

Assessment of Fair Housing Brevard County HOME Consortium

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I. Executive Summary

Overview of the Assessment of Fair Housing

Brevard County, Florida, and the cities of Cocoa, Melbourne, Palm Bay, and Titusville receive federal funding from the U.S. Department of Housing and Urban Development (HUD) to support affordable housing and community development programs that serve low- and moderate-income individuals in the community. As a condition of receiving HUD funding, Brevard County and the cities must abide by federal requirements under Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act. The Fair Housing Act requires federal agencies such as HUD and grantees of federal funding for housing programs to affirmatively further the policies and purposes of the Fair Housing Act, a mandate which is known as “affirmatively furthering fair housing” (AFFH).

To demonstrate compliance with AFFH, grantees must take meaningful steps to address fair housing concerns in their communities, work to overcome segregation, and promote inclusive communities without barriers that limit access to opportunity based on the seven federally protected classes. These include race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability.

Brevard County and the cities of Cocoa, Melbourne, Palm Bay, and Titusville jointly funded this Assessment of Fair Housing (AFH) to collect and analyze recent data and community input on the fair housing challenges facing the county. The AFH combines data analysis and information gathered through a comprehensive community engagement process to identify fair housing issues across the county and outline goals and actions to address them.

Key Themes Identified in the AFH

Through data analysis and community engagement, the AFH identified several fair housing issues and contributing factors across Brevard County. Fair housing issues are conditions in a community that restrict fair housing choice or access to opportunity such as segregation, lack of integration, racially or ethnically concentrated areas of poverty (R/ECAPs), significant disparities in access to opportunity, disproportionate housing needs, and evidence of discrimination or violations of civil rights laws or regulations related to housing.

Contributing factors are phenomena that create, contribute to, perpetuate, or increase the severity of one or more fair housing issues.

Fair Housing Issues in Brevard County

- There is no local fair housing agency located in Brevard County to receive fair housing complaints, investigate concerns, coordinate education and outreach efforts, and enforce fair housing laws.

- Housing voucher recipients face discrimination in the rental housing market from landlords who will not rent to them for reasons such as prejudice against voucher holders or unwillingness to work with government programs.
- The limited supply of and high demand for rental housing allows landlords to use more stringent screening criteria for applicants regarding eviction and credit history, criminal justice involvement, and pets. Some stakeholders shared that landlords may refuse to rent to individuals and households in protected groups such as families with children, people of color, multiracial families, and older adults (55+).
- More affordable housing units are needed throughout the county for all types of populations. The lack of affordable housing options limits housing choices.
- In some close-knit communities, tenants are afraid of submitting fair housing complaints due to possible landlord retaliation, whether from existing landlords or potential future landlords.
- Environmental hazards are a concern in some areas with contamination. The Live Local Act allows for affordable housing development in industrial, commercial, and mixed-use zones, which could uncover issues with affordable housing placement in areas with environmental hazards and health risks.
- Predatory lending and foreclosures are a concern in some areas across Brevard County.
- Seniors with low, fixed incomes have a need for home rehabilitation, accessibility improvements, and home modifications to help them age in place and maintain their housing.
- Several banks in the mid-Florida/Brevard County area failed to properly maintain real estate-owned (REO) properties in predominantly Black/African American and Hispanic/Latino communities. Poorly maintained REO properties reduced surrounding property values and adversely impacted communities of color.

Contributing Factors to Fair Housing Issues in Brevard County

- There are opposition groups that organize against affordable housing projects or alternate housing options across the county, which can prevent the development of affordable housing options.
- Individuals and families can face sudden, sharp increases in housing costs, particularly for rent. This can price them out of communities with opportunities, force them to relocate, and make it harder to make ends meet.
- Many low-income seniors have difficulty getting transportation to medical appointments. For those with fixed incomes and limited housing options, the lack of accessibility to community resources and amenities can have dire consequences for their well-being.
- Seniors with low, fixed incomes are less likely to be able to afford increased housing costs or upkeep costs to maintain their homes.

- Households on fixed incomes and families earning less than 80 percent area median income (AMI) are at an increased risk of homelessness or housing instability. Households earning 80–90 percent AMI often do not qualify for many assistance programs but would benefit from services to help them remain housed.
- The Live Local Act offers new tools to encourage the development of affordable housing; however, there are not many developers looking to construct high-density affordable housing in Brevard County.
- Insurance costs and requirements have a big impact on driving up the cost of housing for rental units and homeowner units in Brevard County.
- The private market has few restraints in increasing rent.
- Shelter space is needed for all populations but is particularly hard to find for families with children. It is difficult to find nonprofit organizations or agencies that can operate shelters.
- Development costs can be cost-prohibitive in some areas, such as communities with infrastructure limitations. This can limit the construction of affordable housing projects.
- Evictions have increased since the end of pandemic moratoriums and have remained high in some areas across Brevard County.

Next Steps Outlined in the AFH

The Brevard County HOME Consortium (Consortium) outlined specific goals and action steps to pursue over the next few years to address some of the fair housing issues and contributing factors identified in the AFH. Among the fair housing issues identified, the lack of a local fair housing organization is a concern for the county as there is no countywide fair housing infrastructure in place to receive fair housing complaints, investigate concerns, coordinate education and outreach efforts, and enforce fair housing laws. The Consortium intends to work with its partner organizations to develop a fair housing strategy to coordinate and align education and outreach efforts across the county, outline strategies for serving the community given limited resources, and work with interested parties to explore options for re-establishing a local fair housing organization in Brevard County.

Each member of the Consortium also outlined its own goals and action steps to address fair housing issues over the next few years. The AFH identified the lack of affordable housing options for lower-income households as a major contributing factor of fair housing concerns. Members of the Consortium, therefore, intend to continue and improve existing housing and service programs to develop, rehabilitate, and preserve affordable housing across the county. Lastly, members of the Consortium will spend the next several months reviewing local codes and ordinances to outline strategies to utilize new statutory tools provided under the Live Local Act to encourage affordable housing development while considering the needs of various planning efforts related to housing, transportation, and more.

