identifies properties that are eligible for demolition due to unsafe conditions. Between 2003 and October of 2021, LMG demolished a total of 1,631 properties (2021e). The agency uses foreclosure on properties deemed likely abandoned to get these properties a clean title and into the hands of someone who they determine will put them into productive use. Between 2012 and March of 2022, LMG has foreclosed on 878 properties with an additional 110 that were filed but do not have completed sales. In 2021, LMG filed 58 foreclosures, down from 71 in 2020 (LMG 2021f). LMG OCD also facilitates the transfer, donation, and sales of property with the Louisville Metro Land Bank Authority. In 2021, LMG sold 91 landbank properties, similar to 2020 in which they sold 90 (LMG 2021g).

SB 105 Conservator Law

The foreclosure process that LMG uses to address vacant and abandoned properties can take 4 to 6 months before a new owner can stabilize, repair, or demolish the property. There are times when this delay will mean further deterioration to the property and further threat to public safety. Passed in 2021 and in effect as of January 1, 2022, SB 105 allows the county circuit court to appoint a conservator of the vacant or abandoned property who can then make repairs and rehabilitate the property.

"If the owner of an abandoned and blighted residential, commercial, or industrial building fails to maintain a building in compliance with applicable public safety housing, building, and nuisance code requirements, it is in the public interest for the court, pursuant to Sections 1 to 16 of this Act, to appoint a conservator to bring the building into compliance with applicable code requirements before the building sustains further deterioration preventing future productive economic use" (Kentucky State Legislature 2021).

Governor Andy Beshear did not support the bill because the law states that properties need only be vacant for one year before the process can be instigated and Representative Pamela Stevens argued that the law would speed up involuntary displacement by transferring ownership to developers (Otts 2021). LMG agency representatives have stated they intend to implement the tool slowly, starting with one property as a pilot and increasing to at least eight properties per year. They intend to prioritize developers with affordable rehab housing experience (Helmer 2021).

Addressing Homelessness

In 2019, Louisville Metro Council began devoting general funds to the Louisville Metro Homeless Initiative, through the Office of Resilience & Community Services, to support homeless service providers' programs dedicated to serving the unsheltered population, or those who were experiencing homelessness and living outside of Louisville's emergency shelter system. This funding was provided in response to increases in Louisville's overall unhoused population and sharp increases in those living outdoors.

In fiscal year 2021, this funding totaled $1 million and included healthcare services, additional overnight emergency shelter beds, legal services, storage facilities, street outreach, rapid rehousing for families, transportation services, low barrier shelter facilities, and support for severe and persistent mental illness (Buchino et al. 2022). These services supported 3,020 individuals, 52.9 percent of whom identified as White, 35.6 percent as Black or African American, and 4.7 percent identified as multi-racial. Just under 4 percent of clients served were of Hispanic/Latino ethnicity. 64.1 percent of clients were male, 34.9 percent were female, and 0.3 percent were transgender. Just over 5 percent of these individuals were under 18, one-quarter (25.8 percent) were between 18 and 34, 42.1 percent were between 35 and 54, and 18.8 percent were over 55.

Funds from LMG's Office of Resilience & Community Services and District 4 Councilman Jecorey Arthur were used to support the Winter Shelter Relief Program, which provided temporary hotel accommodations for more than 100 vulnerable residents during inclement weather (McKenna 2022). This program was administered through a partnership with Feed Louisville, a local nonprofit providing food and outreach to people experiencing homelessness, which helped connect people to housing, mental health, and other medical resources.

The Coalition for the Homeless continues to engage partners to identify ways to expand and tailor policies to better serve Louisville's unsheltered population, including the need to increase permanent supportive housing services, make physical improvements to the current shelter system, improve health care connections, and expand the coordinated community response to homelessness. Long-term investments in affordable housing, eviction prevention, and poverty alleviation are critical for supporting Louisville's most vulnerable residents but are also more economically efficient. For example, estimates from a Massachusetts eviction prevention program note that public services provided to unhoused individuals are approximately $9,372 greater per year than for an individual in housing (Wood-Boyle 2014).

Some of the additional funding made available because of the COVID-19 pandemic expanded resources for people experiencing homelessness, including additional housing choice vouchers and rapid rehousing vouchers, and American Rescue Plan funds have been allocated for security deposits and rent payments (LMG 2021a). Because voucher programs are rooted in delivering affordable housing through the private market, landlords' willingness to participate directly influences the ability to house people with vouchers. Recent changes to Louisville's fair housing ordinance prohibit landlords from discriminating against tenants based on their source of income, including housing choice vouchers, but this change does not compel landlords to participate in the program.

Louisville received an additional 129 emergency vouchers and as of early February had housed 74 people (Loosemore 2022).

LMG also committed $89 million of its American Rescue Plan funds to investments in affordable housing and other supports for unhoused populations, which includes funding for a Safe Outdoor Space (Harmon 2021). The Safe Outdoor Space is intended to help address the needs of Louisville's residents that are not using the emergency shelter system and to do so in such a way that 'meets folks where they are', rather than expecting them to seek out services in shelters. The Hope Village, located at 212 E. College Street in the Old Louisville neighborhood, will provide temporary, outdoor accommodations for unsheltered residents along with access to food, showers, and outreach services and will be operated by local nonprofit partners The Hope Buss (LMG 2022f). Between 40 and 50 residents will have access to tents, portable facilities, water, electricity, and client-centered case management. In addition to the temporary outdoor accommodations, the building on the adjacent site will be converted to serve as a bridge to permanent housing for unsheltered individuals.

Louisville Metro Council adopted two additional ordinances in 2021 to better support and protect the unhoused population. Council amended the Homeless Protection Ordinance to require risk assessment that must first clearly identify a risk to health or safety prior to issuing a 21-day notice to clear encampments (Kim-Martinez 2021). The change also gives service providers and outreach teams additional time to work with encampment residents and connect them to shelter-based services and other available resources. The local fair housing ordinance was also amended to include homeless status as a protected class (LMG 2021h).

Finally, there are two bills (House Bills 116 and 197) proposed in the 2022 Kentucky General Assembly session that would improve access and reduce barriers to state-issued identification for people experiencing homelessness, which is critical for accessing housing and other services (2022b, 2022c).

Rental Registries and Regulating Short-Term Rentals

Holding landlords accountable for the condition of their rental properties and their interactions with their tenants along with regulating the increase of short-term rentals has an impact on Louisvillians access to safe, fair, and affordable rental housing in Louisville. Louisville has a rental registry required by local ordinance; however, this registry is not accessible to the public per the ordinance (LMG 2016). Short-term rentals, on the other hand, that have gone through the required registration process and when necessary, the conditional use permitting process are publicly available and mapped (LMG 2021i).

RECOMMENDATIONS FOR CONTINUING THE PATH TOWARDS A JUST HOUSING FUTURE:

The Local Housing Solutions (LHS) policy framework is a comprehensive tool that provides a baseline understanding of the existing policies that are in place in Louisville, those that are proposed or in progress, and the gaps within our housing policy landscape. This framework, however, approaches housing policy from our existing social-political context in the U.S. where housing is a commodity and various profit-seeking actors play a critical role in the production of affordable housing. Thus, many of the policies tracked in the framework rely heavily on collaboration with profit-seeking entities, which is a limitation of this framework and U.S. housing policy. This practical orientation is necessary to provide policymakers with ideas that can be deployed to address our existing affordable housing crisis. In our analysis of Louisville's housing policy gaps and our recommendations outlined below, we pay particular attention to those that would support a fundamental right to housing, as these policies are critical for a just housing future.

CREATING AND PRESERVING DEDICATED AFFORDABLE HOUSING

Louisville relies on a variety of federal, state, and local programs and funding sources to create and preserve dedicated affordable housing units. Policies are in place or in progress across all sub-groups identified in the LHS framework. Several efforts currently in progress at the state and local level would help to fill in key gaps in Louisville's policies for creating and preserving dedication to affordable housing.

Adopt a State Affordable Housing Tax Credit

The proposed legislation (House Bill 86) for creating an affordable housing tax credit would bring Kentucky in line with other states, including Indiana, that offer state-level affordable housing tax credits (2022d; Novogradac 2022). Additional affordable housing units can positively impact health outcomes, including freeing up discretionary funds, increasing food security, and lowering stress (LMG 2022g). A clean, safe environment reduces exposures to mold and lead, sources of concern for health and cognitive development. With better housing options, more Kentuckians can experience an improved quality of life. The proposed state affordable housing tax would help target investments for supportive housing services, which are critical for unhoused populations, and for elderly persons.

Require Affordable Housing on Publicly Owned Land

Publicly owned land is a critical leverage point for LMG. When LMG agrees to sell land for redevelopment, including properties owned or controlled by the Land Bank Authority, often at deeply discounted prices, the inclusion of affordable housing units should be required, similar to inclusionary zoning. LMG should standardize a process to ensure affordable housing is a component of any redevelopment of publicly owned land.

Create an Inclusionary Zoning Ordinance

Locally, the Equity Review of the Land Development Code recommends the creation of an Inclusionary Zoning ordinance, which would require affordable units to be included in developments of a specified size. Inclusionary zoning programs are associated with greater racial and economic integration and help promote the integration of affordable housing units across all communities (Kontokosta 2014). The establishment of an inclusionary zoning program in Louisville would signal a long-term, permanent commitment to the importance of affordable housing. Inclusionary zoning is an important component of a robust housing policy framework because it "leverages the private market, generally allowing new affordable units to be created with little or no public subsidy," tying together the creation of market-rate units with the creation of affordable units and ensuring that the benefits of new housing developments are accessible to households at varying income levels (Local Housing Solutions 2021b). Codifying the inclusion of affordable housing units in development projects is necessary to reframe real estate development expectations in Louisville and reshape land use patterns in ways that are equitable and sustainable into the future.

Identify a Dedicated Revenue Source for the Louisville Affordable Housing Trust Fund

Although the Louisville Affordable Housing Trust Fund (LAHTF) has been in existence since 2008, it still lacks a dedicated revenue source. While the Louisville Metro Council and the Mayor have prioritized general funds for the LAHTF, a funding source that is outside of the budget process and associated political maneuverings would provide an ongoing committed stream of revenue for affordable housing. This is another example of a long-term policy change that would signal Louisville's commitment to expanding affordable housing options. In other cities, revenue sources are typically associated with real estate development (e.g., transfer or demolition taxes, recording fees) but can also include revenue from permit fees or taxes from hotels, legalized medical or retail marijuana, luxury housing, or short-term rentals (Local Housing Solutions 2021c).

Create a Local Program for Rental Assistance & Dedicated Operating Subsidies for 30 percent AMI Units

Rental assistance is critical for supporting households earning 50 percent AMI or less and can increase housing stability by limiting eviction, as we learned through the pandemic. The Local Rent Supplement Program in Washington, D.C., is an example of a locally funded rental subsidy that covers the difference between market rent and what a household can afford to pay (D.C. Fiscal Policy Institute 2016). Because Louisville needs more than 30,000 units for households earning 30 percent of AMI and below, identifying sources of revenue to support operating subsidies to create and preserve units in this income range is necessary.

Expand Rights of First Refusal

Rights of first refusal are a key tool for preserving affordable housing and preventing the conversion of affordable units to market rate. LMG should develop consistent policies across all of its affordable housing programs that ensure rights of first refusal and should prioritize tenants' associations that might be interested in purchasing their buildings, similar to the Tenant Opportunity to Purchase Act (TOPA) in Washington, DC (Department of Housing and Community Development 2022).

Support the Creation of Limited Equity Cooperatives (LECs)

Cooperative housing models offer an important alternative to market-based housing solutions. LECs allow residents to purchase a development share, rather than an individual unit, and agree to a limited resale price to preserve long-term affordability. Government assistance is crucial for subsidizing initial affordability, and LMG should support tenant groups seeking to establish cooperative housing models.

INCREASING THE OVERALL HOUSING SUPPLY

The current efforts to reform the Land Development Code (LDC) and make changes that will support more inclusive types of housing and development patterns across Louisville/Jefferson County are critical for increasing the overall supply of housing. The Phase 1 recommendations adopted in June 2021 were an important initial step, but the proposed changes in Phases 2 and 3 can fundamentally reshape land development patterns in Louisville in ways that are critical for affordable housing development. Increasing the overall housing supply is necessary for addressing affordable housing needs long-term, but these changes will be insufficient on their own and must also be paired with other policies that explicitly target affordability challenges. These policies should also be coordinated with other strategies like the Market Area Profiles from the Housing Needs Assessment, which offers detailed information about affordable housing needs across different parts of Louisville/Jefferson County.

Enact Zoning Changes to Increase Overall Housing Supply

Allow Higher Residential Densities Across Louisville/Jefferson County

Many of the housing recommendations in Phases 2 and 3 of LDC Reform would allow for more dense housing types across Louisville/Jefferson County. Although the current recommendations do not go as far as eliminating zoning designations that only permit the development of single-family homes, the changes, if adopted would allow more land to be used for multifamily housing, including duplexes, triplexes, and fourplexes, and would encourage approaches like transit-oriented development encouraged in Plan 2040.

Create Missing Middle Housing

Many of the housing recommendations in Phases 2 and 3 of LDC Reform support the creation of missing middle housing, which includes housing types like townhomes, duplexes, triplexes, and courtyard clusters. In addition to changes that would allow more density generally, other recommendations would move the LDC towards regulations based on the building type or form, rather than regulating the number of units or lot sizes.

Continue to Reduce Parking Requirements

Reducing or outright eliminating parking requirements is a means of both reducing development costs and creating more sustainable land use patterns. Excessive parking requirements mean there is less land available for housing. While LMG has reduced parking requirements in areas zoned as Traditional Form Districts, this could be expanded to other form districts and adopted by the 12 small cities with zoning authority.

Allow the Development of More Types of Lower-Cost Housing

Phase 1 of LDC Reform adopted changes easing the development of accessory dwelling units (ADU), an example of a lower-cost type of housing. Proposed changes in Phase 2 would expand on these changes by streamlining processes for the development of tiny homes, for example.

Make the Development Review Process More Predictable

LDC Reform is also focused on streamlining the development review process and simplifying the code through revising site design, infill, and building design standards, among other recommendations. These changes would help reduce time and costs and increase predictability for development projects, which would be an important incentive to balance with other requirements for affordable housing, like inclusionary zoning.

HELPING HOUSEHOLDS ACCESS AND AFFORD PRIVATE-MARKET HOMES

Louisville's policies for helping households access and afford private-market homes are substantial. There are existing initiatives for most policies listed in this section of the LHS framework. Several of these reflect important recent policy changes like the inclusion of source of income as a protected class in the local Fair Housing Ordinance and LMG's new Shared Equity Homebuyer Program. With many policies already in place, orienting these programs towards a just housing future requires focusing on long-term funding, targeting household income groups with the greatest affordable housing needs (i.e., 30 and 50 percent AMI), and ensuring that the benefits from these programs are directed towards historically marginalized and excluded groups, because, despite this existing robust policy framework, Black and Hispanic/Latino homeownership rates in Louisville remain well below those of White homeowners.

Fund Security Deposit and Rent Assistance

A critical gap in Louisville's housing policy framework is funding for rental assistance and security deposits. The federal Emergency Rental Assistance Program temporarily addressed this shortcoming, but long-term solutions are needed. As we learned from the deployment of federal the Emergency Rental Assistance Program, this policy solution directly influences keeping people housed and lowering the overall eviction rates. Further, these programs should not be overly burdensome on tenants seeking to access these funds. The administrative infrastructure needed to administer local rental assistance now exists within LMG and its community partners because of the federal Emergency Rental Assistance Program, and Louisville should capitalize on this institutional knowledge.

