



**Fair Housing Center
for Rights & Research**

2024 State of Fair Housing in Northeast Ohio



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ABOUT THE FAIR HOUSING CENTER FOR RIGHTS & RESEARCH

Fair Housing Center for Rights & Research (The Fair Housing Center) is a 501(c) (3) nonprofit organization whose mission is to protect and expand fair housing rights, eliminate housing discrimination, and promote integrated communities. The Fair Housing Center works to achieve its mission through a broad range of fair housing services including fair housing, fair lending and related research; education for housing providers, government officials, real estate professionals, and consumers; fair housing testing, complaint investigation, advocacy and housing mobility services.

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Executive Summary

Despite the passage of the Fair Housing Act fifty-six years ago, housing discrimination and segregation remain prevalent in Northeast Ohio and most of the country. For the third consecutive year, the number of fair housing complaints filed in Northeast Ohio grew, increasing by 20.7% between 2022 and 2023. Segregation, redlining, and persistent forms of racialized wealth inequality continue to contribute to financial, health, educational, and other socio-economic disparities between people of color and their white counterparts in Northeast Ohio. The lasting financial, economic, socio-emotional, and health impacts of the COVID-19 pandemic have exacerbated these disparities and shaped housing outcomes in the region.

This report is the Fair Housing Center's eighteenth annual comprehensive examination of fair housing trends for Ashtabula, Cuyahoga, Geauga, Lake, Lorain, and Medina Counties. Fifty-six years after the passage of the Fair Housing Act housing discrimination remains widespread and on the rise in Northeast Ohio; segregation continues to shape housing and socio-economic outcomes in the region; and vulnerable communities are disproportionately impacted by housing instability and rapidly growing housing cost burdens.

Key Findings from the Report

Reports of housing discrimination are on the rise

Eighty-nine fair housing complaints were filed with HUD in 2023 from the six-county region, a 20.7% increase over the number filed in 2022. Approximately 78% of the complaints alleged discrimination occurring within Cuyahoga County. The most common bases of discrimination in 2023 were disability (53.9%) race (38.2%), and familial status (16.9%). From 2022 to 2023, there was an increase in the number of complaints alleging discrimination based on familial status, national origin, race, and religion.

From 2019 to 2023, the number of housing discrimination complaints reported to the Fair Housing Center significantly increased

From 2019 to 2023, the number of discrimination complaints reported to The Fair Housing Center significantly increased. The Fair Housing Center complaint intakes increased from 235 complaints in 2019 to 624 complaints in 2023, a remarkable 166% increase. In other words, in 2023 The Fair Housing Center received 2.7 times the number of complaints that it received in 2019. In 2023, The Fair Housing Center received 624 complaints alleging discrimination on 898 bases. In total, disability (66.2%), race (22.9%), and criminal history (15.7%) made up the top three bases of alleged discrimination reported in 2023.

Local ordinances and policies exclude people of color, victims of domestic violence, and people with disabilities

A review of all of the fair housing ordinances in the six counties found no updates within the past year. A number of municipalities and townships have ordinances and zoning codes that impede fair housing by restricting the development of and access to group homes and residential facilities. Throughout Northeast Ohio, there are insufficient tenant protections, leaving those who rent with a housing

voucher, individuals who are formerly incarcerated, or have experienced an eviction particularly vulnerable to housing denials and discrimination, among others.

Mortgage lenders continue to deny loans to people of color at higher rates and make few loans in minority-majority neighborhoods

In Northeast Ohio, lenders deny home-purchase mortgages to Black borrowers at more than twice the rate they do to white borrowers. In Cuyahoga County, some of the largest lenders have no branch presence and do very little business in minority-majority census tracts.

Racial segregation and economic inequality structure exposure to environmental hazards in Northeast Ohio, with non-white and low-income residents disproportionately exposed to the highest levels of environmental hazards and carcinogens.

Environmental hazard exposure and its harmful impacts on human health are unevenly distributed throughout Northeast Ohio. Residents living in census tracts with a persistent poverty designation are exposed to almost twice the amount of environmental hazard as residents living in other areas in Northeast Ohio. Similarly, minority-majority communities where 80% or more of the population is non-white, are exposed to almost twice as much environmental hazard as white majority communities. Lastly, 29% of all Housing Choice Voucher Program participants reside in housing in areas with the worst exposure to environmental hazards.

Recommendations & Conclusion

The financial impacts of the COVID-19 pandemic continue to shape housing stability and affordability issues for residents in the region. Emergency rental assistance programs, the national eviction moratorium, and expanded entitlement programs played an essential role in fostering some level of financial security and housing stability for renters throughout the United States. Ending these programs and entitlements is likely to have a harmful impact, especially for Black, Indigenous, and other people of color (BIPOC) renters who were disproportionately impacted by the COVID-19 pandemic.

Government officials and advocates should take the following steps to improve the state of fair housing in the region:

- Structure local and regional approaches to creating equitable access to housing through addressing the lasting impacts of segregation, redlining, and predatory lending on BIPOC communities.
- Conform local ordinances to Ohio law and eliminate exemptions for small housing providers and ensure ordinances provide relief for victims of discrimination.
- Strengthen fair housing laws through passing Source of Income protections, First in Time Ordinances, Fair Chance Housing legislation, and adopting state and local visitability ordinances.
- Repeal local criminal activity nuisance ordinances as such ordinances disparately impact and are disparately enforced against renters, people of color, victims of domestic violence, dating violence, stalking, or sexual assault, and people with disabilities.
- Expand federal, state, and local protections for victims of domestic violence, stalking, and sexual assault from housing discrimination.
- Remove all restrictive language in group home and residential facility zoning ordinances.

- Devote increased resources to continue to fund comprehensive local fair housing programs, including enforcement, client intake and assistance, testing, research, education, and advocacy.
- Enforce fair housing laws more vigorously to “affirmatively further fair housing.”
- Update language in ordinances to use people first language.
- Address the gap between renters’ wages and the cost of housing.
- Ensure all housing is free from environmental hazard and safe to live in through robust code enforcement, annual interior inspections for rentals, and ensuring affordable housing development is sited in areas with low exposure to environmental hazard.
- Repeal HB 430 and enact rent control and rent stabilization measures.

Introduction 2024 SOFH

Despite the passage of the Fair Housing Act fifty-six years ago, housing discrimination and segregation remain prevalent throughout Northeast Ohio and most of the country. Although residents have benefitted from the protections of federal, state, and local fair housing laws, housing discrimination continues, and communities in Northeast Ohio remain significantly segregated. Segregation continues to contribute to disparities in the accumulation of wealth and lost opportunities for people of color. In recent years, federal and state protections have eroded, however, steps taken by the Biden-Harris Administration provide important guidance and action towards realizing the goals of the Fair Housing Act.

Housing discrimination affects whether or not an individual will be able to rent a given apartment or purchase a particular house. Housing discrimination also significantly affects people's lives in many other ways, including what type of city and neighborhood they can live in; the schools their children attend; their access to transportation, jobs, and public services; and the amount of wealth they are able to build from the equity in their homes. The impacts of redlining still persist, shaping life outcomes of Black, Indigenous, and other people of color (BIPOC) communities throughout Northeast Ohio.

Segregation and discrimination in housing left Black and Latinx communities especially vulnerable to the social, economic, and detrimental health impacts of the COVID-19 pandemic, exacerbating long-standing inequities in income and access to affordable, stable housing. Before the COVID-19 pandemic, half of all renters contributed at least 30 to 50 percent of their household income toward housing costs.

People of color make up the largest percentage of all housing cost-burdened renters, which puts them at greater risk of eviction for missing rent payments. Other research illustrates that evictions are more likely to occur in low-income communities of color and to disproportionately impact BIPOC renters.¹ Despite receiving support from the federal government, economic hardship persisted. Renters of color faced the greatest level of hardship. With much of the COVID-19-related aid ending and in the wake of the eviction moratorium, there are major concerns about the future of housing and economic stability for historically oppressed groups and low-to-moderate income households. These trends are structured by and perpetuate the historical legacy and harmful impacts of redlining and other forms of housing discrimination.

Persistent segregation, exacerbating housing costs, stagnant wages, and rising rates of housing discrimination fuel the growth of and calcify longstanding inequities in housing and socio-economic outcomes between BIPOC and their white counterparts, between affluent and low-income communities, between renters and property owners. National policy efforts to Affirmatively Further Fair Housing and increased calls for social justice across the nation and throughout Northeast Ohio provide a mandate to take progressive steps to fulfill the dual mandate of the Fair Housing Act. This report outlines several areas in which our region has significant work to do to Affirmatively Further Fair Housing. Other research has highlighted the dire need for significant government intervention to expand housing opportunities for lower-income residents, increase protections for renters, ensure all tenants have access to safe housing infrastructure, and address the historic and continued impacts of redlining, predatory lending, and discrimination on the lives of BIPOC communities throughout Northeast Ohio.²

The Fair Housing Landscape

National Landscape

This section summarizes noteworthy national trends, reports, court decisions, and federal government action that directly impacts or has the potential to shape the trajectory of fair housing policy, enforcement, and outcomes throughout Northeast Ohio.

[Overhaul of Community Reinvestment Act](#)

Passed in 1977, the Community Reinvestment Act (CRA) aims to encourage banks and thrifts to meet the credit needs of the communities they serve, particularly low- and moderate-income neighborhoods. Under the CRA, federal regulatory agencies evaluate the loan investments and services banks and their individual bank branches provide to underserved borrowers and neighborhoods. If particular branches, banks, or lending institutions are found in violation of the stipulations of the CRA, federal regulatory agencies can levy penalties against those institutions.

For the first time since 1995, the agencies responsible for implementing the CRA finalized significant rule changes to the CRA. These changes include:

- New metrics and benchmarks for evaluating CRA performance in lending;
- Updates to the definition of community development in the body of the legislation;
- New approaches to evaluating online service provision for large banks.

Despite taking steps to adjust metrics to include an evaluation of new issues in service provision, such as online banking, the new rules still fail to include an analysis of racial disparities in service provision or lending. Additionally, the new rules make no major change in how performance on CRA evaluations affects bank mergers, which often result in the banks providing less service to low-income neighborhoods. Lastly, regulators did not include any new provisions to evaluate the environmental impact of particular investment and lending activity.

[HUD Proposes Rule Change to Remove Mandatory Criminal Conviction Restrictions for Fair Housing Testers](#)

In October 2023, the U.S. Department of Housing and Urban Development (HUD) proposed a rule change to eliminate the agency's long-standing prohibition on using fair housing testers with prior felony convictions or certain other convictions in testing conducted using HUD Fair Housing Initiatives Program (FHIP) funding. Removing criminal conviction restrictions for fair housing testers could help ensure that individuals with diverse backgrounds can participate in fair housing testing activities without facing unnecessary barriers and enable fair housing organizations to employ persons with lived experience when testing housing providers' compliance with fair housing law protections against discriminatory criminal records-related policies and practices that disparately impact members of protected classes.

[*National Fair Housing Alliance Report Illustrates Housing Discrimination on the Rise*](#): The National Fair Housing Alliance (NFHA) reported that between 2021 and 2022 there was an 8.7% increase in fair housing complaints across the nation.³ Across the United States, disability discrimination was reported at the highest rate and discrimination based on race was the second-most reported form of discrimination. This is consistent with local trends in Northeast Ohio. These findings may be influenced by a few notable factors. Disability discrimination can be more apparent to its victims, in part, because people with disabilities have added rights to reasonable accommodations, reasonable modifications, and accessible units in new multi-family housing developments. If requested to make a reasonable accommodation or modification, housing providers must work to meet the request of a tenant with a disability. When housing providers deny requests for accommodations or modifications, it can be easier for individuals to report instances of probable discrimination. While racial discrimination is also pervasive, it is often difficult to identify, leaving many incidents unreported. Other industry-wide changes in the rental market, specifically the digitalization of tenant screening and rental application processes, also make a number of forms of discrimination hard to detect. Interestingly, the NFHA report highlighted a rise in complaints of discrimination based on source of income, sexual orientation, criminal background, age, domestic violence, and retaliation. Lastly, readers should keep in mind that these findings more than likely greatly underreport the number of actual cases of discrimination in housing across the United States.

[*Joint Center for Housing Studies reports Unaffordability at All-Time High*](#)

Since 2022, the number of renter households spending more than 30% of their income on rent and utilities rose by 2 million, to a record 22.4 million renter households facing a housing cost burden. Among these renters, over half (12.1 million) had severe burdens, paying over half of their income on housing. Renter cost burden is not just impacting low-income households. Since 2019, the share of renters experiencing housing cost burdens grew most amongst middle-income renters, those earning between \$30,000 and \$74,999 annually. However, 83% of low-income renters (those making \$30,000 annually or less) experienced a housing cost burden, with 65% experiencing severe burdens. As rent has become increasingly unaffordable for most renter households, homelessness has jumped significantly across the nation, reaching an all-time high of an estimated 653,100 people. Lastly, as the country's supply of low-rent units dwindles, the rental stock is older than ever. Many units fail to meet baseline habitability and safety standards, with an estimated 4 million renter households living in physically inadequate units. Moreover, 41% of rental units are located in areas susceptible to the damaging impacts of weather and climate hazards. With few federal policies in place to reign in the escalating costs of housing and no federal source of income protections, low-income renters, especially low-income renters of color and with disabilities, are more vulnerable to experiencing housing instability, homelessness, or other forms of economic hardship while trying to pay rent. Many of the most vulnerable renter populations are also susceptible to living in low-quality housing, exposing them to greater environmental hazards, which can have significant and lasting impacts on an individual's health, cognitive function, and financial outcomes.

[*Affirmatively Further Fair Housing Proposed Rule*](#): In February 2023, HUD published new proposed rulemaking to refine and implement the Fair Housing Act's mandate that HUD ensure funding recipients affirmatively further fair housing. Under the proposed rule, program participants would need to proactively take meaningful actions to dismantle patterns of segregation, promote fair housing choice for everyone, eliminate disparities in opportunity, and cultivate inclusive communities free from

discrimination. The comment period for the proposed rule closed on 4/24/2023. The finalized rule could have a meaningful impact on shaping fair housing outcomes throughout the nation.

State and Local Landscape

Fair housing policy, enforcement, and outcomes are shaped by federal, state, and local policy. This section summarizes some state and local trends in fair housing since the last report:

State Select Committee on Housing Affordability: Growing Housing Affordability Crisis, Eroding Fair Housing Protections, and Persistent Inequality Perpetuated through Ohio State Policy

In response to the housing affordability crisis and increased demand for housing in the state, the Ohio State Senate formed a Select Committee on Housing. The Select Committee on Housing held hearings in Columbus and conducted numerous field hearings throughout Ohio, listening to testimony from a variety of advocates, policy experts, residents, local elected officials, practitioners, and developers.⁴ Across the hearings, a number of themes emerged including:

- The loss of affordable ownership and rental opportunities;
- The need for increased renter protections and tenant rights;
- The detrimental health impacts of housing instability, evictions, and exposure to environmental hazards on residents, especially pregnant women, children, and other vulnerable populations;
- The negative impact of investors on housing quality, rental affordability, and ownership opportunities;
- Racial and income disparities in housing, the lasting impact of redlining and predatory lending, and persistent racial gap in homeownership outcomes;
- The link between housing affordability and instability issues and wages;
- Increased rates of homelessness;
- Barriers to affordable single family and multi-family housing construction, including but not limited to regulatory barriers, rising cost of building materials, and exclusionary zoning;
- Need for more robust funding for rent assistance programs, home repair programs, and property tax relief for individuals experiencing economic hardship.

These hearings are occurring in the wake of Ohio legislators passing House Bill 430, which preempts localities from enacting rent control or stabilization ordinances.⁵ This means it is illegal for a municipality to put any cap on rent increases imposed by housing providers. Advocates fear that this could also have implications for pay-to-stay laws, thus further eroding tenant protections.⁶ Preemption of rent stabilization coincided with the end of both the federal emergency rental assistance program and the Supplemental Nutrition Assistance Program's emergency allotments.⁷ In addition to thwarting efforts by local jurisdictions to create stable and affordable housing opportunities for their residents, House Bill 430 may also undermine the ability for local jurisdictions to enact legislation that protects tenants from being evicted.

In Ohio, state law governing fair housing (Ohio Revised Code 4412.02 (H)) covers residential property. Over the last two decades, Ohio State courts and the state legislature have reduced the protections provided under Ohio's fair housing law. A series of decisions by Ohio courts in 2007 and 2008 interpreted Ohio's law inconsistent with the federal Fair Housing Act in several key respects.⁸ These decisions held that the statute of limitations for bringing complaints under the state's accessible design

and construction requirements for new, multi-family housing is only one year from the issuance of the certificate of occupation for private citizens – regardless of when they encounter the discrimination. Next, Ohio State courts found that the Ohio Attorney General cannot force noncompliant developers to retrofit inaccessible units as a remedy. They also found that landlords are not required to take action when their tenants racially harass their neighbors, both of which are required under federal fair housing law. Ohio judges have reduced the “substantial equivalency” of state law to federal law, jeopardizing federal funding granted to the State of Ohio to do the work of upholding civil rights. In 2016, the Ohio General Assembly amended the state fair housing law to reduce penalties against those who violate the law and to increase the oath requirements for people trying to seek protection under the law. Overall, these changes have been regressive.

Continued Use of Harmful Ordinances and Zoning Code Jeopardize Resident Safeguards: The analysis of fair housing ordinances conducted for this report found no changes to fair housing ordinances in the region. A number of municipalities and townships have ordinances (e.g., criminal activity nuisance ordinances (CANOs)) and exclusionary zoning codes that impede the ability of all Northeast Ohioans to have fair access to housing opportunities. All municipalities and townships with such ordinances failed to repeal or amend those policies since the 2023 release of this report. Throughout Northeast Ohio, there are scant protections for renters, especially those using Housing Choice Vouchers, impacted by criminal records, or trying to access group homes.

Burdensome Group Home and Residential Facility Regulations Exclude People with Disabilities, Accessing Rehabilitation Services, and Re-Entering the Community from Cities, Municipalities, and Other Local Geographies throughout Northeast Ohio: Group homes and residential facilities are communal living settings that provide a variety of services and supports for their residents. Some group homes provide a supportive living setting for people who cannot live independently due to a disability, while others provide rehabilitative services for individuals struggling with addiction or re-entering the community after being incarcerated. Many municipalities in Northeast Ohio have set minimum distance requirements for group homes and residential facilities. Many also exclude individuals with communicable diseases, needing to access rehabilitation services, reentering the community after being incarcerated, or having felonies from living in a group home setting. Even the smallest minimum distance requirements, 500 feet between group homes, eliminate most available housing for use by group home residents. Some municipalities require group homes to be separated by a mile or more. A number of cities regulate who can utilize group homes and residential facilities and what services facilities can provide. Many cities ban adults and minors with prior criminal convictions from group home occupancy. A number of cities do not allow individuals with “drug addictions” or “suffering from alcoholism” to access group home or residential facilities. While other cities ban individuals with different types of “mental illnesses”, communicable diseases, or disabilities from living in group home settings.

Current Laws Contribute to Segregation by Allowing Most Housing Providers to Legally Discriminate against Housing Choice Voucher Recipients: In most jurisdictions throughout Ohio, housing providers can legally discriminate against tenants utilizing Housing Choice Vouchers (HCVs) to help pay rent, undermining voucher recipients’ ability to find housing and utilize their voucher in higher opportunity areas. Fully 89% of HCV Program participants in Cuyahoga County are African American, highlighting the racial impacts of voucher discrimination in the county. Previous research by the Fair Housing Center found housing providers in Cuyahoga County refuse to accept Housing Choice Vouchers (HCVs) 91% of

the time. Housing providers who advertise “no Section 8” are more likely to discriminate against Black renters. It is possible that some housing providers refuse to take HCVs as a legal proxy for refusing to rent to Black renters. In Lorain County, 63.6% of people using housing vouchers are African American, Hispanic/Latino, or both and are clustered in racially segregated areas with high concentrations of poverty, low educational opportunities, and high exposure to environmental health hazards.⁹ Source of income protections could promote greater mobility for HCV participants by prohibiting housing providers from discriminating against tenants utilizing the HCV Program.¹⁰ On April 5, 2023, State Reps. Adam C. Miller (Democrat – Columbus) and Terrance Upchurch (Democrat – Cleveland) introduced [House Bill 150](#) that would prohibit housing providers from discriminating based upon “lawful source of income” defined to include protections for persons utilizing HCVs.

Ordinance Review and Implications

The Fair Housing Center reviewed housing ordinances at the local and county levels across Ashtabula, Cuyahoga, Geauga, Lake, Lorain, and Medina Counties. After briefly reviewing the protections provided under the Fair Housing Act and Ohio state law, this section provides an analysis of local and county level housing ordinances. Table 1 provides a comparison of the local fair housing laws passed by villages, cities, and counties in the six-county region covered by this report. There are no changes in housing ordinances at the local or county level across Northeast Ohio to report from the 2023 State of Fair Housing.

