

## Attachments

## Citizen Participation Comments



**Planning & Development Division**  
Planning & Economic Development Department  
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### Community Development Committee Meeting Summary

**Tuesday, December 03, 2019, 5:30 p.m.**  
Room 330, Duluth City Hall

- Call to Order and Roll Call  
Chair Hamilton Smith called the meeting to order at 5:30 pm

Roll Call  
Attending- Hamilton Smith, Patricia Sterner, Noland Makowsky, and Mark Osthus

Absent- Daris Nordby, Valerie Joeckel, and Breanna Ellison

Staff Present: Ben VanTassel, Suzanne Kelley, Mollie Hinderaker
- Approval of Meeting Summary

**MOTION/Second:** Makowsky/Osthus moved to approve the meeting summary from November 19, 2019. **Vote (4-0)**
- Staff Summary: Public Comment Period, Comments Received:  
City staff, Suzanne Kelley, passed out the final public comments received that were sent out via email prior to the meeting. There were no questions on any public comments received.
- Public Hearing on the FY2020-2024 Consolidated Plan & FY2020 Annual Action Plan:  
Chair Smith opened up the public hearing.  
Evan Flom from the Seeds of Success Program through Community Action Duluth (CAD) was in the audience and asked to speak about the program. He stated that the Seeds of Success program focuses on increasing food access for lower income residents by establishing multiple farmers markets throughout the year. Seeds of Success also puts on a kids program and an EBT match program giving more people access to fresh foods. Flom stated that they are gearing to expand Seeds of Success by implementing a transitional employment program. This additional employment focus would build capacity and create opportunity for individuals who typically see barriers to employment.  
Sterner inquired how this expansion could work with other employment programs existing in the community.

Flom replied that Stream Corps is an existing program through CAD which already offers similar employment opportunities. Seeds of Success would model this new transitional employment position after this pre-existing program.

Smith asked if there was an education component to the Seeds of Success program and if they ever worked with dieticians.

Flom explained that there are educational components that they incorporate into the site. For example, they do cooking demonstrations at the Hillside farmers market in partnership with Essentia Health, which might include working with professional dieticians. The Duluth Community Garden Program is also a partner that helps provide fresh food education to program users.

With no other speakers signed up or members of the audience wanting to make a public comment, Chair Smith closed the public hearing.

5. Finalize Committee Recommendation: FY2020 Annual Action Plan:

City staff, Benjamin VanTassel, gave a brief overview of the process to finalize the FY2020 Action Plan. After the meeting tonight, the Committee will have finalized their funding recommendation, which will then be presented to City Council for review. VanTassel reminded the Committee that the funding recommendations are currently based on estimates and that the City would know the exact funding totals after the Congressional budgeting process was complete. VanTassel reminded the Committee that because of this, the Committee would also have to decide on a contingency plan, laying out how they will address changes in the actual budget compared to the recommendations based on estimates.

Makowsky asked for a reminder on what the funding pre commitments were for the FY2020 Action Plan.

VanTassel stated that two housing projects were funded with pre-committed funds, Decker Dwellings and Birchwood Apartments, and that both of these projects secured funding from Minnesota Housing Finance Agency.

Suzanne Kelley emphasized that it is relatively rare for Duluth to get two projects funded by the State in one year and that the pre committed CDBG funds allocated by the Committee most likely helped in each respective scoring process.

Chair Smith stated that the Committee would finalize the funding recommendations by category and would open up each category for discussion before finalizing.

*CDBG – Affordable Housing*

Sterner introduced an idea addressing the two Ecolibrium3 projects in this category, Duluth Energy Efficiency Program (DEEP) and Specialized Improvement Area (SIA) Blight Reduction. Sterner explained that instead of funding the SIA Blight Reduction program at such a reduced rate compared to the request, the Committee could transfer those dollars to DEEP and make it more close to being fully funded. She suggested reaching out to Ecolibrium3 to get their opinion on how it would affect each program.

VanTassel explained that it is unlikely we would get an immediate answer but could reach out retroactively after finalizing the Committee's funding recommendation and before presenting to City Council.

**MOTION/Second:** Sterner/Makowsky moved to approve the funding recommendations for the CDBG Affordable Housing category with no changes. **Vote (4-0)**

*CDBG – Economic Development*

**MOTION/Second:** Osthus/Sterner moved to approve the funding recommendations for the CDBG Economic Development category with no changes. **Vote (3-0) Abstain (1- Makowsky)**

*CDBG – Public Facilities*

Chair Smith commented that after hearing from the agency during the public comment period, the Chester Bowl chalet renovation project was satisfactory in terms of project readiness and timeliness.

**MOTION/Second:** Sterner/Makowsky moved to approve the funding recommendations for the CDBG Public Facilities category with no changes. **Vote (4-0)**

*CDBG – Public Services*

Sterner commented that despite many of the projects not receiving full funding, largely due to the 15% cap for this category, the recommendations as they stand seemed fair.

**MOTION/Second:** Osthus/Sterner moved to approve the funding recommendations for the CDBG Public Services category with no changes. **Vote (3-0) Abstain (1- Makowsky)**

*HOME Investment Partnership*

**MOTION/Second:** Sterner/Osthus moved to approve the funding recommendations for the HOME Investment Partnership category with no changes. **Vote (4-0)**

*Emergency Solutions Grant*

**MOTION/Second:** Makowsky/Sterner moved to approve the funding recommendations for the Emergency Solutions Grant category with no changes. **Vote (4-0)**

*Planning and Administration*

Makowsky asked for clarification on what Neighborhood Revitalization Planning was and why this part of the request was not being funded.

VanTassel explained that in the past, Planning and Administration funds were able to go towards additional planning efforts rather than solely towards staff time. Spending money this way is not currently viable. If these funds are available in the future, the City would submit an application for this category.

**MOTION/Second:** Osthus/Sterner moved to approve the funding recommendations for the Planning and Administration category with no changes. **Vote (4-0)**

After finalizing the funding recommendations for the FY2020 Annual Action Plan, Chair Smith opened up the discussion to establish a contingency plan addressing any changes between actual funding amounts from HUD and the estimated budget.

Sterner proposed the following contingency plan:



-If the official funding amount from HUD is equal to or smaller than a -1 percent difference compared to the estimates, all projects will be reduced an equal amount of funding per respective funding category, i.e. CDBG, ESG, and HOME  
-If the official funding amount from HUD is equal to or smaller than a +1 percent difference compared to the estimates, all projects that have not received full funding will receive an equal and additional amount of funding per respective funding category  
-If the official funding amount from HUD exceeds a +/-1 percent difference compared to the estimates, the Committee will reconvene to discuss changes to the funding recommendations for each respective funding category.  
After some discussion over alternatives, the Committee decided to move forward with Sterner's proposed plan.

**MOTION/Second:** Osthus/Sterner moved to approve the Contingency Plan proposed above.  
**Vote (4-0)**

6. Finalize Committee Recommendation: FY2020-2024 Consolidated Plan:  
Kelley gave a brief overview of the FY2020-2024 Consolidated Plan as a 5-year plan to help guide HUD funding for the City. Similar to the FY2020 Action Plan, the Consolidated Plan went through an initial public hearing process and will be presented to City Council for final review.  
**MOTION/Second:** Sterner/Makowsky moved to approve the draft FY2020-2024 Consolidated Plan. **Vote (4-0)**
7. Committee of the Whole with City Council- Date and Process:  
VanTassel explained that he is still working on scheduling a date for Committee of the Whole with City Council. Potential dates include January 13, 2020 or January 27, 2020. VanTassel further stated that in the past, Committee members met before the Council meeting and discussed which member would present on each topic.  
Smith stated that he would like to make preliminary assignments tonight. The Committee agreed upon the following preliminary assignments:  
Smith- Brief overview of all categories (CDBG, ESG, HOME), CDBG-Public Services, CDBG-Public Facilities  
Sterner- CDBG-Affordable Housing, CDBG- Economic Development,  
Osthus- ESG  
Makowsky- HOME  
Chair Smith stated that if other committee members can attend, assignments could change.
8. Draft 2020 Meeting Schedule:  
VanTassel overviewed the draft 2020 meeting schedule emphasizing the meeting night in 2020 will revert to the fourth Tuesday of the month. The next meeting is scheduled for Tuesday January 28, 2020 however, if the Committee of the Whole with City Council date is scheduled for Monday January 27, 2020, there is potential to combine both meetings into one night.
9. Adjourn (Next meeting, January 28, 2020)  
**MOTION/Second:** Makowsky/Sterner to adjourn the meeting at 6:35 pm. **Vote (4-0)**

Community Development Committee Meeting Summary

**Tuesday, May 5, 2020, 5:30 p.m.**

**Special Virtual Meeting –Web-Ex**

1. Call to Order and Roll Call

Chair Hamilton Smith called the meeting to order at 5:41 pm

Roll Call

Attending- Hamilton Smith, Patricia Sterner, Valerie Joeckel, and Breanna Ellison

Absent- Mark Osthus

Staff Present: Ben VanTassel, Suzanne Kelley, Mollie Hinderaker

2. Review of Virtual Meeting Protocol and Process

Manager Ben VanTassel provided an overview of the virtual meeting process; he explained that the meeting was available for people to attend virtually and individuals would have the option to provide comments during the public hearings either through the Web-Ex system or by email that was actively being monitored during the meeting. Manager VanTassel stated that a virtual public input session was held on April 30, 2020, which was attended by 45 individuals. Comments from this session and emails from the public that were received by City Staff relating to the public hearings on this agenda were sent to Committee members earlier.

3. Public Hearing on Proposed Revisions of the Citizen Participation Plan

Manager VanTassel explained that HUD was allowing communities to revise their Citizen Participation Plan to incorporate a process relating to Infectious Disease Response that would permit virtual meetings and reduce the public comment period to 5 days.

Chair Smith opened the public hearing for comments.

With no speakers signed up or members of the audience wanting to make a public comment, no additional comments were provided.

Chair Smith closed the public hearing.

**MOTION/Second:** Sterner/Joeckel moved to approve the revisions to the Citizen Participation Plan with no changes. **Vote (4-0)**

4. Public Hearing on FY2019 Annual Action Plan: Priorities for CDBG-CV and ESG-CV funding from HUD to be used to prevent, prepare for, and respond to COVID19

Manager VanTassel explained that as part of the March 27, 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the City of Duluth would be receiving an additional \$1,427,448 in CDBG funds and \$719,669 in ESG funds to be used for the prevention, preparation, and response to COVID-19 pandemic. City staff has been working with HUD to

expedite the process so that these dollars would be available faster than the traditional five-month process. HUD recommended that the City amend the 2019 Action Plan and provide a general description of how the funds would be used in the HUD specified Goals. City Staff recommended funding the following the goals: Public Facility, Public Service, Job Training, Business Assistance, Rapid Rehousing/Tenant Based Rental Assistance, Homeless Prevention, Emergency Shelter and Outreach, and Staff Administration.

Chair Smith opened the public hearing for comments.

- Katie Danielson, the Homeless Liaison for the ISD 709 School District described the need and importance of providing childcare.
- Pam Kramer, the Executive Director for LISC, stated that it was important to address diversity and insure people of color, indigenous people, single parents, and very low-income people were included in the process.
- Jodi Slick, CEO of ECO3, explained food insecurity, mental health, and improved access to technology including data plans and devices needed to be addressed. She also explained how businesses in Lincoln Park and other areas would need assistance.

With no other speakers signed up or members of the audience wanting to make additional public comments, Chair Smith closed the public hearing. Committee members discussed the proposed goals. Specific comments included:

- What agencies would be able to apply for funds? Manager VanTassel stated that staff expected agencies currently receiving HUD funds would be applying, as well as agencies that normally do not receive funds. He explained that City Staff would be increasing outreach efforts to increase participation in utilizing these funds.
- Members discussed the importance of technology and the widening gap occurring in the underrepresented population. Technology is becoming more essential with jobs, education, and doctor appointments.

**MOTION/Second:** Sterner/Joeckel moved to approve the 2019 Action Plan amendment with an emphasis being provided on technology and childcare. **Vote (4-0)**

4. Public Hearing on the FY2020 Action Plan Final Funding Amounts:

Manager VanTassel informed the Committee that HUD was providing additional funding for the 2020 program year. The specific increases and recommended projects for the increase included:

Total Community Development Block Grant (CDBG) Program: \$2,426,497  
Housing Decker Dwellings- One Roof Community Housing \$316,035 (increased \$41,035)  
Program Administration CDBG Program Administration- City of Duluth \$485,299  
(increased \$10,258)

Total HOME Investment Partnerships Program: \$549,739  
Homeless Rental Assistance (TBRA)- Duluth HRA \$94,766 (increased \$7,771)  
HOME Program Administration- City of Duluth \$47,473 (increased \$862)

Total Emergency Solutions Grants Program: \$208,704  
Rapid Rehousing & Prevention – City of Duluth \$77,052 (increased \$7,456)  
ESG Program Administration- City of Duluth \$15,652 (increased \$604)

Chairperson Smith opened the public hearing for comments.

- Jeff Corey, Executive Director for One Roof explain the additional funds were needed for the Decker Dwellings project to address a \$280,000 construction gap that was due to increase in construction costs.
- Chair Smith asked about the affordability of the units.
- Mr. Corey responded that there would be nine Section 8 units, approximately half of the units in the development would be 50% AMI, some units would be for up to 80% AMI, the average of all the units would be 60% AMI.

With no other speakers signed up or members of the audience wanting to make additional public comments, Chair Smith closed the public hearing.

**MOTION/Second:** Joeckel/Sterner moved to approve the 2020 Action Plan Final Funding Amounts Recommendations. **Vote (4-0)**

5. Public Hearing on Substantial Amendment to FY 2015 Annual Action Plan:  
Manager VanTassel informed the Committee that the CHUM Employment Services project described in the 2015 Action would not be going forward, therefore that project would have to be canceled in the 2015 Action Plan and the committed funds would need to be directed to another project. City Staff recommended the \$64,000 committed to the project be allocated to the Decker Dwelling Project.

Chair Smith opened the public hearing for comments.

With no speakers signed up or members of the audience wanting to make a public comment, no additional comments were provided.

Chair Smith closed the public hearing.

**MOTION/Second:** Sterner/Ellison moved to approve the Substantial Amendment to the FY 2015 Annual Action Plan. **Vote (4-0)**

6. Overview of FY 2021 Funding Process and upcoming business  
Manager VanTassel informed the Committee that City Staff was developing a schedule for the 2021 Funding process and that more information would be provided later.

9. Adjourn  
**MOTION/Second:** Sterner/Ellison to adjourn the meeting at 6:45 pm. **Vote (4-0)**

## Grantee Unique Appendices

### City of Duluth Community Planning Division

#### Resale and Recapture Policies – November 2017

The City of Duluth Community Planning Division (CPD) must ensure that HOME investments yield affordable housing over the long term. HOME regulations impose occupancy requirements over the length of an affordability period. If a house purchased with HOME funds is sold during the affordability period, recapture or resale provisions consistent with 24 CFR 92.253 shall apply to ensure the continued provision of affordable homeownership. The City has determined that the most effective method for achieving this goal in Duluth is to utilize the land trust model of homeownership. The resale policies are related to land trust properties, and are intended to enhance the marketability of homes by making them affordable to low and moderate income families who, absent such provisions, would be unable to afford them.

Community Planning requires that Resale provisions be used in the event that only a Development Subsidy is used to make the home affordable (i.e. funding acquisition and/or construction to the developer through a Community Land Trust (CLT) program). In a project where both Development and Direct subsidies are provided, recapture provisions shall apply. The policies and procedures set forth herein supersede those adopted and effective as of June 2014.

#### Table of Contents

ELIGIBLE PROPERTIES.....	2
Eligible Property Types .....	2
Property Standards.....	2
RECAPTURE REQUIREMENTS .....	2
Shared Net Proceeds Basis.....	3
RESALE GENERAL PROVISIONS.....	3
Homeownership Projects.....	3
Affordable to Reasonable Range of low-income homebuyers.....	3
RESALE REQUIREMENTS (NON CLT).....	3
Fair Return on Investment .....	3
Guidelines for Resale (Non CLT).....	4
CLT RESALE REQUIREMENTS.....	4
RECORDS RETENTION REQUIREMENTS - FILES.....	5
DEFINITIONS.....	5

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***Either recapture or resale provisions must be detailed and outlined in accordance with 24 CFR 92.254 in marketing brochures, written agreements and all legal documents with homebuyer.***

***Either recapture or resale may be used within a project, not both. Combining provisions to create "hybrids" is not allowed. Community Land Trust (CLT) properties shall be subject to the Resale provisions.***

## ELIGIBLE PROPERTIES

### Eligible Property Types and Forms of Ownership

1. The property can be an existing property or newly constructed.
2. The property can be privately or publicly held prior to sale to the homebuyer.
3. An eligible property may include: a single-family property (one unit) to four-unit property, a condominium unit, a manufactured or mobile home, or a cooperative or mutual housing unit.
4. Homeownership means ownership in fee simple title, a 99-year leasehold interest, ownership in a cooperative or mutual housing unit, or an equivalent form of ownership approved by HUD.

### Property Standards

1. Any property acquired under the HOME Program Homeownership Assistance program must meet all applicable State and local housing quality standards and code requirements, including the written rehab standards incorporated into the "City of Duluth Housing Code Chapter 29A as amended by Ordinance 9462". All properties built prior to 1978 must be assessed for the presence of lead-based paint; lead hazards must be remediated, proper procedures must be followed for lead safety during construction, and lead disclosures must be provided to any future homebuyers.
2. Any housing acquired for homeownership shall be decent, safe, sanitary, and in good repair. If the housing does not meet these standards, it must be rehabilitated before it can be acquired by the homebuyer, per the requirements of 92.251(c)(3).

## RECAPTURE REQUIREMENTS

The Community Planning Division of the City of Duluth (CP) has adopted a recapture provision for all Homebuyer Activities using HUD HOME Funds as a Direct Homebuyer Subsidy or if the project includes both a Direct and Development Subsidy. These provisions ensure that CP recoups all or a portion of the HOME assistance to the homebuyer when the unit is transferred, either voluntarily or involuntarily during the period of affordability.

**Non-compliance:** instances of non-compliance, where the homeowner ceases to use the property as their principal residence, require full repayment of the HOME investment.

CP shall reduce the HOME investment amount to be recaptured on a pro-rata basis for the time the homeowner has owned and occupied the housing measured against the entire affordability period (i.e., a forgivable period). The HOME subsidy will be forgiven annually upon the anniversary of the closing date (e.g.

1/5 of HOME subsidy forgiven each year for a five-year affordability period on the anniversary of the closing date).

Shared Net Proceeds Basis

CP will recapture the HOME subsidy on a prorata basis should the homeowner sell or otherwise transfer the unit during the period of affordability. The amount subject to recapture will be capped at the net proceeds. The net proceeds are the sales price minus loan repayment (other than HOME funds) and closing costs. The net proceeds may be divided proportionately as set forth in the following formulas:

HOME Investment		
$\frac{\text{HOME investment} + \text{Homeowner investment}}{\text{HOME investment}}$	$\times$ Net proceeds	= HOME amount to be recaptured
Homeowner investment		
$\frac{\text{HOME investment} + \text{Homeowner investment}}{\text{HOME investment}}$	$\times$ Net proceeds	= amount to homeowner

Under the recapture provision, the amount subject to the affordability period includes the amount provided directly to, or on behalf of the homebuyer, including down payment, closing costs, and/or direct loan plus any HOME assistance that lowers the cost of the home below market price (i.e., the difference between the market value of the home and what it actually sold for).

RESALE GENERAL PROVISIONS

Resale provisions require the homeowner to sell to another low-income homebuyer (an "Eligible Household"), or when necessary to preserve affordability, to a Community Land Trust. The resale requirement must ensure that the price at resale provides the original HOME-assisted owner a Fair Return on Investment and ensure that the housing will remain Affordable to a Reasonable Range of low-income homebuyers for the Affordability Period, as defined below.

Homeownership Projects undertaken where the resale provision applies shall use deed restrictions, covenants running with the land, or other similar mechanisms per 92.254(a)(5)(i)(A) to ensure the resale requirements are met and enforceable during the Affordability Period.

Affordable to Reasonable Range of low-income homebuyers: Housing that is affordable to a family earning between 30% and 80% AMI, who will pay no more than 30% their gross income for P.T.I. (Principle, Interest, Tax, and Insurance).

RESALE REQUIREMENTS (NON CLT)

Fair Return on Investment: A homeowner can sell the home during the Affordability Period and is entitled to a fair return on their investment. CP shall use as an objective standard the percentage of the change in median sales prices in the homebuyer's census tract over the period of ownership. The Fair Return on Investment shall also include:

- The homebuyer's original investment (i.e., any down payment).
- Capital improvements made by the homebuyer that add value to the property and were constructed upon issuance of a Building Permit issued by the City of Duluth Construction Services Division. Routine maintenance or replacement of appliances, major or minor, shall not constitute a capital



improvement. The value of capital improvements shall be based on the actual costs of the improvements as documented by the homeowner's receipts.

#### Guidelines for Resale (Non CLT)

1. **Resale.** If the HOME assisted housing is transferred, voluntarily or otherwise, during the Affordability Period, there will be a resale restriction to ensure long-term affordability. The original HOME-assisted homebuyer is entitled to a Fair Return on Investment. The property must be made available for subsequent purchase to a buyer that is an Eligible Household, and that buyer must occupy the property as their principal residence.
2. **Deed Restriction.** At time of original development, all HOME assisted properties shall have had separately recorded deed restrictions consistent with 24 CFR 92.254(a)(5)(i)(A). Deed restrictions must be reviewed by the City as to duration and other Resale Requirements during the resale process.
3. **Written Agreement.** The Homebuyer Written Agreement between the homebuyer and CP shall be maintained by CP, whether CLT property or otherwise. The resale process shall include execution of an updated Homebuyer Written Agreement.
4. **Affordability Period.** Properties must be affordable to the first purchaser and all subsequent purchasers for the entirety of the Affordability Period. Purchasers must be determined to be Eligible Households during the Affordability Period.
5. **Eligible Households, extension.** If the property is sold within the Affordability Period, the subsequent purchaser must also be an Eligible Household that will occupy the property as their principal residence. If the property is sold within the second half of the affordability period, the City may elect to require an additional five-year Affordability Period for the property.
6. **Principal Residence.** If the property does not continue to be the principal residence of an Eligible Household for the duration of the Affordability Period, this is considered non-compliance, and all HOME funds invested in the property must be repaid.
7. **Fair Return on Investment.** Upon resale, CP must ensure and document that the seller receives a Fair Return on Investment. Subsequent sales price is based on original purchase price plus the homeowner's fair return. However, in a declining market, it may not be possible for the homeowner to receive his/ her full fair return on investment. If the original purchase price plus the fair return is more than a subsequent purchaser can afford, CP may provide additional HOME assistance.
8. **Additional HOME funds.** If, after the seller receives a Fair Return on Investment, the sale price is not affordable to a new Eligible Household, the City may elect to provide additional HOME funds to assist the subsequent buyer through down-payment or second mortgage assistance. If new HOME funds are provided, the period of affordability must be extended in accordance with HOME regulations.

#### CLT RESALE REQUIREMENTS

In a CLT model of ownership, the homebuyer only owns the improvements (house/buildings) on the land and the CLT owns the land underneath, which they lease to the homeowner.

Since the CLT model through the CLT land lease limits the sale price to subsequent buyers and includes rights of first refusal by the CLT, using a recapture provision will not meet the HOME requirements. Therefore, CP will use **Resale Provisions** to meet the HOME requirements for CLT properties. The HOME assistance will be used to pay development gaps, land costs and/or to provide affordability gap funds directly to the homebuyer.

After each Eligible Household has been determined to meet all of the requirements for approval, the applicable entity will execute a Declaration of Covenant and Restrictions (the "Covenant") with CP to impose restrictions upon the CLT property. The Covenant shall be filed on the property running with the land to ensure that all agreements between the CLT and CP and the CLT and the Eligible Household purchaser are of public record. The Covenant will be filed prior to the CLT land lease. It will also be added to the CLT land lease as an Exhibit. Each Covenant will run for at least the applicable minimum affordability period, as noted above. Each Covenant can terminate in the event of foreclosure, transfer of title in lieu of foreclosure, or assignment of a FHA insured mortgage to HUD. The Covenant will reinforce the terms of the CLT land lease and reference applicable provisions and definitions to ensure the HOME requirements are met including the following:

- Subsequent sale are to another Eligible Household.
- The entity may use their right of first refusal, as defined and explained the CLT land lease to ensure this requirement.
- The CLT property will be used as the Eligible Household buyers' principal place of residence.
- The CLT property will be sold at a price that provides the owner a fair return, while ensuring that the housing will remain affordable to a reasonable range of low-income buyers.