Expand Increased Voucher Payments

Louisville Metro Housing Authority (LMHA) increased voucher payments using Small Area Fair Market Rents for project-based housing vouchers and for its homeownership programs. LMHA should expand the use of SAFMR for other voucher programs to expand access to housing in high rent markets for voucher participants.

PROTECTING AGAINST DISPLACEMENT AND POOR HOUSING CONDITIONS

Policies that protect current renters and homeowners from displacement and that address poor housing conditions are necessary for a just housing future. In response to unprecedented investment, particularly in historically disinvested Black communities in the West End, LMG (2022h) developed a set of Anti-Displacement Strategies intended to "combat the threat of involuntary displacement due to investment." These policies are structured around 4 key outcomes –

1. Supporting homeowner retention
2. Supporting current renters at risk of displacement and former displaced renters through homeownership
3. Supporting current renters at risk of displacement and former displaced renters from rent increases
4. Revising LMG policies contributing to displacement

The connections and overlap between the policies contained within the LMG document and those in the LHS framework are noted on pages 17-30. LMG's Anti-Displacement Strategies are an important step towards protecting incumbent residents, and other recent policies changes like the Right to Counsel ordinance supporting families in eviction court and the expanded Tax Moratorium programs targeting homeowners in historically Black neighborhoods are enhancing both renters' and homeowners' housing stability.

Adopt Rent Regulations

The proposed state legislation (House Bill 131) would allow the adoption and enforcement of a rent control ordinance, specifically targeting the nine West End neighborhoods included in the West End Opportunity Partnership TIF district. If adopted, this would allow direct protections for existing renters in response to the TIF – a policy tool with an explicit purpose of increasing property values, which will certainly lead to rising rents and displacement. Recent empirical research points to the efficacy of rent control to promote tenant stability without constraining new housing supply, particularly when used in combination with other strategies that address things like conversion to condominiums (Pastor, Carter and Abood 2018).

Restart the Lead Safe Louisville Program

Lead abatement is an important housing quality and public health issue, particularly for families with young children who are most vulnerable to lead poisoning. LMG should re-start the Lead Safe Louisville Program to continue eliminating lead hazards for renters and homeowners.

Expand Eviction Protections Through Just Cause Policies

The housing policies enacted in the face of the COVID-19 pandemic offered important lessons for eviction prevention – a combination of robust rental assistance and limitations on landlords' ability to file evictions can substantially reduce overall eviction filings. Adopting a just cause eviction ordinance is one way to limit a landlord's ability to file evictions, specifically those tied to lease expirations without further justification. The proposed state legislation (House Bill 152 and Senate Bill 368) would allow LMG and other local governments to adopt the Uniform Residential Landlord Tenant Act (URLTA) in part, rather than requiring it to be adopted in its entirety, which would pave the way for the adoption of local amendments like a just cause eviction ordinance.

Prioritize the Needs of Current Residents when Stabilizing High-Poverty Neighborhoods

The traditional approach to stabilizing high-poverty neighborhoods – in Louisville and elsewhere – is creating mixed-income communities and many federal programs like Choice Neighborhoods and its precursor HOPE VI are predicated on this theory of neighborhood redevelopment. Oftentimes, these approaches fall short when it comes to the needs of incumbent residents, with demolition-based redevelopment approaches that inherently displace people and investments of public dollars to build market-rate housing, further exacerbating displacement. State and local policymakers need to understand this history, and its particularly detrimental effects in Louisville's Black neighborhoods, and focus on stabilizing incomes and housing affordability prior to implementing real estate-based reinvestment strategies.

Production, Rehabilitation, and Inventory of Affordable and Subsidized Housing

Federal Funded Subsidies

Public Housing Units

The number of public housing units in the U.S. has declined steadily as federal funding shifted to vouchers and other housing subsidy programs. As of the end of 2021, Louisville Metro Housing Authority (LMHA) owns 3,749 public housing units with another 578 units that they refer families to for a total of 4,327 units within the Public Housing program (**Map 2**, p.43, HUD 2022b). Of those, 1,111 are scattered site Public Housing units. This is an increase from 2019 when LMHA owned 2,602 public housing units but still less than the 4,565 units LMHA owned in 2018. A portion of the decrease from 2018 continues to reflect the demolition of Beecher Terrace (758 units) as part of the Choice Neighborhood Grant (CNI) in 2019 and other units sold or demolished. The increase from 2019 reflects the replacement units built and the ongoing acquisition of properties and scattered-site units that are part of the CNI Grant activities.

Map 2: Public Housing Buildings

Louisville/Jefferson County - 2021

Indicates the locations of public housing development buildings.

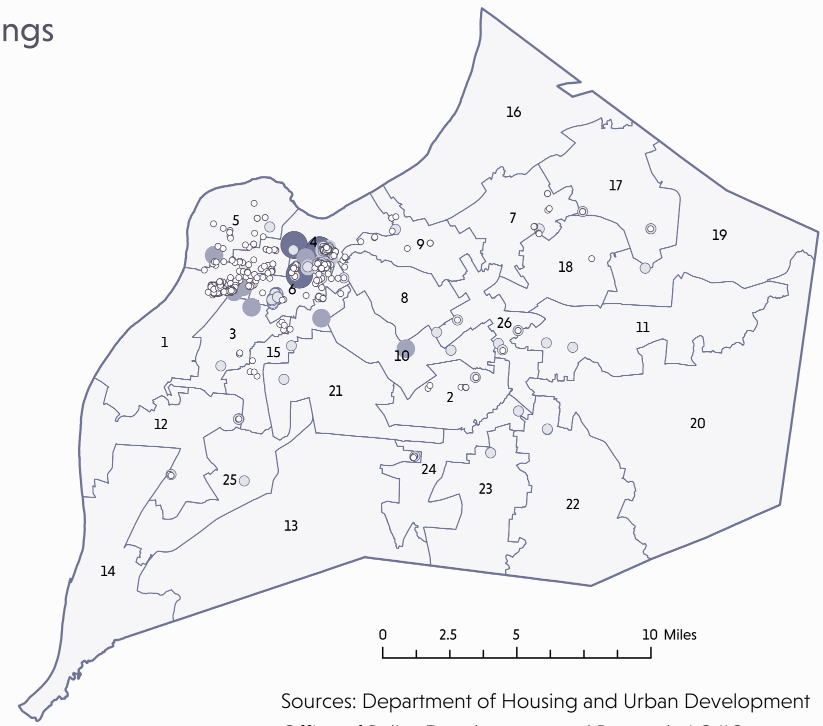
Total Units

- 1 - 5
- 6 - 15
- 16 - 30
- 31 - 90
- 91 - 305

Current Metro Council District

Current Louisville Metro Council Districts created from 2020 Census data and was approved by Metro Council and the Mayor of Louisville on November 16, 2021.

Total Units: **4,327**



Sources: Department of Housing and Urban Development Office of Policy Development and Research, LOJIC

LMHA reported 260 vacant public housing units at the end of December 2021, which is about 7.4 percent, slightly down from 9.0 percent at the beginning of 2021 (Osanka 2022). Of those vacancies, about 74 percent were scheduled for capital improvements or were not ready to lease, leaving just 1.8 percent of the total number of public housing units vacant but ready to lease at the end of December 2021 (Osanka 2022).

The impact of lack of federal funding for maintenance and repair of public housing units continues to be a problem for LMHA and is reflected in LMHA's FY 2022 Move to Work Plan. A total of 76 public housing units will be removed from the current stock, including 29 units proposed for sale and disposition due to excessive needed repairs, 26 scattered sites units that will be sold, and 21 Beecher Terrace units that will be converted to HUD's Rental Assistance Demonstration (RAD) program (LMHA 2021). RAD allows public housing authorities to convert public housing to project-based housing choice vouchers or Section 8 project-based rental assistance, which permits the use of more flexible private market financing sources to address long-standing capital improvement, which is necessitated through underfunding of public housing from the federal government. LMHA will use this flexibility to finance building 21 new units within the new Beecher Terrace site that were vacant or non-residential units within the original Beecher Terrace portfolio and may pursue RAD designation for both Park DuValle and Sheppard Square. In March 2022, LMHA began a Physical Conditions Assessments of its public housing portfolio, which will be used to prioritize future RAD conversions (LMHA 2022). While RAD is a potentially important financing mechanism in the context of limited public funds for maintaining public housing, it offers few tenant protections and may result in rent increases and displacement of current tenants.

In March 2022, tenants of LMHA spoke out against the conditions of their units, specifically ones managed by the private management company the CT group, citing excessive disrepair and health hazards like mold (Jumaa 2022). By early April, CT Group announced it would no longer manage its portfolio of 185 scattered-site units. These actions were organized by the newly formed Louisville Tenants Union (Recker 2022).

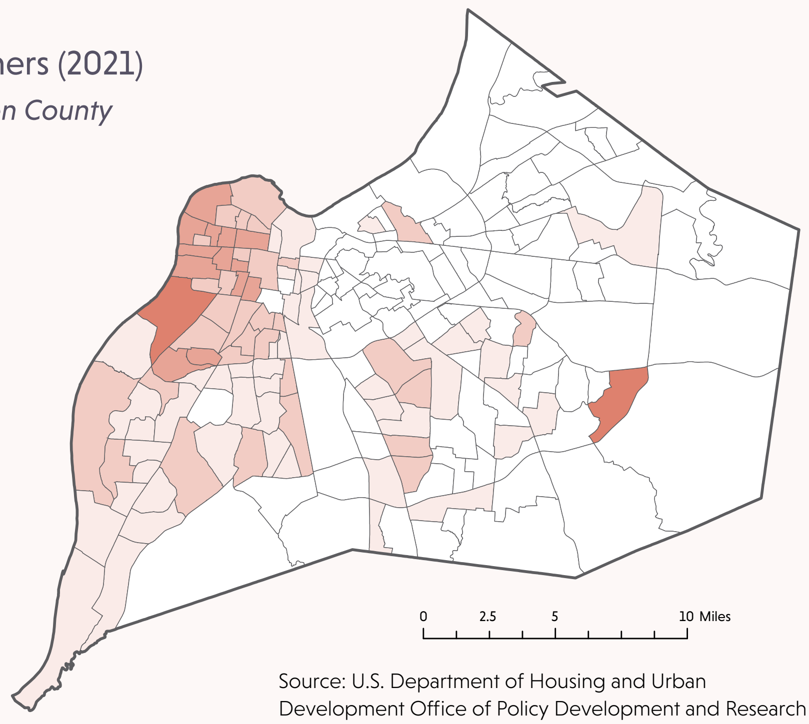
Map 3: Housing Choice Vouchers (2021)

By Census Tract - Louisville/Jefferson County

This dataset includes both tenant-based vouchers and project-based vouchers.

HCV as % of Renter Occupied Units

- <= 4.9%
- 5% - 14%
- 14.1% - 26.7%
- 26.8% - 47.4%
- 47.5% - 100%



Total HCV Units: **10,706**

Source: U.S. Department of Housing and Urban Development Office of Policy Development and Research

Section 8 Housing Choice Vouchers

As of January 1, 2022, LMHA had 10,804 HCV units under lease. This includes project-based vouchers and housing choice vouchers as well as vouchers reserved for veterans, families at risk of separation from their children, and young people transitioning out of the foster-care system who would otherwise be at risk of homelessness **(Map 3)**.

*Moving to Work (MTW)	10,120
*Veterans Affairs Supportive Housing (VASH)	385
*Family Unification Program (FUP) old	107
*Family Unification Program (FUP) new	22
*Mainstream	170
Total:	**10,804**

Low-Income Housing Tax Credits

The U.S. Department of the Treasury, as an incentive, sponsors the Low-Income Housing Tax Credit (LIHTC) program for developers of affordable housing units focused on low-income individuals and families. The Kentucky Housing Corporation (KHC) is the state administering agency that awards credits across the state through a competitive application process (KHC 2022). According to KHC, from 2010 to 2022, the state of Kentucky was allocated $154,424,972 for the construction of 6,373 new units and the rehabilitation of 6,659 units using LIHTC. From this, KHC allocated Louisville/Jefferson County $20,895,391 or 13.5 percent of the total state allocation to build 957 new units and rehabilitate 647 units.

Map 4 illustrates the LIHTC units put into service between 1987 and 2019. Of those units, District 4 is home to 21 percent of LIHTC. District 1 has 16 percent. Districts 2 and 5 each have 10 percent and District 3 has 8 percent. Other districts have less than 6 percent of the LIHTC units each and there are 8 council districts with no LIHTC units (Districts, 7, 10, 14, 18, 20, 22, 23, and 26; National Housing Preservation Database 2021).

Many people do not realize that LIHTC units' affordability requirements eventually expire. Map 4 shows when the affordability period for specific units in Louisville/Jefferson County will expire. There are 98 units scheduled to expire by 2023. Most of these units (78) are concentrated in District 3 in the South Parkland/Shively area, 10 in District 1, and 10 units are located in District 5. In five years, between 2024 through 2027, an additional 790 units are scheduled to expire, including 100 percent of the

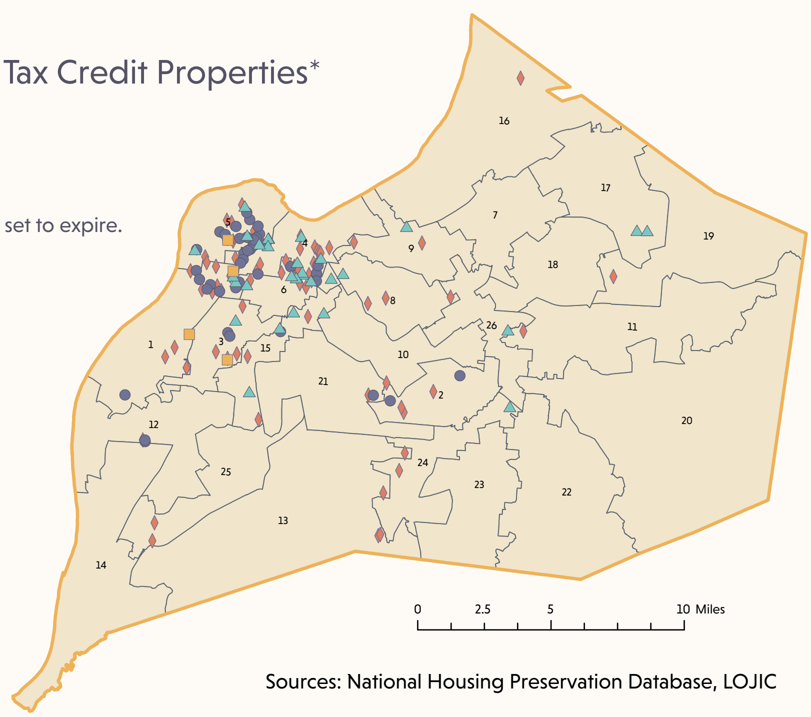
Map 4: Low Income Housing Tax Credit Properties*
*by Subsidy End Date***

*Units put into service between 1987 & 2019
**Latest date that any of a property's subsidies is set to expire.
Total Units = 7236

Subsidy End Date Range

- 2023 (98 total units expiring)
- 2024-2027 (790 total units expiring)
- 2028-2032 (1322 total units expiring)
- 2033-2057 (5026 total units expiring)
- Current Louisville Metro Council Districts

Current Louisville Metro Council Districts created from 2020 Census data.



Sources: National Housing Preservation Database, LOJIC units in District 17, in the Berrytown area, which are scheduled to expire by 2025. In ten years, an additional 1,322 units are set to expire, with most units in District 1 (601 units), District 4 (228 units), and District 5 (232 units). The remaining 5,026 units in the city are scheduled to expire sometime between 2033 and 2057. When considered in combination with the loss of subsidized units in general, limited capacity to build any type of housing unit, and scarce funding for maintenance and improvements of existing public housing units, these data further reinforce how Louisville/Jefferson County will continue to face a shrinking supply of affordable housing units.

