



Winter 2018

Winston-Salem City Council

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Jelani Biggs, Specialist

Tu Comunidad Liasion



Adolfo Briceno

If you have any suggestions for a featured service or program, please contact Adolfo Briceno, Human Relations Specialist, at 336.734.1225.

When Buying A House

Buying a house, especially if it is the first one you purchase, is always an exciting lifetime achievement that will rank high on the list of memorable moments in an individual's life.



But with every high ticket purchase it is always wise to exercise caution and awareness, especially if you are sinking your life savings into this property; in these situations, the advice is the same: Do your homework before signing the dotted line.

In the past months, the City of Winston-Salem has seen several individuals of color, Hispanic in particular, who buy houses that are condemned by the city. This means that the property is in the process of being demolished or has a balance over an outstanding housing violation.

The City neither tracks these purchasers nor details regarding the transactions, but they all share something in common: shock when the purchaser realizes their situation and the argument that the previous owner did not disclose this condition to them.

The problem is that once the transaction takes place, the new owners inherit the balance and the problems associated with the property, including the burden of making the necessary repairs to bring the property up to code and face potential demolition.

The only antidote to prevent this from happening is to perform your due dili-

gence before purchasing the property. If the unit seems to be in a situation that it might need a little bit of work here and there, proceed with caution. If the landlord says that he is going to sell the property below the market price so that when you make the repairs you can sell it with improvements and make a quick profit, beware. If the seller pressures you into this terrific deal, but will only wait 48 hours or less for you make a decision, ponder it carefully.

In every real estate purchase, it is always wise to hire a lawyer with experience in these types of transactions. At the very least, an attorney most likely will do a title search, look for sanitation liens, and other potential hidden issues. If you still want to do this on your own, call the city of Winston-Salem to Sharon Richmond, Community Development Deputy Director, at 336-734-1272 or email her at Sharonr@cityofws.org Remember that the information is public and they will gladly give it to you.



Smoke-free in Subsidized and Public Housing Buildings: The Reasonable Accommodation Aspect

Starting in July 31, 2018, all units from Public Housing Authorities (PHA) and Multi-family Federally Assisted Properties will be smoke-free, as per a new rule issued by the United States Department of Housing and Urban Development (HUD). When the rule was first announced, the PHA's were given 18 months to implement it, but now, new

WinstonSalem logo and US Department of Housing and Urban Development logo. Text: Report a problem, Request a new service, Send suggestion or comment, CityLink311, Call 311 or 336-727-8000, citylink@cityofws.org

guidance will be enforced starting from the said date. Now, smokers will have to walk 25 feet beyond the building or to a designated area in order to smoke. It will not be enough to just go outside the building.

This means that smoking inside the units or inside the property will be prohibited and will be considered a lease violation that could result in an eviction. For those considering asking for a reasonable accommodation, beware: HUD will consider that smoking, in itself, is neither a disability, nor a necessary activity related to any known disability.

Under the Fair Housing Act, a disabled individual can ask for a reasonable accommodation which is, in essence, asking that the he or she is excused from observing the rules and policies of the complex because of his or her disability.

In the rule, HUD established that smoking will not be considered a disability because it is not considered as such under the American with Disabilities Act (ADA). It will also not be considered a constitutional right because smokers are not being asked to quit; they are simply being told to smoke 25 feet outside the building or in smoking designated areas.

HUD is open to consider these reasonable accommodation requests on a case-by-case basis. The agency gave examples of PHA's that established smoke-free policies on their own and granted accommodations to smokers with disabilities. Those accommodations included placing tenants on the first floor, or close to an elevator, so the tenants can access the outside of the building or the designated area more easily. This provision will also be applied to those tenants with mental disabilities who smoke, as well.

HUD Delays Implementation of AFFH Rule

The United States Department of Housing and Urban Department (HUD) announced in January 2018 that it will delay implementation of the Affirmatively Further Fair Housing Rule (AFFH) at least until October 2020.

This rule, in its simplest terms, is an attempt to end patterns of racial segregation in cities and neighborhoods by conditioning the receipt of federal funds on a commitment by municipalities to end patterns of segregation with a robust set of policies, planning, and enforcement actions. So, in essence, HUD was telling municipalities to show that they were combating segregation within their neighborhoods so that they could receive federal funds.



Municipalities were required to present HUD with a document entitled "Assessment of Fair Housing (AFH)," which identified local barriers to fair housing and the steps the cities were taking to eradicate them. The rule became effective in 2015, during the Obama administration. From that point on, delivering this AFH was a condition for municipalities to receive HUD funds in certain specific programs like Community Development Block Grants.

According to the Fair Housing Project, a project of Legal Aid of North Carolina, Winston-Salem, Greenville and Wilmington submitted their AFHs. New Bern and Jacksonville were scheduled to submit theirs in October 2018. An additional 23 communities within North Carolina were going to submit their reports in 2019 and 2021, but this will not be necessary now.

HUD explained in an official summary, that the rule was being delayed because many municipalities' Assessment of Fair Housing reports were being rejected as inadequate, either due to their goals not resulting in substantive policy actions, or the metrics did not meaningfully measure their progress. Officially, HUD is delaying the implementation of the rule to give more training to municipalities and to also improve its Data and Mapping Tool, which should be a helpful resource to aid struggling cities.

An article published by the New York Times mentioned that advocates think the delay is just an excuse to eliminate the rule altogether. Fair Housing activists interviewed by the paper mentioned that this is an attempt to strangle the first major effort in decades to address racial housing segregation burying it in calls for more analysis and preparation. According to the New York Times, critics of the rule contend that the guideline intrudes into the decision of local communities as to how to better plan their neighborhoods and cities.



April 19, 2018

13th Annual State of Fair & Affordable Housing LUNCHEON

11:30 a.m.-2:00 p.m.

Benton Convention Center

Call 336-734-1227 to Register or for more information