CP defines "a Fair Return on Investment" for CLT properties as described per the terms and conditions of "Transfer of the Home" Section of the CLT land lease. This Section also sets the sales price for the subsequent buyer. Please see the attached workbooks that walk through the calculations described in the CLT land lease.

#### RECORDS RETENTION REQUIREMENTS - FILES

The City shall retain records regarding all subsidies provided under this policy with the project file. This shall include a copy of the executed Written Agreement, a copy of the executed "Request for Notice of Foreclosure," a copy of the executed "Restrictive Covenants," and other applicable documentation.

#### DEFINITIONS

##### 1. Affordability Period

Occupancy restrictions are required for varying lengths of time for homeowners assisted with HUD HOME funds. The affordability period is determined based on the total amount of HOME funds invested in the housing, including any HOME program income. Minimum required affordability periods are:

<u>HOME Assistance per Unit</u>	<u>Minimum Period of Affordability</u>
Under \$15,000	5 Years
\$15,000 to \$40,000	10 Years
Over \$40,000	15 Years

Affordability Period as applied to resale provisions shall apply to the entire HOME subsidy. The Affordability Period as applied to recapture provisions shall be based on the direct subsidy to the Homebuyer only.

**2. Affordable to a Reasonable Range of low-income homebuyers**

Housing that is affordable to a family earning between 30% and 80% AMI, who will pay no more than 30% their gross income for PITI (Principle, Interest, Tax, and Insurance). CP must establish a maximum resale price that its target population can afford.

**3. Direct Homebuyer Subsidy:**

A direct subsidy consists of any financial assistance that reduces the purchase price from fair market value to an affordable price, or otherwise directly subsidizes the purchase (e.g., down payment or closing cost assistance, subordinate financing, etc.).

**4. Development subsidy:**

A HOME development subsidy is the total amount of HOME assistance provided by CP to a housing developer. Subsidies provided to CLT properties will be considered a Development Subsidy.

**5. Eligible Household:**

Homebuyers and homeowners must be low-income households defined as households whose income is more than thirty (30%) of the area median income, but does not exceed eighty percent (80%) of the area median income, adjusted for family size, as determined annually by the United States Department of Housing and Urban Development (HUD).

**6. Net Proceeds**

The sales price minus loan repayment (other than HOME funds) and closing costs.

**7. Fair Return on Investment**

Fair Return on Investment is outlined in the section regarding Resale Requirements. For CLT properties, the resale process is set forth in the "Transfer of the Home" Section of the CLT land lease.

**8. Written Agreement**

A Written Agreement shall govern the actions between the Eligible Household, the City, and any intermediaries. The Written Agreement shall specify the type of subsidy and whether the Recapture Requirements or the Resale Requirements apply. The Written Agreement shall specify the type of security for the HOME subsidy, most frequently through a separately recorded deed restriction or restrictive covenant.

## **Written Standards for Provision of ESG Assistance In the City of Duluth**

1. **Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under ESG**
  - a. The City of Duluth does not prioritize who is assisted through the ESG program. Clients are served as received.
  - b. Per 24 CFR 576.401: ESG sub-recipients must conduct an initial evaluation to determine each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. All ESG sub-recipients will follow federal documentation guidelines to establish the client's status as homeless or at-risk of homeless and their income eligibility. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under §576.400(d).
    - i. The City of Duluth is currently working with the St. Louis County Continuum of Care (CoC) to develop common intake and assessment tools and protocols to be used by all agencies that receive ESG, CoC and other homeless program funding within the Continuum. The tools and protocols will create consistency in client intake and assessment and provide basis for appropriate agency referral and to develop targeting and prioritization protocols.
    - ii. ESG sub-recipients must re-evaluate program participant's eligibility and the types and amounts of assistance the participant needs;
      1. Not less than once every 3 months for participants who are receiving homelessness prevention assistance, and
      2. Not less than once annually for participants who are receiving rapid re-housing assistance.
    - iii. Re-evaluation of program participants may be conducted more frequently than required by 24 CFR 576.401 and may be incorporated into the case management process which must occur not less than monthly for homeless prevention and rapid re-housing participants. See 24 CFR 576.401(e) (i). Regardless of which timeframe is used, re-evaluations, must at minimum, establish that:
      1. The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and the program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance. To determine if an individual or family is income eligible, the sub-recipient must examine an individual or family's annual income to ensure that it does not exceed the most current HUD income limits applicable to the City of Duluth. Note: Annual income must be below 30% at the time of the initial evaluation.
      2. When the program participant's income or other circumstances change, such as change in household composition, that affects the program participant's need for assistance under ESG, the sub-recipient must then re-evaluate the program participant's eligibility and the amount and types of assistance the program participant needs.
    - iv. Sub-recipients must assist each program participant, as needed, to obtain appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; housing stability case management; and other Federal, State, local, or private assistance available to assist the program participant in obtaining housing stability including:
      1. Medicaid

2. Supplemental Nutrition Assistance Program
3. Women, Infants and Children (WIC)
4. Federal-State Unemployment Insurance Program
5. Social Security Disability Insurance (SSDI)
6. Supplemental Security Income (SSI)
7. Child and Adult Care Food Program,
8. Minnesota Family Investment Program (MFIP),
9. General Assistance Program (GA), and
10. Other mainstream resources such as housing, health, social services, employment, education services and youth programs that an individual or family may be eligible to receive

**2. Standards for targeting and providing essential services related to street outreach**

- a. The City of Duluth does not target ESG funding to any geographic area or client population. ESG sub-recipients are selected through a request for proposal process based on service provision. No duplication of service by sub-recipients is anticipated in the Duluth area of operation.
- b. ESG funding may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term “unsheltered homeless people” means individuals and families who qualify as homeless under paragraph (1) (i) of the “homeless” definition under 24 CFR Part 576.2. As outlined in 24 CFR Part 576.101, essential services consist of:
  - i. Engagement;
  - ii. Case management;
  - iii. Emergency health services – only when other appropriate health services are inaccessible or unavailable within the area;
  - iv. Emergency mental health services – only when other appropriate mental health services are inaccessible or unavailable within the area;
  - v. Transportation; and
  - vi. Services for special populations.
- c. ESG sub-recipients must determine an individual’s or family’s vulnerability and unwillingness or inability to access emergency shelter, housing, or an appropriate health facility, prior to providing essential services under this component to ensure that ESG funding is used to assist those with the greatest need for street outreach assistance.

**3. Policies and procedures for admission, diversion, referral, and discharge by emergency shelters**

- a. Emergency Shelter Definition  
The term Emergency Shelter was revised by 24 CFR Part 576.2 to mean “any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. This definition excludes transitional housing. However, projects that were funded as an emergency shelter (shelter operations) under the FY 2010 Emergency Shelter Grants program may continue to be funded under the emergency shelter component under the Emergency Solutions Grants program, regardless of whether the project meets the revised definition.

- b. Admission, Diversion, Referral and Discharge  
Shelter stays should be avoided, if possible, and when not possible, limited to the shortest time necessary to help participants regain permanent housing. Consistent with Section (a) of this document, ESG sub-recipients must conduct an initial evaluation of all individuals or families to determine if they should be admitted to an emergency shelter, diverted to a provider of other ESG-funded components, such as rapid re-housing or homeless prevention assistance, or referred for other mainstream resources.
- c. ESG sub-recipients must determine that individuals and families meet category (1), (2), (3), or (4) of the Homeless Definitions listed below and rate the individual's or family's vulnerability to ensure that only those individuals or families that have the greatest need for emergency shelter assistance receive ESG funded assistance.
  - i. Category 1 – Literally Homeless
  - ii. Category 2 – Imminent Risk of Homeless
  - iii. Category 3 – Homeless Under Other Federal Statutes
  - iv. Category 4 – Fleeing/Attempting to Flee DV
- d. ESG sub-recipients must also reassess emergency shelter participants, on an ongoing basis, to determine the earliest possible time that they can be discharged to permanent housing. All persons discharged from emergency shelters will have their exit status entered into either HMIS and will be provided discharge paperwork as applicable or upon request.
- e. Safety and Shelter Needs of Special Populations
  - i. ESG funding may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under the regulations for the emergency shelter component found at 24 CFR Part 576.102.
  - ii. Consistent with ESG recordkeeping and reporting requirements found at 24 CFR Part 576.500, ESG sub-recipients must develop and apply written policies to ensure the safety of program participants through the following actions:
    - 1. All grantees and sub-grantees will take appropriate measures to provide for client confidentiality. Grantees and sub-grantees will develop and implement procedures to guarantee the confidentiality of records concerning program participants. All records containing personally identifying information (as defined in HUD's standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and receives ESG assistance will be kept secure and confidential.
    - 2. The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter, and
    - 3. The address or location of any housing of a program participant, including youth, individuals living with HIV/AIDS, victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing will not be made public, except as provided under a preexisting privacy policy of the sub-

recipient and consistent with state and local laws regarding privacy and obligations of confidentiality

- iii. In addition, ESG sub-recipients must adhere to the following ESG shelter and housing standards found at 24 CFR Part 576.403 to ensure that shelter and housing facilities are safe, sanitary, and adequately maintained:
  1. Lead-Based Paint Requirements. The Lead-Based Paint Poisoning Prevention Act applies to all shelters assisted under ESG program and all housing occupied by program participants. All ESG sub-recipients are required to conduct a Lead-Based Paint inspection on all units receiving assistance under the rapid re-housing AND homelessness prevention components if the unit was built before 1978 and a child under age of six or a pregnant woman resides in the unit.
  2. Structure and Materials. The shelter building should be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.
  3. Access. The shelter must be accessible, and there should be a second means of exiting the facility in the case of emergency or fire.
  4. Space and Security. Each resident should have adequate space and security for themselves and their belongings. Each resident must have an acceptable place to sleep.
  5. Interior Air Quality. Each room or space within the shelter/facility must have a natural or mechanical means of ventilation. The interior air should be free of pollutants at a level that might threaten or harm the health of residents.
  6. Water Supply. The shelter's water supply should be free of contamination.
  7. Sanitary Facilities. Each resident should have access to sanitary facilities that are in proper operating condition. These facilities should be able to be used in privacy, and be adequate for personal cleanliness and the disposal of human waste.
  8. Thermal Environment. The shelter/facility must have any necessary heating/cooling facilities in proper operating condition.
  9. Illumination and Electricity. The shelter/facility should have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There should be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
  10. Food Preparation. Food preparation areas, if any, should contain suitable space and equipment to store, prepare and serve food in a safe and sanitary manner.
  11. Sanitary Conditions. The shelter should be maintained in a sanitary condition.
  12. Fire Safety-Sleeping Areas. There should be at least one working smoke detector in each occupied unit of the shelter facility. In addition, smoke detectors should be located near sleeping areas where possible. The fire alarm system should be designed for a hearing-impaired resident.
  13. Fire Safety-Common Areas. All public areas of the shelter must have at least one working smoke detector.
4. **Policies and procedures for assessing, prioritizing, and reassessing individuals' and families' needs for essential services related to emergency shelter**

- a. ESG providers and the City of Duluth, Community Development staff are currently working with the St. Louis County CoC to develop common intake and assessment tools and protocols to be used by all agencies that receive ESG, CoC and other homeless program funding within the Continuum. The tools and protocols will create consistency in client intake and assessment and provide basis for appropriate agency referral and to develop targeting and prioritization protocols.
  - b. Upon completion of the common intake and assessment tools and protocols, all ESG sub-recipients will use that system to help determine the individual or family need for emergency shelter or other ESG-funded assistance.
  - c. ESG funding may be used to provide essential services to individuals and families who are in an emergency shelter. Essential services for participants of emergency shelter assistance can include case management, child care, education services, employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, transportation, and services for special populations.
  - d. ESG sub-recipients are responsible to assess an individual or family's initial need for emergency shelter and must re-assess their need on an ongoing basis to ensure that only those individuals or families with the greatest need receive ESG-funded emergency shelter assistance. Shelters that serve families must serve all eligible families and may not refuse services based on the age of children or the size of the family.
  - e. Client re-assessment will take place at the participant level and at the service provider level. Clients meet with case managers throughout their participation in the program, and have regular progress evaluations. Clients have opportunity to provide feedback and assessment about programs and services as well.
  - f. The City of Duluth is working with the St. Louis County CoC to develop criteria and protocols for system-wide program and service evaluation and improvement to be implemented through the Heading Home St. Louis County Leadership Council—the governing group for the St. Louis County Continuum— and the Affordable Housing Coalition's Homeless Response Committee, which is comprised of all the homeless housing and service providers in Duluth and serves as one of the working groups for the HHSLC Leadership Council. Case managers and administrative staff from all of the homeless housing and service organizations, along with City and County staff participate in the Homeless Response Committee meetings as this is the forum for discussion and implementation of system related protocols, activities, best practices, evaluation and changes that occur.
5. **Policies and procedures for coordination among emergency shelter providers, essential service providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers**
- a. Coordination to assist the homeless and prevent homelessness comes through collaboration among housing and service providers within the City of Duluth and the St. Louis County CoC, the Homeless Response Committee and Affordable Housing Coalition, the Heading Home Leadership Council, St. Louis County and City of Duluth Community Development staff and St. Louis County Health and Human Services staff. Active engagement in the Continuum of Care through the Homeless Response Committee, the Affordable Housing Coalition, and the HHSLC Leadership Council is strongly encouraged.



**6. Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance**

- a. ESG-funded agencies will be responsible for ensuring that potential participants are served, with provisions for targeting some services to eligible households who meet prioritization criteria established through the Continuum of Care using coordinated assessment protocols.
- b. A key component to successful implementation of a coordinated assessment system within the St. Louis County CoC is a common screening and assessment process developed through the CoC. Screening and assessment thoroughly explores a family's or individual's situation and pinpoints their unique housing and service needs. Based upon the assessment, families and individuals should be referred to the kinds of housing and services most appropriate to their situations and need.
- c. The common assessment tool aids matching individuals and families with the most appropriate assistance. Under homelessness prevention, ESG assistance is available to individuals and families below 30% of Area Median Income (AMI), and are homeless or at risk of becoming homeless.
- d. ESG funds can be used to prevent an individual or family from becoming homeless and regain stability in current housing or other permanent housing. Rapid re-housing funds can be used to assist individuals and families who are literally homeless progress toward permanent housing and achieve housing stability.
  - i. Homeless Prevention Households will be re-certified for continued eligibility every 3 months.
  - ii. Rapid Re-Housing Households will be re-certified annually.

**7. Standards for determining the share of rent and utility costs that program participants must pay, if any, while receiving homelessness prevention or rapid re-housing assistance**

- a. Standards for both homelessness prevention and rapid re-housing for determining the share of rent and utilities costs that each program participant must pay, if any, will be based on the following:
  - i. Clients receiving rental assistance are expected to contribute 30% of their income toward the unit's rent. The City of Duluth ESG Program does not require a minimum client contribution.
  - ii. Rental assistance cannot be provided for a unit unless the rent for that unit is at or below the current Fair Market Rent limit, established by HUD.
  - iii. The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. See 24 CFR 574.320.
  - iv. The rental unit must meet minimum habitability standards found at 24 CFR 576.403.
  - v. There must be a rental assistance agreement and lease between the property manager and tenant as well as the owner of property and ESG sub-recipient.
  - vi. No rental assistance may be made to an individual or family that is receiving rental assistance from another public source for the same time period.
  - vii. Rental assistance may not be provided to a participant who is currently receiving replacement housing payments under Uniform Relocation Assistance.

- b. Per 24 CFR 576.106 (c), ESG sub-recipients may make rental assistance payments only to an owner with whom the sub-recipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the sub-recipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.
- 8. Standards for determining how long a particular program participant will receive rental assistance and whether and how the amount of that assistance will be adjusted over time**
- a. Subject to the general conditions under 24 CFR 576.103 and 24 CFR Part 576.104, ESG sub-recipients may provide a program participant with up to 24 months of rental assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination of this assistance.
    - i. Short-term rental assistance is assistance for up to 3 months of rent.
    - ii. Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.
    - iii. Payment of rental arrears may consist of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.
  - b. The maximum amount of rental assistance provided, and an individual or family's level of responsibility for rent payments, over time, shall be determined by the ESG sub-recipient and shall be reflective of the individual or family's need for rental assistance and the level of financial resources available to the ESG sub-recipient.
  - c. Rental assistance will end if and when other subsidy begins, such as Section 8 Housing Choice Voucher, public housing, or project based rental subsidy.
  - d. Guidance from the St. Louis County CoC, through Homeless Response Committees, Affordable Housing and Rural Housing Coalition meetings and through the Heading Home SLC Leadership Council, will establish, evaluate and modify rental assistance parameters based on data such as community need, outcomes and available funding within the HUD guidelines.
- 9. Standards for determining the type, amount, and duration of housing stabilization and relocation services to provide a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participants receives assistance; or the maximum number of times the program participants may receive assistance**
- a. Subject to the general conditions under 24 CFR 576.103 and 24 CFR Part 576.104, sub-recipients may use ESG funding to pay housing owners, utility companies, and other third parties for some or all of the following costs, as allowed under 24 CFR 576.105:
    - i. Rental application fees
    - ii. Security deposits
    - iii. Last month's rent
    - iv. Utility deposits
    - v. Utility payments

- vi. Moving costs, and
  - vii. Some limited services costs
- b. Consistent with 24 CFR 576.105 (c), ESG sub recipients determine the type, maximum amount and duration of housing stabilization and relocation services for individuals and families who are in need of homeless prevention or rapid re-housing assistance through the initial evaluation, re-evaluation and ongoing case management processes.
- c. Consistent with 24 CFR 576.105(d), financial assistance for housing stabilization and relocation services cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the Uniform Relocation Act (URA) during the period of time covered by the URA payments.

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## Analysis of Impediments to Fair Housing Choice 2020

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City of Duluth, Planning & Development Division



## Table of Contents

<b>Executive Summary</b>	<b>3</b>
HUD Funding Requirements	3
Recent Trends	3
Impediments to Fair Housing Choice	4
<b>Chapter 1: Introduction</b>	<b>5</b>
What is Fair Housing?	5
Why the City of Duluth Affirmatively Further Fair Housing Choice	5
Requirements pursuant to HUD Guidelines	5
Participants	6
Goals for the AI	6
Limitations	6
<b>Chapter 2: Duluth, MN</b>	<b>8</b>
History	8
Recent Trends	9
<b>Chapter 3: Demographics</b>	<b>12</b>
Race and Color	13
Religion	14
Gender and Sex	14
Familial status	15
Disability	16
Country of Origin	16
<b>Chapter 4: Housing and Employment</b>	<b>17</b>
Housing Characteristics	17
Public Housing	19
Housing Costs	22
Employment	22
<b>Chapter 5: Policies and Practices</b>	<b>25</b>
Institutional Policies and Fair Housing Enforcement	25
Access to Housing	31
2015 Analysis of Impediments to Fair Housing	36
<b>Chapter 6: 2020-2024 Fair Housing Plan</b>	<b>38</b>
Exclusionary Section 8 Policies	38
Exclusionary Criminal Background Policies	39
Involuntary Displacement	40
Built Environment	41
Fair Housing Plan Implementation	41
<b>Data and Methodology</b>	<b>47</b>
<b>Appendix</b>	<b>47</b>

## Executive Summary

### HUD Funding Requirements

Each year the City of Duluth receives roughly \$3 million from the Department of Housing and Urban Development (HUD) in the form of Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) funds. CDBG funds support community development projects including affordable housing, public services, public facilities, and economic development. HOME funds support programs that create affordable housing for low-income households. ESG funds support projects that offer basic needs and housing stabilization services to community members experiencing or at risk of experiencing homelessness.

To receive these funds, HUD requires the City to create a Consolidated Plan that lays out how the City of Duluth and its partners will use an expected \$15 million in HUD funds over the next five years to meet community needs. To develop this plan, we use a collaborative process to establish a unified vision for community development actions. This process allows the City and community members to shape the various housing and community development programs into effective, coordinated neighborhood and community development strategies.

HUD also requires that the City affirmatively furthers fair housing choice. In short, HUD wants the City to ensure that we don't spend these funds in ways that increase segregation and concentrations of poverty or reduce people's ability to live in the neighborhood they want to. In conjunction with each five-year Consolidated Plan, we develop an Analysis of Impediments to Fair Housing Choice (AI). The AI lays out the City's planned actions to affirmatively further fair housing for the next five years. We look at the following federally defined protected classes when we analyze fair housing issues: race, color, religion, sexual orientation, gender identity, disability, family status, and national origin. Anything that limits housing availability or choice on the basis of these protected classes is an impediment to fair housing choice.

### Recent Trends

The economic recession of 2008 proved to be a turning point for the city from a predominantly resource-based economy to a more diversified job base. As the housing market has recovered from the recession, rents and home sale prices are rising, but increases in income are not keeping up resulting in higher poverty rates and more cost-burdened households. The total number of housing units in Duluth is increasing, but there are still not enough units resulting in a 'seller's market' with competitive and quick home sales, low rental vacancy rates and increasing rents. Recently and in the coming years baby boomers are retiring in record numbers, leaving positions that have been filled for decades. Employers across the state including in Duluth, have had to be creative in attracting and retaining employees with competitive benefits packages and flexibility within the workplace.

In recent years the Lincoln Park neighborhood, one of the lowest income neighborhoods in the city, has started to see much needed reinvestment, but appears to have undergone some significant demographic changes since 2015, signifying that this neighborhood has a high displacement risk. Necessary reinvestment in neighborhoods, such as what is occurring in Lincoln Park, has the potential to displace or limit the ability to stay in place for some residents and businesses.

### **Impediments to Fair Housing Choice**

The City reviewed demographic data, collected input from community members and organizations, and researched trends in housing and real estate in order to develop these impediments to fair housing choice.

What impediments does the City of Duluth face in 2020?

- 1) Exclusionary rental housing practices and policies directed at Section 8 Housing Choice Voucher holders
- 2) Exclusionary rental housing practices and policies directed at persons with criminal histories
- 3) Involuntary displacement and limited housing choice caused by gentrification
- 4) Policies and physical limitations in the built environment

The Planning and Development Division will incorporate priorities and objectives in the 2020 to 2024 Consolidated Plan with these identified impediments to fair housing choice. They will work with other departments and organizations to develop strategies to address the impediments. Strategies are included at the end of this report in Chapter 6, Fair Housing Plan.

## Chapter 1: Introduction

The Department of Housing and Urban Development (HUD) requires an Analysis of Impediments to Fair Housing Choice to be conducted by all Community Development Block Grant recipients every 3 to 5 years. The City of Duluth's previous Analysis of Impediments to Fair Housing Choice was published in 2015. This analysis will coincide with the City of Duluth Planning and Development Division's update of the five-year Consolidated Plan. The Analysis of Impediments to Fair Housing Choice, commonly called the Analysis of Impediments (AI), will examine various data sources and attempt to determine what impediments exist to fair housing choice and what actions the City can undertake to affirmatively further fair housing choice.

### What is Fair Housing?

The Federal Fair Housing Act of 1968 prohibits discrimination in the sale, rental, or financing of housing. HUD has determined that housing discrimination is:

"Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices,

OR

Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin."

This report will examine discrimination of the above mentioned protected classes focusing on rental housing and home ownership. It will examine what if any effect city policies have on housing discrimination and examine possible policies that can help alleviate impediments to fair housing choice.

### Why the City of Duluth Affirmatively Further Fair Housing Choice

First, the AI helps the City understand rental and homeownership markets and examines them to ensure the law is followed. Second, the AI provides guidance on how to help those who were victims of housing discrimination. Third, under section 808(e)(5) of the Fair Housing Act of 1968, HUD is required to 'Affirmatively Further Fair Housing Choice,' therefore HUD requires cities who receive funding to complete an Analysis of Impediments to Fair Housing Choice. Besides being required by HUD there are many reasons the City of Duluth wants to further fair housing choice. Completing the analysis allows for city staff to make connections with the community and discuss housing issues that affect development and safety. It also ensures that neighborhoods remain diverse in a variety of ways.