II. Introduction

Overview

Brevard County, Florida receives federal funding from HUD through the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs to support affordable housing and community development initiatives serving low- and moderate-income individuals in the community. Brevard County and four cities in Brevard County—Cocoa, Melbourne, Palm Bay, and Titusville—formed the Consortium to receive federal HOME funds to help meet the community’s affordable housing needs. Brevard County is the lead entity for the Consortium and administers HOME funds on behalf of its members. Brevard County and the four cities receive separate allocations of CDBG funds.

Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act, requires that HUD affirmatively further the goals and purposes of the Fair Housing Act. This mandate to “affirmatively further fair housing” (AFFH), also applies to recipients of HUD funding. As such, HUD requires that grantees of federal funds take meaningful steps to overcome patterns of segregation and promote inclusive communities that are free from barriers that limit access to opportunity based on the seven federally protected classes, including race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability.

Although HUD’s specific requirements for grantees to demonstrate compliance with AFFH have varied over the past several years and are currently in flux, the Consortium prepared this AFH to gather updated information about the fair housing landscape in Brevard County and assist program staff in activities that enhance fair housing choice and access to opportunity in the community.

Purpose of the AFH

There are several purposes of an AFH. One is for jurisdictions that receive HUD funding to demonstrate that they are taking meaningful actions to affirmatively further fair housing and are in compliance with the Fair Housing Act. Another is for communities to assess and identify the factors that create, perpetuate, or worsen fair housing issues in their jurisdiction and outline specific action steps to address those identified issues. An AFH is also a useful tool for jurisdictions to collect recent data on fair housing issues to inform programs, provide fair housing information to members of the public, and reaffirm working relationships with partners on activities to enhance fair housing choice.

Status of Federal Fair Housing Requirements

Federal fair housing rules and regulations outlining how communities must comply with AFFH are currently changing. Fair housing requirements for communities tend to be highly politicized and, as such, federal rules and regulations have changed several times over the past few years as new administrations come and go (Figure 1).

Figure 1: Overview of Federal Fair Housing Planning Requirements

Analysis of Impediments

- HUD outlined the requirements for communities to develop an Analysis of Impediments to Fair Housing Choice (AI) in 1994. The AI included data analysis, community engagement, and an action plan for jurisdictions to address identified fair housing issues in the community.
- The AI commonly coincided with other planning efforts such as the Consolidated Plan, Annual Action Plan, and Public Housing Authority (PHA) Plan.
- The AI demonstrated that the community was engaging in fair housing planning. Communities also submitted an annual certification that the jurisdiction is working toward AFFH as a condition of receiving federal grant funds.

Assessment of Fair Housing

- In 2015, HUD established the requirement for communities to develop an AFH instead of completing an AI. The AFH included more extensive data analysis than the AI and intended for communities to make greater commitments to address fair housing issues.
- Jurisdictions were required to submit their AFH to HUD for review. Communities continued to submit an annual certification that the jurisdiction is prioritizing AFFH as a condition of receiving federal grant funds.

Preserving Community and Neighborhood Choice

- In 2020, HUD rescinded and replaced the 2015 AFFH rule with the "Preserving Community and Neighborhood Choice" rule that reverted back to HUD's pre-1994 interpretation of the 1968 Fair Housing Act's obligation for AFFH.
- Jurisdictions were not required to conduct fair housing planning, but instead needed to certify that they would take proactive steps to promote fair housing.

Interim Rule

- In 2021, HUD adopted the Interim Final Rule "Restoring Affirmatively Furthering Fair Housing Definitions and Certifications," which restored the definitions and AFFH certifications from the 2015 rule but did not require jurisdictions to conduct any specific fair housing planning process.
- Communities went back to submitting an annual certification that the jurisdiction is prioritizing AFFH as a condition of receiving federal grant funds.

AFFH Proposed Rule

- In February 2023, HUD issued an AFFH Proposed Rule in the Federal Register asking for public comment on a proposed new process for fair housing planning that would require communities to develop an Equity Plan following comprehensive community input. The proposed rule indicates HUD's shift toward greater community participation in identifying and developing steps to address fair housing issues.
- The public comment period for the proposed rule closed in April 2023 and HUD will spend the next several months reviewing comments and developing the final rule.
- In the meantime, communities have the option to develop a fair housing plan similar to the AI or AFH, but since there is no official fair housing planning process in place, jurisdictions have leeway in how they conduct planning efforts in the interim.
- Communities are still required to submit an annual certification that the jurisdiction is prioritizing AFFH as a condition of receiving federal grant funds.

More information about fair housing can be found on HUD.gov.

AFH Development Process

Although communities are not currently required to conduct a specific type of fair housing planning, the Consortium developed this AFH to collect and analyze recent data and community input on the fair housing challenges facing Brevard County. The Consortium's last fair housing plan was an AI produced in 2009. Consortium staff wanted to have updated fair housing data to help guide the Consortium's efforts to promote fair housing choice across the county.

Since there is currently no federal fair housing planning process in place, the Consortium had some flexibility in how it chose to develop this AFH. It is important to note that although the Consortium refers to this plan as an AFH, the document does not contain all of the required prompts of the 2015 AFH requirements. Instead, the Consortium opted to tailor the AFH outline to better suit the county's needs by restructuring the format and including more information on the role of the private and nonprofit sectors in fair housing choice. The AFH combines data analysis and information gathered through a comprehensive community engagement process to identify fair housing issues across the county and outline goals and actions to address them.

Community Engagement Process

The Consortium conducted engagement activities with both stakeholder organizations and the public as part of the AFH process.

Community Stakeholder Engagement Process

The Consortium aligned the community stakeholder engagement process for the AFH with the community engagement processes for the Consortium's 2023–2027 Consolidated Plan and 2022 HOME American Rescue Plan (HOME-ARP) Allocation Plan to leverage local resources across multiple planning efforts and incorporate stakeholder input gathered from a wide range of organizations, agencies, and service providers. The combined engagement activities helped illuminate fair housing issues that intersect with the varying areas of expertise among community organizations.