Through this review, The Fair Housing Center identified several issues in area ordinances with potential fair housing implications, including potential Affirmatively Furthering Fair Housing violations. The issues we identified include: 1) local laws that provide exemptions which exist within the federal Fair Housing Act not provided within state law; 2) Criminal Activity Nuisance Ordinances; and 3) ordinances that limit access to group homes either through zoning requirements or banning particular groups of people from living in group home settings.

Fair Housing Law: Federal and State Protections

Fair housing laws exist to address the effects of housing discrimination in our society. Laws prohibiting discrimination in housing are found at the federal, state, and local level in some jurisdictions.¹¹ Which law or laws apply in a given situation depends on where the property in question is located and where the alleged discriminatory act occurred. Ohio law is generally broader than federal law, providing more protection to potential victims of discrimination. Some local laws expand protections within their communities beyond the rights and protections afforded under federal and state law, while other communities with local fair housing laws provide fewer rights or protections than afforded by state or federal law. Below is a brief summary of the federal, state, and local fair housing laws in Northeast Ohio.

In 1968, Congress passed the federal Fair Housing Act (42 U.S.C. §3601, et seq.) to prohibit housing discrimination prevalent throughout the country. The Fair Housing Act makes it unlawful, because of one of the classes protected by the statute, to:

- Refuse to sell or rent a dwelling;¹²
- Refuse to negotiate for the sale or rental of a dwelling;
- Otherwise make unavailable or deny a dwelling; Discriminate in the terms, conditions, or privileges of the sale or rental of a dwelling;
- Discriminate in the provision of services or facilities in connection with a dwelling;
- Make discriminatory advertisements or statements with respect to the sale or rental of a dwelling or to indicate any discriminatory preference or limitation with respect to the sale or rental of a dwelling;
- Misrepresent the availability of a dwelling;
- Engage in “blockbusting;”¹³
- Discriminate in the financing of residential real estate-related transactions;
- Discriminate in the provision of brokerage services;
- Coerce, intimidate, threaten, or interfere with any person in the exercise of his or her rights under the Act or retaliate against an individual for exercising his or her rights under the Act.

The federal Fair Housing Act prohibits discrimination based on seven grounds: race, color, religion, national origin, sex, familial status, and handicap.¹⁴ “Familial status” is defined under the Fair Housing Act to mean one or more individuals under 18 years of age living with a parent, legal custodian, or the designee of such a parent or legal custodian. The provision also protects individuals in the process of securing legal custody of a minor and pregnant woman. 42 U.S.C. §3602(k).

A “handicap” or disability is defined under the Fair Housing Act to include a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment, or being regarded as having such an impairment. 42 U.S.C. §3602(h).

In 2021, HUD announced that it would begin to enforce the Fair Housing Act to prohibit discrimination on the basis of sexual orientation and gender identity. A 2021 executive order from President Biden aligned federal Fair Housing Act enforcement with the Supreme Court’s ruling in *Bostock v. Clayton County* that discrimination on the basis of sexual orientation and gender identity both fall under the protected class of sex. HUD requires jurisdictions that receive funding under the Fair Housing Assistance Program (FHAP) to administer those laws to prohibit discrimination because of gender identity and sexual orientation in order to maintain their FHAP status. In Northeast Ohio, the Ohio Civil Rights Commission and the Shaker Heights Fair Housing Review Board are FHAP agencies.¹⁵ The status of sexual orientation and gender identity as a protected class could change under a different administration, and it is therefore important for local jurisdictions to continue to include sexual orientation and gender identity as explicitly-enumerated protected classes under local ordinances.

In Ohio, state law governing fair housing (Ohio Revised Code 4112.02(H)) covers residential property. The Ohio statute is broader than the federal Fair Housing Act in several important respects. First, Ohio law prohibits discrimination based on all of the classes protected by federal law (race, color, religion, national origin, sex, familial status, and disability). It also prohibits discrimination based on two additional grounds: “ancestry,” a somewhat different and potentially broader category than national origin, and military status. Ancestry refers to a person’s ethnic origin or descent, “roots,” or heritage, or the place of birth of the person or the person’s parents or ancestors before their arrival in the United States.¹⁶ Second, while federal law contains several provisions that exempt certain residential property from coverage, Ohio’s statute does not include all such exemptions, making Ohio’s fair housing law applicable to almost all housing in the state.¹⁷

Analysis of Fair Housing Ordinances at the Local Level

Local jurisdictions often have their own fair housing ordinances or resolutions. These ordinances frequently provide additional protection to groups of people not protected under state or federal law. Some examples of additional protected classes covered in Northeast Ohio are occupation, source of income, and age. Although not explicitly defined as a protected class, victims of domestic violence and sexual harassment, are covered under the umbrella of sex discrimination and expanded through case law.

Table 1 provides a comparison of the local fair housing laws passed by villages, cities, and counties in the six-county region covered by this report, including the classes protected from discrimination by each ordinance. The table also indicates which jurisdictions have a complaint procedure or a local fair housing board to investigate complaints.

Table 1: Local Fair Housing Laws in Northeast Ohio

Ordinance	Complaint Process	Fair Housing Board	Association with a Protected Class	Occupation	Source of Income	Physical Characteristic	Vietnam/Disabled Vet Status	Military Discharge Status	Ethnic Group	Sexual Orientation	Gender Identity	Parental Status	Marital Status	Creed	Age	Military Status (state coverage)	Ancestry (state coverage)	Handicap/Disability (Federal cvrg.)	Familial Status (Federal coverage)	Sex/Gender (Federal coverage)	National Origin (Federal coverage)	Religion (Federal coverage)	Color (Federal coverage)	Race (Federal coverage)	
Ashtabula County																									
Ashtabula City		Y	Y												X	X	X	X	X	X	X	X	X	X	515
Conneaut		Y	Y														X		X	X	X	X	X	X	1373
Geneva		N	Y												X	X	X	X			X	X	X	X	628
Cuyahoga County																									
Bay Village		N	Y														X	X	X	X	X	X	X	X	515
Beachwood		N	N							X	X				X	X	X	X	X	X	X	X	X	X	160
Bedford		N	N										X	X	X										727
Bedford Heights		N	Y											X	X	X									749
Berea		N	Y													X									951
Brook Park		N	Y							X			X		X	X	X	X	X	X	X	X	X	X	759
Brooklyn		Y	Y													X									745
Brooklyn Heights		N	N																						1493
Cleveland		Y	Y				X		X	X	X		X		X										665
Cleveland Heights		Y	Y		X					X	X														749
Cuyahoga County		Y	Y					X		X						X									1501
Cuyahoga Heights		N	Y							X						X									856
East Cleveland		Y	Y				X		X	X	X		X		X										557

Ordinance	Complaint Process	Fair Housing Board	Association with a Protected Class	Occupation	Source of Income	Physical Characteristic	Vietnam/Disabled Vet Status	Military Discharge Status	Ethnic Group	Sexual Orientation	Gender Identity	Parental Status	Marital Status	Creed	Age	Military Status (state coverage)	Ancestry (state coverage)	Handicap/Disability (Federal cvrg.)	Familial Status (Federal coverage)	Sex/Gender (Federal coverage)	National Origin (Federal coverage)	Religion (Federal coverage)	Color (Federal coverage)	Race (Federal coverage)	
Cuyahoga County (Continued)																									
Euclid		N	Y							X	X							X	X	X	X	X	X	X	763
Fairview Park		N	Y												X										563
Garfield Heights		N	N								X														771
Gates Mills		N	N															X	X	X	X	X	X	X	773
Glenwillow		N	N															X	X	X	X	X	X	X	519
Highland Hills		Y	Y															X	X	X	X	X	X	X	715
Lakewood		Y	Y				X					X	X	X	X			X	X	X	X	X	X	X	516
Linndale		N	Y								X	X						X	X	X	X	X	X	X	515
Maple Heights		Y	Y								X	X						X	X	X	X	X	X	X	825
Mayfield Heights		N	Y											X	X	X		X	X	X	X	X	X	X	150
Mayfield Village		Y	Y															X	X	X	X	X	X	X	743
Newburgh Heights		Y	Y								X							X	X	X	X	X	X	X	515
North Olmsted		Y	Y								X							X	X	X	X	X	X	X	1901
North Randall		Y	Y															X	X	X	X	X	X	X	628
North Royalton		Y	Y															X	X	X	X	X	X	X	628
Oakwood		Y	Y															X	X	X	X	X	X	X	1353
Olmsted Falls		N	N								X	X						X	X	X	X	X	X	X	623
Parma		N	N															X	X	X	X	X	X	X	622

Ordinance	Complaint Process	Fair Housing Board	Association with a Protected Class	Occupation	Source of Income	Physical Characteristic	Vietnam/Disabled Vet Status	Military Discharge Status	Ethnic Group	Sexual Orientation	Gender Identity	Parental Status	Marital Status	Creed	Age	Military Status (state coverage)	Ancestry (state coverage)	Handicap/Disability (Federal cvrg.)	Familial Status (Federal coverage)	Sex/Gender (Federal coverage)	National Origin (Federal coverage)	Religion (Federal coverage)	Color (Federal coverage)	Race (Federal coverage)
Cuyahoga County (Continued)																								
622	Y	Y														X	X	X	X	X	X	X	X	X
749	Y	Y																X	X	X	X	X	X	X
538	N	N																X	X	X	X	X	X	X
515	Y	Y								X	X					X	X	X	X	X	X	X	X	X
552,1408	Y	Y	X		X	X				X	X	X			X	X	X	X	X	X	X	X	X	X
1484	N	N																X	X	X	X	X	X	X
820	Y	Y	X		X					X	X				X	X	X	X	X	X	X	X	X	X
113	N	Y			X					X	X				X			X	X	X	X	X	X	X
515	N	N																X	X	X	X	X	X	X
553,727	Y	Y											X	X	X			X	X	X	X	X	X	X
Lake County																								
1175	Y	Y														X		X	X	X	X	X	X	X
628	Y	Y											X	X				X						
1377	Y	Y																X		X	X			
1103	N	Y									X	X	X	X	X	X		X	X	X	X	X	X	X

Ordinance	Complaint Process	Fair Housing Board	Association with a Protected Class	Occupation	Source of Income	Physical Characteristic	Vietnam/Disabled Vet Status	Military Discharge Status	Ethnic Group	Sexual Orientation	Gender Identity	Parental Status	Marital Status	Creed	Age	Military Status (state coverage)	Ancestry (state coverage)	Handicap/Disability (Federal cvrg.)	Familial Status (Federal coverage)	Sex/Gender (Federal coverage)	National Origin (Federal coverage)	Religion (Federal coverage)	Color (Federal coverage)	Race (Federal coverage)	
Lorain County																									
561	Y	Y		X																X	X	X	X	X	
725	Y	Y																		X	X	X	X	X	
628	Y	Y														X	X	X		X	X	X	X	X	
136	Y	Y					X		X							X		X	X	X	X	X	X	X	
Res. 11-525	Y	Y														X		X	X	X	X	X	X	X	
628	Y	Y														X	X	X		X	X	X	X	X	
703,1185	N	Y								X	X							X	X	X	X	X	X	X	
790	Y	Y					X		X							X		X	X	X	X	X	X	X	
628	Y	Y															X								
Medina County																									
Ord. 610-05	N	Y														X	X	X		X	X	X	X	X	
717										X	X														
Res. 81-509	Y	Y														X	X	X		X	X	X	X	X	
515	Y	Y														X				X	X	X	X	X	

Single-Family Home Exemption, Mrs. Murphy Exemption, and Added Protections in Local Laws

The Fair Housing Act initially protected people from discrimination only on the basis of race, color, religion, and national origin. Congress later added sex, familial status, and disability.¹⁸ However, a compromise was made to pass the bill in its original form in 1968. This compromise exempted certain smaller landlords from the law. Single-family homes sold or rented by a housing provider with three or fewer properties were exempt. Landlords of owner-occupied buildings with four or fewer units were also exempt. This legislative compromise is colloquially known as the “Mrs. Murphy exemption.” The exemption does not apply to making, printing, or publishing an advertisement. Discriminatory statements in housing advertisements violate the Federal Fair Housing Act regardless of the number of properties or units a housing provider owns.

The single-family home and Mrs. Murphy exemptions afforded by the federal Fair Housing Act, but not Ohio Fair Housing law, appear in a number of fair housing ordinances in cities and villages with additional protected classes. The effect of these exemptions in local fair housing ordinances is that small housing providers who qualify for either of these federal exemptions may be exempt from claims of housing discrimination on the basis of a protected class afforded only under local law. Local communities that amend their ordinances and expand protections to prohibit discrimination on additional bases effectively do so for some properties and housing transactions, but not all, and may create a confusing landscape of liability for housing providers within their jurisdictions. This could have a particular impact on communities with a large number of owner-occupied 2- to 4-unit properties and large numbers of small housing providers.

The Fair Housing Center reviewed fair housing ordinances for every village, city, and county in Northeast Ohio with a fair housing ordinance for the presence of the single-family housing exemption and the Mrs. Murphy exemption and identified the following:

Table 2: Lorain County Single Family and Mrs. Murphy Exemptions¹⁹

City or Village	Single Family Exemption	Mrs. Murphy Exemption
Elyria	Yes	Yes

Table 3: Cuyahoga County Single Family and Mrs. Murphy Exemptions²⁰

City or Village	Single Family Exemption	Mrs. Murphy Exemption
Euclid	No	Yes
Gates Mills	Yes	Yes
Highland Hills	Yes	Yes
Mayfield Village	Yes	Yes
North Olmsted	Yes	Yes
North Randall	Yes	Yes
Oakwood	Yes	Yes
Parma	Yes	Yes
Parma Heights	Yes	Yes
South Euclid	Yes	Yes

Criminal Activity Nuisance Ordinances

Criminal activity nuisance ordinances (CANOs) are local laws that penalize property owners for occurrences of crime and other “nuisance behaviors” on or near their property. Such laws list specific behaviors that are classified as a nuisance. Often, CANOs define a timeline wherein if a specified number of “nuisance” activities occur, the jurisdiction will require the property owner to “abate” the nuisance or face a penalty.

Eviction is the most common housing provider response to a nuisance notification. This increases housing instability and can exacerbate behavior that triggered the nuisance citation, such as domestic violence. Once a person has an eviction record, it is much more difficult to obtain housing. Survivors of domestic violence may not have the immediate financial means available to secure alternate housing. Many survivors face homelessness upon eviction. Threats of eviction or a nuisance citation may also cause a survivor to avoid calling the police for assistance, fearing a phone call for help could jeopardize their current and future housing options.²¹

There are 36 CANOs in Northeast Ohio, 13 (36.1%) of which include domestic violence as a nuisance activity. Municipalities use CANO enforcement as a tool for the control and exclusion of vulnerable renters. Some municipalities in Cuyahoga County adopted CANOs as a response to residents’ racial and economic bias against incoming renters, particularly renters of color and renters using housing subsidies such as the Housing Choice Voucher.²² Some cities use CANOs to evict Housing Choice Voucher Program participants by crosschecking alleged nuisance activity against lists of HCVP renters and requesting that the housing authority revoke the vouchers from these tenants. CANOs are used to target minor, noncriminal behaviors. The mere record that a landlord or neighbors believe that criminal activity has occurred on the premises may result in action against the tenant.

In March 2022, President Biden signed into law the Violence Against Women Act (VAWA) Reauthorization Act of 2022. The 2022 VAWA reauthorization, effective October 1, 2022, prohibits governments that receive Community Development Block Grant funding from penalizing tenants, landlords, homeowners, and others based on requests for emergency assistance or based on criminal activity of which one is a victim or otherwise not at fault. Ordinances that include “domestic violence” as a nuisance activity may violate the Violence Against Women Act.

The Fair Housing Center reviewed ordinances for every municipality in Northeast Ohio and identified the following (those that include “domestic violence” as a nuisance activity are marked with an asterisk*):

Ashtabula County²³

- Ashtabula
- Geneva-on-the-Lake*

Cuyahoga County²⁴

- Bedford Heights
- Berea
- Brooklyn
- Cleveland
- Cleveland Heights
- Cuyahoga Heights*

- East Cleveland
- Euclid
- Fairview Park*
- Garfield Heights
- Independence*
- Lakewood
- Lyndhurst
- Maple Heights
- Mayfield Heights
- Newburgh Heights*
- North Olmsted
- Oakwood
- Parma
- Seven Hills*
- Shaker Heights
- South Euclid
- University Heights
- Warrensville Heights*
- Woodmere

Lake County²⁵

- Fairport Harbor
- Mentor-on-the-Lake
- Painesville

Lorain County²⁶

- Avon Lake*
- Sheffield Lake*
- Wellington

Medina County²⁷

- Brunswick
- Rittman
- Wadsworth*

Restrictions on Group Homes and Other Residential Facilities

Some people with disabilities choose to live in group homes or residential facilities. Others may be required to live in a group home setting or residential facility. For the purposes of this analysis, group home refers to “housing occupied by groups of unrelated individuals with disabilities.”²⁸ Definitions of residential facilities, on the other hand, range from being defined as a type of group home to facilities that provide specific types of services to residents, a family home, social care home, halfway house, group residential facility, community care facility, or a licensed residential facility as defined by Ohio Revised Code.²⁹

The Fair Housing Act prohibits state and local land use and zoning laws, policies, and practices that discriminate based on protected characteristics protected under the Fair Housing Act. Examples of land use and zoning laws and practices that violate the Fair Housing Act identified by the Department of Justice and HUD, include, but are not limited to:

- Prohibiting or restricting the development of housing based on the belief that residents of the housing development will be members of a particular protected class outlined in the Fair Housing Act;
- Imposing restrictions or additional conditions on group housing for persons with disabilities that are not imposed on families or other groups or unrelated individuals;
- Imposing restrictions on housing because of alleged safety concerns that are based on stereotypes about residents’ and their membership in a protected class within the Fair Housing Act;
- Enforcing facially neutral laws or policies differently because of the protected characteristics of the residents in a group home;
- Refusing to provide reasonable accommodations to land use or zoning policies when such accommodations are necessary to afford individuals with disabilities an equal opportunity to use and enjoy housing.³⁰

The Fair Housing Act defines persons with a disability in three ways: individuals with a physical or mental impairment that significantly limits one or more major life activities; those who are regarded as having a physical or mental impairment; or those who have a record of having such impairment. Impairments defined as a disability within fair housing law include, but are not limited to, having conditions such as orthopedic, visual, speech, and hearing impairments or developmental disabilities. This definition also includes having diabetes, heart conditions, HIV infection, autism, mental illness, drug addiction (except for current illegal use of or addiction to a controlled substance), and alcoholism.

Zoning codes that treat groups of unrelated people with disabilities differently than groups of related people could violate fair housing laws. According to a joint statement from the Department of Justice (DOJ) and HUD issued in 2016: “A local government may generally restrict the ability of groups of unrelated persons to live together without violating the Act as long as the restrictions are imposed on all such groups, including a group defined as a family.”³¹ This joint statement goes on to further spell out that facially neutral ordinances and zoning policies may still violate the Fair Housing Act if the ordinance

is intentionally discriminatory or has an unjustified discriminatory effect on persons with disabilities. Because reasonable accommodations are a right afforded by fair housing law, groups of unrelated people with disabilities must be “given the opportunity to seek an exception or waiver.”³² Communities that do not approve requests for exceptions when such requests meet the criteria for reasonable accommodations may violate the fair housing rights of people with disabilities.

The Fair Housing Center reviewed zoning codes and ordinances related to group homes and residential facilities for every jurisdiction in Northeast Ohio. The analysis yielded several important findings. First, several municipalities in Northeast Ohio restrict group home and residential facility density by setting minimum distance requirements between group homes or excluding group homes from certain residential districts. Second, several municipalities in Northeast Ohio restrict what kind of services group homes and residential services can provide and who can receive care in group homes and residential facilities. For example, several municipalities explicitly ban group homes and residential facilities from providing services to persons with prior criminal convictions, individuals obtaining rehabilitative services for drug and alcohol addiction, individuals living with a “mental illness”, or individuals that have “communicable diseases”. Together, such density and resident restrictions create an uneven geography of opportunity for utilizing and accessing rehabilitative and social support services and group living opportunities for residents of Northeast Ohio. These restrictions may violate fair housing laws.