### Requirements pursuant to HUD Guidelines

The City of Duluth is required to affirmatively further fair housing under the Department of Housing and Urban Development. As directed in 24 CFR 91.225 Certifications (1) affirmatively furthering fair housing



"Each jurisdiction is required to submit a certification that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard."

To continue to be in compliance with requirements for the CDBG, HOME, and ESG funding, the City must create an Analysis of Impediments to Fair Housing Choice and create an Action Plan in which the City addresses Impediments. The City of Duluth Planning and Development Division under the Department of Planning and Economic Development oversees HUD funding and conducts the AI. The AI is the result of input from a variety of data sources. Demographic information from the United States Census Bureau, financial data from the Housing Mortgage Disclosure Act, input from public and non-profit agencies, personal testimonials from public input sessions, and a survey conducted by the Planning and Development Division in 2019 will guide this report. Information regarding zoning and code requirements were supplied from the City of Duluth Department of Planning and Economic Development. Rental information was pulled from the 2018 Housing Indicator Report and 2019 Rental Survey performed by the Planning and Development Division. Pulling together both public data sources and city studies allows for a robust understanding of impediments that the City of Duluth may face.

The AI will start by looking at the demographics of the City of Duluth both in totality and spatially. After an understanding of the socioeconomic make-up of Duluth the AI will pull in data to discern any patterns of potential discrimination. The AI will pull in information from datasets and from testimonials. After an analysis of the data, impediments will be determined. An action plan to address impediments will be the final component of this report.

### **Participants**

The AI was conducted by the City of Duluth's Planning and Development Division. Information was solicited from public entities, non-profits, other city departments, residents and property holders. City staff conducted an online survey, agency consultations, and facilitated public hearings of the Community Development Committee.

### **Goals for the AI**

With this report the City of Duluth will have a greater understanding of Fair Housing issues that community members face. The City plans to develop and strengthen contacts with the community and agencies that work on furthering fair housing choice. It will also evaluate past action plan items and create a new realistic action plan.

### **Limitations**

While census data and public input can help create a basis about fair housing issues, they do not provide an all-encompassing picture. Incidents of discrimination and micro-aggressions cannot necessarily be documented with data. Historical disenfranchisement and marginalization of some groups means they may be wary of engaging with an institution such as the City of Duluth to make formal reports of discrimination and fair housing violations. Often people facing

housing discrimination are in precarious situations and do not want to risk losing their housing by reporting their landlord. Using the most comprehensive data sources available and listening to our community are the best tools we have available to provide a summary of current conditions.

The relatively small number of people who identify as races other than white in Duluth makes it difficult to show statistically significant patterns in those populations, especially when looking at smaller neighborhood populations and when using demographic estimates, rather than Census counts. However, clear patterns of inequity do exist between white and non-white residents in Duluth, so in order to show those patterns with statistically significant data, we often combine the data from all non-white residents into one group. This is a limitation of the data we have available and we acknowledge that members of different racial groups face different current and historical legacies of racism in the United States. Throughout this report we will use the term BIPOC, which stands for Black, Indigenous, and People of Color. We use this term as a way to "highlight the unique relationship to whiteness that Indigenous and Black people" have in this country.'

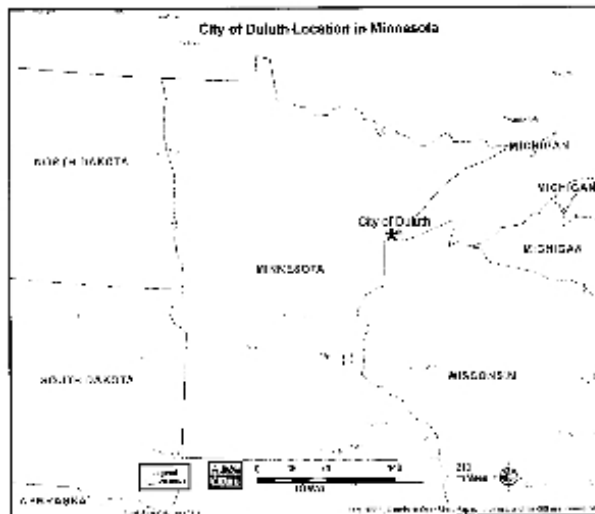
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<sup>1</sup> <https://www.theblackproject.org/>

## Chapter 2: Duluth, MN

### History

In 950 A.D. the Anishinaabeg people began to travel westward until they found the ‘food that grows on water’ (wild rice). After centuries of migration from their homelands on the St. Lawrence Seaway, the Anishinaabeg people arrived in the eastern Great Lakes region around 1400 and continued their westward migration, eventually settling along the shores of ‘Gichigami’ (Lake Superior). In the 1600’s, Europeans began to arrive in the Great Lakes region and started trading with local bands of Indigenous Peoples, including the Ojibwe. Throughout the 1800’s the Ojibwe negotiated several treaties with local and foreign leaders. The treaties ceded millions of acres of Ojibwe lands, but recognized the tribes as sovereign nations and the Ojibwe maintained their rights to hunt, fish, and gather on the ceded lands. In 1852 Chief Buffalo traveled to Washington D.C. and was successful in stopping the federal government’s Ojibwe removal efforts. This meeting also led to the Treaty of 1854 which ceded more Ojibwe



lands and created reservations throughout the northeastern Minnesota region.<sup>2</sup> As part of the 1854 Treaty, Chief Buffalo held the right to reserve a portion of land for his people. He chose an area to protect sacred sites, including a large Ojibwe burial ground at Rice’s Point. After Chief Buffalo died, his reservation was, through schemes and illegal dealings, sold. Today portions of downtown Duluth, including the municipal buildings and civic center, are located on Chief Buffalo’s Reservation.<sup>3</sup>

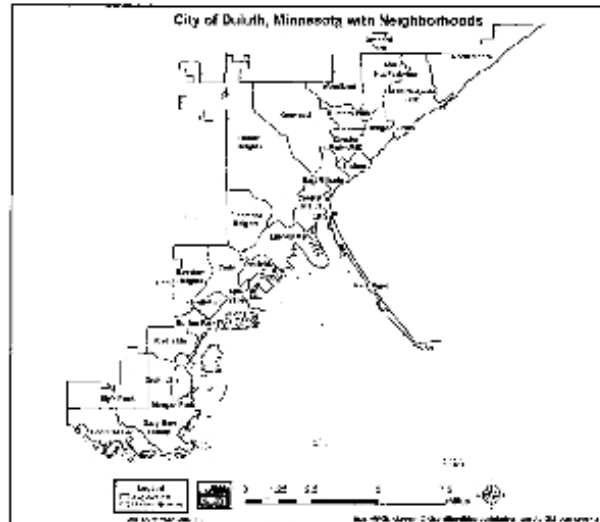
The City of Duluth, located on the north shore of Lake Superior, was founded in 1887, named after Daniel Greysolon, Sieur du Lhut, a French fur trader who set up fur trade routes in the Great Lakes region in the 1600’s. At the turn of the 20th century, Duluth was a booming industrial, port city with rail and shipping capacity as well as access to rich natural resources from the timber and mining industries. Many European immigrants were drawn to Duluth during this time to work in industrial jobs. Some companies also recruited Black southerners to work because they could pay them less than white workers. As working-class neighborhoods developed to house industrial workers, neighborhood housing inequities began to arise. Social

<sup>2</sup> “Lake Superior Ojibwe Gallery” guide by St. Louis County Heritage and Arts Center

<sup>3</sup> “An Ethnographic Study of Indigenous Contributions to the City of Duluth” by Turnstone Historical Research, July 2015

hierarchies at the time meant that Black people could only live in certain neighborhoods. Often certain groups of European immigrants, such as Italians, and Black people were relegated to subpar and crowded housing.<sup>4</sup> Duluth's population peaked in the 1950s and 60s, with over 100,000 residents calling the city home. During the following decades, the city's population gradually decreased, and for the past 25 years has hovered around 86,000 people.

Today Duluth is Minnesota's fourth largest city with a population of 86,265 at the time of the last decennial Census in 2010.



## Recent Trends

### Economic Development

The economic recession of 2008 proved to be a turning point for the city from a predominantly resource-based economy to a more diversified job base. While this event was felt most directly in the housing sector, there was also a short slowdown in business development. After 2010, the community saw new opportunities with the construction of schools, housing, and commercial buildings. A concentrated effort was made by the city in 2012 to develop a positive brand and publicize it both locally and across the state. This effort has resulted in new local investment and has attracted developers from the Twin Cities.<sup>5</sup> The four largest industries in Duluth continue to be health care, public administration, educational services, and manufacturing. Health care and social assistance jobs employ approximately 11,400 people, making Duluth the largest medical hub in Northern Minnesota.<sup>6</sup>

Across Minnesota, and the U.S., baby boomers are retiring in record numbers, leaving positions that have been filled for decades. Employers across the state, including in Duluth, have had to be creative in attracting and retaining employees with competitive benefits packages and flexibility within the workplace. Companies are offering free workout classes and other health

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<sup>5</sup> Imagine Duluth 2035  
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and wellness opportunities during the workday to create a pleasant environment and improve retention rates.<sup>7</sup>

Students moving to Duluth for higher education want not only an education, but employment after graduation. Enrollment numbers at Lake Superior College have seen a drastic increase in their manufacturing and skilled trades programs as a direct tie to job openings within the area, and the need for tradespeople within this labor force.<sup>8</sup>

### Housing

In the early 2000's the housing market for residential development was robust with over 4,000 resales annually. Like the rest of the country, however, Duluth experienced the recession of 2008 and the burst of the housing bubble.<sup>9</sup> Since about 2012, Duluth continues to follow state and national trends of increasing home sales prices. Trends from 2018 continue to show growth in the number of housing sales and increases in annual median income. Trends also show a widening gap for Duluth residents facing housing cost-burdens due to increasing rents. Duluth single-family home sales continue to be driven by a "sellers' market." From 2010 to 2018, the median sales price increased by approximately 26% from \$137,850 to \$173,500. The total number of valid sales increased from 2017 to 2018 by 4% to 1,202 sales; the highest total number of single-family homes sold in a single year in the last decade.<sup>10</sup>



City of Duluth

In 2018, the average market rate housing rent in Duluth was \$1,111 per month. This represents an 11% increase from 2017 and the continuation of an upward trend, as the average rental price per month has risen 63% over the past decade.<sup>11</sup> In 2017 and 2018 Duluth saw a net gain of more than 300 housing units. In the last year more than 300 new housing units have been permitted for construction in Duluth. Some of these are luxury apartment units with higher rents, but more will likely shift the market to have slightly higher vacancy rates and lower rents.

This is evidenced by the most recent rental survey which shows an average market rate rent of \$1,083 in 2019. This is the first time the average rent has gone down since 2011.<sup>12</sup>

### Reinvestment and Gentrification Concerns

In recent years the Lincoln Park neighborhood, one of the lowest income neighborhoods in the city, has started to see much needed reinvestment. The Lincoln Park Craft District is home to shops selling handcrafted goods, restaurants that source their ingredients locally, and a plethora of craft beverage companies. The neighborhood has also seen increased community organizing

<sup>7</sup> 2018 Housing Indicator Report

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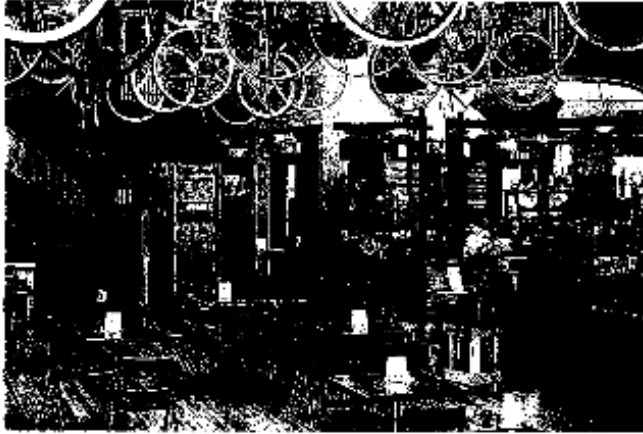
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<sup>10</sup> 2018 Housing Indicator Report

<sup>11</sup> 2018 Housing Indicator Report

<sup>12</sup> City of Duluth Rental Survey

in the form of movements such as Our Lincoln Park. Necessary reinvestment in neighborhoods, such as what is occurring in Lincoln Park, has the potential to displace or limit the ability to stay in place for some residents and businesses. Research regarding involuntary displacement shows that certain demographic characteristics, such as being a renter rather than a homeowner or having a lower income makes it more difficult for individuals to resist displacement.<sup>13</sup> In Duluth 40% of all households rent, but households of color are disproportionately renters (71%) rather than owners (29%) and in Lincoln Park, the majority of households (54%) are renters.



*John Yuccas, Eater Twin Cities*



<https://www.visitduluth.com/>

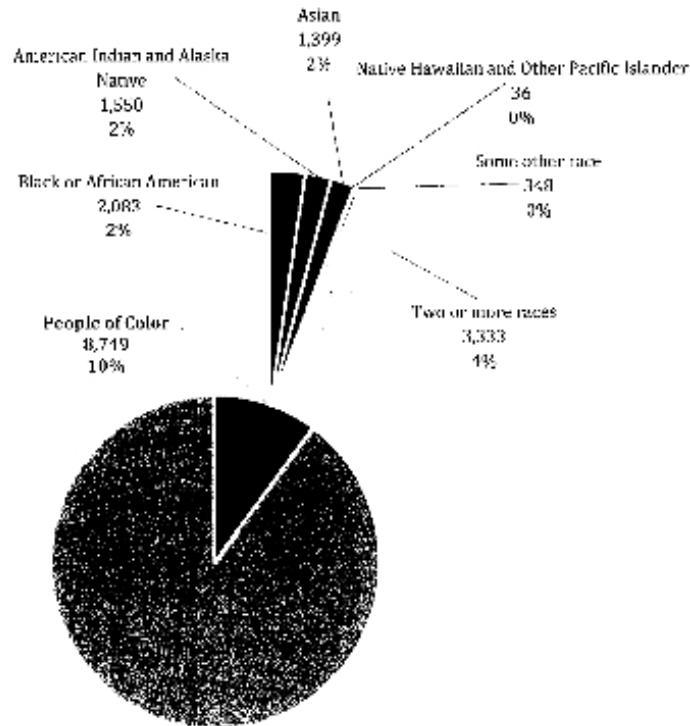
The key difference between neighborhood revitalization and gentrification is that gentrification causes involuntary displacement of residents and community-serving small businesses. Investments in neighborhoods that improve communities are a good thing, but these investments should be paired with anti-displacement strategies to ensure that everyone in the community benefits from revitalization. The Lincoln Park neighborhood appears to have undergone some significant demographic changes since 2015, signifying that this neighborhood has a high displacement risk. The neighborhood has seen an increase in the white population and a decrease in people of color. In 2015 the neighborhood population was 22% people of color, and with no change in total population, the neighborhood was only 17% people of color in 2017. From 2015 to 2017, the citywide median household income increased by about \$2,000. During the same time-period the Lincoln Park median household income increased by about \$8,000, further indicating a demographic shift in the Lincoln Park neighborhood following ongoing reinvestment.

<sup>13</sup> Lisa Bates, Gentrification and Displacement Study. <https://www.puallertoregon.gov/substance/464022/>

### Chapter 3: Demographics

This chapter offers a brief snapshot of Duluth’s current demographics followed by a more detailed look at the demographic information we have on the seven federally protected classes: race, color, religion, sex, disability, familial status, and national origin.

We have used the most recent demographic data available from the Census Bureau, the 2014-2018 American Community Survey (ACS) five-year estimates, to offer a look at key demographic indicators in Duluth. In 2018 Duluth’s population was estimated at 86,004 people. Duluth’s population is 90% white, but has significant populations of Black, Indigenous, and Asian residents as well. While Black alone, Indigenous alone, and Asian alone populations all account for about 2% of the population each, when we look at the breakdown of racial data, we can see that many mixed-race people also identify as part of those racial groups. Ethnicity is not a protected class as described in the fair housing legislation, but it is worth noting that 2% of Duluthians are Hispanic or Latino.



Duluth Racial Composition 2018

2018 ACS 5-year estimates



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## Analysis of Impediments to Fair Housing Choice 2020

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City of Duluth, Planning & Development Division





## Table of Contents

<b>Executive Summary</b>	<b>3</b>
HUD Funding Requirements	3
Recent Trends	3
Impediments to Fair Housing Choice	4
<b>Chapter 1: Introduction</b>	<b>5</b>
What is Fair Housing?	5
Why the City of Duluth Affirmatively Further Fair Housing Choice	5
Requirements pursuant to HUD Guidelines	5
Participants	6
Goals for the AI	6
Limitations	6
<b>Chapter 2: Duluth, MN</b>	<b>8</b>
History	8
Recent Trends	9
<b>Chapter 3: Demographics</b>	<b>12</b>
Race and Color	13
Religion	14
Gender and Sex	14
Familial status	15
Disability	16
Country of Origin	16
<b>Chapter 4: Housing and Employment</b>	<b>17</b>
Housing Characteristics	17
Public Housing	19
Housing Costs	22
Employment	22
<b>Chapter 5: Policies and Practices</b>	<b>25</b>
Institutional Policies and Fair Housing Enforcement	25
Access to Housing	31
2015 Analysis of Impediments to Fair Housing	36
<b>Chapter 6: 2020-2024 Fair Housing Plan</b>	<b>38</b>
Exclusionary Section 8 Policies	38
Exclusionary Criminal Background Policies	39
Involuntary Displacement	40
Built Environment	41
Fair Housing Plan Implementation	41
<b>Data and Methodology</b>	<b>47</b>
<b>Appendix</b>	<b>47</b>

## Executive Summary

### HUD Funding Requirements

Each year the City of Duluth receives roughly \$3 million from the Department of Housing and Urban Development (HUD) in the form of Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) funds. CDBG funds support community development projects including affordable housing, public services, public facilities, and economic development. HOME funds support programs that create affordable housing for low-income households. ESG funds support projects that offer basic needs and housing stabilization services to community members experiencing or at risk of experiencing homelessness.

To receive these funds, HUD requires the City to create a Consolidated Plan that lays out how the City of Duluth and its partners will use an expected \$15 million in HUD funds over the next five years to meet community needs. To develop this plan, we use a collaborative process to establish a unified vision for community development actions. This process allows the City and community members to shape the various housing and community development programs into effective, coordinated neighborhood and community development strategies.

HUD also requires that the City affirmatively furthers fair housing choice. In short, HUD wants the City to ensure that we don't spend these funds in ways that increase segregation and concentrations of poverty or reduce people's ability to live in the neighborhood they want to. In conjunction with each five-year Consolidated Plan, we develop an Analysis of Impediments to Fair Housing Choice (AI). The AI lays out the City's planned actions to affirmatively further fair housing for the next five years. We look at the following federally defined protected classes when we analyze fair housing issues: race, color, religion, sexual orientation, gender identity, disability, family status, and national origin. Anything that limits housing availability or choice on the basis of these protected classes is an impediment to fair housing choice.

### Recent Trends

The economic recession of 2008 proved to be a turning point for the city from a predominantly resource-based economy to a more diversified job base. As the housing market has recovered from the recession, rents and home sale prices are rising, but increases in income are not keeping up resulting in higher poverty rates and more cost-burdened households. The total number of housing units in Duluth is increasing, but there are still not enough units resulting in a "seller's market" with competitive and quick home sales, low rental vacancy rates, and increasing rents. Recently and in the coming years baby boomers are retiring in record numbers, leaving positions that have been filled for decades. Employers across the state, including in Duluth, have had to be creative in attracting and retaining employees with competitive benefits packages and flexibility within the workplace.

In recent years the Lincoln Park neighborhood, one of the lowest income neighborhoods in the city, has started to see much needed reinvestment, but appears to have undergone some significant demographic changes since 2015, signifying that this neighborhood has a high displacement risk. Necessary reinvestment in neighborhoods, such as what is occurring in Lincoln Park, has the potential to displace or limit the ability to stay in place for some residents and businesses.

### **Impediments to Fair Housing Choice**

The City reviewed demographic data, collected input from community members and organizations, and researched trends in housing and real estate in order to develop these impediments to fair housing choice.

What impediments does the City of Duluth face in 2020?

- 1) Exclusionary rental housing practices and policies directed at Section 8 Housing Choice Voucher holders
- 2) Exclusionary rental housing practices and policies directed at persons with criminal histories
- 3) Involuntary displacement and limited housing choice caused by gentrification
- 4) Policies and physical limitations in the built environment

The Planning and Development Division will incorporate priorities and objectives in the 2020 to 2024 Consolidated Plan with these identified impediments to fair housing choice. They will work with other departments and organizations to develop strategies to address the impediments. Strategies are included at the end of this report in Chapter 6, Fair Housing Plan.

## Chapter 1: Introduction

The Department of Housing and Urban Development (HUD) requires an Analysis of Impediments to Fair Housing Choice to be conducted by all Community Development Block Grant recipients every 3 to 5 years. The City of Duluth's previous Analysis of Impediments to Fair Housing Choice was published in 2015. This analysis will coincide with the City of Duluth Planning and Development Division's update of the five-year Consolidated Plan. The Analysis of Impediments to Fair Housing Choice, commonly called the Analysis of Impediments (AI), will examine various data sources and attempt to determine what impediments exist to fair housing choice and what actions the City can undertake to affirmatively further fair housing choice.

### What is Fair Housing?

The Federal Fair Housing Act of 1968 prohibits discrimination in the sale, rental, or financing of housing. HUD has determined that housing discrimination is:

"Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices,

OR

Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin."

This report will examine discrimination of the above mentioned protected classes focusing on rental housing and home ownership. It will examine what if any effect city policies have on housing discrimination and examine possible policies that can help alleviate impediments to fair housing choice.

### Why the City of Duluth Affirmatively Further Fair Housing Choice

First, the AI helps the City understand rental and homeownership markets and examines them to ensure the law is followed. Second, the AI provides guidance on how to help those who were victims of housing discrimination. Third, under section 808(e)(5) of the Fair Housing Act of 1968, HUD is required to "Affirmatively Further Fair Housing Choice," therefore HUD requires cities who receive funding to complete an Analysis of Impediments to Fair Housing Choice. Besides being required by HUD there are many reasons the City of Duluth wants to further fair housing choice. Completing the analysis allows for city staff to make connections with the community and discuss housing issues that affect development and safety. It also ensures that neighborhoods remain diverse in a variety of ways.

### Requirements pursuant to HUD Guidelines

The City of Duluth is required to affirmatively further fair housing under the Department of Housing and Urban Development. As directed in 24 CFR 91.225 Certifications (1) affirmatively furthering fair housing

"Each jurisdiction is required to submit a certification that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard."

To continue to be in compliance with requirements for the CDBG, HOME, and ESG funding, the City must create an Analysis of Impediments to Fair Housing Choice and create an Action Plan in which the City addresses Impediments. The City of Duluth Planning and Development Division under the Department of Planning and Economic Development oversees HUD funding and conducts the AI. The AI is the result of input from a variety of data sources. Demographic information from the United States Census Bureau, financial data from the Housing Mortgage Disclosure Act, input from public and non-profit agencies, personal testimonials from public input sessions, and a survey conducted by the Planning and Development Division in 2019 will guide this report. Information regarding zoning and code requirements were supplied from the City of Duluth Department of Planning and Economic Development. Rental information was pulled from the 2018 Housing Indicator Report and 2019 Rental Survey performed by the Planning and Development Division. Pulling together both public data sources and city studies allows for a robust understanding of impediments that the City of Duluth may face.

The AI will start by looking at the demographics of the City of Duluth both in totality and spatially. After an understanding of the socioeconomic make-up of Duluth the AI will pull in data to discern any patterns of potential discrimination. The AI will pull in information from datasets and from testimonials. After an analysis of the data, impediments will be determined. An action plan to address impediments will be the final component of this report.

### **Participants**

The AI was conducted by the City of Duluth's Planning and Development Division. Information was solicited from public entities, non-profits, other city departments, residents and property holders. City staff conducted an online survey, agency consultations, and facilitated public hearings of the Community Development Committee.