How KHC prioritizes LIHTC allocations is important and how many projects receive the 4 percent credit (non-competitive) versus the more valuable 9 percent tax credit (competitive) is a critical component of Louisville/Jefferson County's capacity to create affordable units. Of the 151 projects in Louisville/Jefferson County allocated LIHTC funding between 1987 and 2019, 56 received the 9 percent tax credit, 72 received 4 percent, 9 had a combination of the two, and 13 were not identified (National Housing Preservation Database 2021). Introduced in January 2022, Senate Bill 86 is intended to increase affordable housing units for those at or below 60 percent of area median income (AMI) by offering state affordable housing tax credits that match existing federal tax credits (Kentucky State Legislature 2022d). This would be an important tool to get private developers to build more units. However, the criteria KHC uses to award LHITC credits across the state will still have an impact on the end result in Louisville.

Waiting Lists

LMHA maintains its waiting lists according to eligibility and applicant location preference. Thus, individual families may appear on more than one waiting list. In addition, families may be listed on public housing and HCV waiting lists, and, as these are dynamic lists, it is difficult to fully characterize the number of individuals/families who are waiting for assistance in Louisville/Jefferson County at any given time. In their FY 2021 Annual MTW Report, LMHA documented 5,166 applications for Section 8 Housing Choice Vouchers, 3,404 for their managed sites, and 5,253 for units that are site-based. The site-based lists include privately managed sites that accept vouchers including Liberty Green, Wilart Arms, Sheppard Square, and Park DuValle.

Locally Funded Subsidized Affordable Housing

Louisville CARES

The Louisville Creating Affordable Residences for Economic Success (CARES) Program provides gap financing (a loan to cover costs that cannot be covered by other sources or programs) to encourage the creation of "affordable workforce housing" (80 percent Area Median Income (AMI), Louisville Forward n.d.). The program also sets income limits and maximum rent using HUD's Income Limits Documentation System and rent limits using one person/bedroom + one calculation. In 2021, this meant that affordable rent for a three-bedroom unit for a family of 4 at 80 percent of AMI or $61,500, is set at a maximum of $1,537 (Louisville Forward 2021b). This was $308 higher than the 2021 Fair Market Rent ($1,229), which is the rent limit for families using Housing Choice Vouchers (HUD 2022c, LMG 2021j).

The CARES program is intended to supplement other financing tools such as HOME or Community Development Block Grants (CDBG) as well as private financing mechanisms. LMG structured CARES to operate with the Louisville Affordable Housing Trust Fund (LAHTF) as another layer of financing to encourage private developers to build more affordable units. By February 2021, CARES had committed $18.5 million to fund twelve projects, five of which are complete and total to 578 rental units (LMG 2021j). Three of these projects were completed in FY20, including the Middletown Apartment project, which was a joint venture between CARES and the LAHTF. CARES devoted $9.4 million to these projects. An additional 500 units received eviction prevention assistance. Between May 2016 and June 2020, 39.4 percent of units assisted (including rental units created by projects, rental units being constructed, and units receiving eviction prevention assistance) were at or below 50 percent AMI, 36.8 percent were at or below 60 percent AMI, and 23.7 percent were at or below 80 percent AMI (LMG 2021j). The LMG FY22 Budget did not include funding for CARES. In previous years, the original allocation for CARES was diverted to LAHTF. This year, a portion was diverted to Emergency Rental Assistance programs for FY22 (LMG 2021k) and LMG plans to use CARES to support its Shared Equity Homebuyer Program that will target homeownership opportunities for low- and moderate-income persons in higher-income neighborhoods.

Louisville Affordable Housing Trust Fund

Louisville Affordable Housing Trust Fund (LAHTF) supports the development and rehabilitation of affordable housing through grants, loans, and technical assistance to housing developers by mitigating financial risk. They also provide funding to supportive housing services grants. Between 2020 and 2021 grants of $58,000 to service providers supported 637 people with more than half reporting incomes at or below 30 percent of AMI.

Of the 1,466 housing units in the projects supported by loans in 2020-2021, LAHTF reported 257 would be for those with incomes less than or equal to 30 percent AMI, 300 for those at or below 50 percent AMI, 202 units at or below 60 percent AMI, and 707 at or below 80 percent AMI (2022). It is important to note that the numbers reported here for each category could be serving families in the lower-income categories. These are the upper-income limits for the intended residents of the units. These numbers do not represent the income distributions of the actual residents of the units built.

Housing Segregation

Housing segregation patterns are manifestations of historic and contemporary policy decisions shaped by systemic racism and classism inherent to policymaking frameworks. Measures of housing segregation often depict the geographic distribution of a community's residents by socially defined categories to document where people who experience obstacles to accessing safe, fair, and affordable housing become concentrated. Focusing on where those who experience barriers to housing live is useful for documenting the material impacts of housing policies and how systems of inequality and oppression intersect to produce housing disparities across categories such as race and ethnicity, poverty status, family/household configurations, age, and disability status. It is also important to document and understand the advantages and privileges that accrue to whiteness and affluence as a direct result of the same policies (Goetz, Williams, and Damiano 2020). This year's measure of segregation focuses on highlighting where White residents and resources such as income and wealth are geographically concentrated across Louisville/Jefferson County as a reflection of the systems of advantage and privilege that historically have excluded Black and brown residents and poor households.

White establishment actors and decision makers created and perpetuated the barriers that maintain housing segregation by wielding their wealth, privilege, and power. The solution, however, is not forced or predatory integration of Black and brown residents into White communities, nor is it incentives that encourage White residential migration into Black and brown neighborhoods eventually displacing existing residents (Taylor 2019). These approaches assume that people who have experienced the negative impacts of racism and other forms of discrimination want to live with or near those who engage in and perpetuate any form of racialized discrimination. Rather, the solution is to remove the barriers that limit choice of neighborhoods based on racialized markets in combination with initiatives that support existing residents in their chosen neighborhoods.

Racialized housing markets and wealth/income disparities:

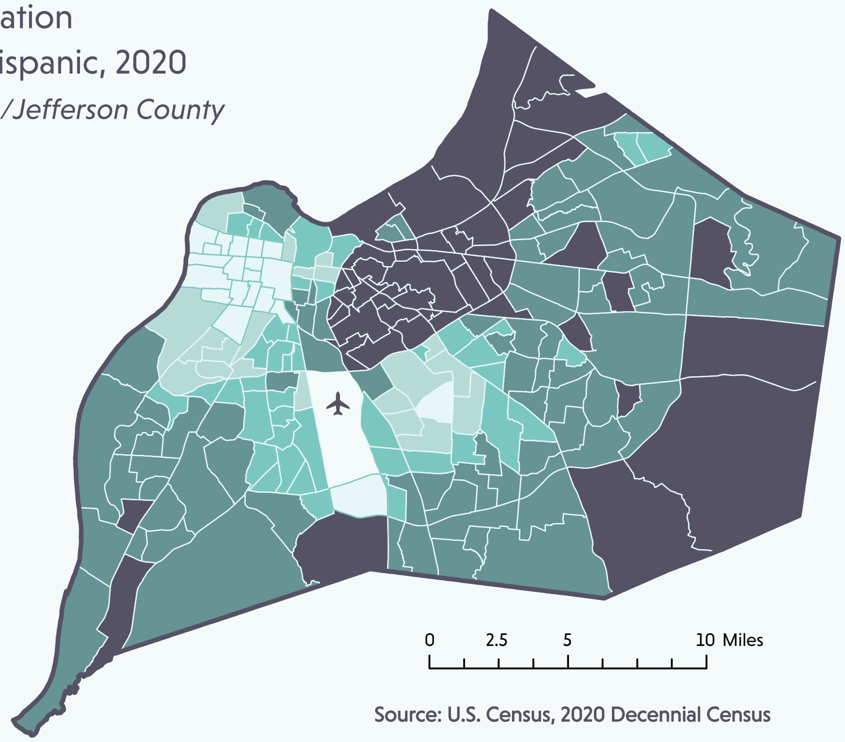
White residents experience fewer obstacles to owning a home and securing rental housing where they prefer than Black, Hispanic/Latino, and other minoritized residents. They also have access to more wealth and income than other racialized groups. White, non-Hispanic/Latino residents in Louisville/Jefferson County are the racial majority (greater than or equal to 50 percent of the population) in 157 census tracts, and in 49 census tracts they make up more than 80 percent of the population. In addition, census tracts with more than 80 percent White residents are predominantly on the east side of the city **(Map 5)**.

Income segregation is also evident in **Map 6** where census tracts with the highest proportions of households that have incomes of at least $100,000 (between 49.3 and 71.2 percent) are concentrated in the eastern part of Louisville/Jefferson County. The concentration of income and associated wealth in east Louisville further documents how assets are geographically concentrated.

Map 5: Percentage of Population Identifying as White, non-Hispanic, 2020

By Census Tract (2010) - Louisville/Jefferson County

- <=19.9%
- 20% - 39.9%
- 40% - 59.9%
- 60% - 79.9%
- 80% - 100%
- No Data
- Louisville Muhammad Ali International Airport

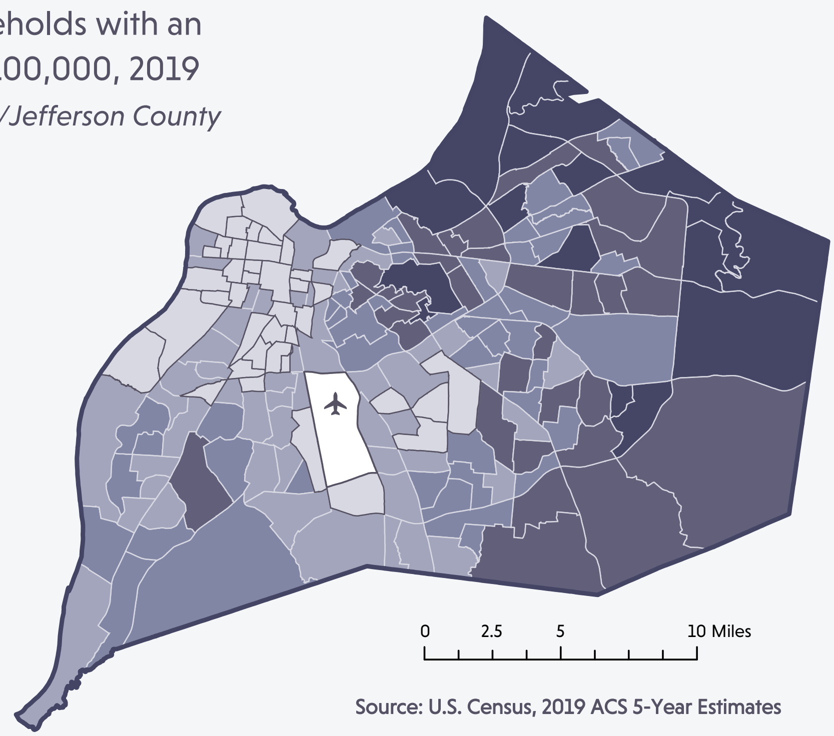


Source: U.S. Census, 2020 Decennial Census

Map 6: Percentage of Households with an Annual Income of at Least $100,000, 2019

By Census Tract (2020) - Louisville/Jefferson County

- <=8.5%
- 8.6% - 18.2%
- 18.3% - 31.7%
- 31.8% - 49.2%
- 49.3% - 71.2%
- No Data



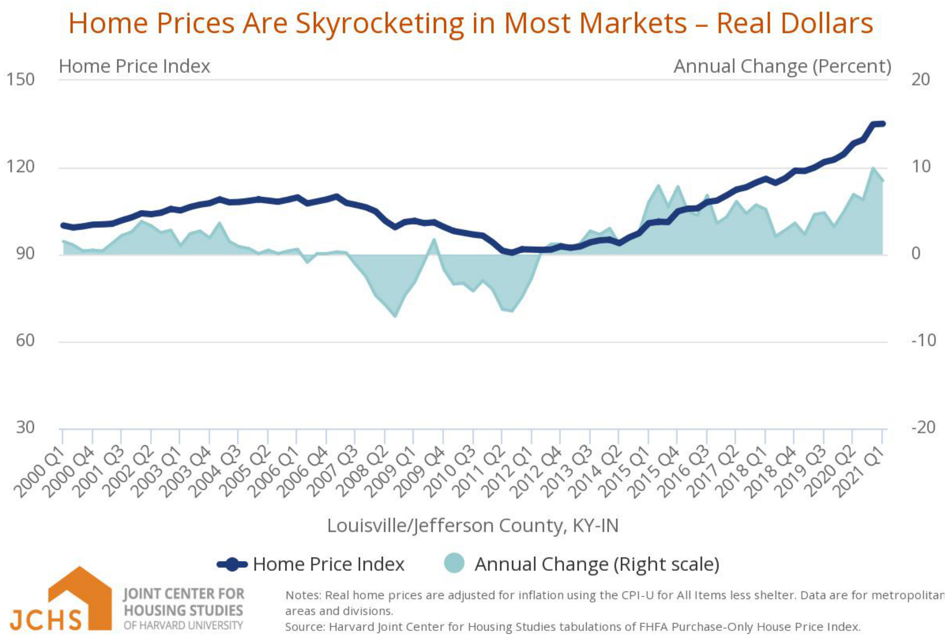
Source: U.S. Census, 2019 ACS 5-Year Estimates

Homeownership and Affordability

Homeownership is becoming less affordable nationwide and, in the Louisville Metropolitan Statistical Area (MSA), as well. Since 2012, home prices in the Louisville MSA, which includes the Bullitt, Henry, Jefferson, Oldham, Shelby, and Spencer counties in Kentucky and the Clark, Floyd, Harrison, and Washington counties in southern Indiana, have continued to increase **(Figure 5)** (U.S. Census Bureau 2020b).

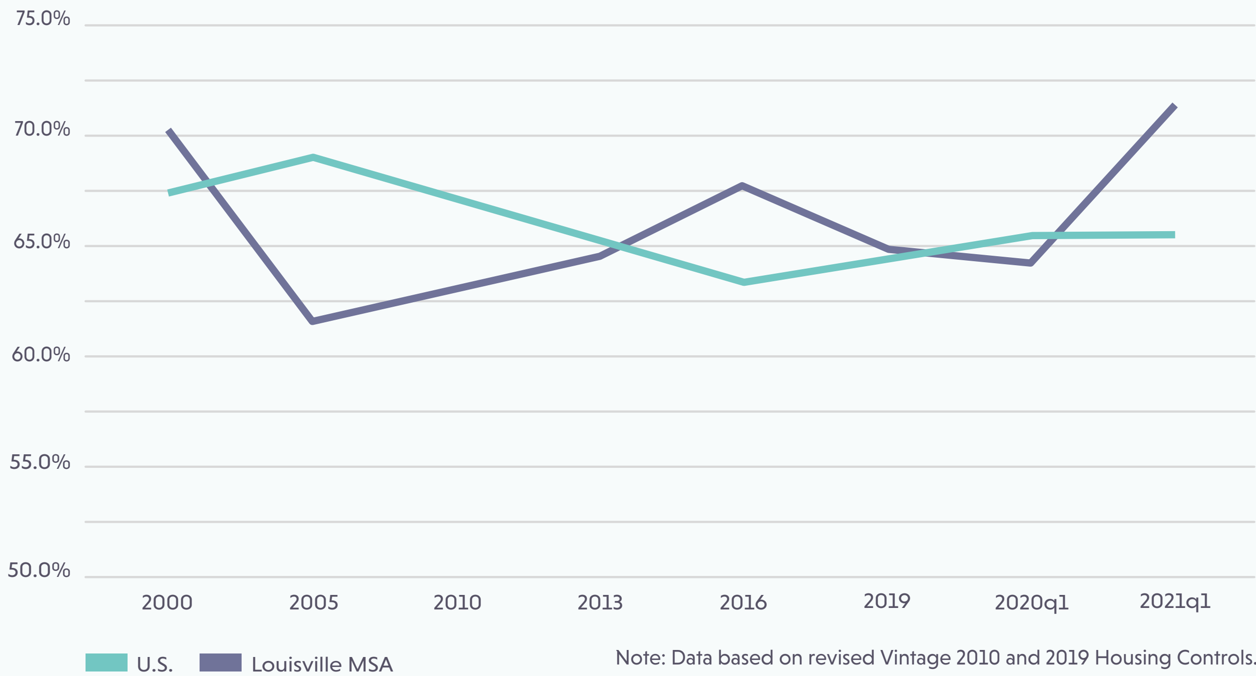
Despite this steady upward trend, homeownership rates have increased nationally since 2016 **(Figure 6)**. The Louisville MSA experienced a substantial increase in homeownership rates between the first quarters of 2020 and 2021, climbing to 71.3 percent and surpassing the previous high of 70.2 percent observed in 2000. Nationally, homeownership rates remained roughly steady over the same period (Q1 2020-Q1 2021).