Group Home and Residential Facility Density Restrictions

According to a joint statement from the DOJ and HUD, in general, minimum distance requirements for group homes in zoning codes are inconsistent with the federal Fair Housing Act, and distance requirements will only be upheld on a case-by-case basis where group home over-concentration can be shown.³³ States and municipalities often argue that minimum distance requirements are necessary for integrating residents of group homes into the general community (terms used often include “clustering,” “institutionalization,” and “ghettoization”) and maintaining the residential character of neighborhoods. Federal courts have offered contradictory rulings on minimum distance requirements for group homes, making it difficult to turn to case law for guidance on the issue, but in most cases, minimum distance requirements have been found to violate fair housing law.³⁴ Below are a list of jurisdictions that place restrictions on group home and residential facility density:

Ashtabula County³⁵

- Andover Township – 600 feet
- Austinburg Township – 600 feet
- Colebrook Township – 600 feet
- Dorset Township – 600 feet
- Harpersfield Township – 600 feet
- Hartsgrove Township – 600 feet
- Kingsville Township – 600 feet
- Lenox Township – 600 feet
- New Lyme Township – 600 feet
- Orwell Township – 600 feet
- Plymouth Township – 600 feet
- Roaming Shores – 600 feet

Cuyahoga County³⁶

- Brooklyn Heights – Group homes are not permitted as a matter of right without meeting special requirements.
- Cleveland – 1,000 feet
- East Cleveland – 1,500 feet
- Euclid – 500 feet for high-density group homes in districts where they are allowed as conditional uses. Low-density group homes are permitted uses throughout most residential districts.
- Fairview Park – 1,000 feet and limited to multifamily districts.
- Garfield Heights – 2,640 feet
- Lakewood – 1,000 feet in residential and commercial districts, with further conditional use near schools.
- Lyndhurst – 1,000 feet
- Maple Heights – excludes group homes from all single-family and two-family districts.
- Olmsted Falls – 1,500 feet in single-family districts and 2,000 feet in multifamily districts.
- Olmsted Township – 600 feet
- Parma – 1,000 feet
- Parma Heights – 1,320 feet
- Rocky River – 1,000 feet
- Shaker Heights – 500 feet
- South Euclid – 600 feet
- University Heights – 2,000 feet

Geauga County³⁷

- Bainbridge Township – 10,560 feet
- Chardon – 1,000 feet
- Hambden Township – 10,560 feet
- Huntsburg – No more than one residential facility per lot
- Newbury Township – 5,280 feet
- Parkman Township – 5,280 feet for group homes, 10,560 feet for residential facilities

Lake County³⁸

- Mentor City – No excessive concentration of residential facilities
- Painesville – 2,000 feet
- Perry Village – 1,000 feet
- Willoughby Hills – No excessive concentration of residential facilities, 1,000 feet.

Lorain County³⁹

- Amherst Township – 600 feet
- Avon – 1,000 feet
- Avon Lake – 1,320 feet
- Elyria – 1,320 feet
- Grafton – 600 feet
- Lorain – Limit excessive concentration of residential facilities
- Wellington – 600 feet

Medina County⁴⁰

- Brunswick – 2,000 feet
- Brunswick Hills Township – 600 feet
- Montville Township – 1,000 feet
- Spencer – 1,000 feet

Restricting Access to Group Homes, Residential Facilities, and Fair Housing: Special Restrictions, Disability-Based Restrictions, and Restrictions based on Criminal Records

A number of communities throughout Northeast Ohio limit access to group homes and residential facilities by placing restrictions and requirements on who can live in these homes. Below is a summary of the restrictions and requirements for accessing group homes.

Restrictions Based on Conditions Qualifying as Disabilities under Fair Housing Laws

Several municipalities in Northeast Ohio exclude people from living in group homes and residential facilities due to conditions that may qualify as disabilities under the Fair Housing Act. These include individuals with communicable diseases and persons in recovery from drug and alcohol addiction. In a joint statement from HUD and DOJ, the definition of the term “disability” covers individuals with some communicable diseases, persons in recovery from substance use disorder, and persons with alcoholism when their tenancy does not pose a “direct threat” to the health and safety of other individuals or would not result in substantial physical damage to the property or “if the threat can be eliminated or significantly reduced by reasonable accommodation.” HUD and DOJ state specifically that individuals receiving addiction treatment are protected by the Fair Housing Act. Individuals currently engaged in the illegal use of a controlled substance are not protected by the Fair Housing Act; nor are those who have been convicted of the illegal manufacture or distribution of a controlled substance.⁴¹

The Fair Housing Center reviewed municipal ordinances related to group home and residential facility occupancy in Northeast Ohio, and found that the following municipalities restrict tenancy by persons who may be protected by fair housing laws:⁴²

Cuyahoga County

- Bay Village – persons with a communicable disease, persons who are addicted to alcohol or drugs or abuse alcohol or drugs;
- Fairview Park – persons with a communicable disease, persons who are addicted to alcohol or drugs or abuse alcohol or drugs;
- Garfield Heights – persons being treated for drug or alcohol abuse;
- Mayfield Heights – persons being treated for drug or alcohol abuse;
- Newburgh Heights – persons who use or are addicted to illegal substances/drugs or abuse alcohol;
- Olmsted Falls – excludes facilities for persons suffering from acute or chronic alcoholism, or other drug dependency, or persons who are mentally incapacitated from causes other than simple senility or who regularly require restraint;

- Parma Heights – persons being treated for drug abuse or primarily for alcohol abuse or persons discharged from any facility after being found incompetent to stand trial or not guilty by reason of insanity;
- Shaker Heights – persons who are currently addicted to alcohol or narcotic drugs
- University Heights – persons who are “severely mentally retarded, psychotic individuals, drug or alcoholic offenders or wards of the court or welfare system.”

Lake County

- Madison Township – persons suffering from acute or chronic alcoholism or other drug dependency and persons who regularly require restraint.
- Painesville – persons being treated for drug or alcohol abuse.

Lorain County

- Avon Lake – persons addicted to a controlled substance.

Restrictions Based on Criminal Record

Several municipalities in Northeast Ohio restrict access to group homes by persons with criminal records. Securing housing is a major barrier to re-integration into the community faced by formerly-incarcerated individuals, especially those in need of supportive housing due to physical or mental health disabilities or a history of drug abuse. In April 2016, HUD released guidance concerning the application of Fair Housing Act Standards to the use of criminal records by housing providers.⁴³ A related enforcement memo released in 2022 recommended that housing providers not use criminal history to screen tenants for housing, except when statutorily mandated.⁴⁴ Due to the pervasive racial and ethnic disparities present in the U.S. criminal legal system, restrictions on access to housing based upon criminal records disproportionately affect Black and Latinx individuals. Arbitrary, blanket criminal record-related bans will have a disparate impact if a policy denies housing to anyone with a prior arrest or to anyone with prior criminal conviction. Further, selective use of criminal record screening can be a proxy for illegal discrimination based on protected classes such as race or national origin and violate the Fair Housing Act.⁴⁵ Finally, persons with criminal records relating to a disability, such as persons in recovery from a substance use disorder or persons diagnosed with a mental illness and developing an effective treatment plan to address previously-unaddressed behavioral issues, are entitled to reasonable accommodations in connection with their disabilities which may include a request to overlook prior criminal records if the circumstances leading to conviction no longer exist or if effective interventions make the previous behavior or activity unlikely to recur.

The Fair Housing Center reviewed municipal ordinances in Northeast Ohio, and the following municipalities restrict access to group homes and residential facilities based on one or more forms of involvement with the criminal legal system:⁴⁶

Cuyahoga County

- Bay Village – non-developmentally “disabled” persons with a felony record; persons found to be a danger to themselves or the community; persons found incompetent to stand trial or not guilty by reasons of insanity of a felonious offense.
- Bedford - Group home shall not include communicable diseases, alcoholism or drug treatment center, work release facilities for convicts or ex-convicts or other housing facilities serving as an alternative to incarceration which poses a direct threat to the health and safety of others.

- Fairview Park – a non-developmentally “disabled” person with a felony record; persons found incompetent to stand trial or not guilty by reason of insanity of a felony criminal offense; persons found to be a danger to the community or themselves.
- Garfield Heights – persons discharged from a correctional institution within the last 10 years; persons under probation, parole, or conditional release; persons discharged from any facility after being found incompetent to stand trial or not guilty by reason of insanity; persons who cannot function in a community setting or who constitute a reasonably foreseeable danger to the community.
- Mayfield Heights – persons discharged within the last 10 years from a correction facility or the Ohio Department of Youth Services; persons under probation, parole, or conditional release; persons discharged from any facility after being found incompetent to stand trial or not guilty by reason of insanity; persons who cannot not function adequately in a community setting or constitute a reasonably foreseeable danger to the community.
- Newburgh Heights – non-developmentally “disabled” persons with a felony criminal record; persons found incompetent to stand trial or not guilty by reasons of insanity of a felonious offense; persons who constitute a reasonably foreseeable danger to the community or themselves.
- Parma – any person whose tenancy would result in substantial physical damage to the property of others, including, but not limited to, those persons convicted of a property crime.
- Parma Heights – persons discharged within the last ten years from a penal or correctional facility; persons under probation, parole, or conditional release; or persons discharged from the custody of the Ohio Department of Youth Services within the last 10 years.
- Shaker Heights – “criminal offenders” serving on work release or probationary programs.
- University Heights – does not permit facilities that serve persons released from state or county treatment or penal institutions, “juvenile offenders”, “drug or alcohol offenders”, or wards of the court or welfare system.

Lake County

- Painesville – “criminal offenders” serving on work release or probationary programs.

Lorain County

- Avon Lake – “disabled” shall not include: current illegal use of or addiction to a controlled substance or a conviction for the sale or distribution of illegal drugs.
- Eaton – persons must not have been previously convicted of a felony or require institutional care or treatment.

Unclear Residential Requirements and Restrictions in Group Home and Residential Facility Ordinances

Many other jurisdictions throughout Northeast Ohio designate that group homes and residential facilities are meant to serve individuals with mental or physical disabilities, without any additional language about restrictions or requirements for people wishing to live in them. The Fair Housing Center analyzed the language used by jurisdictions to define residential requirements and restrictions in group homes and residential facilities.

The table provides four designations. An “A” means a resident with the designated characteristic is allowed to reside in a residential facility; an “E” means a resident with the designated characteristic is explicitly excluded from using a residential facility; a “P” represents partial exclusions meaning that a

portion of persons with the designated characteristic is excluded from using a residential facility; and a “U” means it’s uncertain if a person with that particular characteristic is allowed access a residential facility given the ambiguity of the language in the ordinance.

Table 4: Residential Facility Resident Requirements and Restrictions in Ashtabula County

Jurisdiction	Mental Illness	Mental or Physical Disability	Criminal Record	Communicable Disease	Rehabilitative Services for Addiction
Ashtabula, City	A	A	A	U	A
Austinburg	A	A	A	U	A
Dorset	A	A	A	U	A
Geneva	A	A	A	U	A
Harpersfield	A	A	A	U	A
Kingsville	A	A	A	U	A
Lenox	A	A	A	U	A
New Lyme	A	A	A	U	A
Orwell	A	A	A	U	A
Plymouth	A	A	A	U	A
Roaming Shores	A	A	A	U	A
Rockcreek	A	A	A	U	A
Trumbull	A	A	A	U	A
Williamsfield	A	A	A	U	A

Table 5: Residential Facility Resident Requirements and Restrictions in Cuyahoga County

Jurisdiction	Mental Illness	Mental or Physical Disability	Criminal Record	Communicable Disease	Rehabilitative Services for Addiction
Bay Village	P	A	P	E	E
Bedford	U	A	P	E	E
Broadview Heights	U	A	U	U	U
East Cleveland	A	A	U	U	E
Euclid	A	A	U	U	U
Fairview Park	P	P	P	E	E
Garfield Heights	U	U	P	U	E
Glenwillow	U	A	U	U	U
Lakewood	U	U	U	U	U
Lyndhurst	U	U	U	U	U
Maple Heights	U	A	U	U	A
Newburgh Heights	U	A	P	U	E
Olmsted Falls	P	U	U	U	E
Parma	A	U	U	U	U
Parma Heights	P	A	P	U	E
Rocky River	A	A	U	U	U
Shaker Heights	U	U	P	U	E
South Euclid	U	U	U	U	U
Strongsville	P	A	U	U	U
University Heights	P	P	P	U	E
Walton Hills	A	A	U	U	A

Table 6: Residential Facility Resident Requirements and Restrictions in Geauga County

Jurisdiction	Mental Illness	Mental or Physical Disability	Criminal Record	Communicable Disease	Rehabilitative Services for Addiction
Bainbridge	U	U	U	U	U
Chardon	A	A	U	U	U
Chardon Township	U	U	U	U	U
Claridon	U	U	U	U	U
Hambden	U	U	U	U	U
Huntsburg	U	U	U	U	U
Middlefield	A	A	A	U	A
Middlefield Township	A	A	A	U	A
Parkman	U	U	U	U	U
Thompson	U	U	U	U	U

Table 7: Residential Facility Resident Requirements and Restrictions in Lake County

Jurisdiction	Mental Illness	Mental or Physical Disability	Criminal Record	Communicable Disease	Rehabilitative Services for Addiction
Concord Township	U	U	U	E	E
Leroy Township	U	A	U	U	U
Mentor City	U	U	U	U	U
North Perry Village	U	U	U	U	U
Painesville	U	U	P	U	E
Willoughby	P	A	U	U	E
Willoughby Hills	U	A	U	U	U

Table 8: Residential Facility Resident Requirements and Restrictions in Lorain County

Jurisdiction	Mental Illness	Mental or Physical Disability	Criminal Record	Communicable Disease	Rehabilitative Services for Addiction
Amherst	U	A	U	U	U
Avon	U	A	A	U	U
Avon Lake	U	A	P	U	E
Camden	U	P	U	P	U
Eaton	U	A	E	U	U
Elyria	U	A	A	U	A
Elyria Township	A	A	A	U	A
Grafton	U	U	U	U	U
Lorain City	U	A	A	U	A
Wellington	U	U	U	U	U

Table 9: Residential Facility Resident Requirements and Restrictions in Medina County

Jurisdiction	Mental Illness	Mental or Physical Disability	Criminal Record	Communicable Disease	Rehabilitative Services for Addiction
Brunswick	U	A	U	U	U
Brunswick Hills	U	U	U	U	U
Medina, City	U	U	A	U	A
Montville	U	A	U	U	U
Sharon	U	A	U	U	U
Spencer	U	A	U	U	U

Special Restrictions on Group Home and Residential Facility Access in Cuyahoga County
 Four communities in Cuyahoga County place especially burdensome group home and residential facility restrictions: The City of Mayfield Heights, The City of Parma Heights, the City of Shaker Heights, and the City of University Heights. The Federal Fair Housing Act prohibits land-use policies that treat people with disabilities or those of any protected class less favorably than groups of people without disabilities, or those not in a protected class.⁴⁷

In Mayfield Heights, group home occupancy is limited to two to five people. Applicants who are residents of Mayfield Heights have priority over non-residents. Similar residency preferences are sometimes used in affordable housing programs, but they have been found to violate the Fair Housing Act if they have a discriminatory impact on protected class members. Residency preferences implemented in majority-white municipalities where people of color have less representation than that of the surrounding area have been found to discriminate on the basis of race.⁴⁸ In the majority-white municipality of Mayfield Heights, a group home operator must provide a written assurance that

prospective residents will not constitute a danger to the community. Prospective residents must be approved by an admissions committee that includes one non-voting member appointed by the Mayor. Organizations operating group homes must agree that all residents will either be “enrolled in day programs outside the community or employed in the community.”⁴⁹

In addition to placing density restrictions on residential facilities, The City of Parma Heights designates that community residential facilities cannot admit residents discharged from correctional facilities or Ohio Department of Youth Services in the last ten years; anyone under probation, parole, or conditional release; being treated for drug abuse or alcohol abuse; or being found incompetent to stand trial or found not guilty by reason of insanity.⁵⁰

The City of Shaker Heights designates that residential care homes can only serve 4 to 8 individuals at a time, while also placing density restrictions on residential care homes. In addition to density restrictions and smaller residential limits, The City of Shaker Heights also denies access to individuals “addicted to alcohol or narcotic drugs or are criminal offenders serving on work release or probationary programs” from residing in residential care homes.⁵¹

The City of University Heights specifies that group homes do not include any type of court ordered rehabilitation living arrangements, or care, treatment, or rehabilitative serves for “severely mentally retarded or psychotic individuals, releases from federal state or county treatment or penal institutions, juvenile offenders, drug or alcohol offenders or wards of the court or welfare system.”⁵² Moreover, rehabilitation facilities that provide services to adults and youth with prior criminal convictions, people with “severe mental disabilities”, “drug or alcohol offenders”, or considered “psychotic” are not permitted within the city. Lastly, group homes cannot be located within a 2,000 foot radius of another group home facility.

To increase housing choice for people with disabilities, The Fair Housing Center recommends that municipalities remove density restrictions for group homes and residential facilities. Previous research conducted by The Fair Housing Center illustrates that group home and residential facility density requirements, along with other siting and vacancy issues, can severely limit the number of parcels available for group home and residential facility residences.⁵³ Municipalities that place further restrictions on who can access group home and residential facilities further limit housing choice for people with disabilities. Some of the residential restrictions and density requirements municipalities have in their ordinances and zoning code.

Environmental Hazard in Northeast Ohio

Previous research has established there are significant and pervasive disparities between racial and ethnic minorities and lower-income groups' exposure to various forms of pollution and environmental hazard compared to their white and more affluent counterparts. Moreover, this research has also illustrated that racial and ethnic minorities and low-income groups' exposure to various forms of pollution and environmental hazard are correlated with more negative health outcomes and premature death.⁵⁴ As Haberle (2017) notes, "Environmental justice (EJ) and fair housing advocacy both take place against a complex backdrop of racial segregation, disparities in access to political power, municipal fragmentation, boundary-drawing around resources, disinvestment, and administrative silos."⁵⁵ Using HUD's measure for exposure to environmental hazard, this section provides an analysis of exposure to environmental hazard throughout Northeast Ohio.⁵⁶

Key Findings of this section:

- Environmental hazard exposure is unevenly distributed throughout Northeast Ohio:⁵⁷
 - Across Northeast Ohio, Cuyahoga County residents are exposed to the greatest levels of environmental hazard.
 - Minority-majority areas have the highest concentration of environmental hazard in Northeast Ohio. On average, Northeast Ohio residents living in census tracts that are at least 80% non-white are exposed to the greatest amounts of airborne carcinogens, respiratory hazards, and neurological hazards.
- Non-white residents, renters, and low-income residents are disproportionately exposed to environmental hazard:
 - Over 70% of people residing in areas with the highest amounts of environmental hazard exposure are racially and/or ethnically non-white;
 - 73% of all census tracts designated as having persistent poverty also have the highest concentrations of environmental hazard; and
 - Renters make up 69.5% of households residing in areas with the highest amounts of exposure to of airborne carcinogens, respiratory hazards, and neurological hazards.
- Twenty-nine percent of all Housing Choice Voucher (HCV) Program participants reside in housing in areas with the highest levels of exposure to environmental hazard.

Environmental Health Hazard Index

Utilizing data created from the National Air Toxics Assessment (NATA), HUD developed an index score to help communities understand disparities in exposure to environmental hazard. The environmental health hazard index summarizes potential exposure to harmful toxins. Succinctly, the index is a standardized score that estimates exposure to airborne carcinogens, respiratory hazards, and neurological hazards at the census tract level. This index score does not include exposure to other environmental hazards, such as exposure to lead. Values for the environmental health hazard index range from 0 to 100, with higher index values meaning less exposure to toxins harmful to human health. Therefore, the higher the value, the better the environmental quality of a neighborhood.⁵⁸

The analysis will evaluate the amount of environmental hazard in a particular area and how much residents are potentially exposed to environmental hazard. Throughout this section, we will use the

term Environmental Hazard Exposure Area (EHEA) to refer to the level of environmental hazard exposure in a specific geographic location. Environmental Hazard Exposure Areas (EHEAs) have five different designations – Very Low, Low, Moderate, High, and Very High – that correspond to the amount of airborne carcinogens, respiratory hazards, and neurological hazard residents living in those areas are potentially exposed to.

Regional Distribution of Environmental Hazard in Northeast Ohio

Environmental hazard exposure and its harmful impacts on human health are unevenly distributed throughout Northeast Ohio. As Figures 1 and 2 and Tables 10 and 11 illustrate, the highest concentration of environmental hazard exposure is in Cuyahoga County. Overall, 97.5% of Very High and 96.6% of all High EHEAs in Northeast Ohio are located in Cuyahoga County. Ashtabula, Geauga, Lake, and Medina County have zero census tracts with a High or Very High index score.

Table 10: Distribution of Environmental Hazard within each Northeast Ohio County

Environmental Hazard Index Category	Ashtabula County	Cuyahoga County	Geauga County	Lake County	Lorain County	Medina County	Grand Total
Very High (1-20)	59.1%	0.0%	76.2%	32.7%	14.8%	24.2%	11.1%
High (20.1-40)	40.9%	20.1%	23.8%	32.7%	60.7%	75.8%	29.8%
Moderate (40.1-60)	0.0%	52.2%	0.0%	34.6%	19.7%	0.0%	40.1%
Low (60.1-80)	0.0%	20.3%	0.0%	0.0%	3.3%	0.0%	13.9%
Very Low (80.1-100)	0.0%	7.4%	0.0%	0.0%	1.6%	0.0%	5.1%

Data Source: HUD, A Picture of Subsidized Housing, 2022; calculations by The Fair Housing Center.

Table 11: Concentration of Environmental Hazard Category across Northeast Ohio Counties

Environmental Hazard Index Category	Ashtabula County	Cuyahoga County	Geauga County	Lake County	Lorain County	Medina County
Very High (1-20)	20.6%	0.0%	25.4%	27.0%	14.3%	12.7%
High (20.1-40)	5.3%	45.0%	3.0%	10.1%	21.9%	14.8%
Moderate (40.1-60)	0.0%	86.8%	0.0%	7.9%	5.3%	0.0%
Low (60.1-80)	0.0%	97.5%	0.0%	0.0%	2.5%	0.0%
Very Low (80.1-100)	0.0%	96.6%	0.0%	0.0%	3.4%	0.0%

Data Source: HUD, A Picture of Subsidized Housing, 2022; calculations by The Fair Housing Center.