### **Goals for the AI**

With this report the City of Duluth will have a greater understanding of Fair Housing issues that community members face. The City plans to develop and strengthen contacts with the community and agencies that work on furthering fair housing choice. It will also evaluate past action plan items and create a new realistic action plan.

### **Limitations**

While census data and public input can help create a basis about fair housing issues, they do not provide an all-encompassing picture. Incidents of discrimination and micro-aggressions cannot necessarily be documented with data. Historical disenfranchisement and marginalization of some groups means they may be wary of engaging with an institution such as the City of Duluth to make formal reports of discrimination and fair housing violations. Often people facing

housing discrimination are in precarious situations and do not want to risk losing their housing by reporting their landlord. Using the most comprehensive data sources available and listening to our community are the best tools we have available to provide a summary of current conditions.

The relatively small number of people who identify as races other than white in Duluth makes it difficult to show statistically significant patterns in those populations, especially when looking at smaller neighborhood populations and when using demographic estimates, rather than Census counts. However, clear patterns of inequity do exist between white and non-white residents in Duluth, so in order to show those patterns with statistically significant data, we often combine the data from all non-white residents into one group. This is a limitation of the data we have available and we acknowledge that members of different racial groups face different current and historical legacies of racism in the United States. Throughout this report we will use the term BIPOC, which stands for Black, Indigenous, and People of Color. We use this term as a way to 'highlight the unique relationship to whiteness that Indigenous and Black people' have in this country.<sup>1</sup>

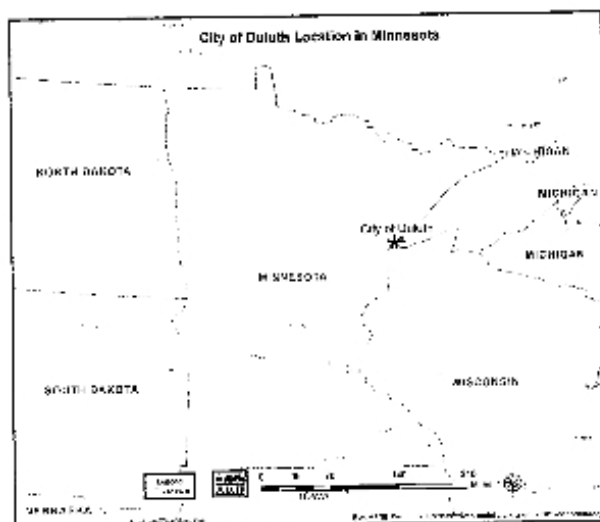
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<sup>1</sup> <https://www.thebpc.com/en/our>

## Chapter 2: Duluth, MN

### History

In 950 A.D. the Anishinaabeg people began to travel westward until they found the "food that grows on water" (wild rice). After centuries of migration from their homelands on the St. Lawrence Seaway, the Anishinaabeg people arrived in the eastern Great Lakes region around 1400 and continued their westward migration, eventually settling along the shores of "Gichigami" (Lake Superior). In the 1600's, Europeans began to arrive in the Great Lakes region and started trading with local bands of Indigenous Peoples, including the Ojibwe. Throughout the 1800's the Ojibwe negotiated several treaties with local and foreign leaders. The treaties ceded millions of acres of Ojibwe lands, but recognized the tribes as sovereign nations and the Ojibwe maintained their rights to hunt, fish, and gather on the ceded lands. In 1852 Chief Buffalo traveled to Washington D.C. and was successful in stopping the federal government's Ojibwe removal efforts. This meeting also led to the Treaty of 1854 which ceded more Ojibwe



lands and created reservations throughout the northeastern Minnesota region.<sup>2</sup> As part of the 1854 Treaty, Chief Buffalo held the right to reserve a portion of land for his people. He chose an area to protect sacred sites, including a large Ojibwe burial ground at Rice's Point. After Chief Buffalo died, his reservation was, through schemes and illegal dealings, sold. Today portions of downtown Duluth, including the municipal buildings and civic center, are located on Chief Buffalo's Reservation.<sup>3</sup>

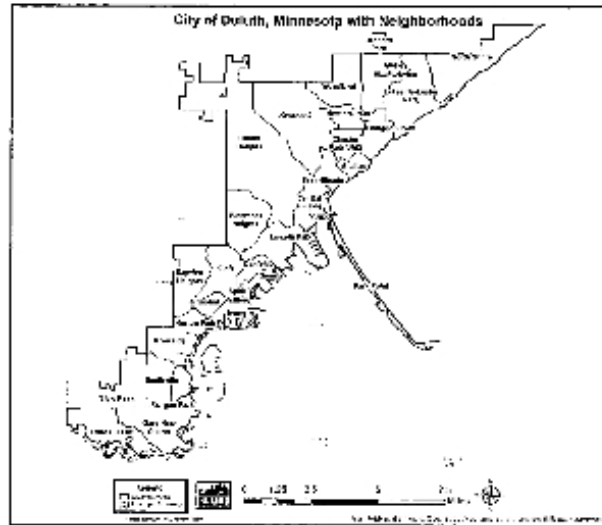
The City of Duluth, located on the north shore of Lake Superior, was founded in 1887, named after Daniel Greysolon, Sieur du Lhut, a French fur trader who set up fur trade routes in the Great Lakes region in the 1600's. At the turn of the 20th century, Duluth was a booming industrial, port city with rail and shipping capacity as well as access to rich natural resources from the timber and mining industries. Many European immigrants were drawn to Duluth during this time to work in industrial jobs. Some companies also recruited Black southerners to work because they could pay them less than white workers. As working-class neighborhoods developed to house industrial workers, neighborhood housing inequities began to arise. Social

<sup>2</sup> "Lake Superior Ojibwe Gallery" guide by St. Louis County Heritage and Arts Center

<sup>3</sup> "An Ethnographic Study of the Ojibwe Contributions to the City of Duluth" by Turnstone Historical Research July 2015

hierarchies at the time meant that Black people could only live in certain neighborhoods. Often certain groups of European immigrants, such as Italians, and Black people were relegated to subpar and crowded housing.<sup>4</sup> Duluth's population peaked in the 1950s and 60s, with over 100,000 residents calling the city home. During the following decades, the city's population gradually decreased, and for the past 25 years has hovered around 86,000 people.

Today Duluth is Minnesota's fourth largest city with a population of 86,265 at the time of the last decennial Census in 2010.



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### Economic Development

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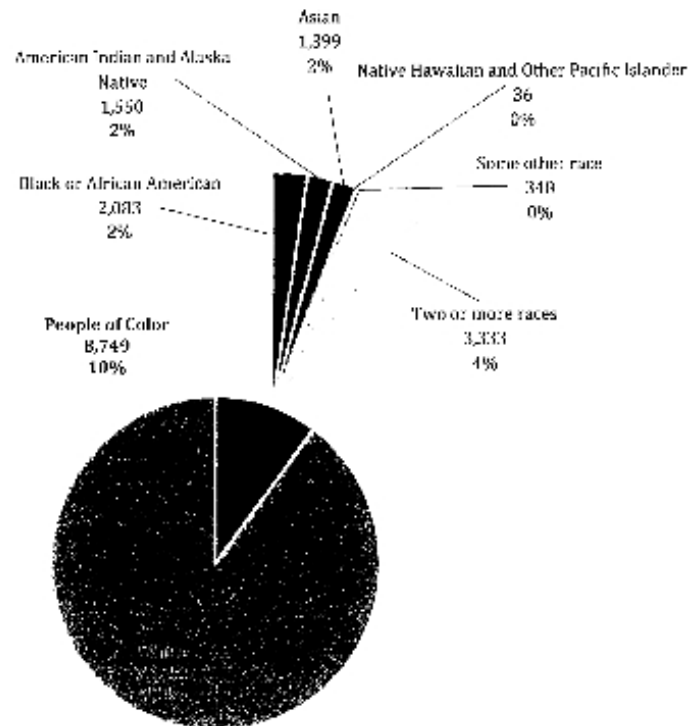
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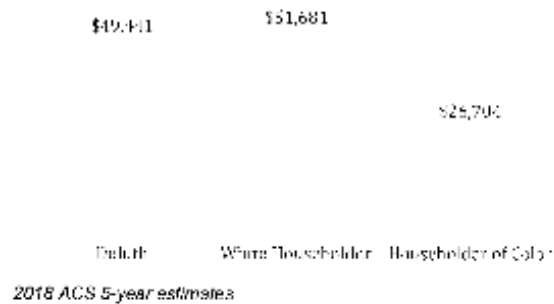


Duluth Racial Composition 2018

2018 ACS 5-year estimates

There are just over 36,000 households in Duluth, 60% homeowners and 40% renters. On average homeowners pay 18% of their household income towards housing costs while renters pay 29% of their household income towards housing costs. The median household income in Duluth is \$49,441. Poverty in the city, as in the nation, is racialized due to a history of racially discriminatory laws and policies (some of which will be discussed later in this report). White householders have a median household income nearly \$25,000 higher than householders of color. Poverty levels have been increasing steadily over the past few decades. In 1980 12% of the population was living at or below the federally defined poverty level that increased to 16% in 2000 and 19% in 2018.

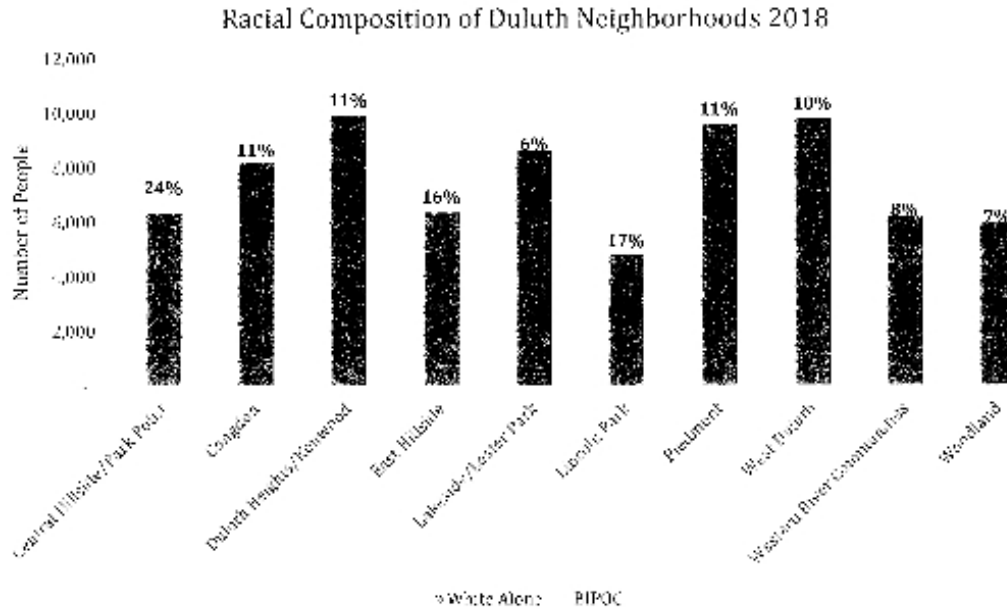
### Median Household Income 2018



### Race and Color

In 2000 Duluth's BIPOC residents were about 7% of the population. The number has since increased to be about 10% of the population. Since 2000, the share of householders of color has increased, as well as the proportion of householders of color in owner occupied units, but there is still a large racial disparity between white people and BIPOC in owner occupied versus rental homes. About 92% of householders are white, but 96% of homeowners are white. While 60% of Duluth housing units are owner occupied, 63% of white householders are homeowners, but only 29% of householders of color are homeowners. This shows a significant racial discrepancy in homeownership rates.

There are a few neighborhoods that are home to higher concentrations of BIPOC, all located in Duluth's most central neighborhoods. In the Central Hillside 24% of residents are BIPOC, in the Fast Hillside 16% of residents are BIPOC, and in Lincoln Park 17% of residents are BIPOC. No other spatial patterns of racial demographics can be easily observed in other Duluth neighborhoods due to the significant majority of the white population.



2018 ACS 5 year estimates

Patterns do exist and are evident when observing aggregate data of race and housing tenure in the neighborhoods closest to and west of downtown. These areas have the greatest mix of white and BIPOC renters as well as white and BIPOC homeowners. Those neighborhoods are the East Hillside, Central Hillside, Lincoln Park, Denfeld, Spirit Valley and Morgan Park. Lincoln Park has the greatest mix of owners and renters of all races. Outside of these neighborhoods, few households are occupied by people of color. In Lakeside/Lester Park, Woodland, and Congdon Park, all on the east side of the city, there are more white householders overall in both renter and owner occupied housing units.

**Religion**

According to the Pew Research Center, 74% of adult Minnesotans practice a Christian religion, 6% practice a non-Christian religion, and 20% are not affiliated with any religion.<sup>16</sup> Some of the non-Christian faiths practiced by Minnesotans include Islam, Judaism, Buddhism, and Native American spiritual practices.

**Gender and Sex**

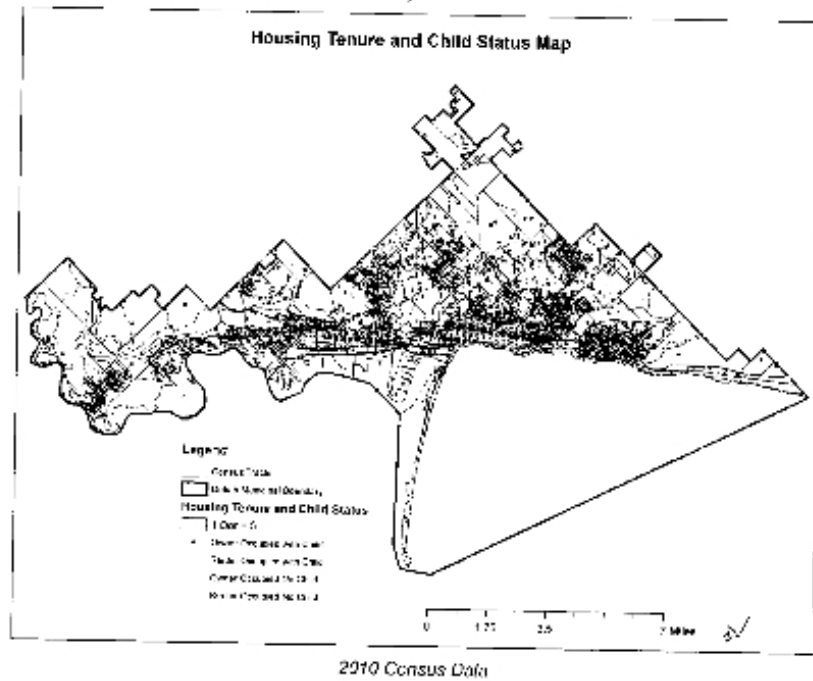
Sex discrimination includes discrimination based on a person’s sex, gender identity, or sexual orientation. Widely available demographic data sources, such as the Census and ACS offer

<sup>16</sup> <https://www.pewforum.org/2016/08/04/religious-landscape-study/state-minnesota/>

limited statistics on sexual orientation and do not offer statistics on gender identity. The ACS only provides data about whether people in unmarried partnerships are in a same-sex or opposite-sex relationships, therefore the data does not offer a general idea of sexual orientation in the population. The Census and ACS do offer data on the sex of the population. In 2000 females were 52% of the population and males were 48% and that has shifted slightly to 51% female and 49% male<sup>15</sup> according to the 2018 ACS estimates. The spatial distribution of males and females throughout the city is relatively even without any significant patterns or concentrations.

**Familial Status**

About half (51%) of Duluth households are family households, meaning that people in the household are related by marriage, birth, or adoption. About 24% of households have at least one person under 18 living with them. Married couple families make up 38% of all households and 36% of married couples have their own children living with them. Single female householders with children are more common (6% of households) than single male householders with children (2% of households).



Some notable spatial patterns of housing tenure and child status exist in Central and East Hillside when referencing 2010 Census data. Both neighborhoods see a high percentage of

<sup>15</sup> While not everyone is either female or male, the Census and American Community Survey only offer those two options when asking about respondents' sex.

renter-households but the renter households with children under 18 concentrate further up the hill and further to the east as East Hillside turns into the Endion neighborhood. When looking at this aggregate data, Lincoln Park neighborhood appears to have the greatest mixture of renter and owner households with or without children. Irving/Fairmont, Morgan Park, and Gary New Duluth neighborhoods also see a similar mixture of housing tenure and child status. Some of the most highly concentrated owner occupied neighborhoods (Lakeside/Lester Park, Woodland, Congdon Park, and Piedmont) see an even mix of households with children and households without children.

### Disability

About 14% of the population, more than 11,000 people, living in Duluth have a disability. Older people are more likely to have disabilities. People age 65 and older account for 37% of all Duluthians with disabilities. About 44% of Duluthians with disabilities have a mobility related disability and nearly half (49%) of those people with mobility related disabilities are age 65 or older. With a large cohort of aging baby boomers nation-wide, we can expect that more of the population will have disabilities in the coming years. With the number of mobility related disabilities in Duluth, a particular concern is the physical access to housing units.

The first national accessible design standards, the American National Standards Institute (ANSI), were released in 1981 and these were just a start at moving towards more universally accessible design in buildings.<sup>16</sup> About 64% of Duluth's housing units were built before 1980. While some of these homes may have been updated or upgraded with more universally accessible design features over the years, the reality in Duluth is that most people are likely to live in a home that has little to no design considerations for accessibility. The age of Duluth's housing stock contributes to inaccessible homes from doorways too narrow for people with mobility assistance devices to use, to stairs at every entrance and bathrooms only located on the second story, to multi-level apartment buildings with no elevators.

According to 2012 ACS estimates, persons with disabilities are not significantly concentrated in one spatial area in Duluth except for the Central Hillside neighborhood, which indicates a slightly higher concentration when compared to all other neighborhoods. A few other census tracts and corresponding neighborhoods indicate slight concentrations of persons with disabilities and those include Lakeside/Lester Park, Irving/Fairmount, and Morgan Park. Many of these areas have assisted living facilities or services that are for persons with disabilities.

### Country of Origin

According to 2018 ACS data, about 96% of Duluth's population are American citizens born in the United States or US territories. About 2% of Duluth's residents are US citizens by naturalization and another 2% are not US citizens. In total about 4% of Duluth's residents were born in a country other than the US.

<sup>16</sup> <https://www.wtqn.com/design-objectives-for-usable-minimally-accessible-facility-design>

## Chapter 4: Housing and Employment

In this chapter we discuss housing in terms of characteristics such as age, density, and renter or owner occupied statistics. Housing costs are addressed including average rent and mortgage costs as well as housing cost burden. The state of public housing is discussed through demographic and spatial trends for the voucher, high rises, and scattered sites programs. Information is provided on employment trends, particularly as they relate to housing affordability and access.

### Housing Characteristics

A large percentage of Duluth's housing stock, 44%, was built before 1940 and only about 8% was built in the year 2000 or later. Neighborhoods with the majority of housing stock built prior to 1940 include Central Hillside/Park Point, Congdon, East Hillside, Lincoln Park, West Duluth (includes Lincoln Park, Denfeld, Irving) , and the Western River Communities (includes Riverside, Morgan Park, Fond du Lac). The neighborhood with the oldest housing stock is Lincoln Park with 63% of homes built earlier than 1940. All of the other neighborhoods (Woodland, Piedmont, Lester Park, and Duluth Heights/Kenwood) have majority of their housing stock built between 1940 and 1969. Duluth is a city well known for its history. While older homes can add to the historic charm or character of a neighborhood, they can also pose difficulties such as deferred maintenance or nonconformity with modern building codes for safety and accessibility. Accessibility features were not requirements during the time that a large portion of Duluth's housing stock was built. Retrofitting older houses for accessibility can improve access for those with disabilities but is often very expensive, potentially limiting the supply and location of accessible homes

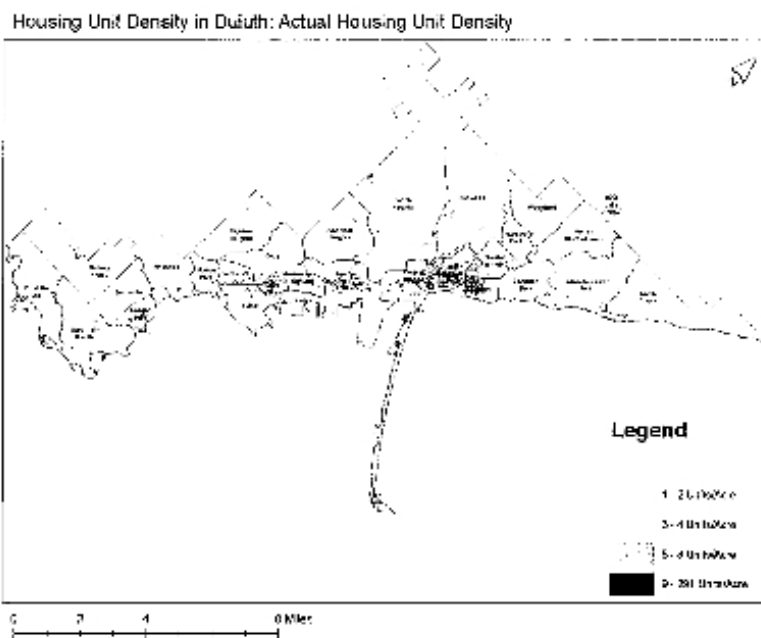
The city of Duluth has approximately 38,461 housing units with about 36,003 units occupied according to ACS data. Of all the housing units in Duluth, 64% are single-family homes, 13% are in small multiplexes (two to four units), 21% are in apartment buildings (five or more units), and 2% are some other type of housing such as mobile homes. About 40% of households rent and 60% own their homes. Neighborhoods located close to the central business district see the lowest percentages of homeownership. Those areas include Central Hillside/Park Point with 29% owner occupied units, East Hillside with 36% owner occupied units, and Lincoln Park with 46% owner occupied units. The neighborhood with the highest homeownership rate is Woodland at 87% owner occupied units. Other high home ownership neighborhoods are Lakeside/Lester Park at 84% owner occupied units and Piedmont at 73% owner occupied units.



City of Duluth



Duluth is largely a city of single-family homes and relative low density. When referencing 2010 Census data, the greatest level of housing density (9+ units/acre) is found in Duluth's downtown and oldest neighborhoods: Central Hillside and East Hillside. Other neighborhoods that see high levels but slightly lesser density include Lincoln Park, Denfeld, and Spirit Valley to the west of downtown Duluth. The rest of Duluth's residential neighborhoods show 3-4 units/acre of housing density. Some of those neighborhoods are Kenwood, Lakeside/Lester Park, and Piedmont. These less dense residential neighborhoods are located further away from downtown and the former industrial waterfront, with a majority of them climbing up the geography of the hill in Duluth. Housing density is influenced by historic development patterns but also regulated through the City's zoning code, which will be discussed later in this report.

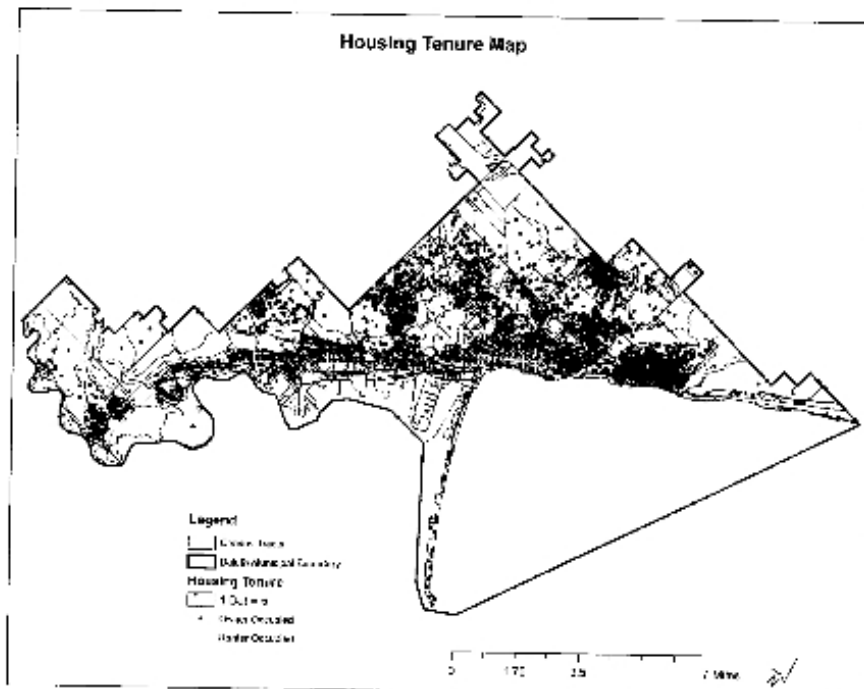


2010 Census Data

There are clear concentrations of renter households in lower Lincoln Park, Central Hillside, and East Hillside, closest to the central business district. As you climb up the hill further into these neighborhoods, the housing tenure becomes more predominantly owner occupied housing units. Other patterns of renter households can be seen along main thoroughfares in Duluth. To the west along Grand Avenue into Denfeld and Spirit Valley, there is a concentration of renter occupied households. Additionally, rental households are concentrated up the hill along Central Entrance and near institutional campuses such as UMD and the College of St. Scholastica.