Figure 5: Change in Home Prices 2000-2021



Notes: Real home prices are adjusted for inflation using the CPI-U for All Items less shelter. Data are for metropolitan areas and divisions.
Source: Harvard Joint Center for Housing Studies tabulations of FHFA Purchase-Only House Price Index.

Figure 6: U.S. And Louisville MSA Homeownership Rates 2000-2021



Note: Data based on revised Vintage 2010 and 2019 Housing Controls.
Source: JCHS

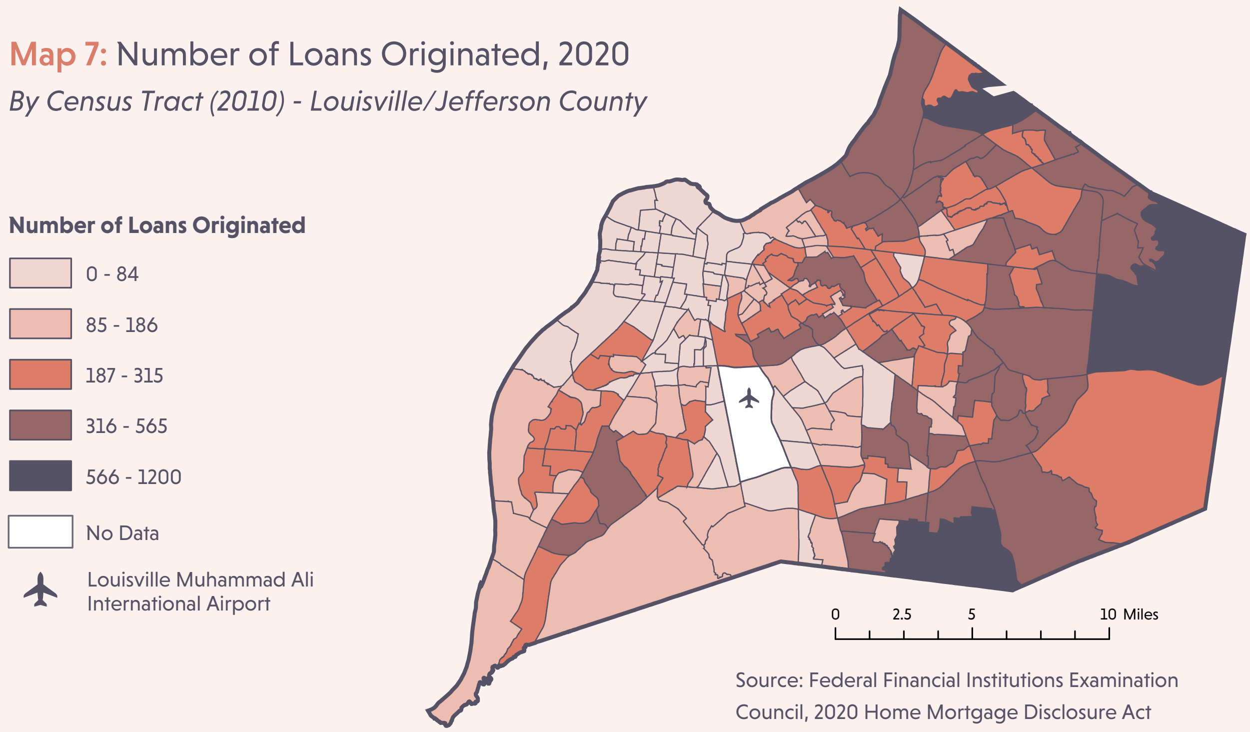
These fluctuations occur in the context of racialized homeownership disparities across the U.S. and in the Louisville MSA. This racial disparity in homeownership rates exists at the local level, despite an overall rate of homeownership in the Louisville MSA that is higher than the national rate. Rates of homeownership for minoritized people at both the MSA and Louisville/Jefferson County levels are even lower than the national rates. In Louisville/ Jefferson County and the Louisville MSA, homeownership rates for Black or African American households are 36.7 percent and 37.2 percent, respectively, compared to the national rate for Black or African American households of 41.8 percent. Similarly, Hispanic/Latino homeownership rates in Louisville/Jefferson County and in the Louisville MSA are 37.8 percent and 39.5 percent respectively, but 52.7 percent nationally. In other words, the racial and ethnic disparities in homeownership rates are even more pronounced in the Louisville area (based on ACS 2019 data).

Home Mortgage Disclosure Act (HMDA)

HMDA data for Louisville/Jefferson County reflect that access to homeownership is not evenly distributed by geography **(Map 7, p. 53)**. In 2020, most mortgages were originated for homes in the eastern portion of the county. This geographic distribution of loans originations is similar to patterns we see in the distribution of households with incomes above $100,000 (map 6, p. 50) and the concentration of the White, non-Hispanic/ Latino population (map 5, p. 50), and is inverse to the geographic patterns in foreclosures (map 9, pg 67) and evictions (map 8, p. 66).

Map 7: Number of Loans Originated, 2020

By Census Tract (2010) - Louisville/Jefferson County



Source: Federal Financial Institutions Examination Council, 2020 Home Mortgage Disclosure Act

Racialized disparities persist in who applies for mortgages and who is denied mortgages and thus who accesses a powerful path to wealth building in the U.S. In 2020, mortgage applications from Black or African American people made up only 8.4 percent of the total applicants compared to 60.8 percent for White people in Louisville/Jefferson County. Only 4.1 percent of applicants identified as Hispanic/Latino.

The share of denied applications from Black or African Americans was double that of White, non-Hispanic/Latino applicants, 16.1 percent compared to 8.7 percent, respectively. Those applicants identifying as Hispanic/Latino had a denial rate of 17.0 percent in Louisville/Jefferson County.

During a time when overall homeownership has been increasing, Black or African Americans had an origination rate of 55.5 percent, which indicates that that the loan was made, while those identifying as Hispanic/Latino 59.7 percent, and the rate for White applicants was 68.0 percent. Only 7.6 percent of the total loans originated in 2020 were to Black or African American applicants, 3.96 percent to those who identified as Hispanic/Latino, while 66.8 percent went to White applicants, continuing past patterns of stark differences in homeownership among racial/ethnic groups **(Figure 7)**.

Figure 7: Mortgage Loan Outcomes, Louisville/Jefferson County 2020

	Originations			Denials		Total	
HMDA Applicants by Race/Ethnicity	**Loans originated**	**Percent of Total Originated**	**Percent Originated in Race/ Ethnicty Group**	**Applications denied**	**Percent Denied Within Race/ Ethnicity Groups**	**Total Applications**	**Percent of Total Applications**
Black or African American	2862	7.6%	55.5%	830	16.1%	5156	8.4%
White, non-Hispanic	25259	66.8%	68.0%	3220	8.7%	37136	60.8%
White, Other	2176	5.8%	63.5%	439	12.8%	3428	5.6%
American Indian or Alaska Native	51	0.1%	47.2%	30	27.8%	108	0.2%
Asian	1094	2.9%	57.4%	238	12.5%	1906	3.1%
Native Hawaiian or Other Pacific Islander	44	0.1%	63.8%	10	14.5%	69	0.1%
2 or more minority races	29	0.1%	46.8%	15	24.2%	62	0.1%
Race not Available/Joint Application*	5116	13.5%	44.2%	1113	9.6%	11572	18.9%
Race or Ethnicity Derived from Observation/Surname**	1182	3.1%	70.3%	278	16.5%	1682	2.8%
Total	**37813**			**6173**		**61119**	**100.0%**
Percent of Total Applications	**61.9%**			**10.1%**			
HMDA Applicants by Ethnicity							
Hispanic	1499	4.0%	59.7%	426	17.0%	2509	4.1%
Not Hispanic	29953	79.2%	66.2%	4356	9.6%	45267	74.1%
Ethnicity not Available/ Observed/Derived*	5210	13.8%	44.5%	1117	9.5%	11700	9.5%
Ethnicity Derived from Observation/Surname	6361	16.8%	47.7%	1391	10.4%	13343	10.4%
Total	**37813**		**61.9%**	**6173**	**10.1%**	**61119**	**100.0%**

*Race not Available/Observed/Derived includes HMDA categories Race Not Available, Free Form Text, Joint Applications, no race identified.
** Race/Ethnicity Derived from Observation/Surname indicates applicant did not self-define their race or ethnicity
Source: ffiec.cfpb.gov/data-browser/data/2020?category=nationwide

Housing Insecurity and Displacement

Homelessness, Utility Disconnections, Evictions and Foreclosures

Programs and funding that support families in Louisville/Jefferson County and our surrounding neighboring counties end, shift focus, and revise eligibility requirements as they adjust to pressures to return to pre-COVID-19 pandemic economic activity. Families in Louisville/Jefferson County continue to face the financial burdens caused by lack of housing stability, utility disconnections, evictions, and foreclosures and continue to grapple with the impacts of the pandemic. The information tracked here provides an overview of available data reported by the key agencies and organizations tasked with serving individuals experiencing housing insecurity, the utility companies that track consumers eligible for disconnection, and the courts that process eviction filings and foreclosure sales. These measures together provide just one way of documenting the scale of housing insecurity and displacement in Louisville, KY and, where possible, the surrounding counties. There are longstanding patterns of disparate impacts by race and geographic location across Louisville/Jefferson County are rooted in historic and contemporary racialized housing and land-use policies and practices. During times of crisis, housing insecurity and displacement becomes more prevalent for all Louisvillians, but the disparate impacts are consistently magnified.

Homelessness

Unhoused Populations

Louisville/Jefferson County continues to struggle to adequately support people who experience homelessness. While the homeless population in Jefferson County has declined overall by 30.9 percent from 1,466 people in 2015 to 1,013 people in 2021, about one-quarter of people experiencing homelessness in 2021 were living unsheltered, which is a 217.3 percent increase from 2015 (with 81 and 257 unsheltered people experiencing homelessness in 2015 and 2021, respectively; Coalition for the Homeless 2015, 2021). There are concerns of a dramatic increase in homelessness as emergency rental assistance and eviction prevention funding provided through the last round of federal COVID-19 relief funds closed on April 7, 2022 (Bautista 2022). To better address homelessness, Louisville Metro Council allocated $500,000 in FY2019, $1 million in FY2020, and $1 million in FY2021 to the Street Homelessness Initiative. In FY2022, $1 million in funding continued to homeless initiatives and an additional $1 million was included for the new Division of Homeless Services within the Office of Resilience and Community Services to support partner initiatives.

As a HUD designated Entitlement Community, LMG reports on plans and activities funded through several federal programs administered through the Office of Resilience and Community Services and the Office of Housing in their Annual Action Plans and their Consolidated Annual Performance and Evaluation Report (CAPER) to HUD. Federal funds that are spent in support of people at risk of or experiencing homelessness include the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). During the program year ending July 2021, LMG reported serving:

- 35 households through HOME Tenant Based Rental Assistance, which supports rental and utility assistance and case management for people experiencing homelessness for up to 2 years.

- 2,105 persons through 19 programs at 16 non-profits (plus one administered through the Office of Resilience and Community Services) that received ESG and CDBG assistance for street outreach, prevention, shelter operations, and/or essential services, and

- 10,618 persons through CDBG grants to external agencies and Neighborhood Place that run shelter operations and provide case management or other supportive services (LMG 2021j).

Youth without Housing

Schools face a particular challenge in supporting the education of students without adequate shelter. Many schools receive federal funding for programs to support unhoused students and as a result the districts must report the number of students enrolled experiencing homelessness. Across the Louisville Metropolitan Statistical Area (MSA) there was a decrease of 18.1 percent in the number of enrolled students without shelter in the 2020-21 school year compared to the previous year: from a total of 6,099 students in the 2019-20 school year to 4,994 in the 2020-21 school year **(Figure 8)**. The number of students without housing measured as a percentage of the total enrolled for 2019-20 either declined or remained about the same when compared to the previous year in every Louisville MSA County (excluding Indiana counties), except for Henry County, which experienced a 9.1 percent increase (44 to 48).

Jefferson County Public Schools (JCPS), the largest district in the Louisville MSA, experienced a 19.6 percent decrease in the number of unhoused students in the 2020-21 school year compared to the previous year (Figure 8). There were 3,953 unhoused students enrolled in 2020-21, representing 4.1 percent of the student body, a slight decrease from 4.7 in 2019-20 (Figure 8). The majority, 53.3 percent, of unhoused JCPS students are Black or African American compared to 23.8 percent who are White, non-Hispanic/Latino, and 14.2 percent who are Hispanic/Latino (Kentucky Department of Education 2021a). 48.7 percent are female, compared to 51.3 percent who are male. 16.4 percent of JCPS students experiencing homelessness have a disability as measured by whether they have an Individualized Education Plan in place. Unhoused JCPS students participated in 77.9 percent of the total participation days in the 2020-2021 school year, which is less than the overall participation rate of 86.4 percent by all JCPS students (Kentucky Department of Education 2021b).

Schools located in the four Indiana counties included in the Louisville MSA reported a total of 540 students without housing enrolled in 2020-21 (Indiana Youth Institute 2021). This is down from 656 students in the previous year. Two of the Indiana counties in the MSA, Floyd County and Harrison County, reported increased percentages, and two, Clark County and Washington County, showed a decline of 30.1 percent (451 to 314) and 14.1 percent (92 to 79) in the number of students identified, respectively. The largest number of unhoused students in the Indiana counties (314) attend school in Clark County, which represents 1.7 percent of their student body (Figure 8).

Throughout all the variety of reports that track the demographics of people who do not have stable housing, the data consistently show that Black or African American residents are more likely to experience housing insecurity and homelessness in Louisville, KY. This is evident in the JCPS homeless student data, the Continuum of Care Annual Homeless Census, the annual Point in Time Count, and in the data collected by the Office of Resiliency and Community Services as part of the Unsheltered Homeless Initiative.