Figure 1: Environmental Hazard in Northeast Ohio

Environmental Hazard Exposure by Census Tract in Northeast Ohio

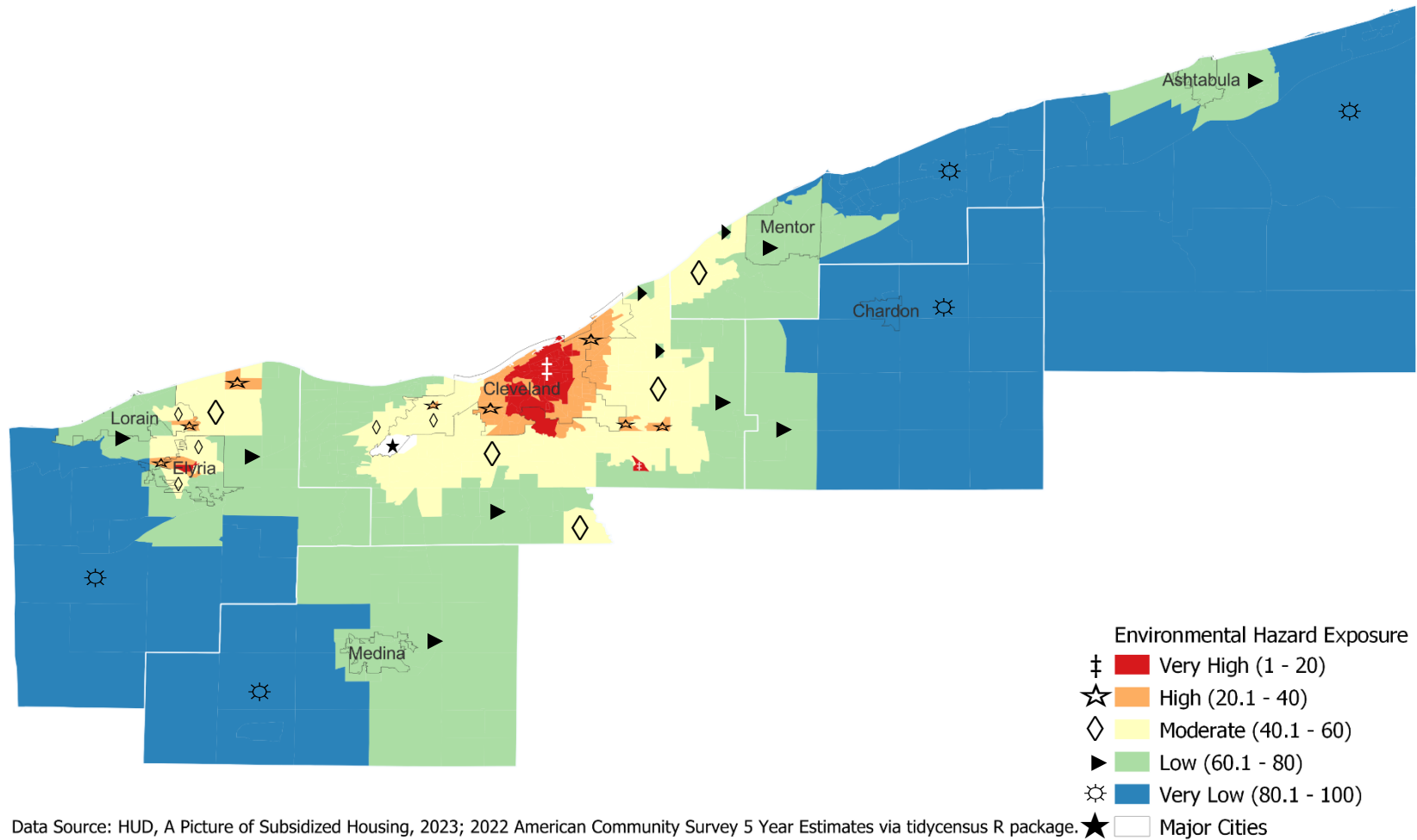
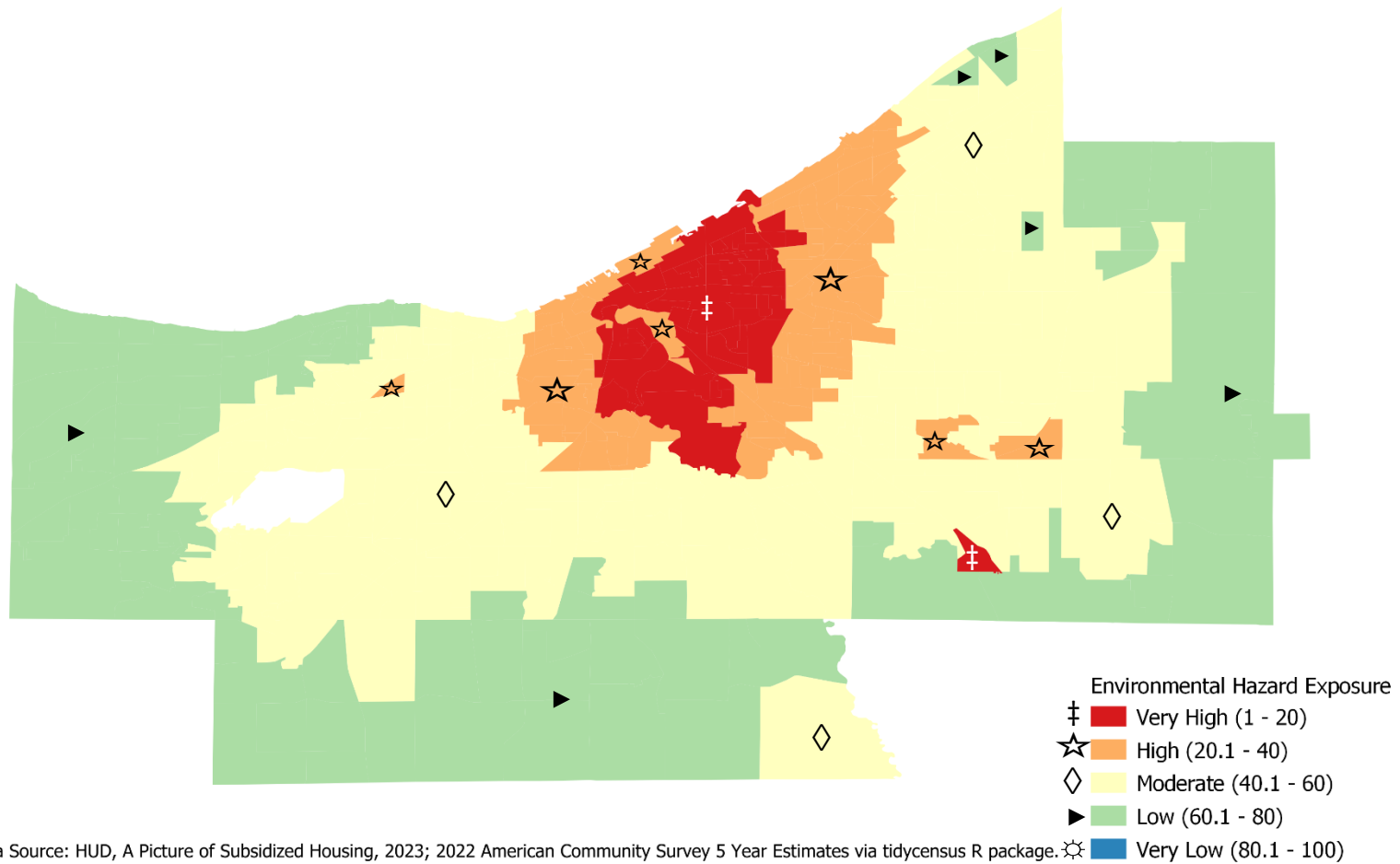


Figure 2: Environmental Hazard in Cuyahoga County

Environmental Hazard Exposure by Census Tract in Cuyahoga County



Disparities in Demographic and Socio-Economic Exposure to Environmental Hazard

As noted above, previous research has clearly demonstrated minority-majority communities are disproportionately harmed by and exposed to environmental hazards, such as lead, air toxins, and other forms of pollution. In Northeast Ohio, exposure to environmental hazard appears to be structured by racial segregation and economic inequality, with non-white majority communities and low-income residents being disproportionately exposed to higher levels of environmental hazard compared to their white and affluent counterparts. Residents living in census tracts with a persistent poverty designation are exposed to almost twice the amount of environmental hazard as residents living in other areas in Northeast Ohio (See Table 12). Similarly, minority-majority communities where 80% or more of the population is non-white, are exposed to almost twice as much environmental hazard as white majority communities (See Table 13).

Table 12: Environmental Hazard and Persistent Poverty

Persistent Poverty Designation	No	Yes	Average
Environmental Hazard Index Score	60.27	32.29	56.13

Data Source: HUD, A Picture of Subsidized Housing, 2022; Census Bureau 2023; calculations by The Fair Housing Center.

Table 13: Environmental Hazard and Non-White Communities

Percent Non-White	0-50%	50.1-80%	80.1% and Above
Environmental Hazard Index Score	63.71	46.81	33.25

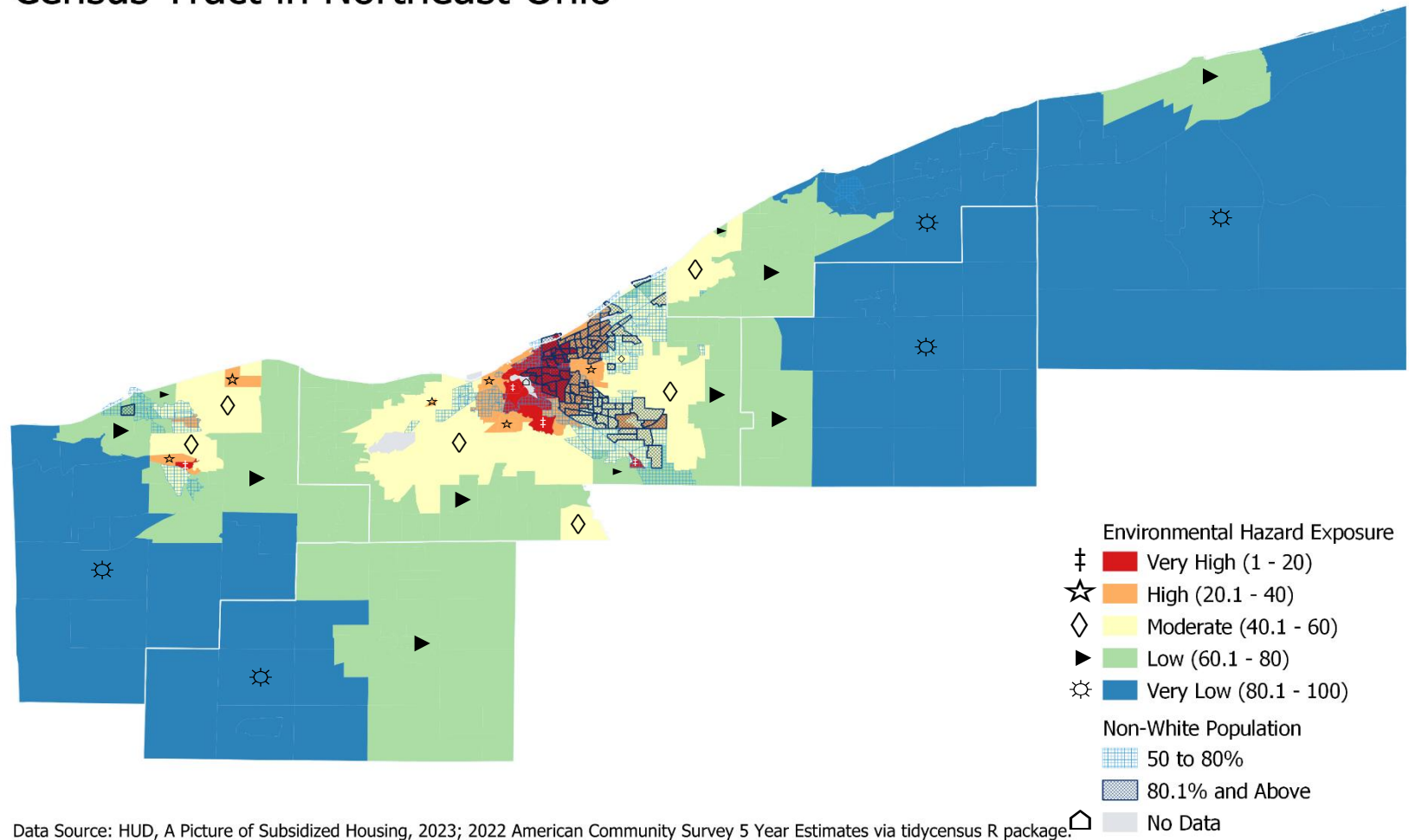
Data Source: HUD, A Picture of Subsidized Housing, 2022; calculations by The Fair Housing Center.

Area Racial Demographics and Exposure to Environmental Hazard

High and Very High environmental exposure rates are disproportionately concentrated in non-white communities in Northeast Ohio (See Figure 3 and Figure 4). In total, 82.7% of Very High designated EHEA census tracts are located in non-white majority communities, while 91.7% of Low designated EHEA and 96.8% of Very Low designated EHEA census tracts are located in white majority communities (see Table 14). Approximately 62% of minority-majority census tracts, where at least 80% of the population is non-white, are in areas designated in either High or Very High EHEAs, while only 7% of white-majority census tracts are in areas designated as either High or Very High EHEAs (See Table 15). Lastly, approximately 57% of white-majority census tracts are located in areas designated as Low or Very Low EHEAs, while only 16% of all non-white majority census tracts are located in Low or Very Low designated EHEAs.

Figure 3: Environmental Hazard and Minority-Majority Communities in Northeast Ohio

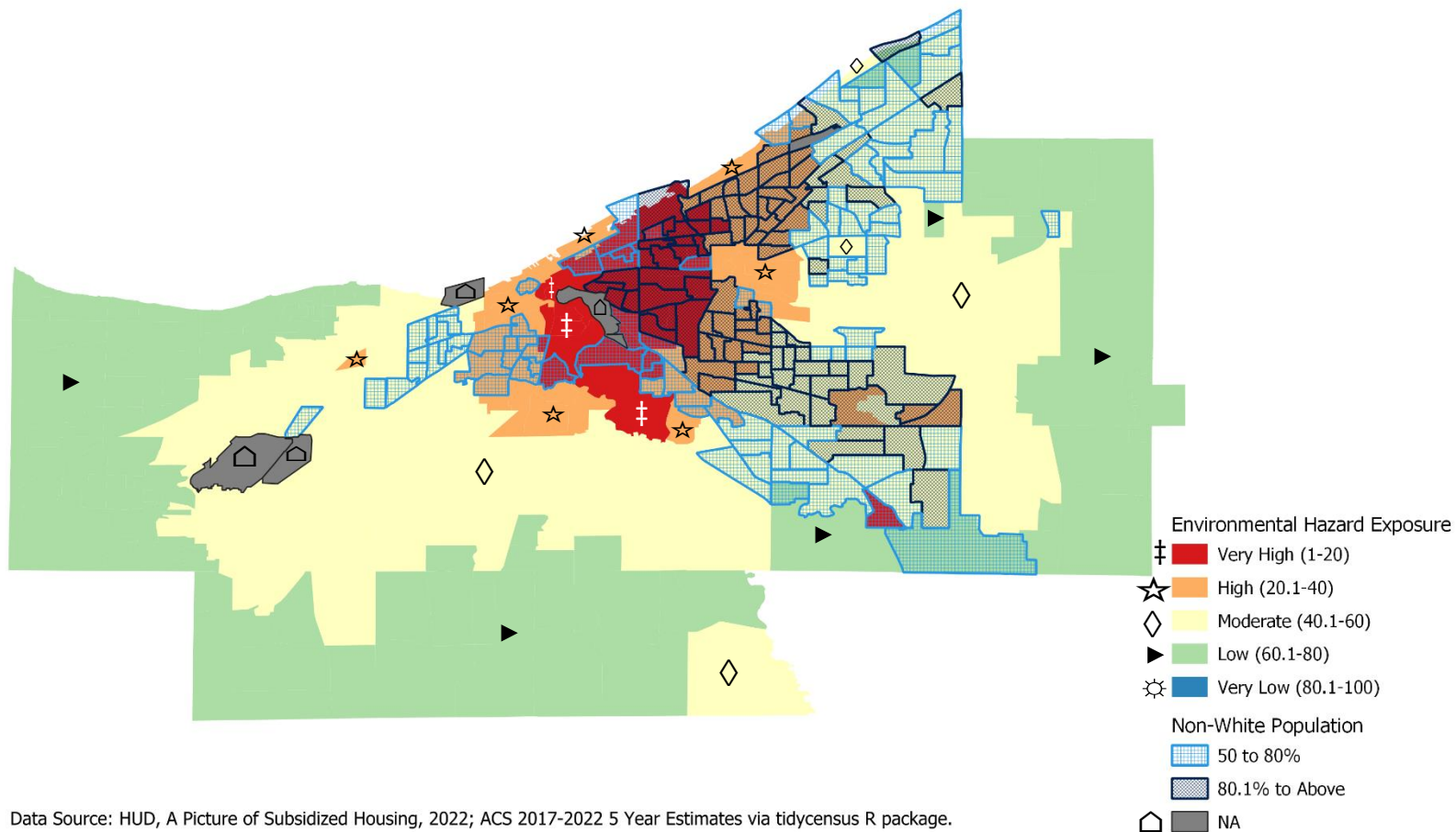
Environmental Hazard Exposure and Minority-Majority Areas by Census Tract in Northeast Ohio



Data Source: HUD, A Picture of Subsidized Housing, 2023; 2022 American Community Survey 5 Year Estimates via tidycensus R package.

Figure 4: Environmental Hazard and Minority-Majority Communities in Cuyahoga County

Environmental Hazard and Minority-Majority Areas by Census Tract in Cuyahoga County



Data Source: HUD, A Picture of Subsidized Housing, 2022; ACS 2017-2022 5 Year Estimates via tidycensus R package.

Table 14: Non-White Population Designation within Environmental Hazard Area Type

Non-White Population	Very High (0-20)	High (20.1-40)	Moderate (40.1-60)	Low (60.1-80)	Very Low (80.1-100)	Total
0 to 50%	17.2%	28.2%	61.0%	91.7%	96.8%	67.4%
50.1 to 80%	31.0%	24.4%	25.9%	7.1%	3.2%	17.8%
80.1% and Above	51.7%	47.4%	13.2%	1.2%	0.0%	14.8%

Data Source: HUD, A Picture of Subsidized Housing, 2022; ACS 2017-2022 5 Year Estimates; calculations by The Fair Housing Center.

Table 15: Non-White Demographic across Environmental Hazard Area Type

Non-White Population	Very High (0-20)	High (20.1-40)	Moderate (40.1-60)	Low (60.1-80)	Very Low (80.1-100)
0 to 50%	1.3%	5.8%	36.4%	40.6%	16.0%
50.1 to 80%	8.9%	18.8%	58.4%	11.9%	2.0%
80.1% and Above	17.9%	44.0%	35.7%	2.4%	0.0%

Data Source: HUD, A Picture of Subsidized Housing, 2022; ACS 2017-2022 5 Year Estimates; calculations by The Fair Housing Center.

Combined, this analysis suggests that the racial composition of a census tract is correlated with environmental hazard exposure. The racial geography of Northeast Ohio – at the neighborhood, city, and county level – appears to highly structure residents’ exposure to environmental hazard, which ultimately shapes their health outcomes. The current geography of exposure to environmental hazard illustrates non-white communities are disproportionately exposed to and harmed by the pollution and toxins concentrated in neighborhoods they reside.

Socio-economic Characteristics and Exposure to Environmental Hazard

Building on the previous section, this analysis explores the socio-economic characteristics of EHEAs in Northeast Ohio. High and Very High designated EHEAs have higher amounts of housing instability than other census tracts, higher concentrations of low-and moderate-income residents, higher concentration of renters, and a higher proportion of HCV households as percent of all renters compared to Low and Very Low designated EHEAs. Overall, this suggests that lower-income residents are disproportionately impacted and harmed by the geography of environmental hazard in Northeast Ohio.