The community engagement activities for the Consolidated Plan and HOME-ARP Allocation Plan included fair housing as a central component, enabling the Consortium to collect targeted information from stakeholder organizations on the fair housing needs and challenges impacting Brevard County.

Engagement activities primarily took place from April to December 2022. Initial engagement efforts focused largely on the Consolidated Plan and AFH and included four topic-oriented stakeholder sessions and four facilitated discussions at regularly scheduled group meetings. Following these sessions and meetings, the Consortium began engagement activities to gather input for the HOME-ARP Allocation Plan, which involved distributing an online stakeholder survey and attending seven regularly scheduled group meetings. Overall, the Consortium gathered input from 57 organizations working across Brevard County. Table A-1 in the Appendix lists all the organizations consulted during the consultation process and Table A-2 summarizes the engagement activities.

Key Themes from the Community Engagement Process

Through the consultation process, several key themes emerged. Stakeholders noted that Brevard County no longer has a local fair housing organization to receive fair housing complaints, investigate concerns, coordinate education and outreach efforts, and enforce fair housing laws. The county previously had a long-standing organization called The Fair Housing Continuum, Inc. that served this role; however, the agency is no longer in operation. As a result, members of the Consortium and local service providers refer community members to federal, state, and regional fair housing service providers.

Stakeholders also described how many communities in Brevard County are becoming increasingly less affordable to residents. Low-income and even middle-income households have limited housing options and for many, housing that is available is not affordable. Among homeowners, the high cost of homeowners' insurance has a considerable impact on driving up the cost of housing. Specific populations, such as low-income seniors on fixed

incomes, struggle to afford sharp increases in housing costs and the upkeep required to maintain their homes.

For renters, increases in rent in the private market have priced many households out of communities and exacerbated challenges with securing rental units, particularly for recipients of assistance vouchers. Stakeholders explained that voucher recipients often struggle to locate units that are affordable to them even with the use of a voucher and that many face landlords who are unwilling to rent to them out of prejudice or because they are not willing to work with government programs. With the supply of rental units low and demand for units high, landlords can impose more stringent criteria when selecting prospective tenants.

Stakeholders reported that landlords have turned people away due to poor credit, eviction histories, criminal backgrounds, and pets as well as on the basis of a protected class such as having children, being of a particular race, being a multiracial household, or due to an individual's age. In addition, some stakeholders described how tenants who are experiencing issues with their landlords—ranging from fair housing concerns to problems with their unit—may be reluctant to bring forth complaints for fear of retaliation from current and future landlords. Stakeholders described how in smaller, close-knit communities where many residents know each other, tenants may feel that voicing concerns would prompt them to be evicted from their current housing situation or for future landlords to refuse to rent to them.

Stakeholders also described a variety of challenges surrounding the development of affordable housing. Barriers including the increased cost of construction for labor, materials, and land; limited funding opportunities; local opposition to affordable housing development projects; infrastructure limitations in some areas; and limited interest from developers to construct high-density affordable housing make it difficult for communities to add to the housing stock. Other providers noted that there is a limited outflow of households that are occupying subsidized housing units to the private market. This limits the availability of assisted housing programs for other households in need and contributes to longer waitlists.

Public Participation Process

As the lead of the Consortium, Brevard County will lead the public participation process for the AFH. The Consortium will seek feedback from the general public on the draft AFH through a public comment period and will hold public hearings in front of the city councils for the cities of Cocoa, Melbourne, Palm Bay, and Titusville as well as the Brevard County Board of County Commissioners. Table 1 lists the date, time, and location of the public hearing for each member of the Consortium.

Table 1: AFH Public Hearing Date, Time, and Location for Each Consortium Member

Public Hearing	Date and Time	Location
Cocoa Public Hearing to Review and Approve the Assessment of Fair Housing	October 10, 2023 at 6:00 PM	Cocoa City Hall Council Chambers 65 Stone Street Cocoa, FL 32922
Melbourne Public Hearing to Review and Approve the Assessment of Fair Housing	October 2, 2023 at 6:30 PM	Melbourne City Hall Council Chambers 900 E. Strawbridge Avenue Melbourne, FL 32901
Palm Bay Public Hearing to Review and Approve the Assessment of Fair Housing	October 5, 2023 at 6:00 PM	Palm Bay City Hall Council Chambers 120 Malabar Road S.E. Palm Bay, FL 32907
Titusville Public Hearing to Review and Approve the Assessment of Fair Housing	September 26, 2023 at 6:30 PM	Titusville City Hall Council Chambers 555 Washington Avenue Titusville, FL 32496
Public Hearing for the Brevard County Board of County Commissioners to Review and Approve the Assessment of Fair Housing	October 24, 2023 at 9:00 AM	Brevard County Government Center Board Room 2725 Judge Fran Jamieson Way Viera, FL 32940

During the public hearings, the Consortium will respond to requests for information from interested parties. To raise awareness and encourage public participation in the AFH, each member of the Consortium will post a public notice in newspapers including Florida Today and Al Dia.

The Consortium will follow the public participation requirements outlined in each member’s Citizen Participation Plan regarding the AFH and broadening public participation to ensure reasonable accommodations for persons with disabilities.

The Consortium will publish the draft AFH on each member’s website to solicit comments from the public. In addition, each member of the Consortium will hold a public hearing on the draft AFH in front of the city councils and the Brevard County Board of County Commissioners, which will provide another opportunity for public comment on the draft. In its public notices, the Consortium will provide the name and contact information for individuals to request any accommodations regarding the public hearing, public comment period, and/or access to the draft AFH.

The Consortium’s public comment period will be held from August 25 to September 24, 2023. Table 1 outlines the date, time, and locations for each public hearing.

Following the adoption of the AFH, this document will be updated to include a summary of any comments received and an explanation for why any comments or recommendations were not accepted.

III. Fair Housing Laws

Overview

This section describes the various federal, state, and local laws, regulations, and case laws related to fair housing and discrimination protections for residents of Brevard County.

Federal Fair Housing Laws

All municipalities in the United States, including Brevard County and the cities of Cocoa, Melbourne, Palm Bay, and Titusville, are subject to the Fair Housing Act, administered and enforced by HUD, and other federal housing laws such as the Housing for Older Persons Act of 1995 (HOPA) and the Fair Housing Amendments Act (FHAA).