Figure 8: Homeless Students in the Louisville MSA 2018/2019 - 2020-2021

	2018-2019			2019-2020			2020-2021			
School System	Homeless Students	Total Enrollment	Percent Total Enrollment	Homeless Students	Total Enrollment	Percent Total Enrollment	Homeless Students	Total Enrollment	Percent Total Enrollment	Percent Change 2019-21
Jefferson County Public Schools	5,178	104,859	4.9%	4,915	103,876	4.7%	3,953	96,304	4.1%	-19.6%
Other Kentucky Counties within Louisville MSA										
Bullitt County Public Schools	436	13,932	3.1%	390	13,728	2.8%	382	13,113	2.9%	-2.1%
Henry County Public Schools	50	2,302	2.2%	44	2,234	2.0%	48	2,059	2.3%	9.1%
Oldham County Public Schools	41	13,177	0.3%	12	13,171	0.1%	10	12,681	0.1%	-16.7%
Shelby County Public Schools	35	7,666	0.5%	31	7,516	0.4%	31	7,078	0.4%	0.0%
Spencer County Public Schools	35	3,221	1.1%	51	3,271	1.6%	30	3,130	1.0%	-41.2%
Indiana Counties within Louisville MSA										
Clark County Public Schools	443	16,348	2.7%	451	16,312	2.8%	314	18,500	1.7%	-30.4%
Floyd County Public Schools	84	11,637	0.7%	86	11,702	0.7%	96	11,532	0.8%	11.6%
Harrison County Public Schools	27	6,046	0.4%	27	6,111	0.4%	51	5,899	0.9%	88.9%
Washington County Public Schools	92	4,115	2.2%	92	4,123	2.2%	79	4,150	1.9%	-14.1%
Louisville MSA Total	6,421	183,303	3.5%	6,099	182,044	3.4%	4,994	174,446	2.9%	-18.1%

Sources: Indiana Department of Education, 2021; Indiana Youth Institute, 2021; Kentucky Department of Education, 2021a

Utilities

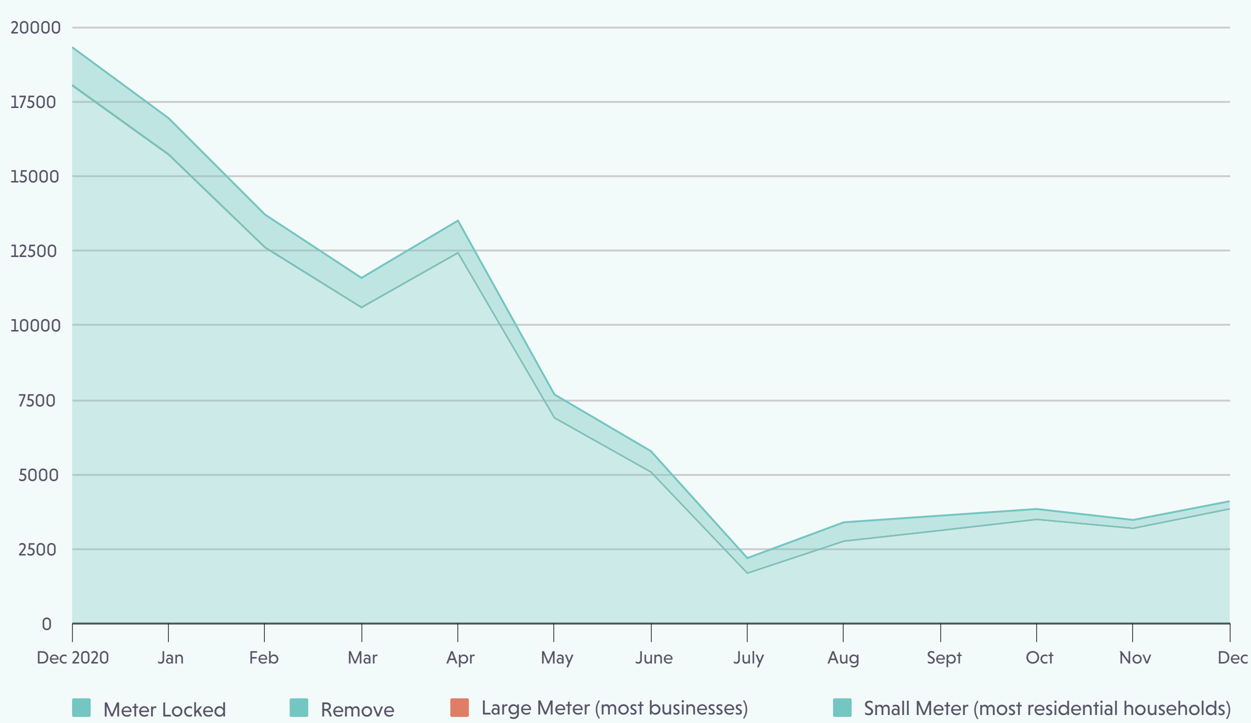
Water and Sewer

The Louisville Water Company (LWC) and the Metropolitan Sewer District (MSD) serve Louisville/ Jefferson County residents and others in two surrounding counties. Residents receive a combined bill for these services and the assistance program developed to help residents in danger of having their water service shut off is managed by the Louisville Water Foundation (LWF). The utility shutoff moratorium, enacted during the height of the pandemic, was lifted in June 2021, allowing LWC disconnections to resume (Louisville Water Company 2021). The increase in water disconnections is associated with a corresponding increase of public health risks due to residents losing access to clean water, and national analysis shows that households without running water were more likely to be renters or living in mobile homes, housing cost burdened, and include people of color (Meehan et al.2020).

COVID-19 utility assistance was initially provided through the Promise COVID Relief Portal which has not been combined with other water utility assistance programs administered by LWF under the name Drops of Kindness. Households and accounts that were characterized as eligible for disconnection due to non-payment were as high as 19,328 in December 2020 before the $4 million allocated by LMG in January of 2021 (Louisville Water Company 2022a). By then, LWF reported that 18,000 households were behind in their payments. The funding provided by LMG to the LWF program was exhausted in just a few months. By mid-February 2021, the program reached 11,784 households, helping 24 percent zero out their balances and enrolled the rest in a payment plan to resolve on-going debt (US Water Alliance 2021).

During 2021, across the three counties served, LWF provided more than $9 million in utility assistance for about 25,000 accounts, including homeowners, tenants, and landlords. Over 18,000 accounts used the Promise Pay Plans during 2021. By December 2021, there were 4,114 accounts characterized as eligible for disconnection, reflecting a decrease of nearly 80 percent from December 2020 **(Figure 9)** (Louisville Water Company 2022a, 2022b). 8,620 accounts remained on plans at the beginning of 2022, representing about $5 million in total debt. If customers enrolled in the Promise Pay Plans, they could avoid the eligible for disconnection status.

Figure 9: Water and Wastewater Accounts Eligible for Disconnections for Non Pay 2021



Electric Utilities, Louisville Gas & Electric

Data from LG&E regarding accounts eligible for shut off are not available for 2021. In past years, the data were obtained through LG&E responses filed under the Public Service Commission rate cases. These data provide policy makers with important insights into the scale and geographic distribution of residents in danger of not having gas or electric utilities to heat or cool their homes and generally live in a functional and safe environment. Utility assistance programs through LMG and community service providers provide a glimpse into the scale of need over the course of 2021.

In the first part of 2021, LMG reported directly assisting 11,400 LG&E customers behind on payments in the amount of $6 million. By the end of June 2021, LG&E reported 21,000 residential customers were eligible for disconnection (LMG 2021l). Public data from the LMG Office of Resiliency and Community Services indicates that between July 1, 2020, and June 30, 2021 a total of $$2,735,826.71 in utility payments was made directly to LG&E on behalf of their clients through all funding sources (LMG 2021m).

Evictions

In 2021, the Jefferson County Administrative Office of the Courts (AOC) recorded 7,911 eviction filings with dispositions for the first three quarters (January-September) of 2021. This total does not reflect any cases filed during this period that were without dispositions, in other words, still being processed within the court system. Total Filings with dispositions reflect a 52.6 percent increase compared to the first three quarters of 2020. Eviction filings in Louisville/Jefferson County remain below pre-pandemic levels by about 40 percent – from January-September 2019 nearly 13,000 eviction filings were recorded **(Figure 10)**.

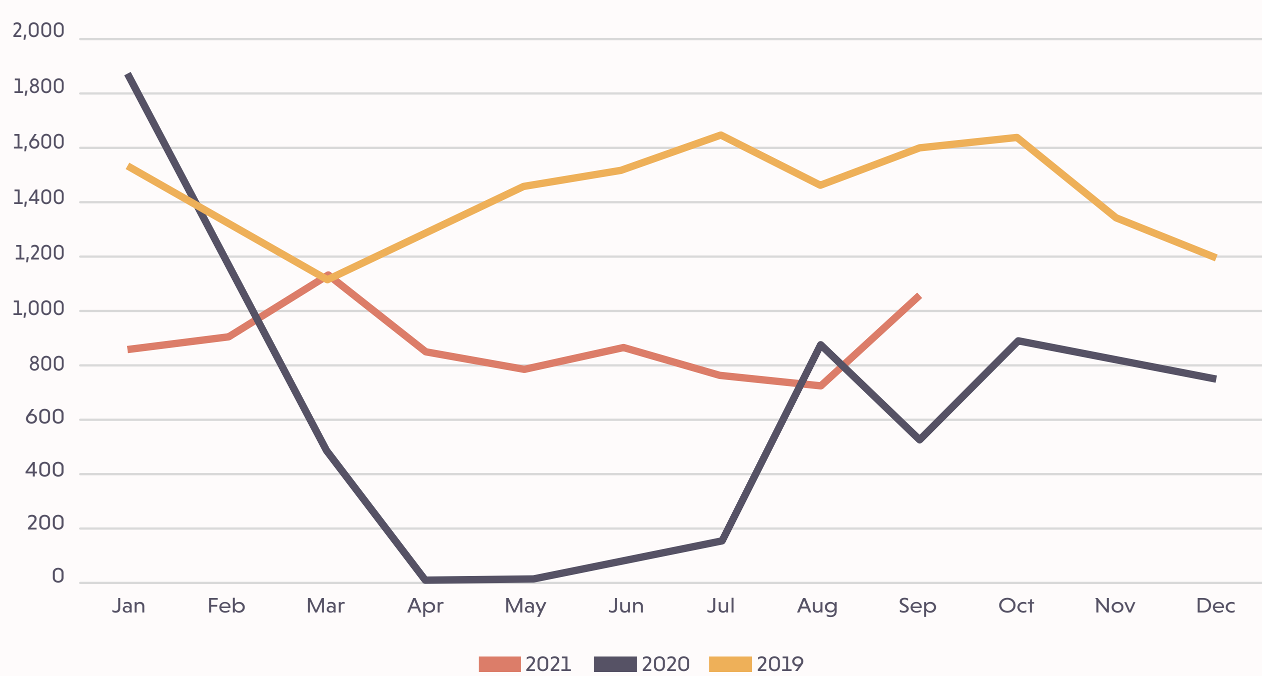
Lower levels of eviction filings are due to a combination of federal, state, and local policies responding to the pandemic and reducing housing insecurity and displacement in Louisville, and mirror patterns at the national level, where evictions filings in 2021 were about 50 percent lower compared to pre-pandemic times (Hepburn et al. 2022). At the Federal level, multiple extensions to the eviction moratorium were enacted by the Centers for Disease Control and Prevention (CDC) throughout 2021, but the moratorium was officially ended on August 26, 2021. The federal Emergency Rental Assistance Programs (ERA1 and ERA2) began in 2021, providing funds for households unable to pay rent or utilities (U.S. Department of Treasury 2022). At the local level, Louisville Metro Government began disbursing funds through its local emergency rental assistance programs in February 2021. The eviction court rules changed in March 2021 to defer cases for at least four weeks for anyone in eviction court for non-payment of rent that could attest that they had applied for rental assistance. The Coalition for the Homeless began extensive outreach efforts to tenants facing eviction in March 2021 that included collecting data to track all filings included in weekly eviction dockets, door-knocking efforts to notify those with eviction filings of available rental assistance and monitoring virtual eviction court observe and track case outcomes. To support families in eviction court, Louisville Metro Council passed a Right to Counsel Ordinance on April 22, 2021, by guaranteeing a right to legal counsel in court proceedings. Research from New York City found that right to counsel is associated with decreased shares of eviction filings with executed warrants (Ellen et al. 2021).

Figure 10: Eviction Filings 2019-2021, Louisville, KY

Quarter	2019	2020	2021	Percent Change 2020-21	Percent Change 2019-21
January - March (Q1)	3,983	3,573	2,877	-19.5%	-27.8%
April - June (Q2)	4,262	64	2,493	3795.3%	-41.5%
July - September (Q3)	4,689	1,546	2,541	64.4%	-45.8%
October - December (Q4)	4,148	2,452			
Total Filings through Q3	12,934	5,183	7,911	52.6%	-38.8%
Total Filings	17,082	7,635			
Filing Rates through Q3	10.81%	4.33%	6.61%		
Annual Eviction Filing Rate	14.28%	6.38%			
Renter Occupied Housing Units	119,595				

Sources: Jefferson County Administrative Office of the Courts; ACS 2019 5-Year Estimates

Figure 11: Monthly Eviction Filings 2019 – 2021, Louisville, KY



The eviction filing rate for Louisville/Jefferson County was 6.6 percent for January-September 2021, which is higher than the eviction filing rate for the first three quarters of 2020 (4.3 percent), but lower than the filing rate for the first three quarters of 2019 (10.8 percent). Despite the end of COVID-related income assistance programs and policies like federal and state unemployment insurance, evictions have not yet returned to pre-pandemic levels locally or nationally, which is directly attributable to eviction moratoriums and widespread emergency rental assistance (Hepburn et al. 2022).

Eviction filings were down by 19.5 percent in the first quarter of 2021 compared to the first quarter of 2020. Filing rates increased from January to March, resulting in the number of total filings in March 2021 (1,123) being similar to the number of total filings in March 2019 (1,117). However, filing rates began to drop around mid-March to early April 2021, roughly coinciding with start dates of local emergency rental assistance programs, the adoption of the Right to Counsel ordinance, and changes to eviction court processes for those that had applied for rental assistance.

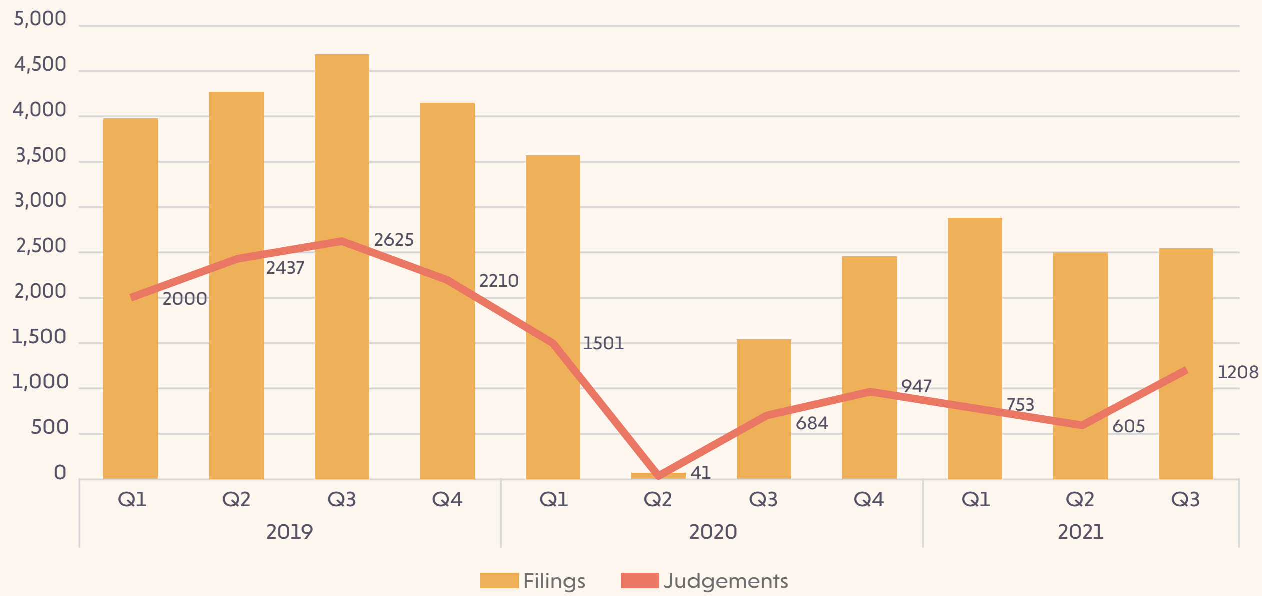
Filings in the second and third quarters of 2021 increased by 3,795.3 percent and 64.4 percent respectively compared to the same period in 2020. These differences demonstrate the power of the combined state and federal eviction moratoria enacted at the start of the pandemic in March 2020 to limit eviction filings and keep people housed. Filing rates began to climb again in September 2021, likely due to the end of the CDC Eviction Moratorium on August 26th. Monthly eviction filings in 2021 were roughly 60 percent of pre-pandemic levels in 2019 **(Figure 11)**.