When analyzing owner occupied households, concentrations can be observed most strongly to the east in Lakeside/Lester Park, Woodland, and Congdon. There are also concentrations of owner occupied households in Piedmont and Bayview Heights but these are lesser when compared to the former three neighborhoods.

Some of the notable mixed housing tenure neighborhoods include Gary New Duluth, Morgan Park, Irving/Fairmount, Duluth Heights, and Kenwood according to 2010 census data. There is also a mix of housing tenure on Park Point, which is likely skewed by the amount of vacation rentals in that area.



2010 Census Data

### Public Housing

The Duluth Housing and Redevelopment Authority (HRA) was created by state-enabling legislation and approval of the city of Duluth in 1948. A seven-member Board of Commissioners governs the HRA. Commissioner terms are staggered five years and the Mayor of Duluth appoints all commissioners with approval by Duluth City Council. The HRA owns and manages over 1,000 units of public housing as well as administers multiple housing voucher programs with over 1,400 active users.

### Housing Vouchers

The HRA administers approximately 1,453 housing vouchers to households throughout Duluth in addition to providing housing through public housing high rises and scattered sites. The most widely used voucher program is the Section 8 Housing Choice Voucher (HCV). Other smaller programs include project based, veterans, or homeowners with about 150 vouchers total. Of the larger HCV subset, which are all vouchers in the private rental market, 24% of households were Black, 10% of households were Indigenous, 69% of households were female, and 50% of households had a disability in 2018. The citywide population of Duluth is 3% Black, 2% Indigenous, 51% female, and 14% people with disabilities indicating disproportionate populations of a number of protected classes using Section 8.

About 200 HCVs were issued in 2018 and the current waitlist to receive a Section 8 HCV in Duluth has 2,935 individuals with a wait time of about 24 months. The voucher utilization rate in 2018 was approximately 54%. This figure is low due to the short utilization window and tight rental housing market however, it indicates that there can be significant difficulty in securing housing even after exiting the waitlist and receiving a Section 8 HCV.

Out of all of the Section 8 HCVs, nearly 75% of users find housing in the 55805, 55806, and the 55807 zip codes. Neighborhoods in these zip codes include East Hillside, Central Hillside, Goat Hill, Lincoln Park, Denfeld, Oneota, Spirit Valley, Irving/Fairmount, and Norton Park. All of these neighborhoods are located adjacent to downtown Duluth or on the west side of the city. Zip codes with the smallest number of vouchers are 55803, 55804, and 55810 including neighborhoods such as Woodland, Hunters Park, Lakeside/Lester Park, and Bayview Heights, most of which are located on the east side of the city. HCVs are meant to be used almost anywhere but include federally moderated rent caps that may limit where a voucher holder is able to find attainably priced housing.

### High Rise Public Housing

Another housing program administered by the HRA is public housing. There are six public housing high rises in the City of Duluth spread among three areas: Central Hillside, Lincoln Park and Spirit Valley. All high rises are multifamily buildings built in the mid to late 20th century. Approximately 721 households were active in public housing high rises in 2018. Of these households, 12% were Black, 8% were Indigenous, and 53% had a disability. The gender

make-up of households living in high rises is different from those using Section 8 HCVs, there is a more even split with 55% males and 45% females.



City of Duluth

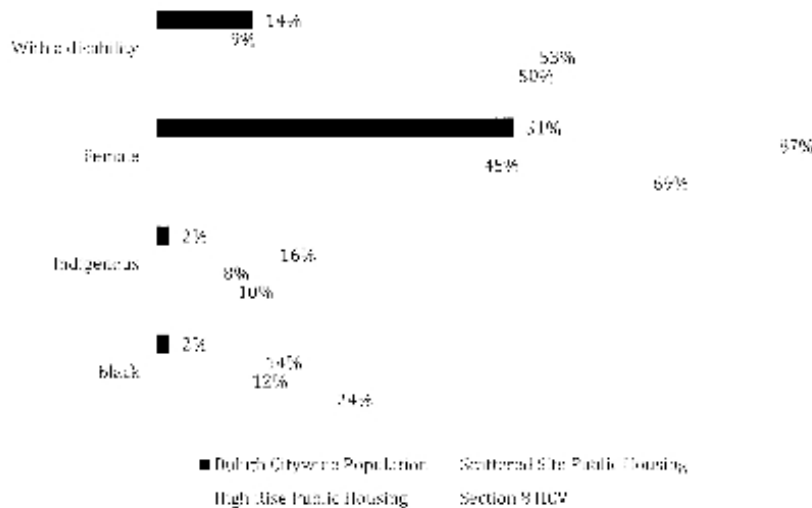
There are about 1,879 households on a waitlist for public housing, including high rises and the scattered sites program. Waitlists differ by bedroom size with the most requested bedroom size being a one-bedroom apartment. The overall wait times for any bedroom size is 12-18 months.

As previously mentioned, there are six high-rise public housing structures in Duluth. Two are located in the Lincoln Park neighborhood both on the same block, housing 210 households. Three structures are located in the Central Hillside, all clustered together between two blocks housing 419 households. The last public housing facility is located in Spirit Valley, accommodating 92 households. It is notable that all public housing structures are located close to the downtown area of Duluth or in western neighborhoods, all of which have connections to public transit and are in higher housing density neighborhoods. Household demographics for race, gender, and disability status are relatively similar among all of the six public housing high rises. The average household size is 1.1 for all high rises indicating that households with children are not often using this program for housing.

**Scattered Site Public Housing**

There are approximately 287 households in public housing scattered sites throughout Duluth. The race and gender demographic data for this type of public housing was calculated from a larger dataset. Public housing scattered site households are approximately 14% Black, 16% Indigenous, and have a significantly higher percentage of females (87%) but lower percentage of households with disabilities (9%) when compared to the city average. Households in scattered sites are more commonly larger households or households with children compared to those in public housing high rises. This is largely due to the nature of the program using single-family homes in lower density residential neighborhoods.

**HRA Programs Overrepresented Populations**



Duluth HRA data 2019

Scattered site public housing is relatively scattered across the city of Duluth and consists of mostly single-family homes. Areas in Duluth that see few or no scattered sites include Duluth Heights, Bayview Heights, Riverside, and the Fond du Lac neighborhood. This can largely be contributed to the fact that these areas have lower density housing and less frequent transit service, making site selection less available or attractive.

### Housing Costs

According to the City's 2019 Rental Survey, the average market rate rent was \$1,083 per month. For better context, the average rent for a one-bedroom apartment in Duluth is \$937 per month. The neighborhood with the lowest average rent in 2019 was Lincoln Park with an average of \$713 per month. Conversely, the neighborhood with the highest average rent was Lakeside/Lester Park with an average of \$1,920 per month. These figures indicate differences in affordability in different neighborhoods compared to the city's average rent.

- For homeowners, median monthly owner costs were \$991 in 2018 based on ACS estimates. Broken down further, median costs for households with a mortgage were \$1,229 and median costs for households without a mortgage were \$484. The term selected monthly owner costs is defined by the Census Bureau as the sum of payment for mortgages, real estate taxes, various insurances, utilities, fuels, mobile home costs, and condominium fees. Based on the City's 2018 Housing Indicator Report, the average home market value for 2018 was \$174,807, an increase of \$2,849 between 2017 and 2018. There were 1,202 valid single family home sales listed for 2018 with the average price of \$201,795 and median price of \$173,500, both figures showing an increase of \$5,319 and \$2,300 respectively.

Housing cost burden is determined by assessing what percentage a household spends on costs such as rent or mortgage payments, utilities, insurance, etc. To be housing cost burdened, one would have to spend 30% or more of their household income on housing costs. According to ACS estimates, Duluth has 32% of all households considered to be cost burdened, with 51% of renters cost burdened and 19% of owners cost burdened.

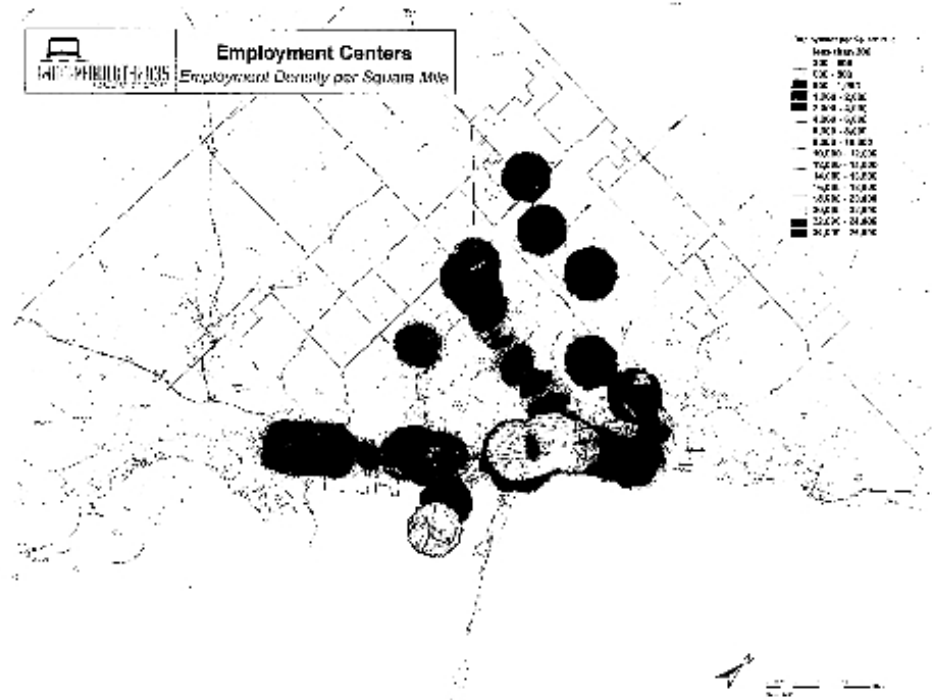
### Employment

The most dense employment center in Duluth is the central business district (downtown). The highest level of employment density is located at the junction of N Lake Avenue and W 2<sup>nd</sup> Street, within a few blocks radius. This area has 24,000-26,000 jobs per square mile according to 2010 Census data. Radiating from this junction, employment density gradually decreases as it enters into the dense residential neighborhoods of Central Hillside and East Hillside. Additionally, Rice's Point, to the southwest of downtown is a high-density employment center, acting as Duluth's port terminal.

Secondary employment centers stem out from the central business district via major roadways or along natural geographic features mostly to the west and up the hill to the north. These secondary employment centers include the Mall area, Institutional campuses, Piedmont's

commercial area, Duluth Airport, Lincoln Park, and Spirit Valley. These areas see a range of 800-4,000 jobs per square mile according to Census Bureau data.

Notably, areas located furthest from downtown or geographically disconnected (Park Point) see the least dense employment concentrations equaling 600 jobs or less per square mile. These areas include Lakeside/Lester Park, Woodland, Gary & New Duluth, Fond du Lac, and Park Point which are predominantly residential neighborhoods.



*Imagery: Duluth 2035, 2010 Census Data*

Housing density follows these employment centers closely with the densest level of housing (9-291 units/acre) being located in neighborhoods adjacent to the central business district (Lincoln Park, Central Hillside, East Hillside, Endion). Other patterns of housing density can be observed in West Duluth including Denfeld, Spirit Valley, and Cody, which run along previously mentioned employment centers and local commercial thoroughfares.

According to the Minnesota Department of Employment and Economic Development (DEED) Duluth's unemployment rate is 2.9%. By other metrics, the percentage of working age adults who are employed throughout the city of Duluth is at 75% according to ACS data. When breaking down by neighborhood, this employment figure is comparatively lower in the Central

Hillside neighborhood near downtown, and in the Duluth Heights/Kenwood neighborhoods near the College of St. Scholastica and Mall area employment center. The most highly employed neighborhoods are Congdon, Lester Park, and Woodland with over 80% of the working age workforce employed.

The employment centers in Duluth follow major roadways and geographic features. The Duluth Transit Authority (DTA) transit stops and shelters follow these factors closely through bus service. More transit shelters and stops are concentrated in the central business district and adjacent dense residential neighborhoods. All other employment centers are serviced along mostly commercial thoroughfares. However, the frequency of route varies when leaving the downtown area often depending on housing density to support the route. DTA frequencies range from 15 minutes to 60 minutes depending on peak hours and route location. For example, highest frequency routes service the Hillside neighborhoods, Endion, the Mall Area, institutional campuses, and Oneota Business Park where the residential and employment densities are higher.

The average annual wage in Duluth was \$47,227 in 2018. Duluth has experienced a 15% increase in its average annual wage over the past eight years. Duluth's annual wage is above average in comparison to other large cities in Minnesota. Only St. Paul and Minneapolis have higher average annual wages than Duluth.<sup>17</sup> About 41% of workers earn \$40,000 or more each year, 37% of workers earn \$15,001-\$39,999 each year, and 23% of workers earn \$15,000 or less.<sup>18</sup> The majority of workers in Central Hillside/Park Point, East Hillside, Lincoln Park, West Duluth, and the Western River Communities neighborhoods make \$15,001-\$39,999 a year. Almost all of these areas are located directly adjacent to downtown or on the west side of the city. The majority of workers in the Piedmont, Duluth Heights/Kenwood, Congdon, Woodland, and Lakeside/Lester Park neighborhoods make \$40,000 or more a year. Most of these neighborhoods are located to the east or up the hill from downtown Duluth.

<sup>17</sup> Minnesota Department of Employment and Economic Development (DCEED)

<sup>18</sup> Minnesota Compass

## Chapter 5: Policies and Practices

### Institutional Policies and Fair Housing Enforcement

#### Redlining

Racist government policies caused the segregation of BIPOC into lower income neighborhoods in Duluth and in cities across the country. Redlining is a federal policy that systematically prevented Black families and other families of color from getting home loans. Even though this practice of redlining was eventually outlawed, it created a lasting legacy of segregation and racialized poverty. Redlining denies families of color the ability to gain generational wealth through homeownership in the same ways as their white counterparts. In the 1930s Federal Housing Administration (FHA) policies informed how home loans were granted in the United States. The Home Owners' Loan Corporation (HOLC), a government-sponsored corporation created as part of the New Deal, evaluated neighborhoods in cities across the country. Often the HOLC graded neighborhoods where Black people and immigrants lived very low based on the fact that nonwhite people lived there, rather than on an objective evaluation of the housing stock. Redlining systematically prevented Black and other minority families from getting home loans. From 1934-1962 98% of the \$120 billion worth of home loans subsidized by the government were given to white families, effectively locking nonwhite families out of home ownership. Real estate agents followed underwriting guidelines that directed them to maintain segregated neighborhoods because "inharmonious racial groups" could lower real estate values and "lessen the desirability of residential areas."<sup>19</sup> The effects of redlining were compounded over time. White families were able to purchase homes and accrue wealth. This influx of wealth attracted new businesses and resulted in increased property values which allowed white families to accrue even more wealth and send their children to college, passing down their wealth and advantages to future generations.<sup>20</sup>

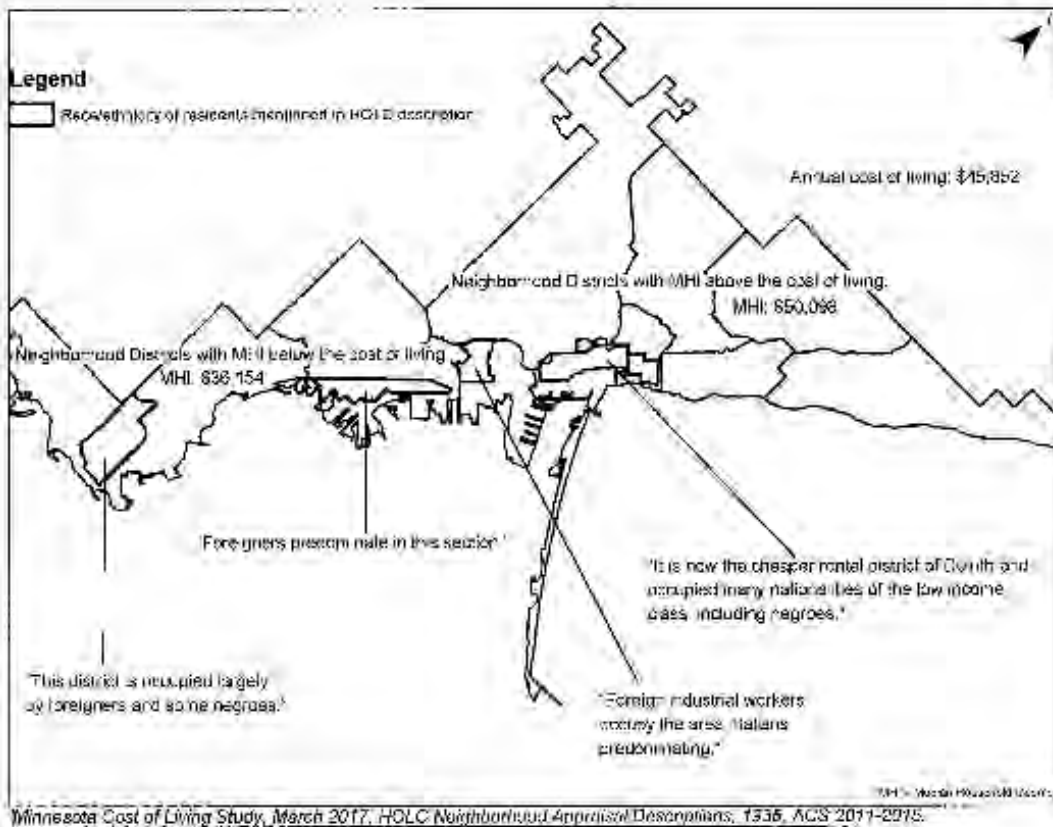
Many of the areas that were deemed too risky for investment in 1936, continue to be the lowest income areas in the Duluth today.<sup>21</sup> In the 1936 HOLC neighborhood appraisal of Duluth, there were four neighborhood area descriptions that referred to the race or ethnicity of the residents. These four areas are located in areas that are now the five lowest income neighborhood districts in the city: East Hillside, Central Hillside, Lincoln Park, West Duluth, and Western River Communities. These districts all have median household incomes that are below the estimated cost of living for our region. Even if they had lower grade areas, the neighborhood districts that had no descriptions about race or ethnicity in 1936 are now the highest income neighborhood districts in Duluth, all with median household incomes above the cost of living for the region. These neighborhoods include: Piedmont, Duluth Heights/Kenwood, Woodland, Congdon, and Lakeside/Lester Park.

<sup>19</sup> <https://www.fhfh.org/docs/2018/06/redlining-gw-us-1745-759-92-136&sr=gs-duluth-1745-759-92-136>

<sup>20</sup> <https://www.fhfh.org/docs/2018/06/redlining-gw-us-1745-759-92-136&sr=gs-duluth-1745-759-92-136>

<sup>21</sup> Economic Center, Fair Study, March 2012; HO, © Neighborhood Appraisal, December, 1936; American Community Survey 8 Year Estimates, 2011-2015; East Hillside Park, West Hillside and West Duluth were given a low HOLC grade only because it was seasonal at the time. <https://www.fhfh.org/docs/2018/06/redlining-gw-us-1745-759-92-136&sr=gs-duluth-1745-759-92-136>





**Land Use and Development Policies**

The City of Duluth operates under a Unified Development Code (UDC). All new housing developments must fit under this zoning code or apply for and receive an applicable exemption, such as a variance or special use permit. The UDC is reviewed for changes periodically and was last revised in January 2019. The history of land use regulation and zoning in the United States has strong ties to systematized racial segregation.<sup>22</sup> This section will provide an analysis of local land use regulations, including any patterns of segregation.

The term "traditional neighborhood" is used in the UDC to describe lower density neighborhoods consisting of mostly single-family homes. This language speaks to some of the exclusionary origins of land use and zoning. In fact, some of the earliest zoning codes adopted in the United States specified areas where Black people could not live in order to maintain segregated neighborhoods. Having explicit "white zones" and "Black zones" in zoning code was shortly

<sup>22</sup> <http://www.fairhousingportal.com/files/06%20Fair%20Housing%20Policy%20Booklet%20-%20April%202014.pdf>

overturned by the Supreme Court, but that did not stop the practice of excluding BIPOC families from white neighborhoods. Zoning codes continued to be used by cities to systematically create white enclaves and to keep noxious industrial facilities away from those white neighborhoods.<sup>23</sup> BIPOC families who moved into white neighborhoods were often terrorized and threatened and many homes in white neighborhoods include restrictive covenants in the deeds that did not allow the homes to be sold, or even rented, to non-white families. In the 1950's, with the help of highways and the GI bill, white families left dense urban areas for low-density single-family neighborhoods in the suburbs.<sup>24</sup> The UDC does not include racially explicit language, but to label these types of neighborhoods as "traditional" whitewashes their exclusionary history.

Duluth is a city with relatively low density. Most land in Duluth is zoned R for residential and 31% of these residential areas are zoned R-1, which accommodates "traditional neighborhoods" of mostly single-family homes. The next most common zoning category that allows residential use is Mixed Use or MU districts, allowing for both commercial and residential land use. The most flexible zoning districts allowing residential use are form districts. These areas make up 1% of the total land area and consists of seven different types, all of which add flexibility through site layout and aesthetic building standards that disregard use.

The two most spatially prevalent R zoning districts do not allow multifamily dwellings without special use permits, therefore limiting density and overall supply of housing.<sup>25</sup> Some zoning districts allow for more flexibility such as form and MU districts but as stated before, they make up a lesser percentage compared to R zoned districts. Additionally, zoning codes can often restrict the number of individuals living in a home making it difficult for residential care facilities to operate. Residential care facilities are allowed in most zoning districts in Duluth with both six or less and seven plus people being allowed (although with a special use permit) in R-1 zones, the most common zoning district. Cluster development is also considered a more inclusive housing option and is allowed by the City's development code. Cluster development is a grouping of residential properties on a development site where the remaining portion of the site is most often used for open space, recreational space, or conservation. However, this type of development is only allowed in Residential Planned zones, or R-P<sup>1</sup> which makes up less than 1% of all zoning districts. Overall, it appears that different levels of flexibility, use, and density are allowed by Duluth's UDC but in very limited areas of the City.