Fair Housing Act

In 1968, Congress passed the Civil Rights Act after years of advocacy in the United States against overt discrimination and segregation in the sale and rent of housing based on race, national origin, skin color, gender, and religion. The 1988 FHHA added additional protections for familial status (e.g., women who are pregnant or the presence of children under 18) and disability.

The Fair Housing Act applies to almost any person or group involved with housing in the United States including landlords, realtors, homeowners' associations (HOAs), mortgage lenders, and homeowner's insurance companies. Under the Fair Housing Act, it is illegal to discriminate on the basis of race, religion, color, sex, national origin, familial status, or disability. The following are examples of actions that are violations of the Fair Housing Act when made on the basis of protected class:

- Refusing to rent or sell housing.
- Refusing to negotiate for housing.
- Otherwise making housing unavailable.
- Setting different terms, conditions, or privileges for the sale or rental of a dwelling.
- Providing a person with different housing services or facilities.
- Falsely denying that housing is available for inspection, sale, or rental.
- Making, printing, or publishing any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination.
- Imposing different sales prices or rental charges for the sale or rental of a dwelling.
- Using different qualification criteria (such as different procedures, documents, or information) for rental standards, applications, income standards, application requirements, application fees, credit analyses, sale approval, or rental approval.

- Evicting a tenant or a tenant’s guest.
- Harassing a person.
- Failing or delaying performance of maintenance or repairs.
- Limiting privileges, services, or facilities of a dwelling.
- Discouraging the purchase or rental of a dwelling.
- Assigning a person to a particular building, neighborhood, or section of a building or neighborhood.
- For profit, persuading or trying to persuade homeowners to sell their homes by suggesting that people of a particular protected characteristic are about to move into the neighborhood (referred to as “blockbusting”).
- Refusing to provide or discriminate in the terms or conditions of homeowner’s insurance because of the race, color, religion, sex, disability, familial status, or national origin of the owner and/or occupants of a dwelling.
- Denying access to or membership in any multiple listing service or real estate brokers’ organization.
- Refusing to make a mortgage loan or provide other financial assistance for a dwelling.
- Refusing to provide information regarding loans.
- Imposing different terms or conditions on a loan, such as different interest rates, points, or fees.
- Discriminating in appraising a dwelling.
- Conditioning the availability of a loan on a person’s response to harassment.
- Refusing to purchase a loan.

Under the Fair Housing Act, it is also illegal to threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise the right or retaliate against a person who has filed a fair housing complaint or assisted in a fair housing investigation.

Certain types of housing are exempt from federal fair housing laws, such as owner-occupied buildings with four or fewer units, single-family homes sold or rented by the owner without an agent, and housing operated by religious organizations or private clubs that are limited to members.

FEDERALLY PROTECTED CLASSES UNDER THE FAIR HOUSING ACT

- Race
- Color
- National Origin
- Religion
- Sex
- Familial Status
- Disability

While the State of Florida and local laws may offer additional protections, they cannot override the protections provided by the Federal Fair Housing Act.

Some examples of housing practices that violate the Fair Housing Act include the following:

- The manager of an apartment complex restricts families with children to only one section of the building.
- A landlord offers a discount on application fees to applicants who attended a specific high school.
- A realtor lies about a home having a pending offer when showing it to a couple who do not speak English proficiently.
- An apartment manager runs a credit check on applicants under 30 years old but not on older applicants.

Housing for Seniors

The [1995 HOPA](#) creates an exception to Title VIII of the Fair Housing Act to allow for housing developments for seniors (referred to as “older persons” in the law). HOPA offers exceptions to discrimination based on family status for housing specifically designed for elderly individuals. To qualify for this exception, the housing must meet certain criteria and comply with all HOPA exemption requirements. The housing may be provided under a state or federal program designed to assist elderly persons or intended for and solely occupied by those at least 62 years old. Alternatively, the housing may be intended and operated for occupancy by those who are at least 55 years old, with at least 80 percent of the units having at least one occupant verified to be 55 years of age or older.

All other Fair Housing Act protections apply to housing for seniors including the prohibition of discrimination on the basis of race, color, religion, sex, disability, or national origin.

Advertising

All types of housing advertising are governed by the Fair Housing Act, including paper flyers, newspaper ads, advertising on websites, and lawn signs. Advertisements cannot show a preference, limitation, or discrimination based on a protected class. Examples of illegal advertisements are:

- A lawn sign outside an apartment building that includes “Sorry, no kids.”
- A realtor’s flyer for an open house that is only distributed in local churches.
- Website ads claiming an apartment is “Perfect for young professionals.”

The National Fair Housing Alliance recommends that instead of focusing on who an ideal tenant would be or what type of person would likely not like a housing unit, an advertisement for housing should focus on the property characteristics and the amenities. Advertisements should be available to a broad number of people.

Additional Protections for Persons with Disabilities

Housing providers are required to make reasonable accommodations and allow reasonable modifications for persons with disabilities to remove barriers under the Fair Housing Act. The FHAA, signed in 1988, amended the Fair Housing Act to include persons with disabilities as a protected class and added additional regulations for policy accommodations and building modifications.

Under the FHAA, a person with a disability includes individuals with a physical or mental impairment that substantially limits one or more major life activities; individuals who are regarded as having such an impairment; and individuals with a record of such an impairment. "Major life activities" include walking, seeing, caring for oneself, hearing, speaking, breathing, learning, and working. Disabilities may also include mental or emotional illness, difficulties associated with aging, HIV/AIDS, and recovering from alcohol or drug addiction (completing a treatment program).

If a person requires the use of a walker, a wheelchair, a personal-care attendant, or a service animal to live in and enjoy housing in a way that is equivalent to a person without a disability, they are protected from housing discrimination.

An "accommodation" is a change in any rule, policy, procedure, or service needed for a person with a disability to have equal access to and enjoyment of their home. For example, allowing a service animal despite a "no pets" policy or allowing a tenant to mail in a rent check when others must physically deliver checks to a drop box.