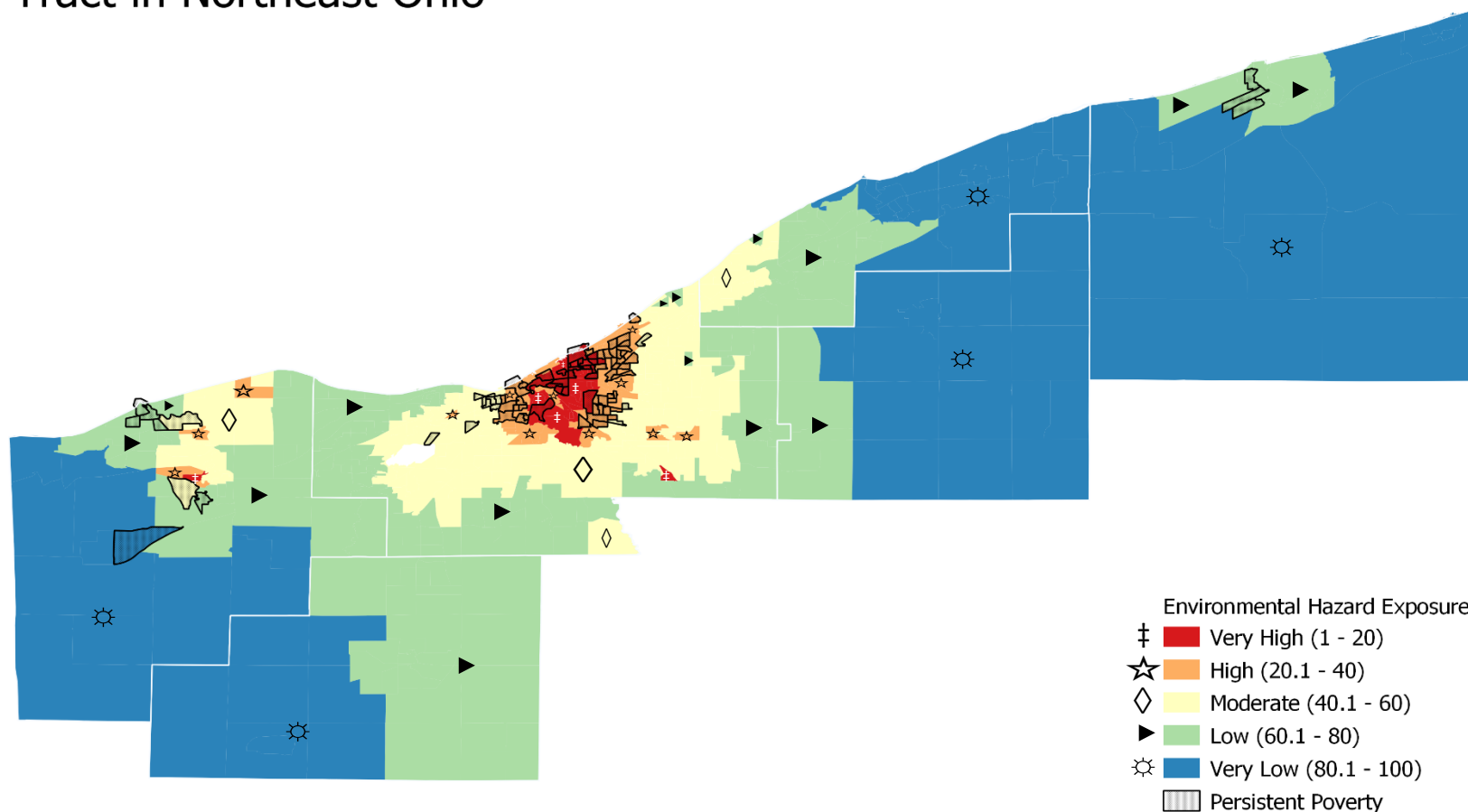
Table 16: Environmental Hazard Designation and Neighborhood Characteristics

Environmental Hazard	Very Low	Low	Moderate	High	Very High
Median Household Income	\$77,479	\$85,672	\$66,938	\$43,505	\$32,229
Percent Non-White	10.7%	17.9%	42.6%	70.3%	74.1%
Percent Renters	21.3%	26.4%	37.7%	57.4%	69.5%
Persistent Poverty Census Tracts	1	8	14	42	19
HCV Participant Households	477	3,022	7,726	3,739	880
HCV Households as % of all Rentals	1.3%	2.9%	5.9%	8.4%	6.4%
Housing Instability Score	34.6	40.8	56.3	80.5	89.3

Data Source: HUD, A Picture of Subsidized Housing, 2022; ACS 2017-2022 5 Year Estimates; US Census Bureau 2023; calculations by The Fair Housing Center.

Figure 5: Environmental Hazard and Persistent Poverty in Northeast Ohio

Environmental Hazard Exposure and Persistent Poverty by Census Tract in Northeast Ohio

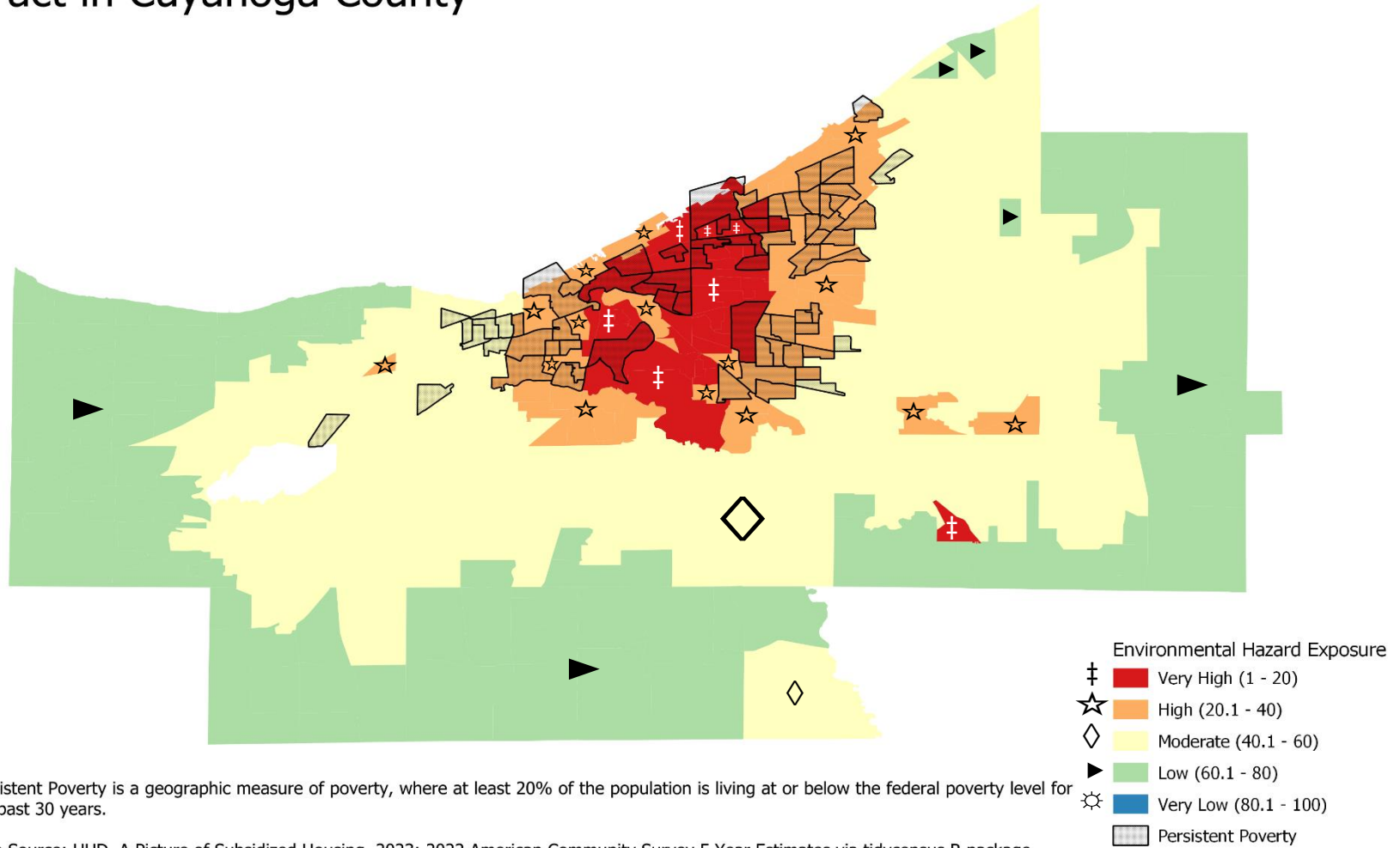


Data Source: HUD, A Picture of Subsidized Housing, 2023; 2022 American Community Survey 5 Year Estimates via tidycensus R package.

Persistent Poverty is a geographic measure of poverty, where at least 20% of the population is living at or below the federal poverty level for the past 30 years.

Figure 6: Environmental Hazard and Persistent Poverty in Cuyahoga County

Environmental Hazard Exposure and Persistent Poverty by Census Tract in Cuyahoga County



Across Northeast Ohio:

- High and Very High designated EHEAs have significantly higher housing instability when compared to Moderate, Low and Very Low designated EHEAs.
- Over 70% of all census tracts with persistent poverty are located in High or Very High designated EHEAs (See Figure 5).
- High and Very High designated EHEAs have lower median household incomes and a higher percentage of renters residing in them than Low and Very Low designated EHEAs. The average median income in Very Low designated EHEAs (\$77,479) is more than twice the average median income in Very High designated EHEAs (\$32,229).
- Renters make up a larger portion of residents in High and Very High designated EHEAs, suggesting renters are disproportionately exposed to higher amounts of environmental hazard and toxins when compared to homeowners in the region.
- 29.2% of HCV participant households reside in housing in High or Very High designated EHEAs.

Overall, this brief analysis illustrates that low-income residents, renters, and communities of color live in areas with the highest exposure to environmental hazards, pollution, and toxicants. Exposure to environmental hazard is harmful to life outcomes and socio-economic outcomes and leads to premature death. The geography of exposure to environmental hazard is built on the legacy of segregation, redlining, predatory lending, discrimination, and exclusionary zoning. Moreover, the current geography and disparities in exposure to environmental hazard perpetuate existing racial inequalities in the region. An approach aimed at affirmatively furthering fair housing in Northeast Ohio would require intentional efforts to significantly alter the racial and socio-economic disparities in exposure to these hazards.

Fair Housing Administrative Complaints in Northeast Ohio

The Fair Housing Center has collected and analyzed data on all fair housing complaints filed with HUD in the six-county region from 2014 to 2023.⁵⁹ This section provides an analysis of fair housing complaints in Northeast Ohio across four time periods. First, this section provides an analysis of trends in fair housing complaints from 2022 to 2023. Next, this section provides an analysis of trends in fair housing complaints by basis over the last 10 years in Northeast Ohio and ends with comparing trends in fair housing complaints between the two five-year periods of 2014 to 2018 and 2019 to 2023. Overall, The Fair Housing Center's analysis of fair housing complaints in Northeast Ohio found:

- There were 89 housing complaints filed in 2023, a 20.7% increase over the number of complaints filed in 2022. The most common bases of discrimination in 2023 were disability (53.9%) and race (38.2%), followed by familial status (16.9%). From 2022 to 2023, there was an increase in the number of complaints alleging discrimination based on familial status, national origin, race, and religion.
- Between 2014 and 2023, there were a total of 936 housing discrimination complaints filed in Northeast Ohio. In total, 78.3% of complaints in Northeast Ohio were filed in Cuyahoga County between 2014 and 2023.
- From 2014 to 2023, an average of 93.6 fair housing complaints were filed each year in Northeast Ohio. On average, the number of complaints filed in the region has decreased by 3.0% per year during the past ten years. The most common bases of discrimination alleged in complaints from 2014 to 2023 were disability (66.6%), race (33.4%), and familial status (22.0%).
- In the past five years (2019-2023), there were 397 complaints filed with HUD, for an average of 79.4 complaints per year, decreasing from 107.8 per year in the period of 2014 to 2018. There is a 26.4% decrease in the total number of complaints filed between 2019-2023 and 2014-2018. Complaints filed on the basis of race, familial status, national origin, sex, and religion all decreased by at least 40% during the period of 2019 to 2023 compared to the period from 2014 to 2018.

This data provides a *partial* snapshot of the prevalence of housing discrimination occurring in Northeast Ohio. Housing discrimination takes many forms and occurs in many types of housing transactions. An overwhelming number of housing discrimination cases go undetected and/or unreported because many instances of discrimination are hard to identify or document, and housing providers may engage in many types of discrimination that are undetectable.⁶⁰ Individuals who experience discrimination may not file complaints for a myriad of reasons, including fear of retaliation or eviction by housing providers, lack of trust in state and non-profit institutions, or feel that filing a complaint will not be worth their effort. Although the data reveals a reduction in the overall number of complaints filed between 2019 to 2023 when compared to the previous 5-year period, it is not necessarily an indication of less discrimination occurring for the reasons noted above. Further, The Fair Housing Center's in-house complaint data (See page 50 of this report) documents significant increases in complaints reported over the past 5 years. Many complaints reported to The Fair Housing Center are not filed with HUD/OCRC, often because The

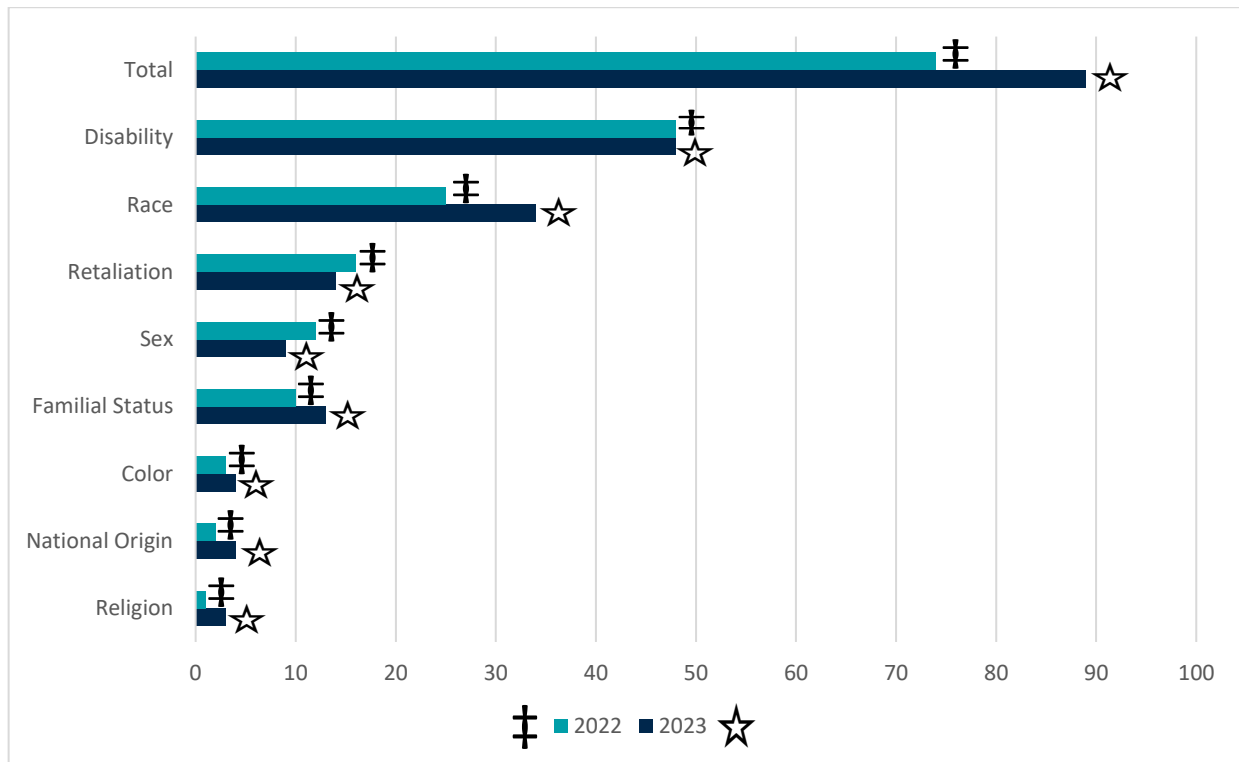
Fair Housing Center is able to provide direct assistance resolving the fair housing concern without the need for a formal complaint.

Analysis of Fair Housing Complaints in Northeast Ohio from 2022-2023

This section provides an analysis of fair housing complaints filed with HUD in Northeast Ohio between 2022 and 2023. The data revealed that between 2022 and 2023 (see Figure 7 and Table 17):

- There were 89 housing complaints filed in 2023, a 20.7% increase over the number of complaints filed in 2022.
- In 2023 complaints based on familial status, national origin, race, and religion made up a greater percentage of total complaints compared to 2022, while complaints based on color, disability, retaliation, and sex represented a smaller percentage of total complaints over the same time period.
- The number of complaints based on familial status, national origin, race, and religion all increased between 2022 and 2023.

Figure 7: Fair Housing Complaints Filed with HUD in 2022 and 2023



Data Source: Fair Housing Center analysis of HUD Complaint data.

Table 17: Fair Housing Complaints Filed with HUD in 2022 and 2023

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total
2022	25	3	1	2	12	10	48	16	74
2023	34	1	3	4	9	15	48	14	89
Percent of Total 2022	33.8%	4.1%	1.4%	2.7%	16.2%	13.5%	64.9%	21.6%	
Percent of Total 2023	38.2%	1.1%	3.4%	4.5%	10.1%	16.9%	53.9%	15.7%	

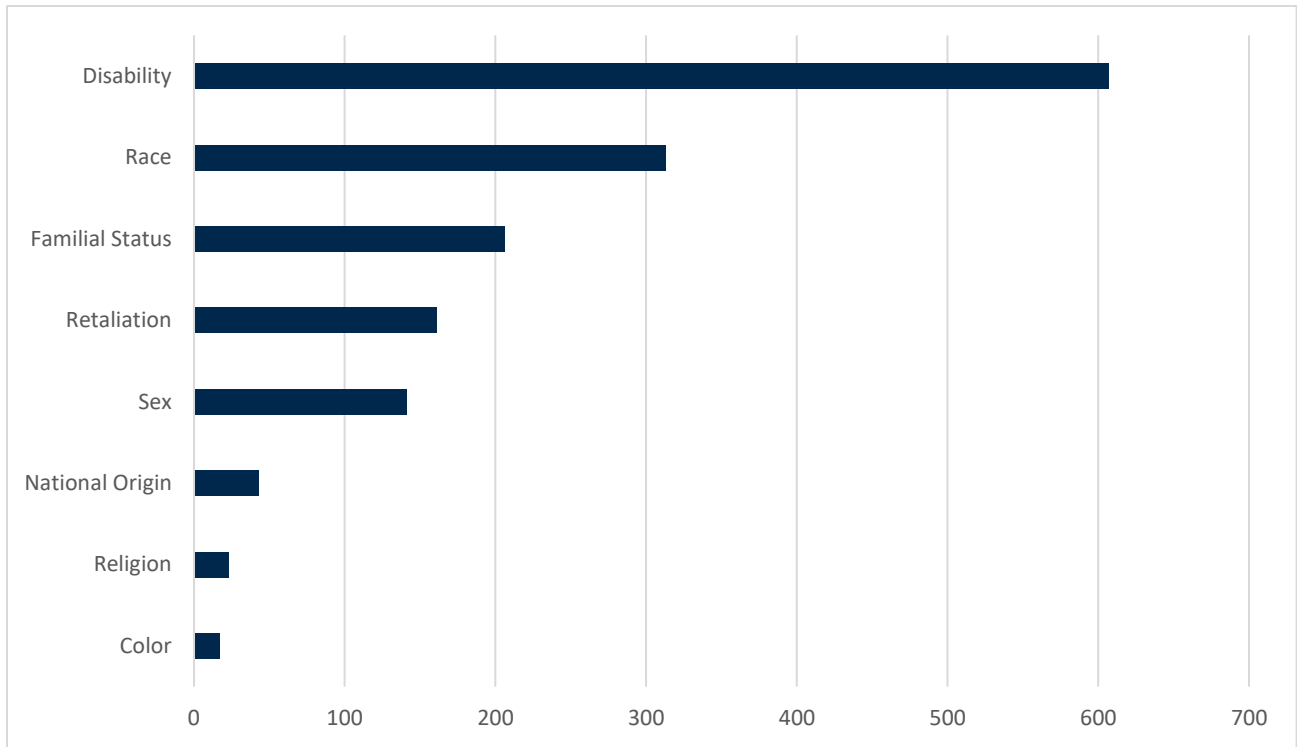
Data Source: Fair Housing Center analysis of HUD Complaint Data.

Analysis of Fair Housing Complaints in Northeast Ohio from 2014-2023

The Fair Housing Center has collected and analyzed data on all fair housing complaints filed with HUD in the six-county region from 2014 to 2023.⁶¹ The data revealed that over the 10-year period (see Figure 8 Table 18):

- On average, 93.6 complaints were filed each year in Northeast Ohio, with a standard deviation of 25.9 complaints per year.
- Cases filed alleging discrimination based on race accounted for 33.4% of the total cases, compared to 64.9% for disability, and 22.0% for familial status.
- Complaints based on retaliation accounted for 17.2% of the total; sex, 15.1%; national origin, 4.6%; religion, 2.5%; and color, 1.8%.
- There is variability in the total number of complaints on a yearly basis between 2014 and 2023. Across the past 10 years, there were three years where fewer than 80 complaints were filed, five years where between 80 and 100 complaints were filed, two years where at least 110 complaints were filed.⁶²
- In 2014 the reported complaints were approximately 2.5 standard deviations above the mean (Z-score of 2.6).
- From 2014 to 2023, 78.3% of all fair housing complaints filed in Northeast Ohio were filed Cuyahoga County.⁶³

Figure 8: Fair Housing Complaints Reported by HUD in Region from 2014 to 2023



Data Source: Fair Housing Center analysis of HUD Complaint Data.