Since the last AI in 2015, six UDC changes have passed via ordinance that could have minor impacts on fair housing in Duluth. Some of those ordinance topics include adding flexibility to parking regulations, increasing building typology options for developers in form districts, and allowing for greater density in MU districts. One change increased restrictions on townhome developments, requiring separate front entrances and slightly larger setbacks. The most notable change to the UDC was in December 2018 when the city's Planning Commission and City Council approved an ordinance allowing for smaller residential lot sizes and the potential to build tiny homes. The City of Duluth has already allowed accessory dwelling units in its

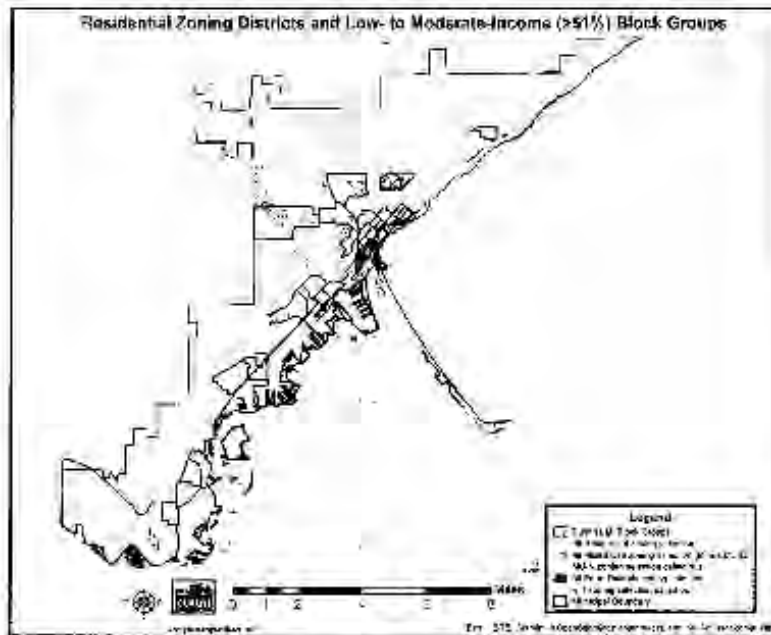
<sup>23</sup> Chapter 4: Race: Moving from The Color of Law—Richard Rothstein

<sup>24</sup> Chapter 5: White Flight from The Color of Law—Richard Rothstein

<sup>25</sup> [https://www.ci.duluth.mn.us/system/files/2018/04/UDC\\_RegulatoryPlanFinal.pdf](https://www.ci.duluth.mn.us/system/files/2018/04/UDC_RegulatoryPlanFinal.pdf)

development code but this ordinance is a shift towards even greater flexibility. As stated before, lighter restrictions on land use and density often lead to higher land prices, constrained housing supply, and higher housing costs that all have an impact on fair housing choice. This shift towards greater flexibility and density has the potential to provide more housing options, but should be monitored for effectiveness in the coming years.

When overlaying the City's zoning map with spatial demographic data a few patterns are evident. Less restrictive zoning designations such as form districts or higher density R districts can more commonly be found in HUD-designated low- to moderate-income block groups. BIPOC households are also found more prevalently living in neighborhoods such as Lincoln Park and the Hillside neighborhoods, and these areas generally have more flexible and dense zoning standards. It is difficult to determine how much of a direct impact current zoning and land use policies have on these patterns but they indicate that greater restrictions can lead to racial and economic based exclusionary outcomes.



2011-2015 LWI Block Groups, City of Duluth GIS

The City of Duluth could be more intentional in creating inclusive housing options by researching alternative zoning strategies such as an inclusionary zoning ordinance or housing overlay zones. The first idea looks at increasing incentives for housing developers to create affordable housing by giving density bonuses or reducing administrative costs through a

mandatory or optional ordinance.<sup>39</sup> The second idea looks at targeting areas for more housing via a spatially tied overlay zone that allows for housing development that wouldn't normally be allowed in the original zoning district.<sup>40</sup> A current tool used by the city to incentivize housing development is Tax Increment Financing (TIF). This tool is already a substantial contributor to the city's housing supply but is not exhaustive. Programs and policies that contribute to retrofitting for accessible units are not a focus of TIF and should become an additional focus considering the demographic changes mentioned previously.

**City Human Rights Office**

The City of Duluth Human Rights Office works under federal, state, and local human rights laws to review and investigate complaints of discrimination based on legally protected classes. In 2016, the City of Duluth updated its Human Rights Ordinance to clarify the powers and duties of the Human Rights Commission and the Human Rights Officer. This update more clearly laid out the process for collecting and investigating human rights complaints. Since then, the Human Rights Commission along with the Human Rights Office have worked to streamline the complaint and investigation process and provide the community with information about how to make a complaint. The Human Rights Commission consists of community members appointed by the Mayor. The Commission has protocols for investigating and evaluating discrimination complaints submitted by members of the community to determine if further action is required to address and resolve the complaint. The Discrimination Intake Questionnaire which is available online, is shown here.

**CITY OF DULUTH HUMAN RIGHTS OFFICE  
DISCRIMINATION INTAKE QUESTIONNAIRE**

- Provide as much contact information as possible. If the Office is unable to reach you, your response will be deemed incomplete.
- This information is only used to investigate your complaint and for statistical purposes.
- There is no charge to file a complaint.
- You have one year from the date of the alleged discrimination to file a charge.
- An attorney is not required to file a charge through some possible means of filing.
- To speak with someone about your rights under the Duluth Human Rights Ordinance or to make inquiries about filing a charge of discrimination, feel free to call or email the Human Rights Office.

First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
 Phone Number \_\_\_\_\_ Email \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

You feel you were discriminated against based on (check all that apply)

- |  |   |   |                                     |
|--|---|---|-------------------------------------|
| <input type="checkbox"/> Race            | <input type="checkbox"/> Color                    | <input type="checkbox"/> Creed              | <input type="checkbox"/> Religion   |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Sex                      | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Age        |
| <input type="checkbox"/> Marital Status  | <input type="checkbox"/> Public Assistance Status | <input type="checkbox"/> Familial Status    | <input type="checkbox"/> Disability |

You can mail, fax, email, or hand deliver this form to the Human Rights Office (see contact information). Submitting this form does not mean you have filed a complaint. This form is just the intake process. You can also begin the intake process by calling, emailing, or sending the Human Rights Office. This is the first step in initiating a Discrimination Complaint and will be reviewed by the Human Rights Officer to further address and investigate alleged discriminatory act(s) and the investigatory process.

**City of Duluth Human Rights Office**  
 City Hall, Room 407  
 411 West First Street  
 Duluth, MN 55807  
 (218) 730-5633  
 Fax: (218) 730-5906  
 Email: [HumanRights@cityofduluth.gov](mailto:HumanRights@cityofduluth.gov)

<sup>39</sup> <https://www.fairhousing.com/2019/07/27/city-of-duluth-adopts-a-new-zoning-ordinance/>  
<sup>40</sup> <https://www.fairhousing.com/2019/07/27/city-of-duluth-adopts-a-new-zoning-ordinance/>

<https://duluthmn.gov/human-rights-office/>

In the past few years, the City of Duluth Human Rights Office has drastically improved its discrimination complaint process, including fair housing related complaints. In the past, someone who wanted to file a complaint had to pick which type of complaint form best fit their situation (housing, employment, education, etc.) but now there is one brief, easy to fill out form for all discrimination related complaints. The form simply asks people for their contact information and what they feel they were discriminated based on (race, national origin, disability, etc.). The Human Rights Office then assists the person in determining if and how to file a formal complaint. The form is available as a fillable pdf, paper copy, or can be submitted via an online form. The Human Rights website also offers helpful resources to understand protected classes and area of protection the City's Human Rights Ordinance covers.

**Coverage of the Duluth Human Rights Ordinance**

Protected Classes	Housing	Employment	Public Accommodations	Public Services	Education	Credit	Utilities
Race	*	*	*	*	*	*	*
Color	*	*	*	*	*	*	*
Sex	*	*	*	*	*	*	*
Religion	*	*	*	*	*	*	*
National Origin	*	*	*	*	*	*	*
Age	*	*	*	*	*	*	*
White Slices	*	*	*	*	*	*	*
Disability	*	*	*	*	*	*	*
Autism-related Slices	*	*	*	*	*	*	*
Sexual Orientation	*	*	*	*	*	*	*
Gender Slices	*	*	*	*	*	*	*
Transsexual Slices	*	*	*	*	*	*	*

<https://duluthmn.gov/human-rights-office/>

In 2019, 10 discrimination complaints were brought to the attention of the Human Rights Office. Eight of the complaints were based on racial discrimination and two were based on disability. Both of the disability discrimination complaints were related to ADA compliance issues in housing. The racial discrimination complaints were related to public services, housing, and employment.

**Federal Fair Housing Cases**

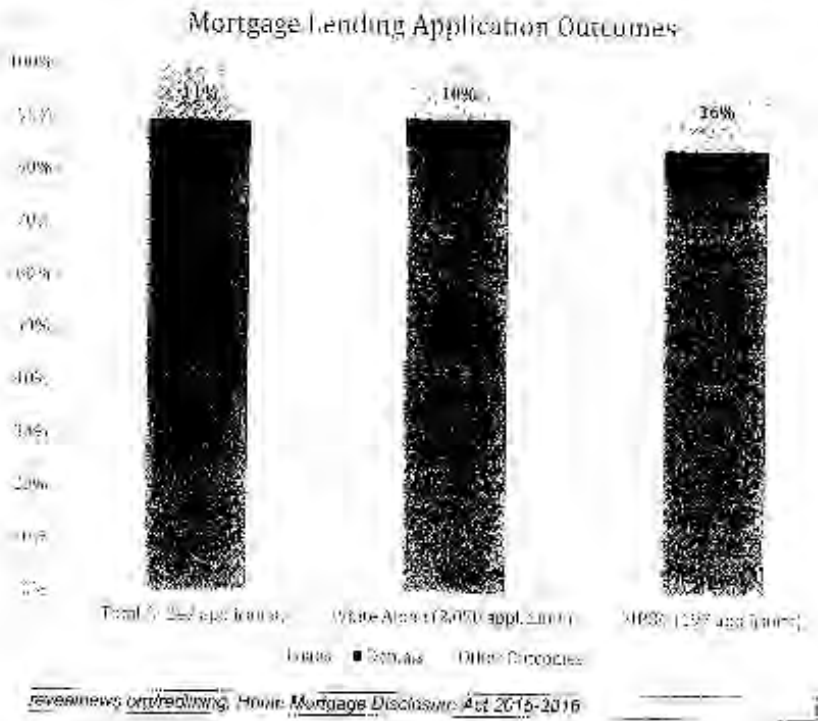
From 2010 to 2016 there were 28 Title VIII fair housing cases filed by HUD's Office of Fair Housing and Equal Opportunity (FHEO) in St. Louis County, MN. In total, 25% of the cases

were filed on a racial discrimination basis, all of them discrimination against Black or African American people, and 71% of the cases were filed on a disability basis.<sup>29</sup>

**Access to Housing**

**Mortgage Lending**

Underwriting guidelines for mortgage lending used to be explicitly racist.<sup>30</sup> Although those explicit policies have been abolished, there still appear to be patterns of discrimination and segregation in mortgage lending today.<sup>31</sup> An examination of mortgage lending applications in Duluth from 2015-2016 shows that BIPOC are applying for home loans at a roughly proportional rate to their share of the population, 10% of the population is BIPOC and 9% of the total loan applicants were BIPOC. BIPOC have a slightly lower loan approval rate (78%) than white people (85%) and a slightly higher 'other outcomes' rate (16%) than white people (10%).<sup>31</sup>



<sup>29</sup> <https://www.fairhousing.org/mortgage-discrimination-cases>  
<sup>30</sup> <https://www.fairhousing.org/mortgage-discrimination-cases>  
<sup>31</sup> <https://www.revealing.org/realting> we exposed mortgage lending in 2017 cases for both applicants since  
<sup>32</sup> <https://www.revealing.org/realting> Mandatory link: <https://www.revealing.org/realting>









screening criteria such as broad information campaigns or educational classes. Many of these options have not been explored by the City of Duluth but should be further researched.

#### **Community Experience**

As part of the Consolidated Planning community outreach process, the Planning and Development Division staff used multiple outreach strategies to engage community members and the organizations that serve our community. An online Community Needs Assessment survey was available for about three weeks in spring 2019. Division staff also consulted nonprofits and service providers who work on issues of healthcare, housing, homelessness, and education, and other community issues.

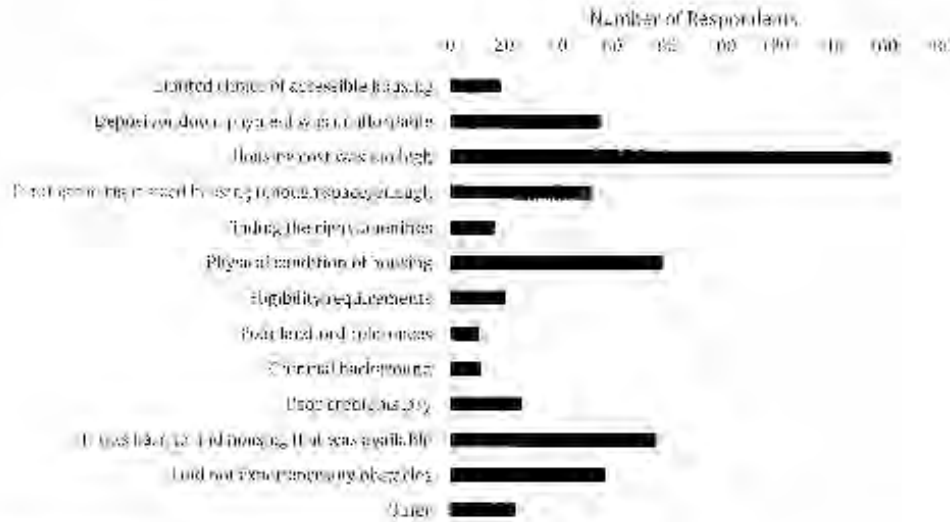
In focus groups with nonprofits and services providers, focus group participants identified several housing barriers related to fair housing choice and protected classes including:

- Criminal history/re-entry issues
- Mental health
- Lack of accessible housing
- General availability and supply of affordable housing
- Transportation to housing (i.e. access to transit)
- Discrimination
- Unsafe housing conditions of some rental housing

The City conducted an online survey asking questions about community needs and fair housing issues. Over 300 community members responded to the survey. Many survey respondents identified issues related to fair housing and protected classes when asked what was the biggest obstacle they had faced the last time they were looking for housing.

Out of more than 300 respondents to the online survey, 26% said that the last time they were searching for housing, they think they were treated differently than other people looking for housing. Respondents who felt they were treated differently were asked a follow-up question about why they thought they were treated differently. Respondents were shown a list of protected classes and asked to pick all that applied. Of those respondents who felt they were treated differently, 38% said they thought it was due to race, 25% thought it was due to age, and 20% thought it was due to gender.

What was the biggest obstacle to obtaining housing the last time you were searching for housing? Check all that apply:



City of Duluth Community Needs Survey 2019

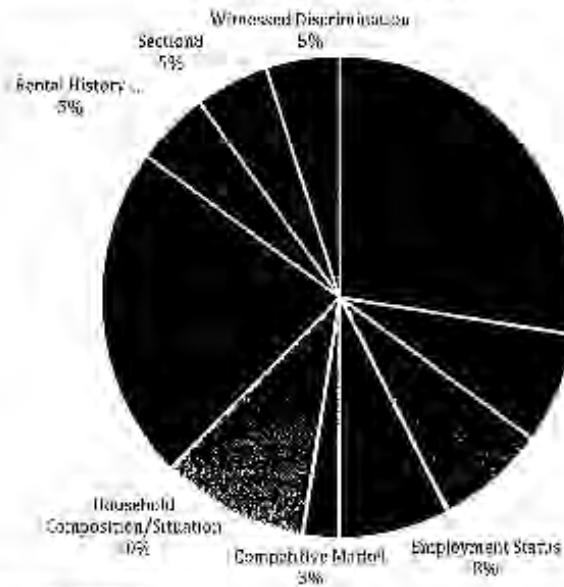
Do you think you were treated differently than other people looking for housing? Yes, because of:



City of Duluth Community Needs Survey 2019

Nearly half of those respondents indicated that they felt they were treated differently due to a variety of other factors including criminal history and Section 8. The breakdown of open-ended responses for those who chose the "other" option is shown below.

Do you think you were treated differently than other people looking for housing? Yes, Other:



City of Duluth Community Needs Survey 2018

### 2015 Analysis of Impediments to Fair Housing

The 2015 AI produced a five-year Fair Housing Plan that identified two impediments to fair housing and five strategies to address them. Below the impediments and strategies are listed along with any actions that were taken in the past five years to implement the strategies.

#### Impediment 1: Lack of knowledge of fair housing rights

##### Strategy 1A: Rental license flier and marketing

- This strategy was not directly addressed.

##### Strategy 1B: Required training to permanent supportive and transitional housing providers

- On Tuesday, July 19, 2016 representatives from HUD came to Duluth to provide training to local service providers, landlords, and residents on the Americans with Disabilities Act (ADA) and Fair Housing Act. Topics for the training included an overview of Civil Rights protections in housing, Americans with Disabilities Act, Fair Housing Act, protection for those with disabilities including issues related to animals and reasonable

accommodations, marketing and tenant selection including advertising, occupancy standards, and criminal background checks, the fair housing complaint process, disparate impact, and Affirmatively Furthering Fair Housing. Staff from the Duluth HRA, public service providers, housing and homelessness service providers, and Human Rights Officer for the City attended the training.

**Strategy 1C: Require permanent supportive and transitional housing providers to educate tenants on reasonable accommodations and fair housing rights**

- The City provided CDBG and city funding to the Tenant Landlord Connection (TLC). The TLC helps ensure stable rental housing exists by educating existing and potential landlords and tenants regarding rights and responsibilities, mediating disputes between landlords and tenants, and connecting reputable tenants and landlords to facilitate healthy, long-term rental tenancy. The TLC provides education to landlords and tenants including landlord training/rental licensing class, tenant/landlord law and legal forms, Fair Housing training and education, Ready to Rent classes for hopeful tenants without a positive rental history, and classes for high school students. The Duluth HRA works in coordination with the TLC by referring Section 8 recipients to Ready to Rent classes.

#### **Impediment 2: Insufficient data to support enforcement**

**Strategy 2A: Collect information from housing providers about housing discrimination complaints and provide to Human Rights Officer to help guide strategic planning and coordination**

- This strategy was not directly addressed.

**Strategy 2B: Work with Police, Life Safety, and the Human Rights Office to identify gaps in enforcement**

- In 2018, the City of Duluth updated its Human Rights Ordinance leading to the Human Rights Office and the Human Rights Commission working to develop an improved protocol for how to handle and process complaints and to make filing a complaint more accessible and less intimidating. Over the next two years, as a direct result of the ordinance update, the Human Rights Office worked with the Police Department as the Police revised their strategy for receiving complaints, and what happens and who gets informed after a complaint is made.

Three of the five strategies from the 2015 Fair Housing Plan were directly addressed. Although two strategies were not directly addressed, the City was able to make progress towards reducing both of the identified impediments to fair housing. As the Human Rights Office continues to refine the implementation of the updated Human Rights Ordinance and work with community partners on fair housing and discrimination reporting and enforcement, we expect that these impediments related to fair housing education and enforcement will continue to be addressed and reduced in the coming years.

## Chapter 6: 2020-2024 Fair Housing Plan

Using the trends, data, and our knowledge of historical and existing policies and practices discussed in the full 2020 Analysis of Impediments to Fair Housing report, the City of Duluth has identified four impediments to fair housing choice to focus on for the next five years. The goal of this Fair Housing Plan is to address the most pressing fair housing issues with both short and long term strategies. This Plan focuses on building a more equitable community in the face of a legacy of policies and practices that have created deep inequities in our city, including segregation and racialized poverty.

### Exclusionary Section 8 Policies

Of the 1,309 households using Section 8 HCV in the private rental market in 2016, 24% of householders were Black, 10% of householders were Indigenous, 69% of householders were female, and 50% of householders had a disability. The citywide population of Duluth is 3% Black, 2% Indigenous, 51% female, and 14% people with disabilities. The utilization rate for Section 8 Housing Choice Vouchers issued in 2018 was approximately 54%, indicating that there can be significant difficulty in securing housing after receiving a Section 8 voucher. Therefore, private rental market policies that advertise no Section 8 or that do not allow Section 8 have a disproportionately negative effect on multiple protected classes.

#### Impediment 1: Exclusionary rental housing practices and policies directed at Section 8 Housing Choice Voucher holder

**Strategy 1.1:** Conduct outreach to landlords to gather information on what they see as deterrents to renting to Section 8 Housing Choice Voucher holders and work with the Housing and Redevelopment Authority (HRA) to raise landlord awareness about Section 8 vouchers.

**Strategy 1.2:** Collaborate with local partners to create and expand educational programs and incentives for landlords that address Section 8 Housing Choice voucher holder stereotypes, administrative barriers, and advertising practices.

**Strategy 1.3:** Produce and endorse model language that can be used by landlords in advertising or leasing documents, inclusive to Section 8 Housing Choice Voucher holders.

**Strategy 1.4:** Consider implementing a Section 8 protection ordinance or something similar that prohibits landlords from advertising no Section 8 or denying prospective tenants solely on the basis of receiving public assistance through Section 8. Review Minneapolis, MN and Portland, OR ordinances for guidance.





### Involuntary Displacement

The key difference between neighborhood revitalization and gentrification is that gentrification causes involuntary displacement of residents and community-serving small businesses. Investments in neighborhoods that improve communities are a good thing, but these investments should be paired with anti-displacement strategies to ensure that everyone in the community benefits from revitalization. Research regarding involuntary displacement shows that certain demographic characteristics, such as being a renter rather than a homeowner or having a lower income make it more difficult for individuals to resist displacement. In Duluth, vulnerability to displacement disproportionately affects protected classes including BIPOC and people with disabilities. In Duluth 40% of all households rent, but BIPOC households are disproportionately renters (71%) rather than owners (29%). The most recent American Community Survey in Duluth estimates median annual earnings for people with a disability at \$8,780, compared to \$21,994 for people without a disability. The ACS estimates per capita annual income for Duluth's white population at \$26,346, \$8,994 for the Black population, and \$10,696 for the Indigenous population. The distribution of affordable housing, including in neighborhoods where historic displacement has occurred or is in its early stages, is crucial in addressing displacement and providing fair housing choice.

#### Impediment 3: Involuntary displacement and limited housing choice caused by gentrification

**Strategy 3.1:** Commit to monitoring and tracking neighborhood changes at regular intervals in order to identify the location of populations who are vulnerable to displacement, neighborhoods that are prone to gentrification, and neighborhoods that are undergoing gentrification.

**Strategy 3.2:** Create anti-displacement strategies through public engagement and research addressing displacement of protected classes in Duluth and codify anti-displacement strategies at the city level, for example by incorporating them into the Community Development Funding application and other processes.

**Strategy 3.3:** Disseminate research and guidance on anti-displacement strategies to local partners.

**Strategy 3.4:** Develop a framework that considers housing choice along with the transportation and service needs of the expected/prospected tenants when siting new

## Built Environment

Conservative land use and zoning policies contribute to the built environment by creating a tradition of exclusionary development patterns while restricting density, location, and availability for new residential development. This limits housing supply and options, increasing overall housing costs, disproportionately affecting low-income populations and protected classes. In Duluth 44% of housing units were built before 1939. The older housing stock lends itself to what is called "naturally occurring affordable housing," essentially housing that is cheaper because it is lower quality. As discussed above, some protected classes are disproportionately lower income, so deferred maintenance and health concerns created by substandard housing, such as lead paint and mold, have the potential to disproportionately affect protected classes. Some older and now substandard homes also have the potential to affect those with disabilities because they were not built for accessibility and pose high, unachievable costs to retrofit for ADA compliance.

### Impediment 4: Policies and physical limitations in the built environment

**Strategy 4.1:** Conduct a feasibility study that investigates creative tools to incentivize or require some affordable and/or accessible units in new housing developments.

**Strategy 4.2:** Continue to make changes to the City's Unified Development Code that address outdated land use and zoning policies, which in turn affect density and mixed income neighborhoods and residential developments.

**Strategy 4.3:** Explore an alternative rental licensing program, such as a targeted or tiered system, that addresses rental housing quality, regulatory body and property owner accountability.

**Strategy 4.4:** Support new or existing rehabilitation programs that focus on healthy homes and retrofitting for ADA accessibility. Implement these programs in a variety of neighborhoods throughout Duluth.

## Fair Housing Plan Implementation

The next few pages offer a road map for implementing the strategies discussed above. The first table lists the entities who will help implement the strategies as well as their anticipated roles at each step in the process. Following that table, each of the four impediments is listed showing the timing and steps for implementing each strategy. The implementation plan is intentionally broad to ensure that measured progress is made throughout the next five years, but to also leave room for flexibility. The timeline for strategy implementation aligns with the City's HUD funding fiscal years so that progress in implementation can be reported on in annual Action Plans.