A "modification" is a structural change made to the existing premises occupied or to be occupied by a person with a disability to afford such person full enjoyment of the premises. A ramp installed into the front entrance of a house where there are only stairs, changing doorknobs to levers for someone with a mobility disability, or allowing a tenant with a sight impairment to install visual doorbells are all examples of reasonable modifications.

Like other housing discrimination laws, protections for people with disabilities apply to rental and owner-occupied housing, government zoning and other land-use planning, and HOAs.

AFFH Mandate and Discriminatory Effects

The Fair Housing Act requires HUD and all its program participants, including Brevard County and the cities of Cocoa, Melbourne, Palm Bay, and Titusville, to affirmatively further fair housing. [The law directs HUD](#) to "ensure that the agency and its program participants proactively take meaningful actions to overcome patterns of segregation, promote fair housing choice, eliminate disparities in opportunities, and foster inclusive communities free from discrimination."

In February of 2023, HUD published a [Notice of Proposed Rulemaking called “Affirmatively Furthering Fair Housing”](#) in the Federal Register that outlines requirements for HUD and grant recipients to comply with the AFFH mandate. The public comment period for the proposed rule closed in April 2023 and HUD will spend the next several months reviewing comments and preparing the Final Rule. The proposed rule indicates HUD's shift toward greater community participation in the identification of a jurisdiction's fair housing issues and the development of action steps to address them. Until HUD publishes the Final Rule, communities are encouraged to continue fair housing planning efforts in a form similar to the AI or AFH.

In addition to banning overt forms of discrimination on the basis of protected classes, the Fair Housing Act also bans policies and practices that have an unjustified discriminatory effect on protected groups. This means that policies and practices that may seem neutral but are shown to have a disparate impact on a protected group or create, perpetuate, or enhance segregation are prohibited under the Fair Housing Act regardless of the policy or practice's intent. While HUD's specific interpretation of how to determine whether a practice has a discriminatory effect has shifted over the past decade with different administrations, [HUD published a Final Rule](#) in the Federal Register in March 2023 that restores the 2013 Final Rule that codified the “Discriminatory Effects Standard.” This standard outlines a three-part burden-shifting framework based on decades of HUD and civil rights legal casework. In general, the standard requires that a plaintiff in a discriminatory effects case first demonstrate that a practice has caused or will cause a discriminatory effect on a protected class. Next, the defendant must prove that the practice is necessary to achieve a non-discriminatory and legitimate interest. If the latter is established, the plaintiff can still prevail if they can demonstrate that the non-discriminatory and legitimate interest is achievable through a less discriminatory practice.

Other Federal Laws

Housing design and construction are also subject to federal accessibility requirements under the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that receives federal financial assistance.

The law applies to housing with five or more units funded with federal funds, requiring accessibility features in some dwelling units (units located on an accessible route that can be approached, entered, and used by individuals with physical disabilities) and all public areas in all new construction or substantial rehabilitation. At least five percent of new construction units in a federally funded development (or at least one unit) must meet accessibility standards for people with physical disabilities, and at least two percent (or at least one unit) must meet accessibility standards for hearing or visual disabilities. The standards for these units are found in the Uniform Federal Accessibility Standards.

State and local governments also need to ensure that people with disabilities can equally benefit from all their programs, services, and activities. [Title II of the ADA](#) applies to state and local governments, regardless of federal funding sources, and covers almost all aspects of state and local government functions. The ADA has requirements that influence public education, voting, employment, transportation, recreation, health care, social services, courts, and town meetings. These requirements may affect, for example, how those with disabilities can participate in meetings regarding accessibility policy and regulation changes, planning for infrastructure within neighborhoods, and the design of government buildings.

Table 2 outlines additional federal laws, executive order, and regulations that impact fair housing and provide protections against discrimination.

Table 2: Other Federal Laws and Regulations Impacting Fair Housing

Federal Law/Regulation	Brief Description
Title VI of the Civil Rights Act of 1964	Title VI prohibits discrimination against any person on the basis of race, color, and national origin in programs and activities that received federal funding.
Age Discrimination Act of 1975	This Act prohibits discrimination on the basis of age in programs and activities that receive federal funding.
Violence Against Women Act of 1994	The Violence Against Women Act provides housing protections for people who have previously or are currently experiencing domestic violence, sexual assault, dating violence, or stalking and are applying for or living in housing units that receive federal funding.
Equal Credit Opportunity Act of 1974	This Act prohibits discrimination on the basis of race, color, religion, national origin, sex, marital status, age, receipt of public assistance, or good faith exercise of any rights under the Consumer Credit Protection Act. Creditors must also provide applicants with the reasons they were denied credit, if it is requested.
Consumer Credit Protection Act Of 1968	This Act provides protections for consumers from creditors, banks, and credit card companies by requiring the full disclosure of the terms and conditions of finance charges in credit transactions and offers to extend credit.
Home Mortgage Disclosure Act (1975) (“HMDA”)	This Act requires that many financial institutions maintain, report, and publicly disclose information about mortgage loans.

Federal Law/Regulation	Brief Description
Section 1031 Of Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) (“Dodd-Frank”)	Section 1031 of the Dodd-Frank Act provides protections for consumers by allowing the Consumer Financial Protection Bureau to prevent individuals or service providers from committing unfair, deceptive, or abusive acts or practices under federal law in connection with consumer transactions for financial products or services.
Executive Order 11063: Equal Opportunity in Housing (1962)	This Executive Order prohibits discrimination on the basis of race, color, creed, and national origin in the sale, leasing, rental, or other disposition of properties owned or operated by the federal government or provided with federal funding.
Executive Order 12892: Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing (1994)	This Executive Order requires federal agencies to affirmatively further fair housing in their programs and activities and tasks the secretary of HUD with coordinating AFFH efforts.
2016 Equal Access Rule	This regulation states that HUD-funded homeless service providers must shelter clients in a shelter or facility that aligns with their gender identity and that clients not be isolated or segregated based on gender identity.