Figure 9: Fair Housing Complaints Filed with HUD per Year from 2014 to 2023



Data Source: Fair Housing Center analysis of HUD Complaint Data.

Table 18: Housing Discrimination Complaints filed with HUD from 2014 to 2023 by County

Year	Ashtabula	Cuyahoga	Geauga	Lake	Lorain	Medina	Total
2014	8	123	1	12	16	2	162
2015	5	64	1	3	6	2	81
2016	4	83	1	9	9	4	110
2017	7	64	0	3	8	7	89
2018	3	81	3	5	2	3	97
2019	4	73	4	6	6	2	95
2020	1	56	2	6	3	2	70
2021	2	57	0	4	3	3	69
2022	3	62	1	1	2	5	74
2023	2	70	0	4	7	6	89
Total	39	733	13	53	62	36	936
Percent of Total	4.2%	78.3%	1.4%	5.7%	6.6%	3.9%	100%

Data Source: Fair Housing Center analysis of HUD Complaint Data.

Table 19: Complaints by Basis filed with HUD in Northeast Ohio from 2014 to 2023

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total Basis	Total Complaints
2014	59	4	3	4	33	75	119	21	318	162
2015	46	1	6	3	14	37	66	18	191	81
2016	28	1	1	6	18	25	52	12	143	110
2017	26	1	1	9	10	17	52	15	131	89
2018	30	1	4	9	11	7	68	23	153	97
2019	23	1	2	4	15	10	63	9	127	95
2020	21	2	2	1	9	3	43	19	100	70
2021	21	2	0	1	10	7	48	14	103	69
2022	25	3	1	2	12	10	48	16	117	74
2023	34	1	3	4	9	15	48	14	128	89
Total	313	17	23	43	141	206	607	161	1511	936

Data Source: Fair Housing Center analysis of HUD Complaint Data.

Five-Year Trend Comparisons of Fair Housing Complaints

Because of the possibility that any particular year could have an unusually large or small number of complaints filed in a given category or the number of complaints per category could change over time, The Fair Housing Center examined the number of complaints filed in two five-year periods (2014-2018 and 2019-2023; see Table 20, Table 21, and Figure 10) to ascertain whether the types of complaints filed recently differed from those being filed earlier. This analysis revealed the following:

- From 2014 to 2023, an average of 93.6 fair housing complaints were filed each year in Northeast Ohio. On average, the number of complaints filed in the region has decreased by 3.0 % per year during the past ten years. The most common bases of discrimination alleged in complaints from 2014 to 2023 were disability (66.6%), race (33.4%), and familial status (22.0%).
- In the past five years (2019-2023), there were 397 complaints filed with HUD, for an average of 79.4 complaints per year, decreasing from 107.8 per year in the period of 2014 to 2018. There is a 26.4% decrease in the total number of complaints filed between 2019-2023 and 2014-2018. Complaints filed on basis of race, familial status, national origin, sex, and religion all decreased by at least 40% between 2014 to 2018 and 2019 to 2023.
- The observed decrease between time periods may be heavily influenced by the remarkably high number of complaints filed in 2014.
- Complaints based on retaliation and color make up a greater percentage of total complaints, from 5.8% between 2014 and 2018 to 11.3 % between 2019 and 2023.

Table 20: Percent change in Total Complaints and Complaints by Basis Across 5 Year Time Periods

Years	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total
2014-2018	245	4	18	87	67	255	229	31	539
2019-2023	140	12	10	22	29	63	163	45	397
Percent Change	-42.9%	200.0%	-44.4%	-74.7%	-56.7%	-75.3%	-28.8%	45.2%	-26.4%

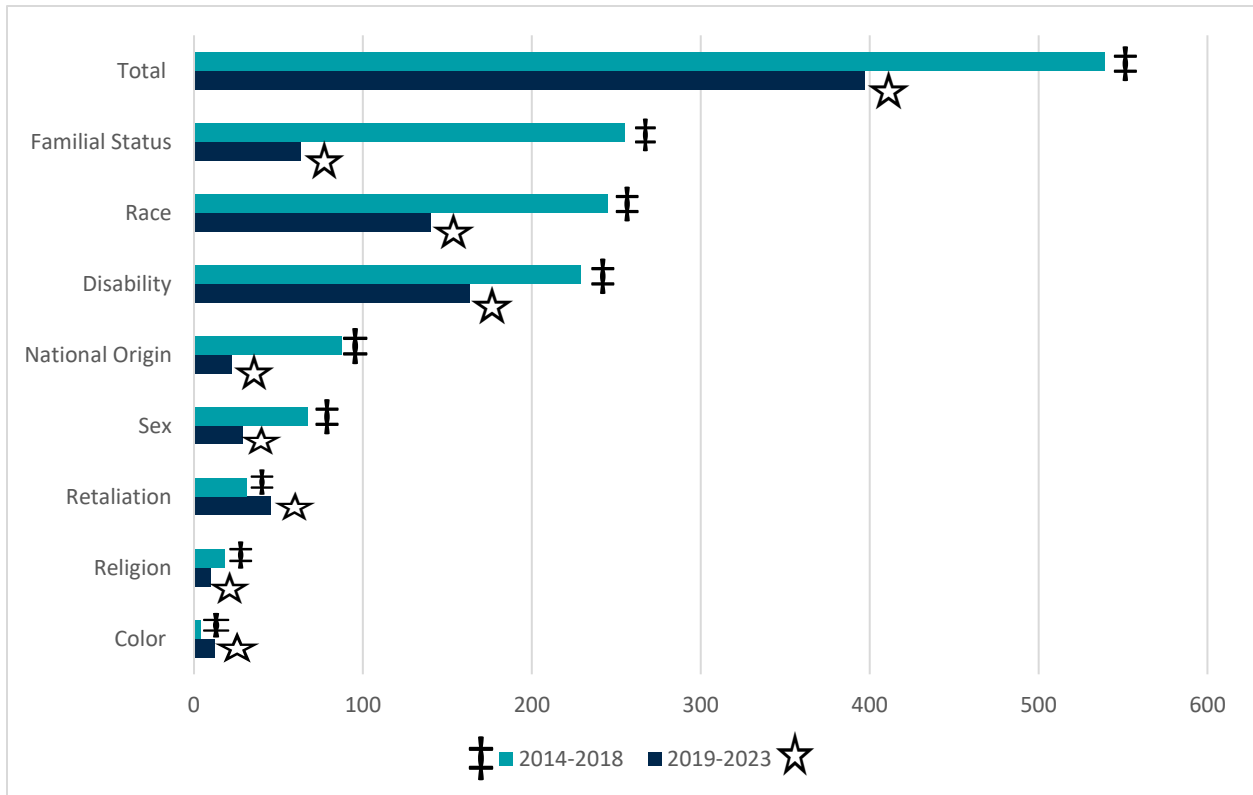
Data Source: Fair Housing Center analysis of HUD Complaint Data.

Table 21: Percent of Total Complaints by Basis Across Five Year Time Periods

Years	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation
Percent of Total 2014-2018	45.5%	0.7%	3.3%	16.1%	12.4%	47.3%	42.5%	5.8%
Percent of Total 2019-2023	35.3%	3.0%	2.5%	5.5%	7.3%	15.9%	41.1%	11.3%

Data Source: Fair Housing Center analysis of HUD Complaint Data.

Figure 10: Fair Housing Complaints Filed with HUD over Five-Year Periods



Data Source: Fair Housing Center calculations of HUD data.

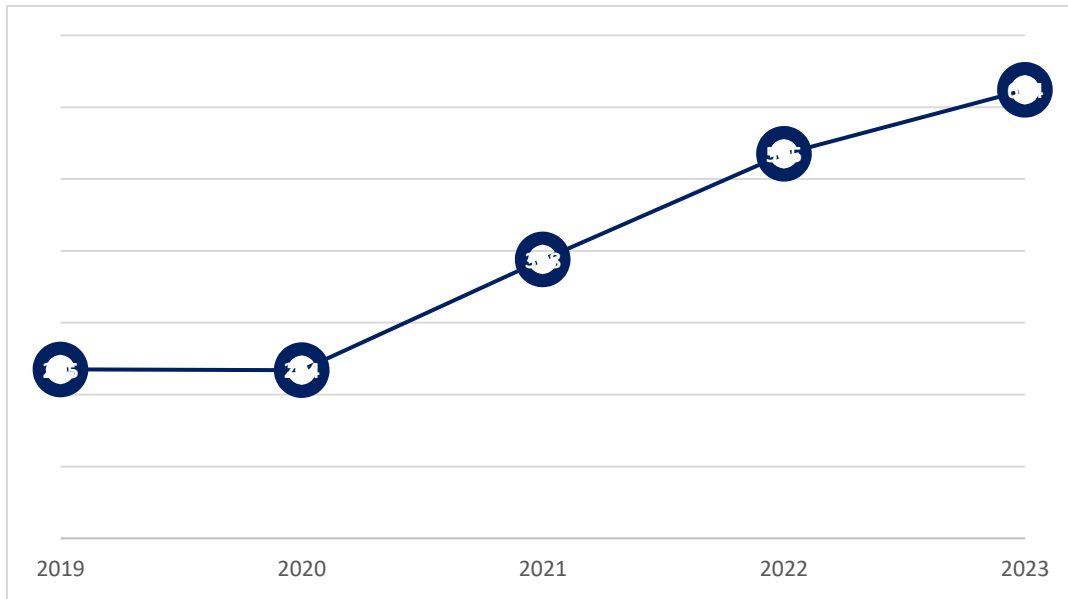
Analysis of Discrimination Complaints Received by The Fair Housing Center

From 2019 to 2023, the number of discrimination complaints reported to The Fair Housing Center increased dramatically. The Fair Housing Center conducts complaint intake and preliminary investigations at no cost to victims of housing discrimination. This may entail assistance filing an administrative complaint, direct engagement, education, or advocacy with a housing provider on a tenant's behalf, testing, or other information-gathering in connection with a complaint. The Fair Housing Center has collected and analyzed data on all fair housing complaints it received from 2019 to 2023.⁶⁴ The Fair Housing Center's analysis of fair housing complaints found (see Figure 11, Table 22):

- In 2023, The Fair Housing Center received 624 complaints alleging discrimination on 898 bases. In total, disability (66.2%), race (22.9%), and criminal history (15.7%) made up the top three bases of alleged discrimination reported in 2023.
- The Fair Housing Center received 89 more complaints in 2023 compared to 2022, a 16.6% increase.
- From 2019 to 2023, The Fair Housing Center received and processed 2,016 complaints for an average of approximately 403 fair housing complaints each year. The most common bases of discrimination alleged in complaints during this time period were disability (64.6%), race (21.5 %), and sex (10.6 %).
- Fair Housing Center complaint intakes increased from 235 complaints in 2019 to 624 complaints in 2023, a remarkable 166% increase. In other words, in 2023 The Fair Housing Center received 2.7 times the number of complaints that it received in 2019.
- From 2019 to 2023 the number of complaints received by The Fair Housing Center based on disability increased by 144% rising from 169 complaints in 2019 to 413 in 2023.
- From 2019 to 2023 the number of complaints received by The Fair Housing Center based on race increased by 218% rising from 45 complaints in 2019 to 143 in 2023.
- From 2019 to 2023 the number of complaints received by The Fair Housing Center based on criminal history, domestic violence survivor status, and retaliation all significantly increased.

This data provides a partial snapshot of the prevalence of housing discrimination occurring in Northeast Ohio. Housing discrimination takes many forms and occurs in many types of housing transactions, including rental, real estate sales, mortgage lending, insurance, appraisal, and in the design and construction of covered multifamily housing. Even though this analysis illustrates a substantial increase in discrimination complaints received and processed by The Fair Housing Center, far more discrimination occurs and is unreported.

Figure 11: Discrimination Complaints Received by The Fair Housing Center – 2019 to 2023.



Data Source: The Fair Housing Center.

Table 22: Discrimination Complaints Received by The Fair Housing Center – 2019 - 2023

Protected Basis	Year Complaint Received					5-Year Average	5-Year Total	5-Year Percent of all Intakes
	2019	2020	2021	2022	2023			
Disability	169	159	222	340	413	260.6	1303	64.6%
Race	45	36	95	115	143	86.8	434	21.5%
Sex	25	17	52	51	69	42.8	214	10.6%
Criminal History	17	18	40	14	98	37.4	187	9.3%
Familial Status	57	14	28	30	38	33.4	167	8.3%
Source of Income	28	9	27	27	44	27	135	6.7%
Domestic Violence	5	4	9	17	40	15	75	3.7%
Retaliation	0	15	20	10	22	13.4	67	3.3 %
Sexual Orientation	7	3	3	16	11	8	40	1.9%
National Origin	10	5	10	8	5	7.6	38	1.9%
Age	4	2	7	8	9	6	30	1.4%
Religion	4	4	8	10	2	5.6	28	1.4 %
Color	3	1	4	3	3	2.8	14	0.7%
Gender Identity/ Expression	0	3	2	0	1	1.2	6	0.3%
Marital Status	2	0	4	0	0	1.2	6	0.3%
Military Status	0	1	1	0	0	0.4	2	0.1%
Total Intakes	235	234	388	535	624	403.2	2016	
Total Alleged Bases	388	291	532	649	898	551.6	2758	

Data Source: The Fair Housing Center. Note some complaints allege discrimination on more than one basis.

Recommendations

This section outlines the Fair Housing Center’s recommendations for positively impacting the state of fair housing in Northeast Ohio. Our review of housing ordinances, in combination with our past research and review of other research about housing trends locally and nationally, illustrates that our region, like much of the country, has failed to address the historical impacts of redlining and predatory lending, and has yet to accomplish the goals of the Fair Housing Act. Discrimination in housing and segregated living patterns persist; fair housing laws fall short of providing necessary protection against additional forms of discrimination; communities of color face high rates of discrimination and lack equal access to high-quality housing and loans; and there is a growing affordability and looming eviction crisis that will continue to exacerbate existing forms of inequity in the region.

Recommendations to Local and State Level Policy Makers and Legislators

To address the fair housing impediments outlined in this report and affirmatively further fair housing, the Fair Housing Center for Rights & Research recommends:

Structure local and regional approaches to creating equitable access to housing around addressing the lasting impacts of redlining and predatory lending on Black, Indigenous, and Other People of Color.

Addressing the pernicious impacts of redlining requires taking an intentional, sustained, multi-pronged approach that combines targeting high-poverty neighborhoods for investment, while also implementing a set of complementary preservation strategies to help prevent displacement.⁶⁵ Many of the policy recommendations below provide an approach to addressing the lasting impacts of redlining, dismantling discrimination in housing, and ensuring equitable access to housing and opportunity. There is no panacea, but policymakers and legislators can prioritize addressing the historical impacts of housing discrimination and its current manifestations by implementing a variety of policies. The Fair Housing Center recommends local, regional, and state level policymakers strengthen renter rights, create more stringent oversight and enforcement mechanisms for fair housing violations, change the regulatory framework to incentivize the development of high-quality, low-cost housing, and lay the groundwork for individuals from marginalized communities to have equitable access to home-ownership opportunities and high-quality home loans throughout the entire region.

Conform local ordinances to Ohio law and eliminate exemptions for small housing providers.

Single-family home and Mrs. Murphy exemptions, which are not afforded by Ohio fair housing law, appear in a number of local fair housing ordinances that provide additional protected classes.⁶⁶ The effect of these exemptions in local fair housing ordinances is that small housing providers may be exempt from claims of housing discrimination on the basis of a protected class afforded only under local law (such as age or source of income). Jurisdictions that amend their ordinances to prohibit discrimination on additional bases effectively do so for some, but not all housing transactions and for some, but not all properties. This could have a particular impact on communities with a large number of 2 to 4-unit properties. The Fair Housing Center recommends that local policymakers eliminate single-family and Mrs. Murphy exemptions from local fair housing ordinances.

Strengthen Fair Housing Laws.

Federal, state, and local fair housing laws should protect a broader class of individuals than currently protected by federal and state law. The Fair Housing Center recommends state and local policymakers strengthen fair housing laws by:

- Prohibiting discrimination based on age, gender identity, marital status, sexual orientation, and status as a victim of domestic violence.
- Adopt state and local visitability ordinances enabling persons with physical disabilities to visit the property. Visitability ensures a person in a wheelchair can enter the home and access a usable bathroom on the ground floor without encountering steps, narrow doors, or other inaccessible features.
- Prohibit discrimination based on source of income, ensuring that individuals who receive housing subsidies (including “Housing Choice Vouchers”) or other rental assistance are not discriminated against on that basis.
- Limit housing providers' consideration of certain criminal records by enacting fair chance housing protections in connection with a housing transaction.

Repeal local criminal activity nuisance ordinances as such ordinances that penalize renters; people of color; victims of domestic violence, dating violence, stalking, or sexual assault; and people with disabilities.

Local criminal activity nuisance ordinances (CANOs) can disproportionately negatively impact renters, people of color, victims of domestic violence, and people with disabilities. Nuisance ordinances penalize property owners when calls are made to law enforcement in response to an activity deemed “criminal activity.” These ordinances require owners to abate the so-called “nuisance.” When the complaint involves a rental property, abatement often calls for or results in the eviction of the tenant's household. The Fair Housing Center recommends local policymakers repeal all CANOs in Northeast Ohio. The Fair Housing Center has made this recommendation and provided letters to jurisdictions throughout Northeast Ohio about the detrimental impacts of these ordinances over the last several years; however, many area CANOs still designate domestic violence as a criminal nuisance activity or contain other discriminatory provisions.

Expand federal, state, and local protections for victims of domestic violence, stalking, and sexual assault from housing discrimination.

The Fair Housing Center recommends that legislators create statewide legislation to protect survivors from domestic violence, stalking, and sexual assault from housing discrimination in all housing. Thirty-three states across the nation have enacted laws to protect victims of domestic violence in private rental housing. Ohio is not currently one of those states. Locally, the City of Brooklyn has taken steps to protect victims of domestic violence in housing by allowing survivors to terminate their lease or be removed as a cotenant, and by prohibiting property owners from evicting survivors following an instance of domestic violence.

Remove restrictive language in group home and residential facility zoning ordinances.

The Fair Housing Center recommends jurisdictions remove minimum distance requirements for group homes and residential facilities and have all zoning department and committee staff receive additional

training on reasonable accommodations in housing law. Next, The Fair Housing Center recommends local policymakers remove language that excludes residents on the basis of disabilities such as drug and alcohol addiction and communicable diseases and allow group home operators to decide whether a resident poses a health or safety threat to other residents on a case-by-case basis.

Ensure responsible investor activity as detailed in the policy recommendations of the Vacant and Abandoned Property Action Council’s 2022 report, “The Impact of Real Estate Investor Activity on Cuyahoga County, Ohio Housing Market 2004-2020.”

- Modernize code enforcement to combat investors intentionally eluding accountability.
- Empower Municipal Law Departments to aggressively pursue and prosecute problem owners.
- Allocate financial and material resources to existing departments and programs which further policy preferences for homeownership and keeping locally controlled rental properties in good repair.
- Correct the imbalances of bargaining power between housing providers and tenants.
- Collaborate across departments, administrative boundaries, and levels of government to streamline code enforcement processes.

Devote increased resources and continue funding comprehensive local fair housing programs to provide client intake and advocacy, testing, enforcement, research, and education and outreach.

Local private fair housing organizations, like The Fair Housing Center, process and assist in the majority of reported housing discrimination complaints in the area, monitor for fair housing compliance through testing programs, provide Fair Housing training to housing providers and professionals, and educate the public about fair housing laws and their rights under the Fair Housing Act. The Fair Housing Center documents considerable discrimination in area housing and housing-related services through its testing and complaint intake programs. Many victims of housing discrimination are unaware of their rights under federal, state, and local laws and the avenues available to enforce those rights. Increased resources should be devoted to education on fair housing laws, complaint procedures, fair housing enforcement, and other advocacy and research activities. It is time to evaluate current practices and develop effective solutions to eliminate segregation and promote diverse communities. Given the increasing and continued need for fair housing enforcement, client intake assistance, education, advocacy, and research on fair housing policy issues, The Fair Housing Center recommends local, state, and federal policymakers devote increased resources to continue to fund comprehensive local fair housing programs. The Fair Housing Center believes that they will strengthen our region and benefit the entire community, making our region not only more just and equitable but economically stronger.

Vigorously enforce fair housing laws to affirmatively further fair housing.