Roles						
Collaborators	Learn and Provide Input	Research and Analyze	Develop	Educate	Evaluate	
City of Duluth - Planning & Economic Development Department	<p>Grow the measure and build relationships with partners</p> <p>Collect qualitative data (i.e. surveys) and focus groups.</p> <p>Share experiences and provide input to help develop policies, practices, and written materials</p>	<p>Conduct research, review best practices, and case studies</p> <p>Analyze and distill input and data</p>	<p>Develop web resources such as guides, one-pagers, and reports</p> <p>Develop language and messaging for notices and practices</p>	<p>Distribute case-educational materials and raise awareness</p>	<p>Evaluate, track, and monitor outcomes and effectiveness</p> <p>Collect and track reports of non-compliance</p>	
City of Duluth - Life Safety Division	<p>Share experiences and provide input to help develop policies, practices, and written materials</p> <p>Utilize relationships with landlords, with landlords to provide feedback on their</p>		<p>Inform the development of deliverables and provide feedback on draft deliverables</p>	<p>Distribute paper educational materials on rental licensing, correspondence and raise awareness during tenant inspections</p>	<p>Collect and track reports of non-compliance</p>	
City of Duluth - Human Rights Office	<p>Share experiences and provide input to help develop policies, practices, and written materials</p> <p>Relationships and build thinking, conversation to community</p>		<p>Inform the development of deliverables and provide feedback on draft deliverables</p>	<p>Distribute paper educational materials on fair housing laws</p>	<p>Collect and track reports of non-compliance</p>	
Housing and Redevelopment Authority - Section 8 Voucher Program	<p>Share experiences and provide input to help develop policies, practices, and written materials</p> <p>Relationships with landlords</p> <p>Collaboration with community orgs</p> <p>Convene meetings</p>		<p>Inform the development of deliverables and provide feedback on draft deliverables</p>	<p>Provide education and training</p>	<p>Evaluate, track, and monitor outcomes and effectiveness</p> <p>Collect and track reports of non-compliance</p>	
Duluth Landlord Association	<p>Share experiences and provide input to help develop policies, practices, and written materials</p>		<p>Inform the development of deliverables and provide feedback on draft deliverables</p>	<p>Utilize network to raise awareness</p>		
Community members (focus on protected classes)	<p>Share experiences and provide input to help develop policies, practices, and written materials</p>		<p>Inform the development of deliverables and provide feedback on draft deliverables</p>			
Community organizations that have relationships with landlords (Landlord Inclusive Program, Tenant Landlord Connection, Affordable Housing Coalition, etc.)	<p>Share experiences and provide input to help develop policies, practices, and written materials</p> <p>Utilize relationships with landlords to get feedback and input</p> <p>Convene meetings</p>		<p>Inform the development of deliverables and provide feedback on draft deliverables</p>	<p>Utilize relationships with landlords to raise awareness</p> <p>Provide education and training</p>	<p>Evaluate, track, and monitor outcomes and effectiveness</p> <p>Collect and track reports of non-compliance</p>	

Impediment 1: Exclusionary rental housing practices and policies directed at Section 8 Housing Choice Voucher holders			
Strategy	Phase 1 April 1, 2020 - March 31, 2022	Phase 2 April 1, 2022 - March 31, 2024	Phase 3 April 1, 2024 - March 31, 2025
<p><b>Strategy 1.1</b> Conduct outreach to landlords to gather information on what they see as deterrents to renting out to Section 8 Housing Choice Voucher holders and work with the Housing and Redevelopment Authority (HRA) to raise landlord awareness about Section 8 vouchers.</p>	<p>Listen and Provide Input Research and Analyze Develop</p>	<p>Educate Evaluate</p>	<p>Educate Evaluate</p>
<p><b>Strategy 1.2</b> Collaborate with local partners to create and expand educational programs and incentives for landlords that address Section 8 Housing Choice voucher holder stereotypes and administrative barriers, and advertising practices.</p>	<p>Listen and Provide Input Research and Analyze Develop</p>	<p>Educate Evaluate</p>	<p>Educate Evaluate</p>
<p><b>Strategy 1.3</b> Produce and endorse model language that can be used by landlords in advertising or leasing documents inclusive to Section 8 Housing Choice Voucher holders.</p>		<p>Listen and Provide Input Research and Analyze Develop</p>	<p>Educate Evaluate</p>
<p><b>Strategy 1.4</b> Consider the feasibility of a Section 8 protection ordinance that prohibits landlords from advertising "no Section 8" or denying prospective tenants solely on the basis of receiving public assistance through Section 8. Review Minneapolis, MN and Portland, OR ordinances for guidance</p>		<p>Listen and Provide Input Research and Analyze Develop</p>	<p>Educate Evaluate</p>

Impediment 2: Exclusionary rental housing practices and policies directed at persons with criminal histories			
Strategy	Phase 1 April 1, 2020 - March 31, 2022	Phase 2 April 1, 2022 - March 31, 2024	Phase 3 April 1, 2024 - March 31, 2025
<u>Strategy 2.1</u> Create a criminal history rental-housing guide that summarizes best practices in leasing to persons with criminal history and provide landlords with language to use for applications and leases.	Listen and Provide Input Research and Analyze Develop	Educate Evaluate	Educate Evaluate
<u>Strategy 2.2</u> Collaborate with local partners to create and expand educational programs and incentives for landlords. Build upon existing programs that address eviction prevention training and invest in funds that incentivize apprehensive landlords who wouldn't normally lease out to tenants with criminal backgrounds.		Listen and Provide Input Research and Analyze Develop	Educate Evaluate
<u>Strategy 2.3</u> Collaborate with partners, including local landlords to develop a unified background check that will streamline tenant application processes and eliminate duplicate fees for background checks.		Listen and Provide Input Research and Analyze Develop	Educate Evaluate
<u>Strategy 2.4</u> Create an educational marketing campaign, similar to "ban the box," that supports best practices in leasing to people with criminal histories.	Listen and Provide Input Research and Analyze Develop	Educate Evaluate	Educate Evaluate

Impediment 3: Involuntary displacement and limited housing choice caused by gentrification			
Strategy	Phase 1 April 1, 2020 - March 31, 2022	Phase 2 April 1, 2022 - March 31, 2024	Phase 3 April 1, 2024 - March 31, 2025
<u>Strategy 3.1</u> Commit to monitoring and tracking neighborhood changes at regular intervals in order to identify the location of populations who are vulnerable to displacement, neighborhoods that are prone to gentrification, and neighborhoods that are undergoing gentrification.	Research and Analyze Develop Evaluate	Research and Analyze Develop Evaluate	Research and Analyze Develop Evaluate
<u>Strategy 3.2</u> Create anti-displacement strategies through public engagement and research addressing displacement of protected classes in Duluth and codify anti-displacement strategies at the city level for example by integrating them into the Community Development funding application and other processes	Listen and Provide Input Research and Analyze	Develop Educate	Educate Evaluate
<u>Strategy 3.3</u> Disseminate research and guidance on anti-displacement strategies to local partners	Listen and Provide Input Research and Analyze Develop	Educate Evaluate	Educate Evaluate
<u>Strategy 3.4</u> Develop a framework that considers housing choice along with the transportation and service needs of the expected/predicted tenants when siting new affordable housing developments including projects funded by the Community Development Funding Program and tax credit projects with affordability components.	Listen and Provide Input Research and Analyze	Develop Educate	Educate Evaluate

Impediment 4: Policies and physical limitations in the built environment			
Strategy	Phase 1 April 2021 - March 31, 2022	Phase 2 April 2022 - March 31, 2024	Phase 3 April 1, 2024 - March 31, 2026
<p><u>Strategy 4.1</u> Conduct a feasibility study that investigates creative tools to incentivize or require some affordable and/or accessible units in new housing developments.</p>		<p>Listen and Provide Input Research and Analyze Develop</p>	<p>Educate Evaluate</p>
<p><u>Strategy 4.2</u> Continue to make changes to the City's Unified Development Code that address outdated land use and zoning policies, which in turn affect density and mixed income neighborhoods and residential developments.</p>	<p>Listen and Provide Input Research and Analyze</p>	<p>Listen and Provide Input Research and Analyze Develop</p>	<p>Develop</p>
<p><u>Strategy 4.3</u> Explore an alternative rental-licensing program, such as a targeted or tiered system, that addresses rental housing quality, regulatory body and property owner accountability.</p>	<p>Listen and Provide Input Research and Analyze</p>	<p>Listen and Provide Input Research and Analyze Develop</p>	<p>Develop Educate Evaluate</p>
<p><u>Strategy 4.4</u> Support new or existing rehabilitation programs that focus on healthy homes and retrofitting for ADA accessibility. Implement these programs in a variety of neighborhoods throughout Duluth.</p>	<p>Educate Evaluate</p>	<p>Educate Evaluate</p>	<p>Educate Evaluate</p>

## Data and Methodology

### Data from the US Census Bureau

#### Decennial Census

Census data used in this report are actual counts of the entire population

#### American Community Survey 5-year estimates

ACS data used in this report are 5-year estimates based on annual surveys sent out to a sample of the population. When referring to ACS data in this report, we often mention just one year as shorthand. The year stated is the most recent year in the 5-year period so when we say 2018 ACS data it is an estimate based on the data from 2014-2018

## Appendix

The following pages contain data tables showing all of the 2018 and 2017 ACS data used in this report for the city and neighborhoods.

Duluth, MN		
American Community Survey (ACS) 5-year estimates 2011-2015		
	2015	
	#	%
Population	88,004	
<b>Race &amp; Ethnicity</b>		
White	77,281	90%
People of Color:	9,740	10%
Black or African American	2,082	2%
American Indian and Alaska Native	1,691	2%
Asian	1,100	2%
Native Hawaiian and Other Pacific Islander	30	0%
Some other race	348	0%
Two or more races	3,333	4%
White and Black or African American	930	
White and American Indian and Alaska Native	1,166	
White and Asian	664	
Black or African American and American Indian and Alaska Native	75	
<b>Race alone or in combination with one or more other races</b>		
White	80,454	94%
Black or African American	2,316	4%
American Indian and Alaska Native	3,048	4%
Asian	2,179	3%
Native Hawaiian and Other Pacific Islander	104	0%
Some other race	1,007	1%
Hispanic or Latino	3,961	2%
Not Hispanic or Latino	94,033	98%
<b>Age</b>		
Under 18 years	15,419	18%
18-64 years old	66,211	88%
65 years and over	19,655	28%
<b>Poverty</b>		
Total population for whom poverty status is determined	80,533	
With income below poverty level	15,520	19%
<b>Disability</b>		
Total civilian noninstitutionalized population for which disability status is determined	84,534	
With a disability	11,403	13.5%
<b>Sex</b>		
Male	42,425	48%
Female	43,579	51%

Housing Units & Households		
Total housing units	38,485	
Built 2014 or later	308	<1%
Built 2010 to 2013	329	1%
Built 2000 to 2009	7,358	19%
Built 1990 to 1999	2,144	6%
Built 1980 to 1989	7,903	21%
Built 1970 to 1979	3,457	9%
Built 1960 to 1969	2,850	7%
Built 1950 to 1959	5,111	13%
Built 1940 to 1949	2,702	7%
Built 1939 or earlier	16,821	44%
Vacant housing units	2,468	6%
Occupied housing units	36,017	94%
Family households (family)	16,463	46%
With own children (over 18 years)	11,807	33%
Married-couple family	13,624	38%
With own children under 18 years	4,890	13%
With own children under 18 years	2,347	6%
Female householder, no husband present	2,307	6%
With own children under 18 years	2,249	6%
Non-family households	17,551	48%
Households with individuals under 18 years	3,541	10%
Tenure		
Owner-occupied housing units	21,171	59%
Renter-occupied housing units	14,846	41%
Median Household Income (MHI) in 2013 dollars		
All households	\$49,441	
Owner-occupied	\$66,363	
Renter-occupied	\$27,375	
Race of Householder		
White	33,278	93%
MHI	\$51,681	
Owner-occupied	28,194	63%
Renter-occupied	17,467	37%
POC	2,753	8%
MHI	\$26,704	
Owner-occupied	795	29%
Renter-occupied	1,925	71%
Black or African American	688	2%
MHI	\$21,352	
Owner-occupied	19	1%
Renter-occupied	573	83%
American Indian and Alaska Native	44	0%
MHI	\$25,452	
Owner-occupied	149	20%
Renter-occupied	900	80%
Asian	412	1%
MHI	\$35,000	
Owner-occupied	118	29%
Renter-occupied	284	69%
Native Hawaiian and Other Pacific Islander	0	0%
MHI	0	
Owner-occupied	0	0%
Renter-occupied	0	0%
Some other race	11	0%
MHI	not available	
Owner-occupied	23	40%
Renter-occupied	34	60%
Two or more races	827	2%
MHI	\$27,346	
Owner-occupied	355	43%
Renter-occupied	472	57%
Housing Costs		
Median selected monthly owner costs as a percentage of household income		18%
Median gross rent as a percentage of household income		23%



Duluth Neighborhood Demographics 2017: <https://www.mncompass.org/profiles/custom>

Demographic	Duluth (Sample)				Total		City of Duluth		Lake Superior	
	n	%	n	%	n	%	n	%	n	%
<b>Age</b>										
0-17 years	1,081	10%	1,070	10%	1,111	10%	755	11%	1,157	12%
18-24 years	1,015	10%	1,090	10%	1,043	10%	840	12%	1,201	13%
25-34 years	1,324	13%	1,430	13%	1,370	13%	1,130	16%	1,370	15%
35-44 years	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
45-54 years	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
55-64 years	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
65-74 years	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
75-84 years	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
85+ years	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
<b>Gender</b>										
Male	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Female	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
<b>Ethnicity</b>										
White	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Black	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Hispanic	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Asian	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Native American	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Other	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
<b>Income</b>										
< \$10,000	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
\$10,000 - \$14,999	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
\$15,000 - \$24,999	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
\$25,000 - \$34,999	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
\$35,000 - \$49,999	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
\$50,000 - \$74,999	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
\$75,000 - \$99,999	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
\$100,000+	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
<b>Education</b>										
Less than High School	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
High School Graduate	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Some College	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
College Graduate	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%
Postgraduate	1,100	11%	1,100	10%	1,100	10%	800	12%	1,100	12%

Demographic	2010		2015		Mid 2020		2025		2030	
	Count	%	Count	%	Count	%	Count	%	Count	%
<b>Population</b>	19,979	100%	20,478	100%	20,589	100%	20,722	100%	20,879	100%
<b>Gender</b>										
Male	9,281	46%	9,348	45%	9,354	45%	9,354	45%	9,354	45%
Female	10,698	54%	11,130	55%	11,235	55%	11,368	55%	11,525	55%
<b>Race</b>										
White	14,141	71%	13,724	67%	13,280	64%	12,811	62%	12,311	59%
Black	1,122	6%	1,144	6%	1,166	6%	1,188	6%	1,210	6%
Hispanic	1,122	6%	1,144	6%	1,166	6%	1,188	6%	1,210	6%
Asian	151	1%	151	1%	151	1%	151	1%	151	1%
Native Hawaiian	144	1%	144	1%	144	1%	144	1%	144	1%
Other	2,222	11%	2,222	11%	2,222	11%	2,222	11%	2,222	11%
<b>Age</b>										
0-4	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
5-9	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
10-14	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
15-19	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
20-24	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
25-29	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
30-34	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
35-39	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
40-44	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
45-49	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
50-54	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
55-59	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
60-64	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
65-69	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
70-74	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
75-79	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
80-84	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
85+	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
<b>Ethnicity</b>										
Hispanic or Latino	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
Not Hispanic or Latino	18,857	94%	19,356	94%	19,467	94%	19,600	94%	19,757	94%
<b>Marital Status</b>										
Married	10,111	51%	10,111	51%	10,111	51%	10,111	51%	10,111	51%
Divorced	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
Widowed	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
Never Married	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
<b>Education</b>										
Less than High School	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
High School Graduate	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
Some College	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
Bachelor's Degree	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
Master's Degree	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%
Doctorate	1,122	6%	1,122	6%	1,122	6%	1,122	6%	1,122	6%

	2017		2016		2015		2014		2013	
	2017	2016	2017	2016	2015	2014	2013	2014	2013	
<b>Health Care and Household</b>										
Medical costs										
TOTAL (incl. capex)	1,706	1,502	1,502	1,374	1,230	1,100	970	840	730	
Operating and maintenance (incl. capex)	96	114	124	134	130	126	127	120	110	
Capital expenditures	1,610	1,388	1,378	1,240	1,100	974	843	720	620	
Depreciation	55	100	100	100	100	100	100	100	100	
2016-2017	1,030	1,288	1,278	1,140	1,000	874	743	620	520	
2015-2016	40	100	100	100	100	100	100	100	100	
2014-2015	130	188	188	180	180	180	180	180	180	
2013-2014	150	210	210	210	210	210	210	210	210	
2012-2013	170	230	230	230	230	230	230	230	230	
2011-2012	190	250	250	250	250	250	250	250	250	
2010-2011	210	270	270	270	270	270	270	270	270	
2009-2010	230	290	290	290	290	290	290	290	290	
2008-2009	250	310	310	310	310	310	310	310	310	
2007-2008	270	330	330	330	330	330	330	330	330	
2006-2007	290	350	350	350	350	350	350	350	350	
2005-2006	310	370	370	370	370	370	370	370	370	
2004-2005	330	390	390	390	390	390	390	390	390	
2003-2004	350	410	410	410	410	410	410	410	410	
2002-2003	370	430	430	430	430	430	430	430	430	
2001-2002	390	450	450	450	450	450	450	450	450	
2000-2001	410	470	470	470	470	470	470	470	470	
1999-2000	430	490	490	490	490	490	490	490	490	
1998-1999	450	510	510	510	510	510	510	510	510	
1997-1998	470	530	530	530	530	530	530	530	530	
1996-1997	490	550	550	550	550	550	550	550	550	
1995-1996	510	570	570	570	570	570	570	570	570	
1994-1995	530	590	590	590	590	590	590	590	590	
1993-1994	550	610	610	610	610	610	610	610	610	
1992-1993	570	630	630	630	630	630	630	630	630	
1991-1992	590	650	650	650	650	650	650	650	650	
1990-1991	610	670	670	670	670	670	670	670	670	
1989-1990	630	690	690	690	690	690	690	690	690	
1988-1989	650	710	710	710	710	710	710	710	710	
1987-1988	670	730	730	730	730	730	730	730	730	
1986-1987	690	750	750	750	750	750	750	750	750	
1985-1986	710	770	770	770	770	770	770	770	770	
1984-1985	730	790	790	790	790	790	790	790	790	
1983-1984	750	810	810	810	810	810	810	810	810	
1982-1983	770	830	830	830	830	830	830	830	830	
1981-1982	790	850	850	850	850	850	850	850	850	
1980-1981	810	870	870	870	870	870	870	870	870	
1979-1980	830	890	890	890	890	890	890	890	890	
1978-1979	850	910	910	910	910	910	910	910	910	
1977-1978	870	930	930	930	930	930	930	930	930	
1976-1977	890	950	950	950	950	950	950	950	950	
1975-1976	910	970	970	970	970	970	970	970	970	
1974-1975	930	990	990	990	990	990	990	990	990	
1973-1974	950	1,010	1,010	1,010	1,010	1,010	1,010	1,010	1,010	
1972-1973	970	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	
1971-1972	990	1,050	1,050	1,050	1,050	1,050	1,050	1,050	1,050	
1970-1971	1,010	1,070	1,070	1,070	1,070	1,070	1,070	1,070	1,070	
1969-1970	1,030	1,090	1,090	1,090	1,090	1,090	1,090	1,090	1,090	
1968-1969	1,050	1,110	1,110	1,110	1,110	1,110	1,110	1,110	1,110	
1967-1968	1,070	1,130	1,130	1,130	1,130	1,130	1,130	1,130	1,130	
1966-1967	1,090	1,150	1,150	1,150	1,150	1,150	1,150	1,150	1,150	
1965-1966	1,110	1,170	1,170	1,170	1,170	1,170	1,170	1,170	1,170	
1964-1965	1,130	1,190	1,190	1,190	1,190	1,190	1,190	1,190	1,190	
1963-1964	1,150	1,210	1,210	1,210	1,210	1,210	1,210	1,210	1,210	
1962-1963	1,170	1,230	1,230	1,230	1,230	1,230	1,230	1,230	1,230	
1961-1962	1,190	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	
1960-1961	1,210	1,270	1,270	1,270	1,270	1,270	1,270	1,270	1,270	
1959-1960	1,230	1,290	1,290	1,290	1,290	1,290	1,290	1,290	1,290	
1958-1959	1,250	1,310	1,310	1,310	1,310	1,310	1,310	1,310	1,310	
1957-1958	1,270	1,330	1,330	1,330	1,330	1,330	1,330	1,330	1,330	
1956-1957	1,290	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	
1955-1956	1,310	1,370	1,370	1,370	1,370	1,370	1,370	1,370	1,370	
1954-1955	1,330	1,390	1,390	1,390	1,390	1,390	1,390	1,390	1,390	
1953-1954	1,350	1,410	1,410	1,410	1,410	1,410	1,410	1,410	1,410	
1952-1953	1,370	1,430	1,430	1,430	1,430	1,430	1,430	1,430	1,430	
1951-1952	1,390	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	
1950-1951	1,410	1,470	1,470	1,470	1,470	1,470	1,470	1,470	1,470	
1949-1950	1,430	1,490	1,490	1,490	1,490	1,490	1,490	1,490	1,490	
1948-1949	1,450	1,510	1,510	1,510	1,510	1,510	1,510	1,510	1,510	
1947-1948	1,470	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	
1946-1947	1,490	1,550	1,550	1,550	1,550	1,550	1,550	1,550	1,550	
1945-1946	1,510	1,570	1,570	1,570	1,570	1,570	1,570	1,570	1,570	
1944-1945	1,530	1,590	1,590	1,590	1,590	1,590	1,590	1,590	1,590	
1943-1944	1,550	1,610	1,610	1,610	1,610	1,610	1,610	1,610	1,610	
1942-1943	1,570	1,630	1,630	1,630	1,630	1,630	1,630	1,630	1,630	
1941-1942	1,590	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	
1940-1941	1,610	1,670	1,670	1,670	1,670	1,670	1,670	1,670	1,670	
1939-1940	1,630	1,690	1,690	1,690	1,690	1,690	1,690	1,690	1,690	
1938-1939	1,650	1,710	1,710	1,710	1,710	1,710	1,710	1,710	1,710	
1937-1938	1,670	1,730	1,730	1,730	1,730	1,730	1,730	1,730	1,730	
1936-1937	1,690	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	
1935-1936	1,710	1,770	1,770	1,770	1,770	1,770	1,770	1,770	1,770	
1934-1935	1,730	1,790	1,790	1,790	1,790	1,790	1,790	1,790	1,790	
1933-1934	1,750	1,810	1,810	1,810	1,810	1,810	1,810	1,810	1,810	
1932-1933	1,770	1,830	1,830	1,830	1,830	1,830	1,830	1,830	1,830	
1931-1932	1,790	1,850	1,850	1,850	1,850	1,850	1,850	1,850	1,850	
1930-1931	1,810	1,870	1,870	1,870	1,870	1,870	1,870	1,870	1,870	
1929-1930	1,830	1,890	1,890	1,890	1,890	1,890	1,890	1,890	1,890	
1928-1929	1,850	1,910	1,910	1,910	1,910	1,910	1,910	1,910	1,910	
1927-1928	1,870	1,930	1,930	1,930	1,930	1,930	1,930	1,930	1,930	
1926-1927	1,890	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	
1925-1926	1,910	1,970	1,970	1,970	1,970	1,970	1,970	1,970	1,970	
1924-1925	1,930	1,990	1,990	1,990	1,990	1,990	1,990	1,990	1,990	
1923-1924	1,950	2,010	2,010	2,010	2,010	2,010	2,010	2,010	2,010	
1922-1923	1,970	2,030	2,030	2,030	2,030	2,030	2,030	2,030	2,030	
1921-1922	1,990	2,050	2,050	2,050	2,050	2,050	2,050	2,050	2,050	
1920-1921	2,010	2,070	2,070	2,070	2,070	2,070	2,070	2,070	2,070	
1919-1920	2,030	2,090	2,090	2,090	2,090	2,090	2,090	2,090	2,090	
1918-1919	2,050	2,110	2,110	2,110	2,110	2,110	2,110	2,110	2,110	
1917-1918	2,070	2,130	2,130	2,130	2,130	2,130	2,130	2,130	2,130	
1916-1917	2,090	2,150	2,150	2,150	2,150</					