State of Florida Fair Housing Laws

Florida Fair Housing Act

In addition to the federal Fair Housing Act and additional federal civil rights laws and regulations related to housing, housing discrimination is barred by the Florida Fair Housing Act outlined in [Chapter 760 Part II of the Florida Statutes](#), which mirrors the federal Fair Housing Act. The Florida Fair Housing Act does not expand protections to any additional protected classes of people, types of housing, or types of housing transactions. Florida law does not prohibit cities and counties from passing local nondiscrimination laws.

The Florida Commission on Human Relations (the Commission) enforces the Florida Fair Housing Act and is regulated and described in the Florida Statutes. Rental housing laws not related to discrimination based on protected class are covered under [Chapter 83 Part II of the Florida Statutes](#).

Like other Florida Statutes, the Florida Fair Housing Act is enforced by the state attorney general, who may begin civil action for damages, injunctive relief, civil penalties (up to

\$10,000 per violation), and other legal consequences if the attorney general has reasonable cause to believe that a person or group has engaged in a pattern or practice of discrimination as defined by Florida law, or has been discriminated against as defined by Florida law, where “such discrimination raises an issue of great public interest.” Legal action can be filed either within the circuit court in the county where the potential discrimination took place or within the circuit court of the Second Judicial Circuit in Leon County. For repeated Florida Fair Housing Act violations in which the defendant is found guilty, penalties increase in severity. The fine amount may be up to \$25,000 for one prior violation within the preceding five years, and up to \$50,000 for two or more violations within the preceding seven years.

In 2020, [Florida made several updates](#) to the Florida Fair Housing Act, including changing the term “handicap” to “disability,” removing the condition that an “administrative complaint” be filed before a housing discrimination complaint be filed with the Commission, and removing a requirement that all housing for seniors register with the Commission every two years or face fines for noncompliance. The State also updated language around housing title and deed transactions, prohibiting any property title from restricting ownership, occupancy, or use of property based on a protected class. Lastly, the state added legal protections for those with a disability who require an emotional support animal under the federal Fair Housing Act. The law also created a criminal penalty for falsifying documentation or misrepresenting the medical need for the use of an emotional support animal for a specific disability.

In 2021, the Commission verified that the state’s law prohibiting discrimination based on “sex” in housing and public accommodation includes sexual orientation and gender identity for persons identifying as LGBTQI+.

Tenant and Landlord Laws

Florida’s tenant and landlord laws are separate from fair housing discrimination laws but can, in practice, be used for (or contribute to) housing discrimination based on protected classes.

Eviction Laws

Florida’s eviction laws, within Chapter 83 of the Florida Statutes, describe the process for a legal housing eviction within the state. Tenants may be evicted for:

- Nonpayment of rent.
- A material breach of contract.
- Nuisance activity.
- Remaining on the property after the expiration of a lease.
- Statutory tenant obligations.

The Florida Statutes also describe which potential eviction criteria are “curable,” or able to be corrected before a landlord may file for an eviction. The law states that tenants may rebut an eviction for:

- Landlord retaliation.
- Landlord refusing to complete repairs.
- Landlord noncompliance with a statutory duty.
- Property being uninhabitable.
- Any legal defense.
- Any equitable defense.

Florida law does not specify any tenant protections for some situations that are regulated in other states, such as instances where a landlord-owned property is sold or goes into foreclosure. Florida law also does not provide for, or require, the appointment of counsel for any legal housing cases involving discrimination or evictions.¹

Local Fair Housing Laws

Local governments—including counties and municipalities—can establish local laws related to fair housing so long as they abide by federal and state laws such as the Fair Housing Act. Adopting local fair housing laws allows local governments to help ensure equal opportunities for all residents, prevent housing discrimination, and offer additional protections for groups not included in federal and state fair housing laws. In Florida, numerous local governments have developed fair housing ordinances that expand housing protections to additional groups and offer protections on the basis of age, ancestry, genetic information, source of income, military service member status, marital status, gender identity and expression, and history of domestic violence, sexual assault, and stalking.²

Table 3 provides an overview of the local fair housing laws in Brevard County. Among the members of the Consortium, the cities of Cocoa, Melbourne, and Palm Bay each have a fair housing ordinance that offers protections to the seven groups protected under federal and state law. West Melbourne, although not a Consortium member, includes protections against housing discrimination on the basis of age, ancestry, marital status, and place of birth. Brevard County and Titusville do not have local fair housing ordinances.

¹ Legal Services Corporation. 2021. Eviction Laws Database: State/Territory Dataset. Prepared by the Center for Public Health Law Research at Temple University's Beasley School of Law for Legal Services Corporation. Washington, DC.

² National Apartment Association, Fair Housing: Florida.

Table 3: Local Fair Housing Laws in Brevard County

Jurisdiction	Local Fair Housing Laws	Description
Brevard County	Brevard County does not have a county fair housing ordinance.	Brevard County's local laws are outlined in the Brevard County Code , which does not include a fair housing ordinance. The code states that applicable housing, parking requirements, and reasonable accommodation standards will abide by fair housing requirements. Brevard County does not have an ordinance outlining any additional protected groups beyond those described in the federal and state Fair Housing Acts.
Cocoa	Cocoa has a local Fair Housing Ordinance .	Cocoa's Fair Housing ordinance states that the city will comply with federal and state fair housing laws by promoting equal opportunity for all persons to obtain adequate housing and for the city to work toward eliminating housing discrimination. The ordinance's protected classes include the same seven protected groups under federal and state law.
Melbourne	Melbourne has a local fair housing ordinance called the " Melbourne Fair Housing Code ."	Melbourne's Fair Housing Code states that the city shall promote equal opportunity for all persons to obtain adequate housing and for the city to work toward eliminating housing discrimination. The code's protected classes include the same seven protected groups under federal and state law.
Palm Bay	Palm Bay has a local Fair Housing Ordinance .	Palm Bay's Fair Housing ordinance states that the city shall promote equal opportunity for all persons to obtain adequate housing and for the city to work toward eliminating housing discrimination. The ordinance's protected classes include the same seven protected groups under federal and state law.