It is the responsibility of federal, state, and local governments to work to ensure that all residents have the opportunity to rent and purchase housing in cities and neighborhoods they desire free from discrimination. Moreover, it is a legal obligation of governments that receive Community Development Block Grant (CDBG) and other HUD funds to take actions that “affirmatively further fair housing.” This may take place through efforts to combat discrimination and promote integration, transform areas of concentrated poverty into areas of opportunity, and create inclusive communities by eliminating barriers that restrict access to opportunity for members of protected classes. While having strong laws is important, without vigorous enforcement, housing discrimination will continue. Without intentional

planning and policy efforts to eliminate barriers to accessing high-quality housing and transforming areas of concentrated poverty into areas of opportunity, segregated living patterns and inequitable access to high-quality public resources will persist. The Fair Housing Center believes local and county governments throughout the region can do more to meet their obligations under the law, such as conducting an analysis of impediments to fair housing choice study and continually working to identify impediments to fair housing in their community.

Update language in ordinances to use people first language

Many cities and jurisdictions throughout Northeast Ohio use dehumanizing, disrespectful, and pejorative language to describe individuals in their codified ordinances. Some cities describe individuals as “mentally retarded”, “psychotic”, or as “disabled people” and “criminal offenders”. The Fair Housing Center recommends all cities and jurisdictions revise their codified ordinances and zoning code to include people first language. People first language emphasizes who a person is before identifying them through a specific characteristic.

Recommendations for Creating More Inclusive Communities

Government officials, advocates, and enforcement groups should act to create more inclusive communities that support the well-being of all residents, while also working to undo the harms of redlining, predatory lending, institutional racism, and the intentional exclusion of individuals and groups with a protected status under fair housing laws. To create more inclusive communities throughout Northeast Ohio, The Fair Housing Center Recommends:

Increase renter rights.

A host of factors and trends in rental markets nationally call for local and state-level policymakers to take steps to immediately enact legislation that increases renter rights and protections, while also taking steps to increase the supply of affordable, accessible housing. Although there is new construction occurring, the supply of low-cost units is constrained by zoning and density restrictions, as well as the rising costs of construction. Collectively, this incentivizes developers to build housing that serves the upper end of the market.⁶⁷ The majority of newly-built affordable housing is located in high-poverty areas, which reinforces racial and class segregation.

A record number of renters are experiencing housing cost burdens.⁶⁸ As housing costs have increased, homelessness has reached record heights, with an estimated 653,100 people experiencing homelessness as of January 2023. All income groups had increasing cost-burden rates from 2019 to 2022, however, middle-income renters making \$45,000 to \$74,999 saw their cost-burdened share rise the fastest across the nation. Renter households earning less than \$30,000 annually had housing cost burden rise 1.5 percentage points from 2019 to 2022, with 83 percent low-income earners being considered housing cost burden. Together, these trends point to widening holes in our housing safety nets across the nation.

A number of factors are combining to produce this outcome, including but not limited to, the loss of affordable housing supply, exclusionary zoning of multiunit property development, preemption of rent control throughout many jurisdictions, and rent increases, housing costs, and food costs outpacing income gains. In addition to these factors, affordable housing opportunities in Northeast Ohio may be impacted by investor activity. Locally, the percentage of properties acquired by investors in Cleveland

has tripled between 2004 and 2020, leading to a rise in investor-ownership throughout the city which limits homeownership opportunities for Cleveland residents, particularly within the predominantly-Black east-side neighborhoods.⁶⁹ The lack of supply of affordable housing units and imbalance of purchasing power between investors and residents pushes the need for policy to create, support, and facilitate owner-occupant home purchase opportunities, encourage the development of low-cost housing, utilizing the land bank system to create other forms of shared equity housing opportunities, and to eliminate exclusionary zoning policies.

Next, landlord-tenant relationships are informed by a variety of federal, state, and local laws which create different policy contexts for each party to navigate.⁷⁰ Across Northeast Ohio, there are insufficient protections for renters leaving vulnerable area residents susceptible to high rates of discrimination and burdensome housing search costs when compared to others. This results in inequitable access to housing, inequity in housing stability, and inequitable access to community resources based on the location of one's housing throughout the region. To address these concerns, The Fair Housing Center recommends:

- Enacting local ordinances and funding for “right to counsel”, “source of income protection”, “pay to stay protections”.
- Enacting legislation for “first-in-time” protections which require housing providers to provide prospective tenants with the eligibility requirements and screening criteria utilized to evaluate applicants, and offer tenancy to the first qualified applicant who submits a complete application.
- Repealing HB 430 to allow local jurisdictions to enact rent control and rent stabilization measures.
- Amending existing fair housing ordinances to prohibit discrimination based on past or present condition of being unhoused.
- Enacting state level legislation to automatically seal eviction records at the point of filing, ensuring minimal administrative barriers for sealing and expunging eviction records, and prohibiting any sale of eviction data to third-party entities, including credit companies.
- Enacting fair chance housing legislation, prohibiting or limiting housing providers’ consideration of specified criminal records in connection with consideration for housing.
- Enforcing HUD guidance prohibiting housing providers from maintaining blanket bans on renting to individuals with criminal records.
- Repealing group home restrictions in local ordinances that exclude or restrict supportive housing programs for formerly incarcerated persons and individuals in alcohol and substance use recovery programs.
- Increasing funding for and promoting tenant-landlord mediation programs to resolve disputes outside of court.
- Prohibiting housing providers’ blanket bans of prospective tenants with lower credit scores and including credit score as a tenant protection.
- Continue and expand emergency rent assistance, utility assistance, property tax relief, and mortgage relief programs.

Appendix:

Fair Housing Complaint Process

Under the federal Fair Housing Act, individuals who have suffered discrimination may choose to file an administrative complaint before the U.S. Department of Housing and Urban Development (HUD), a lawsuit in court, or both. Because Ohio's fair housing law has been designated substantially equivalent to the federal statute, virtually all housing discrimination complaints filed with HUD involving property in Ohio are referred to the Ohio Civil Rights Commission (OCRC) for investigation and potential resolution.⁷¹

Ohio's fair housing law also allows individuals to pursue remedies administratively before the OCRC or in court. In addition to investigating cases referred by HUD, the OCRC accepts complaints of housing discrimination filed with the agency directly.⁷²

Once the OCRC receives a complaint (or "charge"), the agency assigns it to an investigator. The investigator researches the complaint, speaking with the parties and witnesses, and reviewing any available documentation to determine if there is probable cause of discrimination. Prior to making the determination, the OCRC offers the parties the opportunity to voluntarily mediate their dispute. If both parties agree, a mediator meets with the parties and attempts to find a mutually satisfactory resolution. If a settlement is not reached, the case continues to be investigated.⁷³

After the investigator has reached a recommendation, the case is submitted for supervisory approval and ultimately to the Commissioners, who must approve the report before it becomes a final OCRC determination. Based on its review of the report and recommendation of the OCRC's field staff, the Commission makes a determination of "probable cause" or "no probable cause" of discrimination.

If the OCRC finds probable cause of discrimination, the parties are offered a final chance to resolve their differences through a conciliation process. In the event that the dispute cannot be resolved, the case is referred to the Civil Rights Section of the Ohio Attorney General's Office to bring a civil action before an administrative law judge or, if the parties request, in state court.

Methodology for Analysis of Fair Housing Complaints

In Ohio, fair housing cases may be filed with the U.S. Department of Housing and Urban Development (HUD), the Ohio Civil Rights Commission (OCRC), or sometimes with local fair housing offices.

For purposes of the chart, we followed NFHA's reporting method, reporting the total number of complaints and complaint by basis. Past SOFHs have followed HUD's reporting standards, by considering each alleged basis of discrimination as a separate "complaint." Therefore, if someone filed a charge alleging discrimination based on race and sex, we counted that as two complaints and placed it in each column, even if it arose in only one charge form. In this report, we both report the complaint and the combined total alleged bases of discrimination among all complaints. We report the percent of complaints by basis, using the number of complaints as the denominator in our calculation. We made this change to more accurately count and track the proportion of complaints alleging discrimination on a specific basis compared to the total number of complaints filed in the region.

Another important consideration is HUD classifies some cases as having a basis of "retaliation." Although "retaliation" is not a basis of discrimination under federal, state, or local law, we included a separate category for retaliation in the charts since the HUD data separated this category from the other bases of discrimination. Military status and ancestry, protected classes under Ohio law, are not included in complaint data, because the HUD complaint data only includes reported discrimination against members of federally protected classes.

Ashtabula County Fair Housing Complaints

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total Bases	Total Complaints
2014	1	0	0	0	0	2	9	0	12	8
2015	0	0	0	0	0	2	3	0	5	5
2016	0	0	0	0	0	1	3	0	4	4
2017	1	0	0	0	0	1	8	0	10	7
2018	1	0	0	0	0	1	2	0	4	3
2019	1	0	0	0	0	2	2	0	5	4
2020	0	0	0	0	0	0	1	1	2	1
2021	1	0	0	0	0	0	1	1	3	2
2022	0	0	0	0	1	0	1	2	4	3
2023	1	0	0	0	0	0	1	0	2	2
Total	6	0	0	0	1	9	31	4	51	39

Data Source: HUD

Cuyahoga County Fair Housing Complaints

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total Bases	Total Complaints
2014	49	3	3	2	28	59	86	17	247	123
2015	39	1	6	2	11	30	52	15	156	64
2016	20	1	1	5	17	21	35	10	110	83
2017	19	1	0	8	5	12	34	11	90	64
2018	27	1	4	8	10	6	55	22	133	81
2019	19	0	2	3	11	6	50	7	98	73
2020	16	2	2	1	9	2	33	14	79	56
2021	15	2	0	1	8	4	41	12	83	57
2022	24	2	1	1	10	8	39	14	99	62
2023	30	0	2	3	7	13	33	12	100	70
Total	258	13	21	34	116	161	458	134	1195	733

Data Source: HUD

Geauga County Fair Housing Complaints

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total Bases	Total Complaints
2014	0	0	0	0	1	0	0	0	1	1
2015	0	0	0	0	0	1	1	0	2	1
2016	1	0	0	0	0	0	0	0	1	1
2017	0	0	0	0	0	0	0	0	0	0
2018	1	0	0	1	1	0	0	0	3	3
2019	1	0	0	1	0	1	2	0	5	4
2020	1	0	0	0	0	0	1	2	4	2
2021	0	0	0	0	0	0	0	0	0	0
2022	0	0	0	0	0	1	1	0	2	1
2023	0	0	0	0	0	0	0	0	0	0
Total	4	0	0	2	2	3	5	2	18	13

Source: HUD

Lake County Fair Housing Complaints

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total Bases	Total Complaints
2014	2	1	0	1	3	3	10	2	22	12
2015	0	0	0	1	1	0	1	0	3	3
2016	2	0	0	1	0	3	6	1	13	9
2017	1	0	0	0	2	0	3	0	6	3
2018	0	0	0	0	0	0	5	1	6	5
2019	0	0	0	0	0	1	5	0	6	6
2020	2	0	0	0	0	1	4	0	7	6
2021	3	0	0	0	1	1	1	0	6	4
2022	0	0	0	0	0	0	1	0	1	1
2023	1	0	0	0	0	0	3	0	4	4
Total	11	1	0	3	7	9	39	4	74	53

Data Source: HUD

Lorain County Fair Housing Complaints

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total Bases	Total Complaints
2014	5	0	0	1	1	10	10	2	29	16
2015	5	0	0	0	2	3	6	3	19	6
2016	5	0	0	0	1	0	4	1	11	9
2017	2	0	1	1	2	2	4	3	15	8
2018	1	0	0	0	0	0	3	0	4	2
2019	1	1	0	0	3	0	2	1	8	6
2020	0	0	0	0	0	0	3	1	4	3
2021	1	0	0	0	1	1	2	1	6	3
2022	0	0	0	0	0	0	2	0	2	2
2023	2	0	0	1	2	2	5	0	12	7
Total	22	1	1	3	12	18	41	12	110	62

Data Source: HUD

Medina County Fair Housing Complaints

Year	Race	Color	Religion	National Origin	Sex	Familial Status	Disability	Retaliation	Total Bases	Total Complaints
2014	2	0	0	0	0	1	4	0	7	2
2015	2	0	0	0	0	1	3	0	6	2
2016	0	0	0	0	0	0	4	0	4	4
2017	3	0	0	0	1	2	3	1	10	7
2018	0	0	0	0	0	0	3	0	3	3
2019	1	0	0	0	1	0	2	1	5	2
2020	2	0	0	0	0	0	1	1	4	2
2021	1	0	0	0	0	1	3	0	5	3
2022	0	0	0	0	1	0	4	0	5	5
2023	0	1	1	0	0	0	6	2	10	6
Total	11	1	1	0	3	5	33	5	59	36

Data Source: HUD

Endnotes

- ¹ Desmond M, Gershenson C. Who gets evicted? assessing individual, neighborhood, and network factors. *Soc Sci Res.* 2017;62:362-377. doi:10.1016/j.ssresearch.2016.08.017.
- ² Richter, F. G.- C., Urban, A.H., Coluton, C., Steh, S., Chan, T., 2019; Rothstein. R., 2017; Rothstein R., Rothstein L., 2022; Vacant and Abandoned Property Action Council, 2022.
- ³ National Fair Housing Alliance, “2022 Fair Housing Trends Report” Accessed: <https://nationalfairhousing.org/wp-content/uploads/2022/11/2022-Fair-Housing-Trends-Report.pdf>
- ⁴ To watch the hearings: <https://ohiosenate.gov/committees/select-committee-on-housing/meetings>
- ⁵ H.B 430, 134th General Assembly, 2022 Reg. Sess. (Ohio 2022). https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_134/bills/hb430/EN/06/hb430_06_EN?format=pdf
- ⁶ Dominique, Harley. “Tenant Safeguards in Jeopardy: How Ohio’s HB 430 May Preempt Local Pay-to-Stay Ordinances. Accessed: <https://uclawreview.org/2022/10/11/how-ohios-hb-430-may-preempt-local-pay-to-stayordinances/#:~:text=HB%20430%20And%20Preempting%20Rent,from%20enacting%20rent%20control%20ordinances.&text=See%20Ben%20Harrold%2C%20Rent%20Control,Apartment%20Ass'n%20>
- ⁷ Rosenbaum, Bergh, and Hall “Temporary Pandemic SNAP Benefits Will End in Remaining 35 States in March 2023” (February 6, 2023). Accessed: <https://www.cbpp.org/research/food-assistance/temporary-pandemic-snapbenefits-will-end-in-remaining-35-states-in-march>
- ⁸ See *Ohio Civil Rights Comm’n v. Triangle Real Estate Services, Inc.*, 2007 WL1125842 (Ohio App. 10 Dist.); *Ohio Civil Rights Comm’n v. Fairmark Development, Inc.*, 2008 WL 5197160 (Ohio App. 10 Dist.); and *Ohio Civil Rights Comm’n v. Akron Metropolitan Housing Authority*, 119 Ohio St. 3d 77 (2008). A fourth decision, *Fair Housing Advocates Ass’n v. Chance*, 2008 Ohio 2603 (Ohio App. 9 Dist.), which held that private fair housing groups do not have standing to bring cases under Ohio law, was effectively overturned by the Ohio legislature with the passage of HB 1 in 2009.
- ⁹ Lepley, M. and Mangiarelli, L. (2017). *Housing Voucher Discrimination and Race Discrimination in Cuyahoga County*. Accessed: <https://www.thehousingcenter.org/wp-content/uploads/2017/12/Voucher-and-Race-Discrimination.pdf>
- ¹⁰ Healy, L. and Lepley, M. (2017). *Housing Voucher Mobility in Lorain County. The Fair Housing Center*. Accessed: <https://www.thehousingcenter.org/wp-content/uploads/2017/02/Lorain-Mobility-Report.pdf>
- ¹¹ In addition to federal, state, and local fair housing laws discussed below in this report, there are a number of other federal statutes that provide protection to individuals from discrimination in housing and mortgage lending. These statutes include: the Civil Rights Act of 1866 (42 U.S.C. §1981 and §1982), the Americans with Disabilities Act (ADA) (42 U.S.C. §1201, et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d, et seq.), the Equal Credit Opportunity Act (15 U.S.C. §1691, et seq.), and the Housing and Community Development Act (42 U.S.C. §1437, et seq.).
- ¹² In certain circumstances, the owner of a single-family home may be exempt from coverage under the federal Fair Housing Act. In addition, under the “Mrs. Murphy” exemption, an owner-occupied complex of four or fewer units may be exempt from coverage. These exemptions do not exist under Ohio’s fair housing law.
- ¹³ “Blockbusting” refers to encouraging homeowners to sell their homes quickly (and often at below market rates) by creating a fear that members of a minority group are moving into the neighborhood.
- ¹⁴ In passing the Act in 1968, Congress prohibited discrimination based on race, color, religion, and national origin. (Civil Rights Act of 1968, Title VIII, Pub. L. No. 90-284.) Discrimination based on sex (including sexual harassment) was prohibited by a 1974 amendment. (Housing and Community

Development Act of 1974, Pub. L. No. 93-383, §808.) In 1988, Congress amended the Act to include familial status and “handicap” as protected classes. (Fair Housing Amendments Act of 1988, Pub. L. No. 100-430.)

¹⁵ HUD Public Affairs, “HUD to Enforce Fair Housing Act to Prohibit Discrimination on the Basis of Sexual Orientation and Gender Identity,” (February 11, 2021).

https://www.hud.gov/press/press_releases_media_advisories/HUD_No_21_021

¹⁶ United States Census Bureau, Ancestry.

<https://www.census.gov/topics/population/ancestry/about.html>

¹⁷ The “Mrs. Murphy” exemption (for an owner-occupied complex of four or fewer units) and the exemption for the sale and rental of an owner’s single-family home are not included in Ohio’s fair housing law. Under both Ohio and federal law, certain noncommercial property owned by religious organizations and private clubs may be exempt from fair housing laws in certain circumstances. In addition, senior housing is exempt from the familial status provisions under both statutes.

¹⁸ In passing the Act in 1968, Congress prohibited discrimination based on race, color, religion, and national origin. (Civil Rights Act of 1968, Title VIII, Pub. L. No. 90-284.) Discrimination based on sex (including sexual harassment) was prohibited by a 1974 amendment. (Housing and Community Development Act of 1974, Pub. L. No. 93-383, §808.) In 1988, Congress amended the Act to include familial status and handicap as protected classes. (Fair Housing Amendments Act of 1988, Pub. L. No. 100-430.)

¹⁹ Codified Ordinances of the City of Elyria § 725.10 (Ord. 96-98. Passed 5-6-96.)

²⁰ Codified Ordinances of the City of Euclid § 763.04 (Ord. 141-1992. Passed 6-1-92.). Codified Ordinances of the Village of Gates Mills § 773.03 (Ord. 2001-13. Passed 3-13-01.). Codified Ordinances of the City of Highland Hills § 715.03 (Ord. 2000-58. Passed 10-11-00.). Codified Ordinances of the Village of Mayfield § 743.03 (Ord. 98-12. Passed 2-16-98). Codified Ordinance of the City of North Olmsted § 1901.05 (Ord. 2000-76. Passed 7-5-00.). Codified Ordinances of the Village of North Randall § 628.04 (Ord. 1996-4. Passed 2-12-96.). Codified Ordinances of the Village of Oakwood § 1353.03 (Ord. 2002-38. Passed 10-8-02.). Codified Ordinances of the City of Parma § 622.03 (Ord. 142-88. Passed 6-20-88.). Codified Ordinances of the City of Parma Heights § 622.03 (Ord. 2011-38. Passed 12-28-11.). Codified Ordinances of the City of South Euclid § 1408.03 (Ord. 9-98. Passed 2-23-98; Ord. 76-02. Passed 12-23-02.).

²¹ Lepley, M. and Mangiarelli, L., 2019.

²² Mead, J.; Hatch, M.; Tighe, R.J.; Pappas, M.; Andrasik, K.; and Bonham, E., 2017

²³ Codified Ordinances of the City of Ashtabula § 521 (Ord. 2011-36. Passed 3-7-11). Codified Ordinances of the Village of Geneva-on-the-Lake § 151 (Ord. 2012-53. Passed 8-6-12).

²⁴ Codified Ordinances of the City of Bedford Heights § 561.01(Ord. 2007-089. Passed 4-17-07). Codified Ordinances of the City of Berea § 931.02 (Ord. 2009-1. Passed 1-5-09). Codified Ordinances of the City of Brooklyn § 503.01(Ord. 2005-19. Passed 5-23-05). Codified Ordinances of the City of Cleveland § 630.01(Ord. No. 574-18. Passed 5-14-18, eff. 5-15-18). Codified Ordinances of the City of Cleveland Heights § 553.01(Ord. 122-2015. Passed 11-2-15). Codified Ordinances of the Village of Cuyahoga Heights § 680.07 (Ord. 2012-98. Passed 10-10-12). Codified Ordinances of the City of East Cleveland § 1315.01 (Ord. 98-04. Passed 6-29-04). Codified Ordinances of the City of Euclid § 529.07 (Ord. 86-2006. Passed 5-15-06; Ord. 179-2006. Passed 10-16-06; Ord. 134-2010. Passed 10-4-10. Ordinance amended and passed on 12/19/2016, Ordinance No.145-2016). Codified Ordinances of the City of Fairview Park § 509.18 (Ord. 04-33. Passed 12-20-04). Codified Ordinances of the City of Garfield Heights § 555.01 (Ord. 13-2017. Passed 2-27-17). Codified Ordinances of the City of Independence § 663.02 (Ord. 2018-6. Passed 3-13-18). Codified Ordinances of the City of Lakewood § 510.01 (Ord. 22-18. Passed 7-2-2018.). Codified Ordinances of the City of Lyndhurst § 161.01 (Ord. 2017- 11. Passed 2-20-17). Codified Ordinances of the City of Maple Heights § 680 (Ord. 2016-106). Codified Ordinances of the City of Mayfield Heights § 153.02 (Ord. 2017-6. Passed 1-23-17; Ord. 2017-8. Passed 3-13-17).