	2016 (Est)		2017 (Est)		2018 (Est)		2019 (Est)		2020 (Est)	
	\$	%	\$	%	\$	%	\$	%	\$	%
<b>Housing Units and Households</b>										
<b>Household Type</b>										
Total housing units	2,422		2,405		2,317		2,182		2,221	
Owned (includes rental units owned by households)	1,018	42%	1,012	42%	975	42%	918	42%	928	42%
Rented (includes rental units)	1,404	58%	1,393	58%	1,342	58%	1,264	58%	1,293	58%
<b>Structure</b>										
Single-unit	1,814	75%	1,800	75%	1,730	75%	1,618	75%	1,658	75%
1-unit detached	1,414	58%	1,400	58%	1,340	58%	1,248	58%	1,288	58%
2-unit detached	222	9%	220	9%	210	9%	198	9%	202	9%
3-unit detached	178	7%	170	7%	160	7%	150	7%	158	7%
Multi-unit	590	25%	605	25%	587	25%	646	30%	565	25%
<b>Household Type</b>										
Total households	1,843		1,837		1,767		1,652		1,691	
Owned (includes rental units owned by households)	814	44%	810	44%	780	44%	738	44%	748	44%
Rented (includes rental units)	1,029	56%	1,027	56%	987	56%	914	56%	943	56%
<b>Structure</b>										
Single-unit	1,314	71%	1,300	71%	1,240	71%	1,148	71%	1,188	71%
1-unit detached	914	50%	900	50%	860	50%	808	50%	828	50%
2-unit detached	222	12%	220	12%	210	12%	198	12%	202	12%
3-unit detached	178	10%	170	10%	160	10%	150	10%	158	10%
Multi-unit	515	28%	527	29%	547	31%	700	41%	505	30%
<b>Age of householders</b>										
Total householders	1,843		1,837		1,767		1,652		1,691	
Under 18	122	7%	120	7%	115	7%	108	7%	112	7%
18-24	188	10%	185	10%	178	10%	168	10%	172	10%
25-34	222	12%	220	12%	210	12%	198	12%	202	12%
35-44	278	15%	275	15%	260	15%	248	15%	252	15%
45-54	334	18%	330	18%	315	18%	298	18%	302	18%
55-64	390	21%	385	21%	365	21%	348	21%	352	21%
65-74	446	24%	440	24%	420	24%	398	24%	402	24%
75 and over	502	27%	495	27%	470	27%	448	27%	452	27%
<b>Marital status of householders</b>										
Total householders	1,843		1,837		1,767		1,652		1,691	
Married	1,018	55%	1,012	55%	975	55%	918	55%	928	55%
Divorced	188	10%	185	10%	178	10%	168	10%	172	10%
Widowed	222	12%	220	12%	210	12%	198	12%	202	12%
Never married	421	23%	420	23%	412	23%	432	26%	429	25%
<b>Household type by tenure</b>										
Total households	1,843		1,837		1,767		1,652		1,691	
Owned	814	44%	810	44%	780	44%	738	44%	748	44%
Rented	1,029	56%	1,027	56%	987	56%	914	56%	943	56%
<b>Household type by structure</b>										
Total households	1,843		1,837		1,767		1,652		1,691	
Single-unit	1,314	71%	1,300	71%	1,240	71%	1,148	71%	1,188	71%
Multi-unit	529	29%	537	29%	527	30%	504	31%	503	30%
<b>Household type by tenure and structure</b>										
Total households	1,843		1,837		1,767		1,652		1,691	
Owned - Single-unit	614	33%	610	33%	580	33%	548	33%	558	33%
Owned - Multi-unit	200	11%	195	11%	190	11%	180	11%	182	11%
Rented - Single-unit	600	33%	595	33%	560	33%	528	33%	530	33%
Rented - Multi-unit	429	23%	432	24%	397	23%	406	25%	403	24%
<b>Household type by tenure and age of householder</b>										
Total households	1,843		1,837		1,767		1,652		1,691	
Owned	814	44%	810	44%	780	44%	738	44%	748	44%
Rented	1,029	56%	1,027	56%	987	56%	914	56%	943	56%
<b>Household type by tenure and marital status of householder</b>										
Total households	1,843		1,837		1,767		1,652		1,691	
Owned	814	44%	810	44%	780	44%	738	44%	748	44%
Rented	1,029	56%	1,027	56%	987	56%	914	56%	943	56%
<b>Household type by tenure and age of householder and marital status of householder</b>										
Total households	1,843		1,837		1,767		1,652		1,691	
Owned	814	44%	810	44%	780	44%	738	44%	748	44%
Rented	1,029	56%	1,027	56%	987	56%	914	56%	943	56%







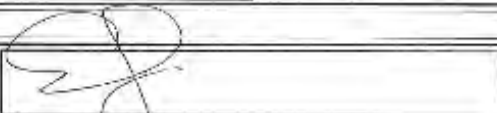
Grantee SF-424's and Certification(s)

OMB Number: 4040-0004  
 Expiration Date: 12/31/2022

Application for Federal Assistance SF-424		
* 1. Type of Submission <input type="checkbox"/> Int-application <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Continued Application	* 2. Type of Application <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* 3. Reason (select appropriate letter(s))  * Other (Specify):
* 3. Data Received	4. Applicant Identifier	
5a. Federal Entity Identifier	5b. Federal Award Identifier	
State Use Only:		
6. Date Received by State	7. State Application Identifier	
<b>II. APPLICANT INFORMATION:</b>		
* a. Legal Name: <u>City of Duluth, Minnesota</u>		
* b. Employer/Taxpayer Identification Number (EIN/TIN No.) <u>91-0900105</u>	* c. Organizational DUNS <u>07677583000</u>	
<b>d. Address:</b>		
* Street <u>111 W. 1st St.</u>	Street2:	
* City <u>Duluth</u>	County/Parish:	
* State <u>MIN. Minnesota</u>	* Country <u>USA- UNITED STATES</u>	
* Zip / Postal Code <u>55802-1100</u>	Province:	
<b>e. Organizational Unit:</b>		
Department Name: <u>Planning and Economic Developer</u>	Division Name: <u>Planning and Development</u>	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
* Prefix <u>Mr.</u>	* First Name <u>Chris</u>	* Last Name <u>Elisage</u>
Middle Name	* Title <u>Department Director</u>	
* Telephone Number <u>218-726-3500</u>	* Fax Number	
* Email <u>celisage@duluthmn.gov</u>		



Application for Federal Assistance SF-424	
<p><b>* 9. Type of Applicant 1: Select Applicant Type:</b></p> <input type="text" value="City or Township Government"/> <p>Type of Applicant 2: Select Applicant Type:</p> <input type="text"/> <p>Type of Applicant 3: Select Applicant Type:</p> <input type="text"/> <p>* Other (specify):</p> <input type="text"/>	
<p><b>* 10. Name of Federal Agency:</b></p> <input type="text" value="HUD Housing and Urban Development"/>	
<p><b>11. Catalog of Federal Domestic Assistance Number:</b></p> <input type="text" value="14-018"/> <p>CFLA title:</p> <input type="text" value="Community Development Block Grant Program"/>	
<p><b>* 12. Funding Opportunity Number:</b></p> <input type="text" value="H-20-000-21-00-02"/> <p>* Title:</p> <input type="text" value="CDBG Community Development Block Grant 2020"/>	
<p><b>13. Competition Identification Number:</b></p> <input type="text"/> <p>Title:</p> <input type="text"/>	
<p><b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b></p> <input type="text"/> <div style="display: flex; justify-content: flex-end; gap: 10px;"> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div>	
<p><b>* 15. Descriptive Title of Applicant's Project:</b></p> <input type="text" value="City of Duluth (2020) Community Development Block Grant"/>	
<p>Attach supporting documents as specified in agency instructions.</p> <div style="display: flex; justify-content: flex-end; gap: 10px;"> <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/> </div>	

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
*a. Applicant: <input type="text" value="Eichell"/>	*b. Program/Project: <input type="text" value="Bimbb"/>
Attach an additional list of Program/Project Congressional Districts if needed. <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
17. Proposed Project:	
*a. Start Date: <input type="text" value="04/01/2020"/>	*b. End Date: <input type="text" value="03/31/2021"/>
18. Estimated Funding (\$):	
*a. Federal	<input type="text" value="2,426,497.00"/>
*b. Applicant	<input type="text"/>
*c. State	<input type="text"/>
*d. Local	<input type="text"/>
*e. Other	<input type="text"/>
*f. Program Income	<input type="text"/>
*g. TOTAL	<input type="text" value="2,426,497.00"/>
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on: <input type="text"/>	
<input checked="" type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach: <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001)	
<input checked="" type="checkbox"/> ** I ACREE	
<input type="checkbox"/> * The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <input type="text"/>	* First Name: <input type="text" value="Daryl"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="Lanson"/>	
Suffix: <input type="text"/>	
* Title: <input type="text" value="Mayor"/>	
* Telephone Number: <input type="text" value="218-730-5230"/>	* Fax Number: <input type="text"/>
* Email: <input type="text" value="eichell@cityofduluth.com"/>	
* Signature of Authorized Representative: 	* Date Signed: <input type="text" value="7/17/2020"/>

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 49-3-0085  
Expiration Date: 02/28/2022

Public recording burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE.** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- |   |  |
|---|--|
| <p>1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.</p> <p>2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.</p> <p>3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will accept the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.</p> <p>4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.</p> <p>5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.</p> <p>6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.</p> <p>7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.</p> | <p>8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4753) relating to prescribed standards of merit systems for programs funded under one of the 18 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 U.S.C. 900, Subpart E).</p> <p>9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4601 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.</p> <p>10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1682 and 1685-1688) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-516), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism; (g) §§623 and 627 of the Public Health Service Act of 1912 (42 U.S.C. §§290 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other non-discrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination statute(s) which may apply to the application.</p> |
|---|--|

Precedes OMB's Use/It

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Standard Form 424D (Rev. 7-87)  
Prescribed by GSA Circular A-112

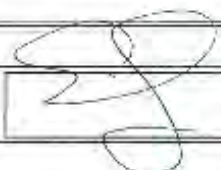
- (1) Will comply or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-648) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
- (2) Will comply with the provisions of the Hatch Act (5 U.S.C. §§1601-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (3) Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a and 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-332) regarding labor standards for federally-assisted construction subagreements.
- (4) Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (5) Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523), and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11583 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133 "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from: (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect; (2) Procuring a commercial sex act during the period of time that the award is in effect; or (3) Using forced labor in the performance of the award or subaward under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Name _____
APPLICANT ORGANIZATION Project # _____	DATE SUBMITTED 7/17/2020

OH-4940 (Rev. 11/27) B&B

Application for Federal Assistance SF-424		
*1 Type of Submission <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2 Type of Application <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	*3 Review select appropriate letter(s) <input type="text"/> *4 Other (Specify) <input type="text"/>
*5 Date Received: <input type="text"/>	*6 Applicant Identifier: <input type="text"/>	
*7a Federal Entity Identifier: <input type="text"/>	*7b Federal Award Identifier: <input type="text"/>	
<b>State Use Only:</b>		
*8 Date Received by State: <input type="text"/>	*9 State Application Identifier: <input type="text"/>	
<b>8. APPLICANT INFORMATION:</b>		
*1a Legal Name: <input type="text" value="City of Duluth, Minnesota"/>		
*1b Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="41-6065105"/>	*1c Organizational OUNS: <input type="text" value="0178278810060"/>	
<b>d. Address:</b>		
* Street: <input type="text" value="421 K Oak St"/>	Street2: <input type="text"/>	
* City: <input type="text" value="Duluth"/>	County/Parish: <input type="text"/>	
* State: <input type="text" value="MN - Minnesota"/>	Province: <input type="text"/>	
* County: <input type="text" value="DULUTH (DULUTH)"/>	Zip/Postal Code: <input type="text" value="55802-1100"/>	
<b>e. Organizational Unit:</b>		
Department Name: <input type="text" value="Planning and Economic Development"/>	Division Name: <input type="text" value="Planning and Development"/>	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Prefix: <input type="text" value="Sr."/>	* First Name: <input type="text" value="Chris"/>	
Middle Name: <input type="text"/>	Last Name: <input type="text" value="Lange"/>	
Suffix: <input type="text"/>	Title: <input type="text" value="Department Director"/>	
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text" value="218-730-0580"/>	Fax Number: <input type="text"/>	
* Email: <input type="text" value="clange@ceduluthmn.org"/>		

Application for Federal Assistance SF-424	
<b>* 9. Type of Applicant 1: Select Applicant Type:</b> <input type="text" value="City of Duluth, MN (State/Local Government)"/> <b>Type of Applicant 2: Select Applicant Type:</b> <input type="text"/> <b>Type of Applicant 3: Select Applicant Type:</b> <input type="text"/> * Other (specify): <input type="text"/>	
<b>* 10. Name of Federal Agency:</b> <input type="text" value="U.S. Department of Housing and Urban Development"/>	
<b>11. Catalog of Federal Domestic Assistance Number:</b> <input type="text" value="14-274"/> <b>CFDA Title:</b> <input type="text" value="Rural Grants Program"/>	
<b>* 12. Funding Opportunity Number:</b> <input type="text" value="E-20-HQ-27-0002"/> <b>* Title:</b> <input type="text" value="Rural Grants 2020"/>	
<b>13. Competition Identification Number:</b> <input type="text"/> <b>Title:</b> <input type="text"/>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
<b>* 15. Descriptive Title of Applicant's Project:</b> <input type="text" value="City of Duluth (2020) Emergency Solutions Grant"/>	
Attach supporting documents as specified in agency instructions. <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/>	

Application for Federal Assistance SF-424	
<b>16. Congressional Districts Of:</b>	
* a. Applicant: <input type="text" value="3140174"/>	* b. Program/Project: <input type="text" value="K-9246"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
<b>17. Proposed Project:</b>	
* a. Start Date: <input type="text" value="04/01/2020"/>	* b. End Date: <input type="text" value="03/31/2021"/>
<b>18. Estimated Funding (\$):</b>	
* a. Federal	<input type="text" value="298,764.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="298,764.00"/>
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/> a. This application was made available in the State under the Executive Order 12372 Process for review on _____	
<input checked="" type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes" provide explanation and attach	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
<b>21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001)</b>	
<input checked="" type="checkbox"/> I AGREE	
<small>** The list of certifications and assurances, or an Internet site where you may obtain this list, is contained in the announcement or agency specific instructions.</small>	
<b>Authorized Representative:</b>	
Profile: <input type="text"/>	* First Name: <input type="text" value="Emily"/>
Middle Name: <input type="text"/>	
Last Name: <input type="text" value="Johnson"/>	
Suffix: <input type="text"/>	
* Title: <input type="text" value="Mayor"/>	
* Telephone Number: <input type="text" value="218-333-5133"/>	* Fax Number: <input type="text"/>
* Email: <input type="text" value="ed.johnson@duluthmn.gov"/>	
* Signature of Authorized Representative: 	* Date Signed: <input type="text" value="7/17/2020"/>



ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4340-0006  
 Expiration Date: 02/29/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (3045-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- |  |   |
|--|---|
| <p>1. Has the legal authority to apply for Federal assistance; and the full technical, managerial and financial capability (including funds sufficient to pay the non-Federal share or project costs) to ensure proper planning, management and completion of project described in this application.</p> <p>2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.</p> <p>3. Will not dispose of, modify the use of, or charge the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.</p> <p>4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.</p> <p>5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.</p> <p>6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.</p> <p>7. Will establish safeguards to protect employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflicts of interest, or personal gain.</p> | <p>8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4726-4763) relating to prescribed standards or merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).</p> <p>9. Will comply with the Lead-based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.</p> <p>10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VII of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or addiction; (g) §§523 and 577 of the Public Health Service Act of 1942 (42 U.S.C. §§290 ds-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.) as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other non-discrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination statute(s) which may apply to the application.</p> |
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Previous Edition Usable

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Standard Form 424D (Rev. 7-87)  
 Prescribed by GSA General Reg. 27



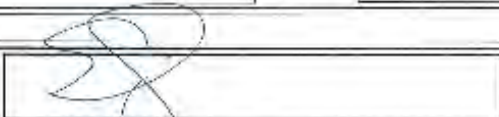
- (1) Will comply or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-648) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
- (2) Will comply with the provisions of the Hatch Act (5 U.S.C. §§1601-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (3) Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a and 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-332) regarding labor standards for federally-assisted construction subagreements.
- (4) Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (5) Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523), and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11583 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133 "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from: (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect; (2) Procuring a commercial sex act during the period of time that the award is in effect; or (3) Using forced labor in the performance of the award or subaward under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Name _____
APPLICANT ORGANIZATION Project # _____	DATE SUBMITTED 7/17/2020

OH-4940 (Rev. 11/27) B&B

Application for Federal Assistance SF-424		
*1 Type of Submission: <input type="checkbox"/> Pre-application <input checked="" type="checkbox"/> Application <input type="checkbox"/> Change/Revised Application	*2 Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	*3 Revision, select appropriate letter(s): _____ *Other (Specify): _____
*8. Date Received: _____	4. Applicant Identifier: _____	
6a. Federal Entity Identifier: _____	6b. Federal Award Identifier: _____	
<b>State Use Only:</b>		
7. Date Received by State: _____	7. State Application Identifier: _____	
<b>8. APPLICANT INFORMATION:</b>		
*a. Legal Name: City of Duluth, Wisconsin		
*b. Employer/ taxpayer certification Number (LIN/ EIN): 41-6005100	*c. Organization's OIGID: 6776278830000	
<b>d. Address:</b>		
*Street: Street2:	511 W 1st St.	
*City:	Duluth	
County/Parish:	_____	
*State:	WI - Wisconsin	
Province:	_____	
*Country:	USA: UNITED STATES	
*Zip/Postal Code:	55802-1100	
<b>e. Organizational Unit:</b>		
Department Name: Planning and Economic Develop	Division Name: Planning and Development	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Prefix: Mr.	First Name: George	
Middle Name: _____		
Last Name: George		
Suffix: _____		
Title: Department Director		
Organizational Affiliation: _____		
*Telephone Number: 218-720-0180	Fax Number: _____	
*email: <a href="mailto:city@eduluthwi.gov">city@eduluthwi.gov</a>		

Application for Federal Assistance SF-424	
<p><b>* 9. Type of Applicant 1: Select Applicant Type:</b></p> <input type="text" value="City of Duluth - Statewide Government"/> <p>Type of Applicant 2: Select Applicant Type:</p> <input type="text"/> <p>Type of Applicant 3: Select Applicant Type:</p> <input type="text"/> <p>* Other (specify):</p> <input type="text"/>	
<p><b>* 10. Name of Federal Agency:</b></p> <input type="text" value="HUD Housing and Urban Development"/>	
<p><b>11. Catalog of Federal Domestic Assistance Number:</b></p> <input type="text" value="14-539"/> <p>CUDA Title:</p> <input type="text" value="HOME Grant Program"/>	
<p><b>* 12. Funding Opportunity Number:</b></p> <input type="text" value="N-21-HS-17-0763"/> <p>* Title:</p> <input type="text" value="HOME Grant 2020"/>	
<p><b>13. Competition Identification Number:</b></p> <input type="text"/> <p>Title:</p> <input type="text"/>	
<p><b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b></p> <input type="text"/> <p style="text-align: right;"> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </p>	
<p><b>* 15. Descriptive Title of Applicant's Project:</b></p> <input type="text" value="City of Duluth (2020) HOME Grant"/>	
<p>Attach supporting documents as specified in agency instructions.</p> <p> <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/> </p>	

Application for Federal Assistance SF-424	
<b>16. Congressional Districts Of:</b>	
*a. Applicant: <input type="text" value="Elletts"/>	*b. Program/Project: <input type="text" value="GRU1"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
<b>17. Proposed Project:</b>	
*a. Start Date: <input type="text" value="09/01/2020"/>	*b. End Date: <input type="text" value="01/31/2021"/>
<b>18. Estimated Funding (\$):</b>	
*a. Federal	<input type="text" value="107,730.00"/>
*b. Applicant	<input type="text"/>
*c. State	<input type="text"/>
*d. Local	<input type="text"/>
*e. Other	<input type="text"/>
*f. Program Income	<input type="text"/>
*g. TOTAL	<input type="text" value="107,730.00"/>
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review.	
<input checked="" type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach:	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
<b>21. "By signing this application, I certify (1) to the statements contained in the list of certifications" and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances" and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001)</b>	
<input checked="" type="checkbox"/> I ACCEPT	
<small>* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the annexes and is easily accessible online.</small>	
<b>Authorized Representative:</b>	
Prefix: <input type="text"/>	* First Name: <input type="text" value="JAMES"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="JACKSON"/>	
Suffix: <input type="text"/>	
* Title: <input type="text" value="Mayor"/>	
* Telephone Number: <input type="text" value="218-724-0280"/>	Fax Number: <input type="text"/>
* Email: <input type="text" value="jackson@duluth.gov"/>	
* Signature of Authorized Representative: 	* Date Signed: <input type="text" value="7/17/2020"/>

## ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4340-0006  
Expiration Date: 02/29/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (3045-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance; and the full technical, managerial and financial capability (including funds sufficient to pay the non-Federal share or project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or charge the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to protect employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflicts of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4726-4763) relating to prescribed standards or merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 577 of the Public Health Service Act of 1942 (42 U.S.C. §§290 ds-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1964 (42 U.S.C. §§2601 et seq.) as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other non-discrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination statute(s) which may apply to the application.

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Standard Form 424D (Rev. 7-87)  
Prescribed by GSA Circular 6, 102

- (1) Will comply or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-643) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
- (2) Will comply with the provisions of the Hatch Act (5 U.S.C. §§1601-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (3) Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a and 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-332) regarding labor standards for federally-assisted construction subagreements.
- (4) Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (5) Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523), and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11583 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133 "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from: (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect; (2) Procuring a commercial sex act during the period of time that the award is in effect; or (3) Using forced labor in the performance of the award or subaward under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Name _____
APPLICANT ORGANIZATION Project # _____	DATE SUBMITTED 7/17/2020

OH-4943 (Rev. 11/27) B&B

**CERTIFICATIONS**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** -- The jurisdiction will affirmatively further fair housing.

**Uniform Relocation Act and Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

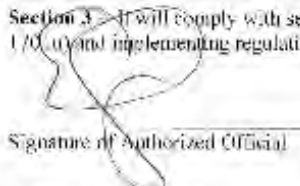
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LFL1 "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

**Section 3** --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701) and implementing regulations at 24 CFR Part 135.

  
Signature of Authorized Official  
  
7/17/2020  
Date  
  
Mayor, City of Duluth  
Title



**Specific Community Development Block Grant Certifications**

The Entitlement Community certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

**Following a Plan** -- It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. **Overall Benefit.** The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program years/ fiscal year 2020 \_\_\_\_\_ [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guarantee funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and


2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.



**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

**Compliance with Laws** -- It will comply with applicable laws.

  
Signature of Authorized Official

7/17/2020  
Date

Mayor, City of Duluth

Title

**OPTIONAL Community Development Block Grant Certification**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 870.258(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

\_\_\_\_\_  
Signature of Authorized Official

7/11/2020  
Date

Mayor, City of Duluth

\_\_\_\_\_  
Title

**Specific HOME Certifications**

The HOME participating jurisdiction certifies that:

**Tenant Based Rental Assistance** -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

**Eligible Activities and Costs** -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

**Subsidy layering** -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

  
\_\_\_\_\_  
Signature of Authorized Official

7/17/2020  
\_\_\_\_\_  
Date

Mayor, City of Duluth  
\_\_\_\_\_  
Title

### Emergency Solutions Grants Certifications

The Emergency Solutions Grants Program recipient certifies that:

**Major rehabilitation/conversion/renovation** – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation.

If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion.

In all other cases where ESG funds are used for renovation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

**Essential Services and Operating Costs** – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the recipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided without regard to a particular site or structure, so long the recipient serves the same type of persons (e.g. families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

**Renovation** – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

**Supportive Services** – The recipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal, State, local, and private assistance available for these individuals.

**Matching Funds** – The recipient will obtain matching amounts required under 24 CFR 576.20(f).

**Confidentiality** – The recipient has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

**Homeless Persons Involvement** – To the maximum extent practicable, the recipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

**Consolidated Plan** – All activities the recipient undertakes with assistance under ESG are consistent with its consolidated plan.

**Discharge Policy** – The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Signature of Authorized Official

7/17/2020  
Date

Mayor, City of Duluth

Title

**APPENDIX TO CERTIFICATIONS**

**INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION**

**Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.