Jurisdiction	Local Fair Housing Laws	Description
Titusville	Titusville has a local Fair Housing Ordinance .	Titusville's fair housing ordinance states that the city shall promote opportunities for all persons to obtain housing of their choice and for the city to work toward eliminating housing discrimination. The ordinance's protected classes include the same seven protected groups under federal and state law.
West Melbourne	West Melbourne has a local fair housing ordinance called the " Fair Housing Code ."	West Melbourne's Fair Housing Code states that the city shall promote equal opportunity for all persons to obtain adequate housing and for the city to work toward eliminating housing discrimination. The code's protected classes include the same seven protected groups under federal and state law as well as the following additional protected groups: <ul style="list-style-type: none"> • Age • Ancestry • Marital Status • Place of Birth

County and City Codes, as of July 2023.

IV. Demographic and Housing Market Analysis

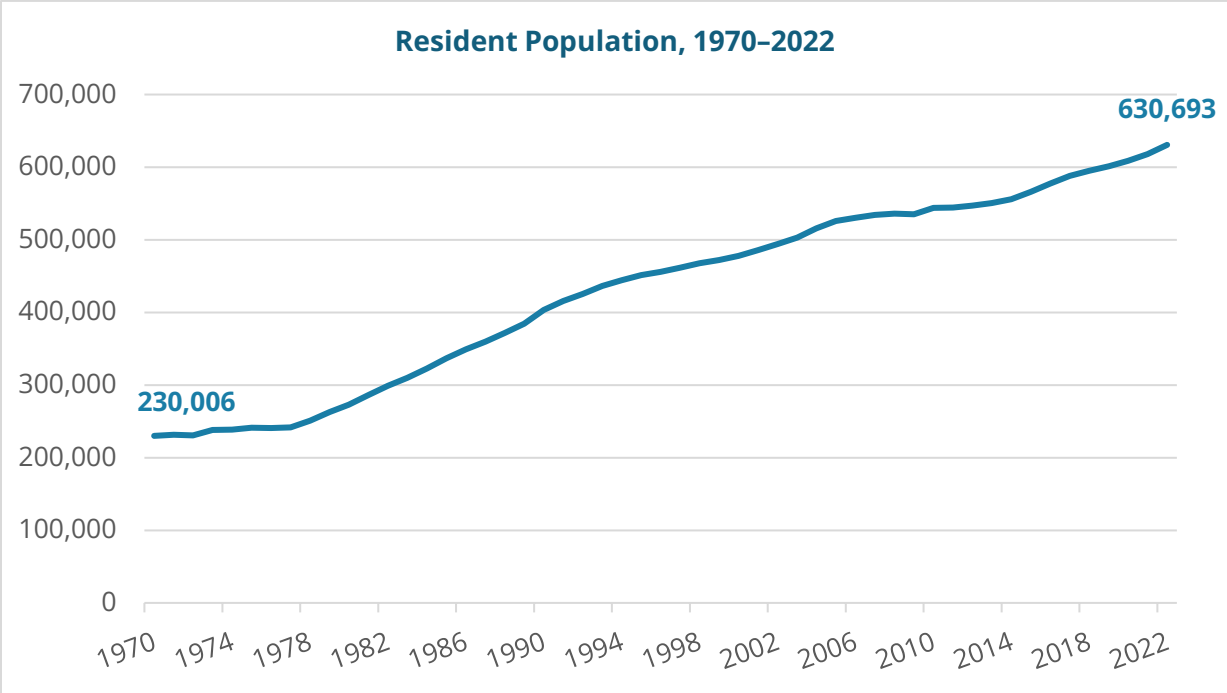
Overview

Brevard County has experienced significant population growth in the last few years along with the rest of Florida. Continued population growth places greater pressure on the local housing market and impacts housing affordability, transportation systems, and access to community resources such as medical facilities, businesses, service providers, public amenities, and more. Almost a quarter of Brevard County's current population is aged 65 plus and most households are homeowners. Median incomes are higher than the state average and poverty rates are lower than the state average.

Population Trends

Brevard County has a population of just over 600,000 people, depending on the source of the estimate. Figure 2 highlights the rapid growth experienced in Brevard County, particularly since 2010.

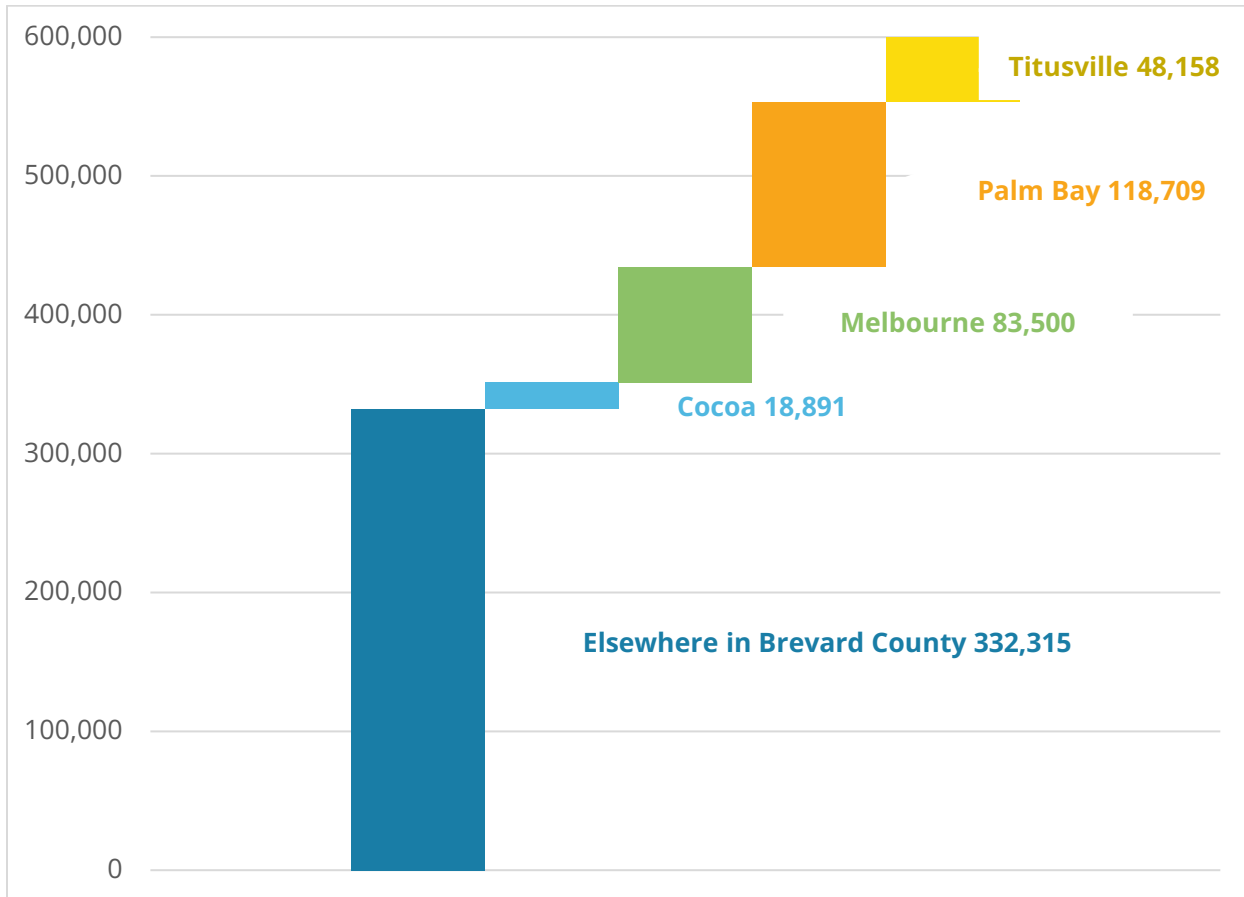
Figure 2: Resident Population in Brevard County, FL