Figure 12: Eviction Judgements 2019 - 2021, Louisville, KY

Quarter	2019	2020	2021	Percent Change 2020-21	Percent Change 2019-21
January - March (Q1)	2000	1,501	753	-49.8%	-62.4%
April - June (Q2)	2437	41	605	1375.6%	-75.2%
July - September (Q3)	2625	684	739	8.0%	-71.8%
October - December (Q4)	2210	947			
Total Judgements through Q3	7,062	2,226	2,097	-5.8%	-70.3%
Total Judgements	9,272	3,173	2,097		
Eviction Rate through Q3	5.90%	1.86%	1.75%		
Annual Eviction Rate	7.75%	2.65%			
Renter Occupied Housing Units	119,595				

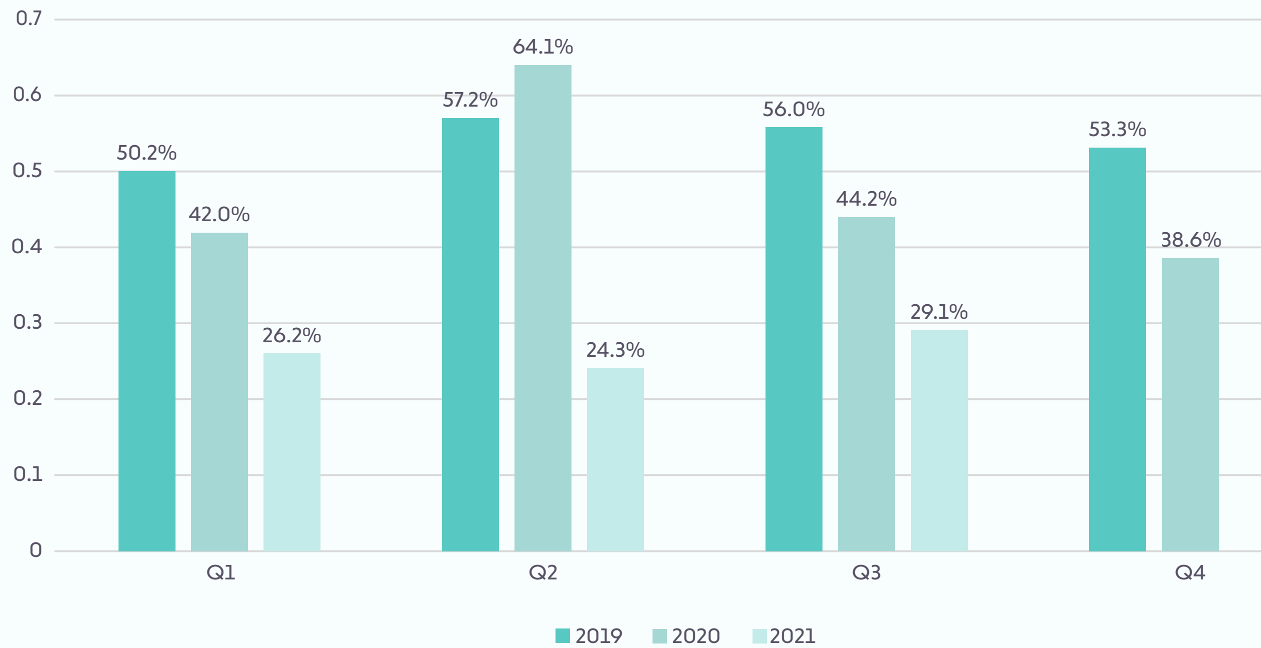
Sources: Jefferson County Administrative Office of the Courts; ACS 2019 5-Year Estimates

Figure 13: Quarterly Eviction Counts, 2019 – 2021, Louisville, KY



Eviction judgements decreased substantially in the first quarter of 2021, down 49.8 percent from 2020 and 62.4 percent from pre-pandemic years, likely due to the CDC eviction moratorium and local emergency rental assistance programs. In quarter two, judgements rose dramatically compared to 2020 (1375.6 percent), but remained 75.2 percent lower than 2019. As with the eviction filings, this sizable increase from 2020 reflects the low number of judgements in the second quarter of 2020 when the federal CARES Act eviction moratorium was enacted and Kentucky Supreme Court suspended eviction hearings until May 1, 2020. Overall, eviction judgements through the first three quarters of 2021 were 70.3 percent lower than judgements through the first three quarters of 2019. This difference is likely attributable to the funding available through the Emergency Rental Assistance program and local policies supporting tenants in eviction court.

Figure 14: Quarterly Eviction Judgement/Judgement Rates: 2019, 2020, and 2021

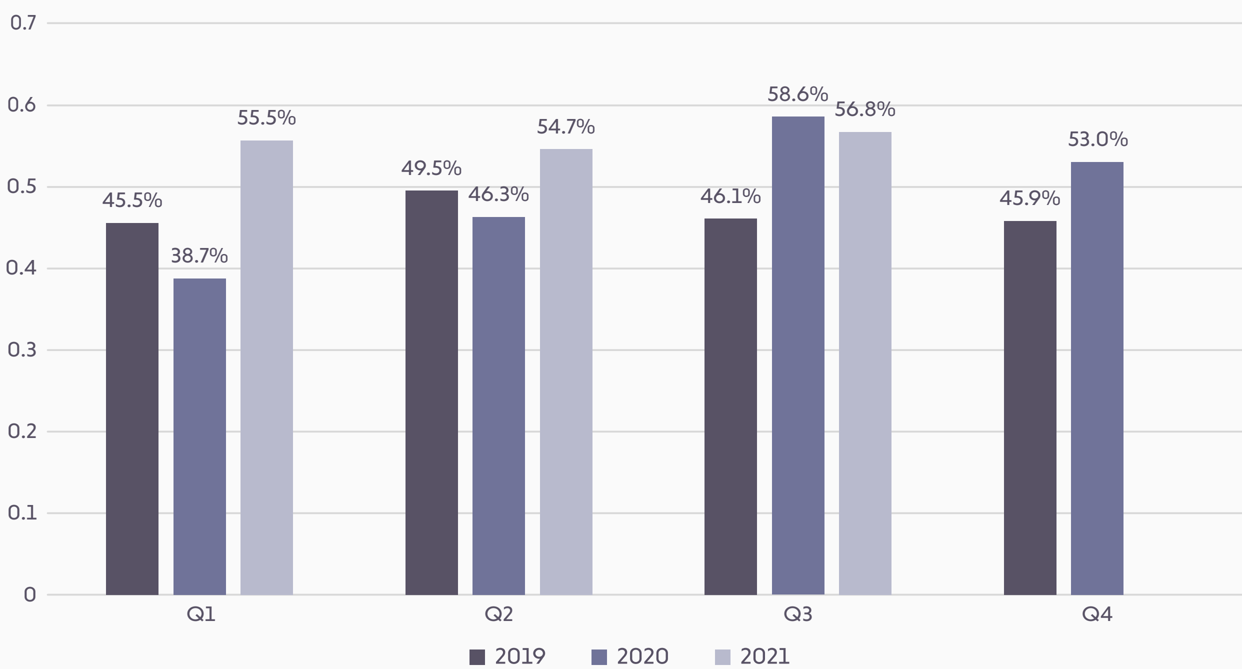


The 2020-2021 Metropolitan Housing Report noted that although there was a reduction in filings and judgments during 2020, the judgment rates remained more consistent with non-COVID times (Heberle, Halpryn, & Kinahan 2021). Through the first three quarters of 2021, about one-quarter of all eviction filings resulted in a judgement against the tenant. This is far lower than 2019, when roughly half or more of all filings resulted in a judgement against the tenant. Again, these differences are likely connected to additional legal support for tenants through the Right to Counsel ordinance as well as emergency rental assistance programs supporting tenants facing eviction for nonpayment of rent.

After a landlord receives an eviction judgment in their favor, if the tenant does not vacate the property within seven days, the landlord is entitled to a warrant for possession, which is executed by the Jefferson County Sheriff's Office. According to the AOC, indication of the presence of an eviction warrant filed within a case does not necessarily mean the defendant was successfully served the warrant by the county sheriff's office (Heberle et al. 2021). Although the 2021 judgement rates were lower compared to both 2019 and 2020, warrant rates (warrants/judgements) remained in through the first three quarter of 2021 were higher or roughly similar to warrant rates in 2019 and 2020

The consistently high warrant rates are a reminder that despite improved eviction prevention policies, many tenants are still being removed from their homes in an ongoing pandemic This indicates that there are important gaps in existing policies like emergency rental assistance, which is only able to support tenants facing eviction for nonpayment of rent. Renters facing eviction for other reasons like lease expiration or lease violations have less support. While the expanded legal assistance made

Figure 15: Quarterly Warrant Rates: 2019, 2020, and 2021



available through the Right to Counsel ordinance is an important start, the power dynamic within eviction court remains overwhelmingly in favor of the landlord. The data from the AOC does not include information about the reason an eviction was filed, whether it be nonpayment of rent, lease expiration, or lease violations.

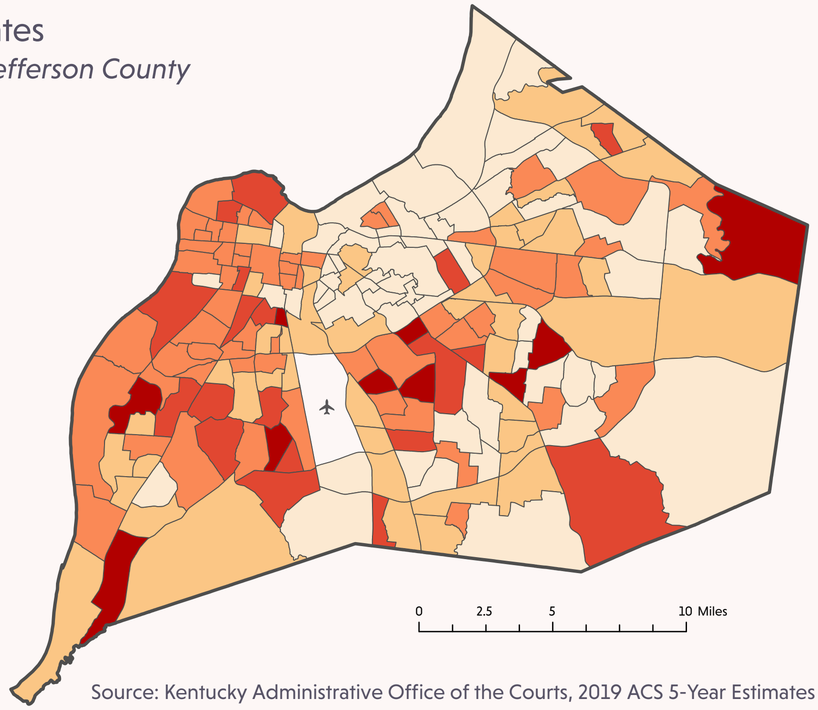
Map 8 displays 2021 eviction filing rates (Q1-Q3) by census tract in Louisville/Jefferson County. Eviction filing rates are calculated using 2019 American Community Survey 5-year Estimates of renter occupied units in each census tract. The eviction filing rate for Louisville for 2021 (Q1-Q3) was 6.6 percent, with census tract eviction filing rates ranging from zero to as high as 21.7 percent. The seven census tracts with zero eviction filings are in areas of concentrated White affluence with very few rental units in northeastern and far eastern Jefferson County (census tract 87 in the Seneca and Cherokee park area, 98 in the Windy Hills/St. Matthews area, 100.07 in the Spring Valley area, 131 in Strathmoor/Seneca Gardens area, 116.04 in the Hopewell area, 115.18 west of Interstate 65 and south of Taylorsville Road, and 75.01 by river Road in the Indiana Hills neighborhood). Some tracts with high eviction rates, particularly those in far eastern Jefferson County, have very few renter households, which is contributing to the observed high filing rates.

The census tracts with the highest rates of eviction filings in 2021 are primarily located in the south-west and south-central areas of Jefferson County. The census tracts with the highest filing rates are 91.06 (21.7 percent) in Fairdale, 111.09 (21.6 percent) in Fern Creek, 121.07 (21.3 percent) in Valley Station, 37 (15.5 percent) in South Louisville near Churchill Downs, and 113.02 (14.9 percent) in Newburg. Of

Map 8: 2021* Eviction Filing Rates
By Census Tract (2010) - Louisville/Jefferson County

Eviction Filing Rates
Eviction Filings / Renter Occupied Units

- <=2.5%
- 2.6% - 5.2%
- 5.2% - 8.3%
- 8.4% - 13%
- 13.1% - 21.7%



*Quarters 1 through 3 of 2021

Source: Kentucky Administrative Office of the Courts, 2019 ACS 5-Year Estimates

these census tracts with the highest eviction filing rates, the majority (more than 50 percent) of residents in all but one (census tract 113.02) are White, non-Hispanic/Latino (map 5, p. 50). However, the broader spatial patterns in Map 8 align with patterns observed last year, with the highest eviction filing rates in western, southwestern, and south-central Louisville, which roughly aligns with the spatial concentration of places with higher shares of Black and Hispanic/ Latino households and households experiencing poverty.