Codified Ordinances of the Village of Newburgh Heights §1355.01 (Ord. 2007-27. Passed 9-18-07). Codified Ordinances of the City of North Olmsted §561.01 (Ord. 2018-19. Passed 3-20-18.). Codified Ordinances of the Village of Oakwood §122.01 (Ord. 2011-54. Passed 10-25-11). Codified Ordinances of the City of Parma § 606.31 (Ord. 220-04. Passed 6-20-05; Ord. 178-12. Passed 9-17-12; Ord. 160-16. Passed 8-1-16; Ord. 61-17. Passed 5-1-17). Codified Ordinances of the City of Seven Hills §565.02 (Ord. 95-2015. Passed 10-13-15). Codified Ordinances of the City of Shaker Heights §109.01 (Ord. 16-109. Enacted 10-24-16). Codified Ordinances of the City of South Euclid § 531.09 (Ord. 41-04. Passed 7-26-04; Ord. 35-06. Passed 6-26-06; Ord. 10-08. Passed 3-24-08; Ord. 36-11. Passed 3-26-12; Ord. 27-12. Passed 2-11-13; Ord. 08-17. Passed 6-12-17). Codified Ordinances of the City of University Heights § 648.17 (Ord. 2004-42. Passed 11-14-2004; Ord. 2007-66. Passed 11-19-2007.) Codified Ordinances of the City of Warrensville Heights § 550.01 (Ord. 2016-036. Passed 2-16-16). Codified Ordinances of the Village of Woodmere § 551.07 (Ord. 2014-106. Passed 11-12-14).

²⁵ Codified Ordinances of the Village of Fairport Harbor § 521 (Ord. 2006-39. Passed 4-4-06. Codified Ordinances of the City of Mentor on the Lake § 606.31 (Ord. 2009-0-07. Passed 3-24-09). Codified Ordinances of the City of Painesville § 508.20 (Ord. 22-08. Passed 11-3-08).

²⁶ Codified Ordinances of the City of Avon Lake § 662.01 (Ord. 54-2015. Passed 4-13-15). Codified Ordinances of the City of Sheffield Lake § 1395.25 (Ord. 1-14. Passed 1-14-14). Codified Ordinances of the City of Wellington § 501.14 (Ord. 2016-17. Passed 6-20-16).

²⁷ Codified Ordinances of the City of Brunswick § 678 (Ord. 69-05. Passed 7-18-05). Codified Ordinances of the City of Rittman § 521.10 (Ord. 7909 passed, 3-12-12, Ord. 7909, passed 12-7-15). Codified Ordinances of the City of Wadsworth § 93.70 (Ord. 13-039, passed 7-16-13).

²⁸ In passing the Act in 1968, Congress prohibited discrimination based on race, color, religion, and national origin. (Civil Rights Act of 1968, Title VIII, Pub. L. No. 90-284.) Discrimination based on sex (including sexual harassment) was prohibited by a 1974 amendment. (Housing and Community Development Act of 1974, Pub. L. No. 93-383, §808.) In 1988, Congress amended the Act to include familial status and handicap as protected classes. (Fair Housing Amendments Act of 1988, Pub. L. No. 100-430.)

²⁹ See O.R.C Sections 5119.34(B)(1)(b) and O.R.C Sections 5123.19(A)(5)(a).

³⁰ Joint Statement of the Department of Justice and the Department of Housing and Urban Development, “State and Local Land Use Laws and Practices and the Application of the Fair Housing Act,” p. 10 (November 10, 2016).

³¹ Joint Statement of the Department of Justice and the Department of Housing and Urban Development, “State and Local Land Use Laws and Practices and the Application of the Fair Housing Act,” p. 10 (November 10, 2016).

³² Sec. 804 (c) [42 U.S.C. 3604]: To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.

³³ Joint Statement of the Department of Justice and the Department of Housing and Urban Development, “State and Local Land Use Laws and Practices and the Application of the Fair Housing Act,” p. 12-13 (November 10, 2016).

³⁴ See *ARC of New Jersey, Inc. v. New Jersey*, 950 F. Supp. 637 (D. New Jersey 1996); *Horizon House v. Township of Upper Southampton*, 804 F. Supp. 683 (E.D. Pennsylvania 1992); *Larkin v. State of Michigan Department of Social Services*, 89 F.3d 285 (6th Cir. 1996); *Moretha Harding, et al. v. City of Toledo*, 443 F. Supp.2d 867 (N.D. Ohio 2007); *Oconomowoc Residential Programs Incorporated v. City of Milwaukee*, 300 F.3d 775 (7th Cir. 2002).

³⁵ Codified Ordinances of the Township of Andover § 1000.82 (June 2000). Codified Ordinances of the Township of Austinburg § 1000.82. Codified Ordinances of the Township of Colebrook § 1082.

Codified Ordinances of the Township of Dorset § 1000.82. Codified Ordinances of the Township of Harpersfield § 1000.82. Codified Ordinances of the Township of Hartsgrove § 600.82 (July 1994). Codified Ordinances of the Township of Kingsville § 1000.82 (December 1994). Codified Ordinances of the Township of Lenox § 1000.82 (May 2013). Codified Ordinances of the Township of New Lyme § 1000.82 (January 2008). Codified Ordinances of the Township of Orwell § 1000.82 (1993). Codified Ordinances of the Township of Plymouth § 1082 (2004). Codified Ordinances of the Village of Roaming Shores § 1157.03 (Ord. 381-02-03. Passed 5-20-03).

³⁶ Codified Ordinances of the City of Brooklyn Heights, Ohio § 1268.03 (Ord. 73-94. Passed 10-4-94). Codified Ordinances of the City of Cleveland, Ohio § 325.571 (Ord. No. 586-16. Passed 7-13-16, eff. 7-17-16) Codified Ordinances of the City of East Cleveland, Ohio § 1123.01 (Ord. 5531. Passed 2-11-1964 § 1125.10 (Ord. 97-08. Passed 12-2-2008). Codified Ordinances of the City of Euclid, Ohio § 1351.02, § 1353.02, § 1355.02, § 1356.02, §1356.03, § 1368.13, (Ord. 28-1957. Passed 1-28-1957. Ord. 178-1959. Passed 9-14-1959) Ord. 97-1972. Passed 5-1-1972. Ord 174-2008. Passed 9-2-2008). Codified Ordinances of the City of Fairview Park § 1149.14 (Ord. 89-99. Passed 4-2-1990). Codified Ordinances of Garfield Heights § 1369.03 (Ord. 82-988. Passed 11-14-88). Codified Ordinances of the City of Lakewood § 1121.11 (Ord. 91-95. Passed 10-7-1996). Codified Ordinances of the City of Lyndhurst § 1160.03 (Ord. 96-61. Passed 10-19-1998). Codified Ordinances of the City of Maple Heights § 1270.02, 1272.02, and 1274.02 (Ord. 2000-128. Passed 12-6-2000). Codified Ordinances of the City of Olmsted Falls § 1264.03 (Ord. 89-99. Passed 12-14-1999). Zoning Resolution of Olmsted Township § 280.01, Adopted March 9, 2000, Amended May 22, 2013. Codified Ordinances of the City of Parma § 1158.04 (Ord. 91-21. Passed 9-7-21).Codified Ordinances of the City of Parma Heights § 1189.03 (Ord. 1986-56. Passed 10-27-1986). Codified Ordinances of the City of Rocky River § 1183.11. Codified Ordinances of the City of Shaker Heights § 1222.02. Codified Ordinances of South Euclid § 722.03 (Ord. 05-12. Passed 7-23-12). Codified Ordinances of University Heights § 1274.01(e) (1982 Code, § 1124.01) (Ord. 91-11. Passed 5-6-1990.)

³⁷ Codified Ordinances of the Township of Bainbridge, Ohio: Bainbridge Township Zoning Resolution § 135.02 (b)(9) (Adopted 6/27/1994). Codified Ordinances of the City of Chardon § 1145.13 (Ord. 2652. Passed 4-14-11). Codified Ordinances of the Township of Hambden § 402.3 (2014). Zoning Resolution of the Township of Newbury, Article V. Codified Ordinances of the Township of Parkman § 402.12, Parkman Township Zoning Resolution IV-10, Effective November 15, 2012.

³⁸ Codified Ordinances of the City of Mentor § 1135.04 (Ord. 18-O-097. Passed 12-4-18). Codified Ordinances of the City of Painesville § 1115.02 (Ord. 16-19. Passed 9-16-2029). Codified Ordinances of the Village of Perry § 2012-08 (Passed 6-14-12). Codified Ordinances of the City of Willoughby Hills § 1147.08 (Ord. 2006- 35. Passed 5-25-06).

³⁹ Codified Ordinances of the Township of Amherst § 1173.08 (8/12/10). Codified Ordinances of the City of Avon § 1280.06 (Ord. 58-01. Passed 5-29-01. Ord 30-05. Passed 3-28-05. Ord 77-05. Passed 6-13-05. Ord. 147-07. Passed 1- 14-08. Ord 1-08. Passed 2-11-08. Ord 169-08. Passed 2-11-08. Ord 169-08. Passed 1-12-09. Ord. 26-10. Passed 5-10- 10. Ord. 11-13. Passed 2-25-13. Ord 26-15. Passed 4-13-15). Codified Ordinances of the City of Avon Lake § 1240.08 (Ord. 52-99. Passed 3-22-1999) § 1240.10 (Ord. 106-2015. Passed 8-24-2015). Codified Ordinances of the City of Elyria § 1137.10 (Ord. 98-176. Passed 8-3-98). Codified Ordinances of the Village of Grafton § 1287.08 (Ord. 01-014. Passed 7-17-2001). Codified Ordinances City of Lorain § 1143.06 (Ord. 4-21. Passed 1-4-21). Codified Ordinances of the Village of Wellington § 1173.08.

⁴⁰ Codified Ordinances of the City of Brunswick § 1280.14 (Ord. 9-03. Passed 1-27-03). Codified Ordinances of the Township of Brunswick Hills § 804-4, Effective March 26, 2009. Codified Ordinances of the Township of Montville § 450.6 (June 24, 2004). Codified Ordinances of the City of Spencer § 410.3 (Revised December 1, 2010).

⁴¹ Joint Statement of the Department of Justice and the Department of Housing and Urban Development, “Reasonable Accommodations Under the Fair Housing Act,” p. 2-4 (May 17, 2004). United States Department of Justice, “Fair Housing Act,” http://www.justice.gov/crt/about/hce/housing_coverage.php#disability.

⁴² Codified Ordinances of the City of Avon Lake, Ohio § 1212.03(49) (Ord. 52-99. Passed 3-22-99; Ord. 129-2011. Passed 12-12-11; Ord. 151-2012. Passed 11-10-12; Ord. 105-2014. Passed 8-25-14; Ord. 106-2015. Passed 8-24-15; Ord. 125-2015. Passed 10-13-15.). Codified Ordinances of the City of Bay Village, Ohio § 1142.04 (Ord. 90-12. Passed 3-19-1990). Codified Ordinances of the City of Fairview Park, Ohio § 1149.14 (Ord. 91-49. Passed 10-7-1991). Codified Ordinances of the City of Garfield Heights, Ohio § 1369.02 (Ord. 82-1988. Passed 11-14-1988). Codified Ordinances of the Township of Madison, Ohio § 101 (Last Updated 01-24). Codified Ordinances of the City of Mayfield Heights, Ohio § 721.03 (Ord. 1986-31. Passed 1-12-1987). Codified Ordinances of the City of Olmsted Falls, Ohio 1264.03 (Ord. 89-99. Passed 12-14-1999). Codified Ordinances of Newburgh Heights, Ohio § 1129.10 (Ord. 20041-28. Passed 8-21-01). Codified Ordinances of the City of Painesville, Ohio § 1107.02 (Ord. 16-19. Passed 9-19-2019). Codified Ordinances of the City of Parma Heights, Ohio § 1189.03 (Ord. 1986-56. Passed 10-27-86). Codified Ordinances of the City of Shaker Heights, Ohio § 1211.02 (Ord. 13-45. Enacted 7-8-13; Ord. 13-114. Enacted 12-16-13.). Codified Ordinances City of University Heights § 12704.01(e) (Ord. 91-11, Passed 5-6, 1990).

⁴³ U.S. Department of Housing and Urban Development, “Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions,” released April 2016.

⁴⁴ U.S. Department of Housing and Urban Development, “Eliminating Barriers that may Unnecessarily Prevent Individuals with Criminal Histories from Participating in HUD Programs,” released April 2022.

⁴⁵ U.S. Department of Housing and Urban Development, “Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions,” released April 2016.

⁴⁶ Codified Ordinances of the City of Avon Lake, Ohio § 1212.03(49) (Ord. 52-99. Passed 3-22-99; Ord. 129-2011. Passed 12-12-11; Ord. 151-2012. Passed 11-10-12; Ord. 105-2014. Passed 8-25-14; Ord. 106-2015. Passed 8-24-15; Ord. 125-2015. Passed 10-13-15.). Codified Ordinances of the City of Bay Village, Ohio § 1142.04 (Ord. 90-12. Passed 3-19-1990). Codified Ordinances of the City of Bedford, Ohio § 1915.24 (Ord. 90-12. Ord. 9497-17. Passed 7-3-17). Codified Ordinances of the City of Eaton, Ohio § 1107.02 (Ord. 07-02. Passed 5-21-07).

Codified Ordinances of the City of Fairview Park, Ohio § 1149.14 (Ord. 91-49. Passed 10-7-1991). Codified Ordinances of the City of Garfield Heights, Ohio § 1369.02 (Ord. 82-1988. Passed 11-14-1988). Codified Ordinances of the City of Mayfield Heights, Ohio § 721.03 (Ord. 1986-31. Passed 1-12-1987), Codified Ordinances of Newburgh Heights, Ohio § 1129.10 (Ord. 20041-28. Passed 8-21-01), Codified Ordinances of Painesville, Ohio § 1125.04 (Ord. 18-06. Passed 5-15-06; Ord. 17-12. Passed 5-21-12; Ord. 21-13. Passed 12-16-13; Ord. 8-14. Passed 5-19-14; Ord. 5-15. Passed 4-20-15). Codified Ordinances of the City of Parma, Ohio § 1717.02 (Ord. 178-96. Passed 6-3-96.). Codified Ordinances of the City of Parma Heights, Ohio § 1189.03 (Ord. 1986-56. Passed 10-27-86). Codified Ordinances of the City of Shaker Heights, Ohio § 1211.02 (Ord. 13-45. Enacted 7-8-13. Ord. 13-114. Enacted 12-16-13.). Codified Ordinances City of University Heights § 12704.01(e) (Ord. 91-11, Passed 5-6, 1990).

⁴⁷ Joint Statement of the Department of Justice and the Department of Housing and Urban Development, “State and Local Land Use Laws and Practices and the Application of the Fair Housing Act,” p. 10 (November 10, 2016).

⁴⁸ United States of America v. Town of Oyster Bay, et. al., No 14 Civ. 2317 (E.D. New York 2014). Fair Housing Justice Center, Inc. v. Town of York Town, No. 10cv9337 (S.D. New York 2010).

⁴⁹ Codified Ordinances of the City of Mayfield Heights, Ohio § 721.03 (Ord. 1986-31. Passed 1-12-

1987).

⁵⁰ Codified Ordinances of the City of Parma Heights, Ohio § 1189.02.

⁵¹ Codified Ordinances of the City of Shaker Heights, Ohio § 1211.02, § 1222.02(C).

⁵² Codified Ordinances of the City of University Heights, Ohio § 1472.26(c), § 1472.27

⁵³ Lepley, Michael and Huiyu Lin (2021). *Exclusionary Zoning in Cuyahoga County, Part II: School Districts and Group Homes*. The Fair Housing Center. <https://www.thehousingcenter.org/wp-content/uploads/2021/05/Zoning-Report-Part-2-Final.pdf>.

⁵⁴ Jbaily A, Zhou X, Liu J, Lee TH, Kamareddine L, Verguet S, Dominici F. Air pollution exposure disparities across US population and income groups. *Nature*. 2022 Jan;601(7892):228-233. doi: 10.1038/s41586-021-04190-y. Epub 2022 Jan 12. PMID: 35022594; PMCID: PMC10516300.

⁵⁵ Haberle, Megan (2017). Fair Housing and Environmental Justice: New Strategies and Challenges. *Journal of Affordable Housing*. Vol. 26 (2), pp. 271-279. Accessed: https://www.prrac.org/pdf/AH_26-2_06Haberle.pdf

⁵⁶ HUD GIS Help Desk. Environmental Health Index. Accessed January 31, 2024: <https://hudgis-hud.opendata.arcgis.com/datasets/HUD::environmental-health-hazard-index/about>

⁵⁷ In this report, we define Northeast Ohio as Ashtabula, Cuyahoga, Geauga, Lake, Lorain, and Medina counties.

⁵⁸ HUD GIS Help Desk. Environmental Health Index. Accessed January 31, 2024: <https://hudgis-hud.opendata.arcgis.com/datasets/HUD::environmental-health-hazard-index/about>

⁶⁰ For the purposes of this report, we make a distinction between complaint and complaint by basis. Each complaint filed is considered a single complaint. A single complaint, however, can allege discrimination along multiple bases. For example, a single housing discrimination complaint could allege discrimination based upon race and disability. In this case, the single complaint would contain a complaint on two bases. For details of The Fair Housing Center's methodology, see Appendix X.

⁶¹ National Fair Housing Alliance, "Fair Housing Trends Report, 2023", Accessed: [2023-Trends-Report-Final.pdf \(nationalfairhousing.org\)](https://www.nationalfairhousing.org/2023-Trends-Report-Final.pdf)

⁶¹ For details of The Fair Housing Center's methodology, see Appendix.

⁶² Fair Housing Center calculated Z-scores. See Appendix for full chart of z-scores for HUD complaints from 2014 to 2023.

⁶³ County-level data is presented in Appendix.

⁶⁴ Data analyzed for this section were compiled from The Fair Housing Center's intake records. People who feel they have been the victims of housing discrimination may contact The Fair Housing Center to receive assistance with a concern of housing discrimination. Some complaints reported occur outside of The Fair Housing Center's service area. In such instances, staff complete an intake interview, provide fair housing education, and provide a referral to a local fair housing agency.

⁶⁵ John A. Powell and Stephen Menedian, "Opportunity Communities: Overcoming the Debate Over Mobility Versus Place-Based Strategies." In *The Fight for Fair Housing: Causes, Consequences, and Future Implications of the 1968 Federal Fair Housing Act* Edited by Gregory D. Squires. 2018.

⁶⁶ The "Mrs. Murphy" exemption (for an owner-occupied complex of four or fewer units) and the exemption for sale and rental of an owner's single-family home are not included in Ohio's fair housing law. Under both Ohio and federal law, certain uncommercial property owned by religious organizations and private clubs may be exempt from fair housing laws in certain circumstances.

⁶⁷ Joint Center for Housing Studies. *America's Rental Housing, 2022*. Accessed: https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2022.pdf

⁶⁸ Joint Center for Housing Studies. *America's Rental Housing, 2024*. Accessed: https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2024.pdf

⁶⁹ Vacant and Abandoned Property Action Council (2022). *The Impact of Real Estate Investor Activity on the Cuyahoga County Housing Market, 2004-2020*. Accessed: <https://www.documentcloud.org/documents/21615529-the-impact-of-investor-activity-in-cuyahoga-county>

⁷⁰ Joint Center for Housing Studies. *America's Rental Housing, 2022*. Accessed: https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2022.pdf

⁷¹ According to the agreement between HUD and the OCRC, with several exceptions, fair housing complaints from Ohio that are filed with HUD are referred to the OCRC for investigation and resolution. In 2005, HUD investigated less than one percent of cases. (Email communication with Carolyn Murphy, Director of Columbus Fair Housing Center, U.S. Department of Housing and Urban Development, March 10, 2006.) In addition, starting in 2009, HUD also began retaining jurisdiction over cases alleging violations of the accessible design & construction requirements applicable to new multi-family construction and cases of third-party liability.

⁷² The procedures of the OCRC are set forth in ORC 4112.03-4112.06 and in the Ohio Administrative Code 4112-3-01 through 4112-3-17.

⁷³ The Commission has the authority to demand access to records, premises, documents, evidence or possible sources of evidence, and to record testimony or statements from individuals. Further, the agency has the right to issue subpoenas, interrogatories, and cease and desist orders; hold public hearings; and collect monetary benefits (Ohio Revised Code 4112.04).

Fair Housing Center for Rights & Research is a not-for-profit agency whose mission is to protect and expand fair housing rights, eliminate housing discrimination, and promote integrated communities.

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