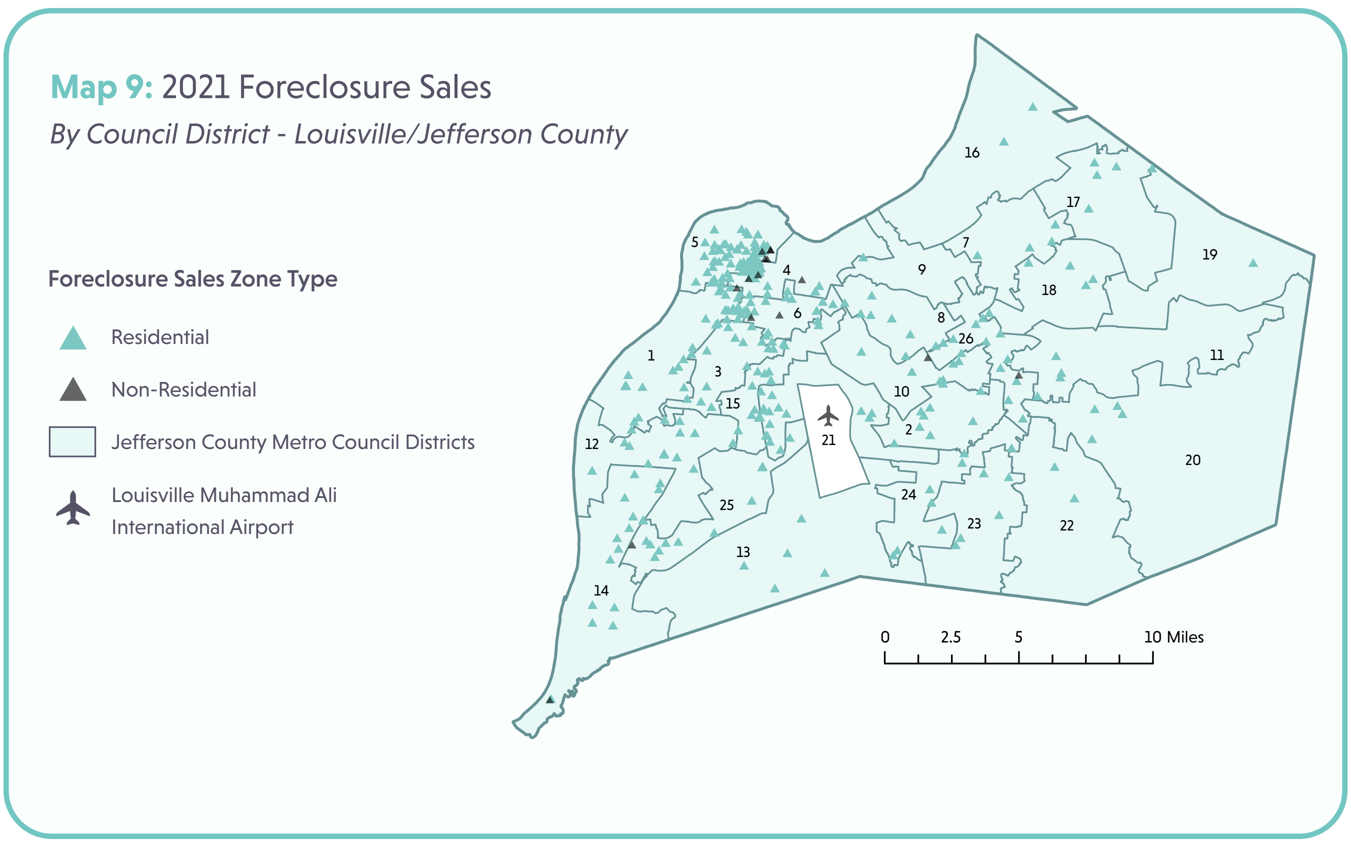
Overall, the data from 2021 show that government intervention through a combination of federal, state, and local policies, combined with efforts from community advocates, has led to a sustained reduction in eviction filings in Louisville and nationwide. Moving forward, the continuance of programs such as legal assistance for at-risk renters and eviction prevention programs would continue to increase renters' housing stability in Louisville/ Jefferson County. To avoid a trend that returns to pre-pandemic eviction levels, additional recommended policies include continued rental assistance, rent regulation, just cause eviction policies, and protection from the conversion of subsidized affordable rental units to market rate units, to continue to keep eviction filings low and increase housing stability.

Foreclosures

Federal protection from foreclosures was included in the CARES Act and on February 16, 2021, the Biden Administration extended foreclosure moratorium and mortgage payment forbearance enrollment through June 30, 2021 (White House 2021). For those who were enrolled in forbearance on or before June 30th, 2021, the action provided an additional six months of payment forbearance in three-month increments. In addition, those coming to the end of their existing forbearance would have it extended by three months. This meant landlords who held mortgages could benefit from moratoriums and payment forbearance in addition to getting rent payments for their tenants as part of eviction prevention and rental assistance programs.

Nationally, the annual foreclosure activity rate dropped from 0.36 percent in 2019 to 0.11 percent in 2021, representing a 69.3 percent decrease from 2019 and a 29.5 percent decrease from 2020. Although foreclosure activity rates are lower than pre-pandemic times, 2022 data indicate that activity rates may be increasing. In January 2022, one in every 5,922 homes had a foreclosure filing compared to one in every 14,164 homes in January 2021 (ATTOM 2022).

At the local level, data on foreclosure sales show that 315 foreclosed properties in Jefferson County were sold at auction in 2021 (Jefferson County Circuit Court 2022). Of these, 300 are zoned as residential. Residential sales are primarily concentrated in West Louisville **(Map 9)**. The three council districts with the highest proportion of residential foreclosure auction sales are Council District 5 at 21.3 percent (64 sales), Council District 1



at 12.0 percent (36 sales), and Council District 4 at 7.3 percent (22 sales). Council Districts 9, 16, 19, and 22 in northeastern and far east Louisville collectively account for less than 2.0 percent of auction sales (0, 1, 2, and 2 sales respectively). 184 properties were withdrawn from auction, but further analysis shows 25 of these properties were later sold 122 days on average after being withdrawn. The remaining 159 properties were not sold at auction. As noted on page 37, LMG Vacant and Abandoned Property program reported foreclosing or facilitating foreclosure on 58 properties in 2021. That represents 18.4 percent of the total number of properties sold at auction. Louisville Metro Government is listed as purchaser on 51 properties sold at auction in 2021.

These data are not broken out by race, ethnicity, or income. Therefore, it is difficult to evaluate who may be disproportionately impacted by foreclosures or who benefitted from the moratorium and forbearance programs. The foreclosure crisis from the Great Recession did disproportionately affect Black homeowners and Black neighborhoods (Hinko and O'Neil 2008). Map 9 illustrates that in Louisville/Jefferson County, foreclosure sales in 2021 were again concentrated in census tracts where there are also higher concentrations of Black homeowners and renters. This suggests that those households and neighborhoods will again bear higher economic burdens and losses (Map 9).

West Louisville Area Updates

Neighborhoods in West Louisville are seeing an increase in investment and attention from public agencies, service providers, and private developers. Here we highlight several initiatives that will have an enormous impact on area residents.

TIF: West Louisville Tax Increment Finance (TIF) District and the formation of the West End Opportunity Partnership (WEOP), the organization that is designated by state legislation to direct the tax revenues that accrue from the TIF.

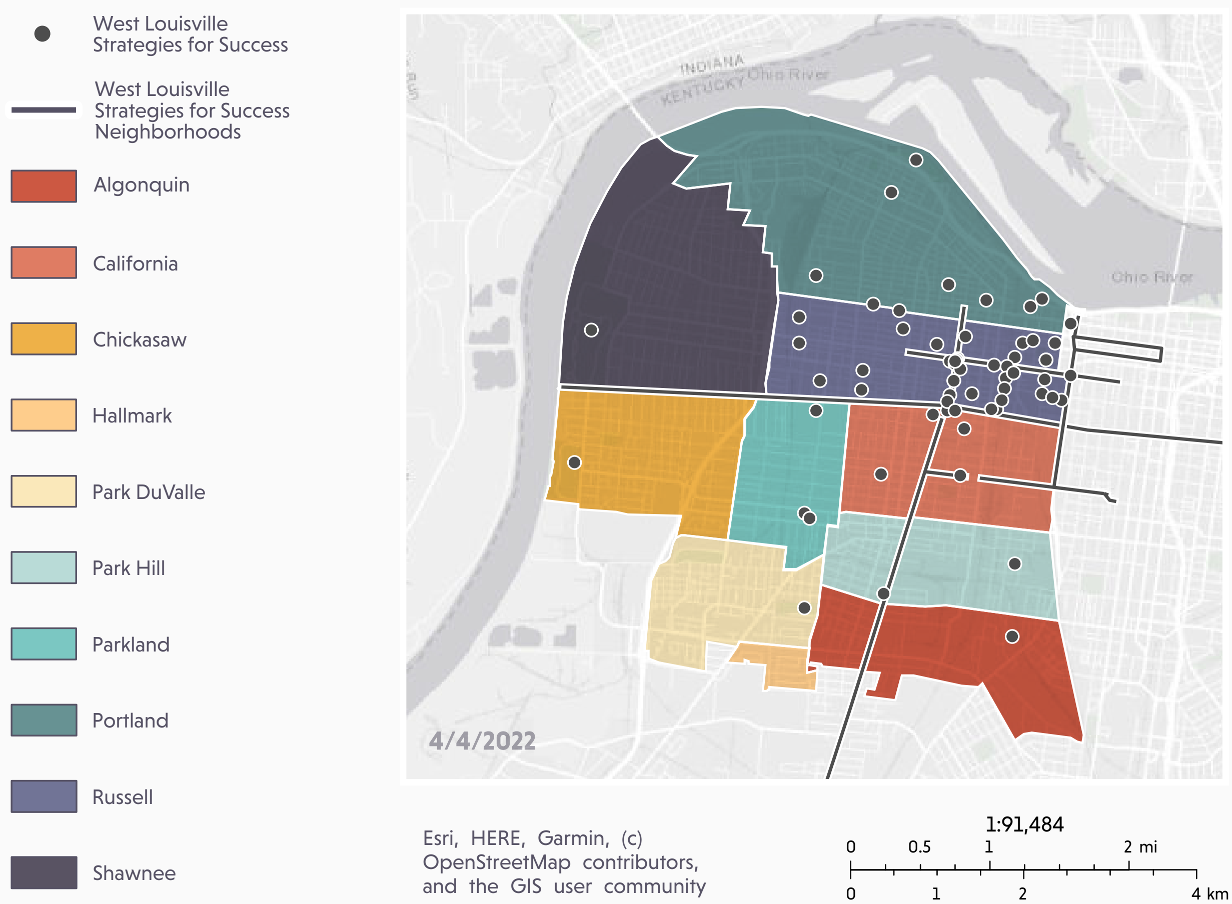
Vision Russell: The demolition and redevelopment of the Beecher Terrace housing project in the Russell neighborhood through the Choice Neighborhood Planning and Implementation Grants that were first awarded to Louisville Metro Government and Louisville Metro Housing Authority in 2015.

Russell: A Place of Promise: a primarily privately funded effort that aims to build wealth for Black or African American families, support existing and attract new business to Russell, and launch a new community-owned and run organization that will guide future community investment work in the neighborhood.

There are other recent major and planned investments in the area that are sure to have long-standing impacts on the residents in the West End. The LMG's "Build Back Better, Together" (B3T) initiative released a list of current progress and future priorities for LMG departments and agencies to "increase Louisville's long-term resiliency, while also providing more immediate steps to help businesses and residents impacted by the pandemic and move the city toward fundamental change that leads to greater equity and racial justice" (LMG 2020e). As part of that effort, LMG renewed focus and investments in nine West Louisville neighborhoods. Several key and fairly recent and proposed community service and business developments include the 18th Street YMCA, the Louisville Urban League's Norton Healthcare Sports & Learning Center on 30th St, the Russell Tech Business Incubator (RTBI) at 12th & Jefferson, The Village, a mixed-use commercial development in Russell at 12th and West Jefferson, a proposed Norton hospital connected to a planned Goodwill Industries of KY campus at 2820 W. Broadway, and Russell: A Place of Promise's future headquarters 3025 W. Madison Street.

The question remains whether these efforts and others focused on neighborhoods in the West End will result in increased involuntary displacement or if existing residents will also benefit from the new investments in their neighborhoods. To that end, we look at the legislation that authorizes the tax increment finance district for the nine West End neighborhoods, provide a summary of the residential redevelopment associated with the Choice Neighborhood Grant, and summarize the ongoing efforts of Russell: A Place of Promise. Each has or will have impacts on the supply of and access to safe, fair, and affordable housing now and in the future.

Figure 16: West End Projects Identified by B3T, 2021



West End Tax Increment Finance District and WEOP

On March 9, 2021, House Bill 321 was signed into law by Governor Beshear to create a new tax incentive finance (TIF) district made up of nine neighborhoods in West Louisville with the purpose of increasing economic development in the area **(Map 10)**. The Bill also established and authorized the West End Opportunity Partnership (WEOP) to oversee the economic development programs and implementation of state and local TIF incentives. WEOP will receive and manage 80 percent of new tax revenue collected over the 20-year life of the TIF district, $20 million from community donations and LMG, and $10 million from the state for a total of $30 million. The authorizing legislation states that one of its purposes is "ensuring that all housing development includes affordable housing" (Section 3. (2)(d) Chapter 203). It specifies neighborhood representation on the WEOP board of directors and on the WEOP advisory sub-committee, one seat for each of the nine neighborhoods on both the board and the advisory sub-committee (Young and Miao 2021). Also of note is that Section 8 of the law provides residential property owners with a tax credit equal to the amount paid that exceeds the amount assessed on their property as of January 1, 2021. WEOP is tasked in the law to create programs to make residential property owners aware of the tax credit and to help property owners file for that credit.

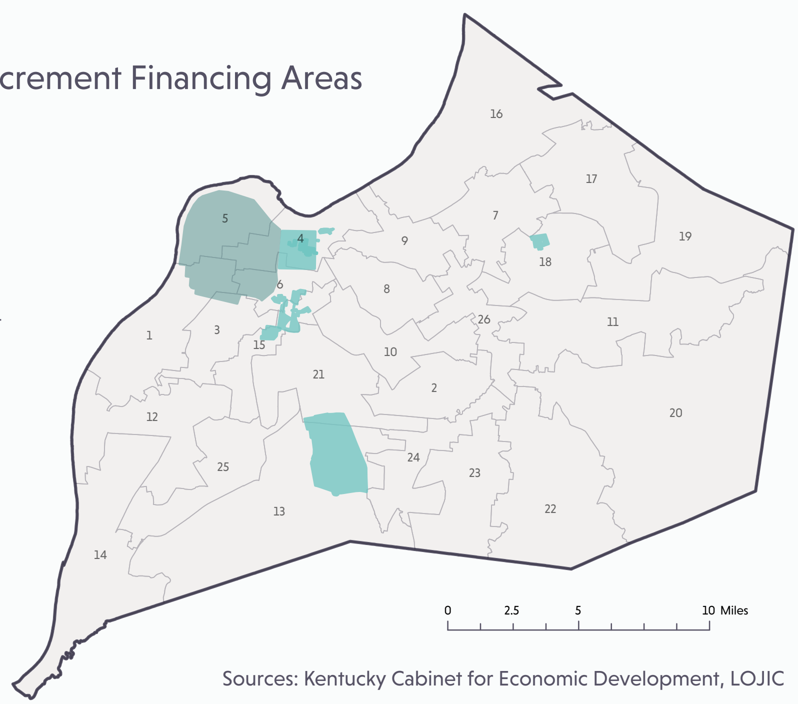
Map 10: State and Local Tax Increment Financing Areas

By Council District - Louisville, KY

West End TIF Approximate Boundaries

TIF Project Area

Current Louisville Metro Council District



Sources: Kentucky Cabinet for Economic Development, LOJIC

There has been substantial resistance and criticism of the proposed TIF. Local criticisms raise concerns about gentrification and renters and businesses being pushed out (Sidery 2019). The board and advisory council have been criticized as not having adequate representation from area residents. And the mechanisms for tracking and reimbursing the residential property tax credit refund are not specified or clear to current residents.

In fact, the legislation does not contain language of any binding requirements for "ensuring that all housing development includes affordable housing" (Section 3.(2)(d) Chapter 203). Furthermore, beyond requiring that the WEOP's board allocate nine seats to West Louisville residents from each of the corresponding neighborhoods and form an advisory subcommittee of these residents, it does not define any additional opportunities for local resident involvement (Young and Miao 2021).

While the advisory council is tasked with establishing and evaluating goals and outcomes for economic development and housing issues in West Louisville and assisting the board with information about West Louisville's economic and housing needs (KRS 65.506 §(4)(c)-(d)), the legislation does not specify what assisting the board entails and because the council's role is entirely advisory, its findings and conclusions are not binding, nor does it exercise any voting or veto privileges (Young and Miao 2021). In addition, protections for existing residents in the form of a tax credit refund apply only to residential property owners. Residents who rent are excluded and are not protected.

Analysts have also criticized TIFs as a tool of economic development that harms current residents and businesses by spurring gentrification and displacement (Schneider 2019). In the case of the West Louisville TIF, current residents in the area may be at risk of displacement due to the higher property values that some low-income owners may not be able to afford despite the tax credit refund provision and higher rents and new leases that low-income renters may face as a result of the very same higher tax assessments and property values (Immergluck 2009).

There is an option for LMG to further establish local participation and binding affordable housing requirements in the local participation agreement required by Section 5(2) of the law. This may be one key to ensuring that West Louisville homeowners and renters are protected from potential displacement. Otherwise, while there are several examples of TIF districts in other cities established to support the creation of new and maintenance of the existing stock of affordable housing, those examples include specifications and requirements to do so in the authorizing legislation. Since this TIF does not do this, the policies that support the creation of new and maintenance of existing affordable housing across the city, in general, will need to be established separately and be firmly in place to mitigate involuntary displacement of existing residents. (See recommendations on pages 17-21).

Vision Russell:

The ongoing efforts under the Choice Neighborhood Grant include the demolition of the Beecher Terrace housing development and redevelopment on-site of mixed-income housing units that will include subsidized and market-rate rental units.

By the end of December 2021, 117 units of senior housing units were completed along with 108 units of mixed-income and multifamily units, and an additional 395 units were scheduled for completion by March 2024. The plan includes 20 units of on-site owner-occupied units (McCormack Baron Salazar 2022). Original residents of Beecher Terrace are given preference for new on-site subsidized units. In December 2021, 298 original Beecher residents were on the waiting list for on-site units. LMHA reported that 22 units completed under Phase 1 of the redevelopment plan have been leased to original Beecher residents. In the Phase II units, they report 41 project-based voucher (PBV) units, 10 Low-Income Housing Tax Credit units, and 1 market-rate unit have been leased to former Beecher residents. Within the Phase III units, there are 8 PBV units that have all been leased to original Beecher residents. In total, only 82 of the original Beecher Terrace households have returned to the new development so far (Osanka 2022).

In addition to building new housing units, the Choice Neighborhood Grant funds other community development efforts centered on the residents of the Russell neighborhood and the original Beecher Terrace residents. To meet their one-for-one unit replacement agreement, LMHA acquires and supports the development of off-site replacement project-based voucher (PBV) units in defined opportunity areas across the city with Beecher Terrace residents given priority. By the end of 2021, LMHA reported 27 PBV units at the Newbridge Place Property had been acquired (Osanka 2022).

Russell: A Place of Promise

Overview

As implementation of the Choice Neighborhood Grant demolition and redevelopment of Beecher Terrace continues, so too does Russell: A Place of Promise (RPOP). Launched in 2018, RPOP is an initiative to facilitate investments and programs in the Russell neighborhood that are designed to build wealth for Black or African American families and support existing and attract new business investments without displacing current businesses and residents. The long-term focus is justice-based and centers on increasing asset ownership in the community by the families that have occupied that space for generations and minimizing involuntary displacement. The initiative began with Louisville's Community Foundation serving as a fiscal sponsor between an initial collaboration of Cities United, Louisville Metro Government, and a grant from the William R. Kenan, Jr. Charitable Trust. The seed funding from Kenan targeted wealth creation activities and capacity building through an incubation period of 3-5 years. The expectation is that RPOP will become a stand-alone, community-based organization and a national model for neighborhood development and wealth creation in Black or African American communities. Additional early funding came from JPMorgan Chase's

Advancing Cities grant and LMG's housing development funds targeting Russell. Since it was initiated, additional funding and partnerships expanded to include REBOUND, Park Community Credit Union, Perkins + Will, Play Cousins Collective, Arcadis, First Harrison Bank, and the Public Welfare Foundation. Park Community Credit Union committed to make $7.5 million available in mortgages with fewer requirements and obstacles than traditional lenders to Russell residents who wish to become homeowners (RPOP 2021).

Furthermore, in October 2021, Fifth Third Bank announced RPOP would be awarded $20 million as part of Fifth Third's Neighborhood Investment Program. "Fifth Third intends to commit up to $20 million in lending, investments and philanthropic support, including grants from the Fifth Third Foundation to the Russell neighborhood. A combination of capital, products and services will be invested into small businesses, mortgages, philanthropic efforts, and neighborhood revitalization loans and investments." (Fifth Third Bank Corp 2021).

The organizational structure of RPOP continues to emerge. It currently includes two branches, one dedicated to the "Promise of Place" and led by Theresa Zawacki, 'Executive on Loan' and former Louisville Metro Government Senior Policy Advisor to Louisville Forward, and the other dedicated to the "Promise of People" led by Cassandra Webb, Director of Innovation and Research, Cities United. Cities United, with Anthony Smith as Executive Director of Cities United and headquartered in Louisville, supports RPOP as one of several projects and in partnership with LMG incubates the organizational development. Over the course of four years, RPOP has expanded to include one of two planned project managers who will assist with place-based initiatives, three of four community outreach specialists and organizers, and two interns/research assistants. The initiative also works with consultants who advise the team on wealth-building strategies as well as capital strategies intended to create the basis for the sustainability of the organization. RPOP's advisory board has expanded to 11 individuals with four positions to be filled by additional Russell residents who will make up approximately half of the RPOP advisory board.

While RPOP has primarily focused on building the organizational structure and establishing community relationships in Russell, they have also initiated some housing-related projects. They have a self-defined goal of increasing the number of homeowners in Russell by 25 percent through the creation of 135 new owner-occupied homes. As part of that initial effort, RPOP partnered with REBOUND to build 8-14 homes with several constructed as owner-occupied duplexes that would include tenant incentives in the form of matched savings so they would be contributing to the wealth-building of both the new owner and their tenant (Gregg 2022). The duplex effort is a pilot that RPOP and REBOUND plan to replicate. As of April 2022, one duplex has been completed with another close to completion. In addition, they have completed six single-family units that will be open by the end of April 2022 (RPOP 2022).

Data Notes

Towards a Just Housing Future in Uncertain Times

Emergency Rental Assistance Data

Through Open Records Request, data on the recipients of the Court Eviction Diversion Program, Community Service Partners Program, and Landlord Tenant Rental Assistance Program for 2021 were obtained from the Louisville Metro Government Office of Housing & Community Development. Names of program applicants were redacted from the data to protect personal privacy per KRS 61.878(1)(a) which exempts from disclosure all records that contain information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy. The Court Eviction Diversion Program data analyzed in this report include only a portion of applications and do not include cases processed through the Neighborly software, which was adopted by LMG in late July 2021 to allow for electronic submissions. The data were determined to be Non-Human Subjects Research by the University of Louisville's Institutional Review Board.

Production, Rehabilitation, and Inventory of Affordable and Subsidized Housing

Public Housing

MAP 2: Public Housing Buildings are mapped by the current Louisville Metro Council District created from 2020 Census Data adopted in November 2021 using data from the U.S. Department of Housing and Urban Development Office of Policy Development and Research to display the locations of public housing buildings represented by proportional symbols based on the total units of each public housing building.

Housing Choice Vouchers

MAP 3: Housing Choice Vouchers are mapped by 2010 Census Tracts boundaries in Louisville/ Jefferson County using the U.S. Department of Housing and Urban Development Office of Policy Development and Research data. The map displays the total 10,706 housing choice vouchers as a percent of renter-occupied units. The dataset includes both tenant-based vouchers and project-based vouchers.

Low-Income Housing Tax Credits

MAP 4: The Low-Income Housing Tax Properties by Subsidy End Date is mapped by the Louisville Metro Council District created from 2020 Census Data adopted in November 2021 and uses data from the National Housing Preservation Database. The map displays the units put into service between 1987 and 2019 with the latest date that a property's subsidies are set to expire, between 2023 and 2057. Some properties are associated with other subsidies in addition to LIHTC. When a property has multiple subsides, the latest date of expiration is shown on the map.

Housing Segregation and Homeownership and Affordability

U.S. Census Data: Map 5, Map 6

The US Census Bureau implemented several changes and faced multiple data quality challenges regarding the 2020 Decennial Census and the 2020 American Community Survey (ACS). Changes to the Decennial Census include collecting most responses via the internet and adding write-in response areas to include origin for those identifying as "White" and/or "Black or African American" (Jarosz 2018, Marks and Rios-Vargas 2021). Data quality challenges to the Decennial Census include statistically significant overcounts of non-Hispanic White respondents, Asian respondents, and homeowners and statistically significant undercounts of Hispanic/Latino respondents, Black or African American respondents, and renters (US Census 2022). Data from the 2020 ACS shows that the data quality is severely challenged by a significant non-response bias that shows that those who responded have "higher average incomes, education levels, and homeownership rates than those who did not" respond (Mather 2021). Additionally, there are major changes to the reporting processes for the Decennial Census and planned for the 2020 ACS estimates. The Census implemented a new disclosure avoidance system and plan to only release differentially private data, which is data that has intentional errors added to the statistics, including population totals, for levels smaller than the state level. The Census has also stated that they plan to make small-area ACS summary data formally private by 2024 and replace ACS data with fully synthetic data using simulated population data (the anticipated timeline remains unclear) (IPUMS 2022).

At the time of publication, the full 2020 Decennial Census Demographic and Housing Characteristics were not released and could not be used for analysis. The 2016-2020 5-year ACS estimates were published in late March 2022, leaving too little time before publication to evaluate the quality of tract-level data.

Homeownership and Affordability

Home Mortgage Disclosure Act (HMDA)

The Federal Financial Institutions Examination Council allows financial institutions to record race and ethnicity categories based on the recorder's visual interpretation of applicant's race and ethnicity and/or the recorder's interpretation of the applicant's surname for only those cases in which the applicant chose not to self-identify their race and/or ethnicity (FFIEC 2021). In all cases, the data is marked how an applicant's race and ethnicity information are gathered. For all categories in the HMDA Applicants by Race/Ethnicity section except those identifying as White (the "White, non-Hispanic" and "White, Other" categories), applicants whose race was gathered by observation or interpretation of surname were recoded into the "Race or Ethnicity Derived from Observation/Surname" category. For those identifying as White, applicants whose race or ethnicity were derived based on observation or interpretation of surname were recoded into the "Race or Ethnicity Derived from Observation/Last Name" category. "White, non-Hispanic" encompasses applicants who self-identified as White and non-Hispanic. "White, other" encompasses applicants who self-identified as White, and identified their ethnicity as Hispanic or did not identify their ethnicity and their ethnicity was not observed or interpreted.

For all categories in the HMDA Applicants by Ethnicity section, applicants whose ethnicity was gathered by observation or interpretation of surname were recoded into the "Ethnicity Derived from Observation/ Surname" category.

Housing Insecurity and Displacement

Coalition for the Homeless 2021 Point-in-Time Count

HUD, due to challenges and safety considerations related to COVID-19, allowed for flexibilities in the 2021 annual unsheltered point-in-time (PIT) count (HUD 2020). In typical years, the PIT count is conducted in the early morning on a single day in January, and the Louisville Coalition for the Homeless receives the help of over 300 volunteers (Emery 2021). In 2021, the canvassing period took place over four days (January 26-29) at various hours with the help of only 25 volunteers (Emery 2021).

Unhoused Populations & Youth Without Housing

The definitions for the conditions that constitute 'homeless' are different for HUD and the U.S. Department of Education (USDE) because the federal government does not use a standardized definition for 'homeless'. USDE uses the homeless definition defined in the McKinney-Vento Homeless Assistance Act. They define 'homeless children and youths' as "individuals who lack a fixed, regular, and adequate nighttime residence", which includes circumstances such as youths "living in emergency or transitional shelters", who "are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason", "who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings", "who are living in cars, parks, public spaces, abandoned buildings…or similar settings", or are migratory children experiencing these conditions (NCHE 2016). In 2016, youth "awaiting foster care placement" was removed from this definition. HUD's definition is more expansive and includes individuals "who will imminently lose their primary nighttime residence", "who are fleeing, or are attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member", and "unaccompanied youth and families with children and youth who are defined as homeless under other federal statutes who do not otherwise qualify as homeless under this definition" (IWGYP n.d.).

Fig. 8: Homeless Students in the Louisville MSA 2018-2021

The US Census updated the Louisville MSA boundaries in 2020 (US Census 2020b). In prior years, we reported the MSA based on the most up to date 2012 boundaries (US Census 2012). In this report, we removed data for the counties no longer included in the Louisville KY-IN MSA, including 2018-2020. Therefore, the data presented for those years does not represent the entire MSA as was defined in that time period. The data does represent the entire MSA based on the current boundaries.

Eviction Data

The Jefferson County Administrative Office of the Courts (AOC) shared eviction data with the report authors under the Memorandum of Understanding executed between the AOC and Louisville Metro Government. The dataset includes the following information: filing date, disposition date, case number, defendant name, defendant address, case disposition, eviction notice, eviction warrant, and whether the judgment was in favor of the defendant or plaintiff. Information on the plaintiffs (i.e., the landlords) was not shared with the report authors. Sealed cases are not included in the dataset. The full dataset contains 95,478 cases from 2008 through December 16, 2021. The analysis in this report includes cases from January 4, 2021, through September 30, 2021 (7,911). Because many cases filed during Q4 2021 do not yet have dispositions, the filings analyzed are eviction filings disposed from Q1 to Q3. These data represent eviction cases that were filed and that received a ruling or disposition (e.g., dismissed, judgement granted) by the courts during this period.

Map 8: 2021 Eviction Filing Rates are mapped by 2010 census tracts boundaries in Louisville/Jefferson County using the Kentucky Administrative Office of the Courts address level eviction filing data normalized by the 2019 American Community Survey 5-year Estimates of renter-occupied units in each census tract. The spatial analysis (Map 8) shows 7,565 cases filed in 2021. A total of 346 cases could not be geocoded and were not included in the spatial analysis, which is roughly 4 percent of the Q1-Q3 2021 cases. The rate of eviction was calculated by dividing each tract's total filings by the latest figure on renter housing units from the U.S. Census' 2019 American Community Survey Five-Year estimates. Map classes were created using the Jenks Natural Breaks classification method.

There are limitations and inaccuracies specific to this dataset, as is also the case with other administrative eviction datasets (Porton et. al. 2020). The disposition for 4 cases is marked as 'other', and the AOC does not provide any additional explanation as to the meaning of this disposition coding. There are 29 cases where the outcome is 'dismissed,' yet the case also possesses an associated eviction warrant. These cases were included when calculating warrant rates. Other anomalies in quarterly reports include changes in past case totals, some of which can be explained by the nature of the dataset, which is eviction filings disposed, but others which seem reflective of inaccurate reporting. While we would expect changes to the filing counts from the previous quarter, the reports often include different totals going back several years. For example, the total eviction filings in 2019 were adjusted from 17,026 to 17,082, a difference of 56 cases. We also identified 123 additional cases in 2017 and 234 additional cases in 2018 based on the latest AOC quarterly reports.

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Acknowledgements

The 2022 State of Metropolitan Housing Report is a product of the Center for Environmental Policy and Management (CEPM) at the University of Louisville in collaboration with the Metropolitan Housing Coalition. The report was authored by Dr. Lauren C. Heberle, Associate Professor, Sociology and Director, CEPM; Dr. Kelly L. Kinahan, Assistant Professor, Urban and Public Affairs; Rebecca Halpryn, Sociology Doctoral Student; Claire Johnson, Urban and Public Affairs Research Assistant, and Maureen Neel, Urban and Public Affairs Masters Student.

Further thanks to the local agencies and organizations who share their data with us every year.

Photos: Nathan Dumlao, Harold Wainwright, Brandon Jacoby, Janelle Hiroshige, Adam Thomas

Design and layout by **Grid Principles**
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