Data source: U.S. Census Bureau, Resident Population in Brevard County, FL, retrieved from FRED, Federal Reserve Bank of St. Louis.

Figure 3 indicates that 269,258 people (45 percent) in Brevard County live in the cities of Cocoa, Melbourne, Palm Bay, and Titusville, while the rest live elsewhere in the county.

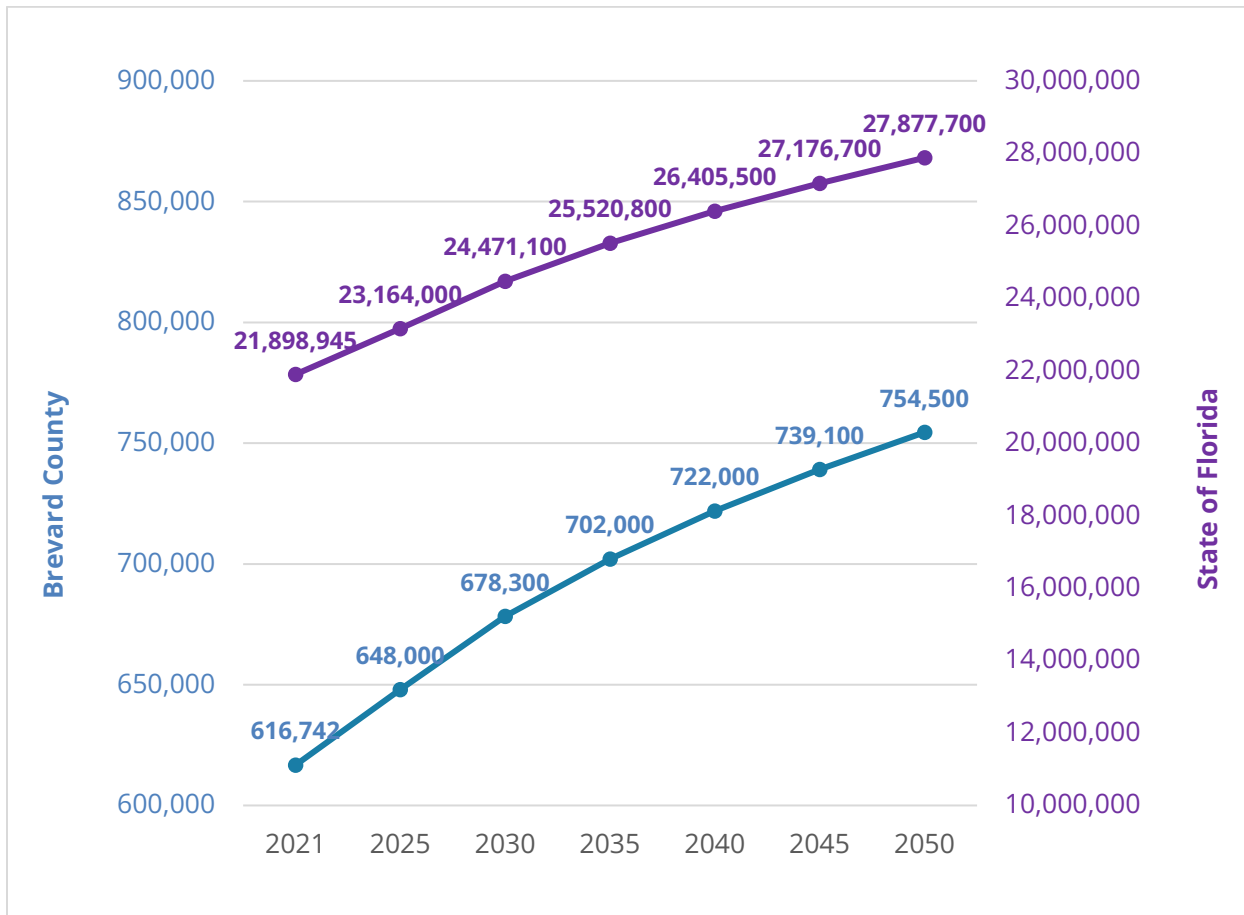
Figure 3: Total Population of Brevard County



Data source: 2017–2021 American Community Survey (ACS) 5-Year Estimates; Table B01003 Total Population.

Between 2021 and 2050, the population of Brevard County is projected to increase by 22 percent from 616,742 to 754,500 people, while the state's population is projected to increase by 27 percent over the same period (Figure 4).

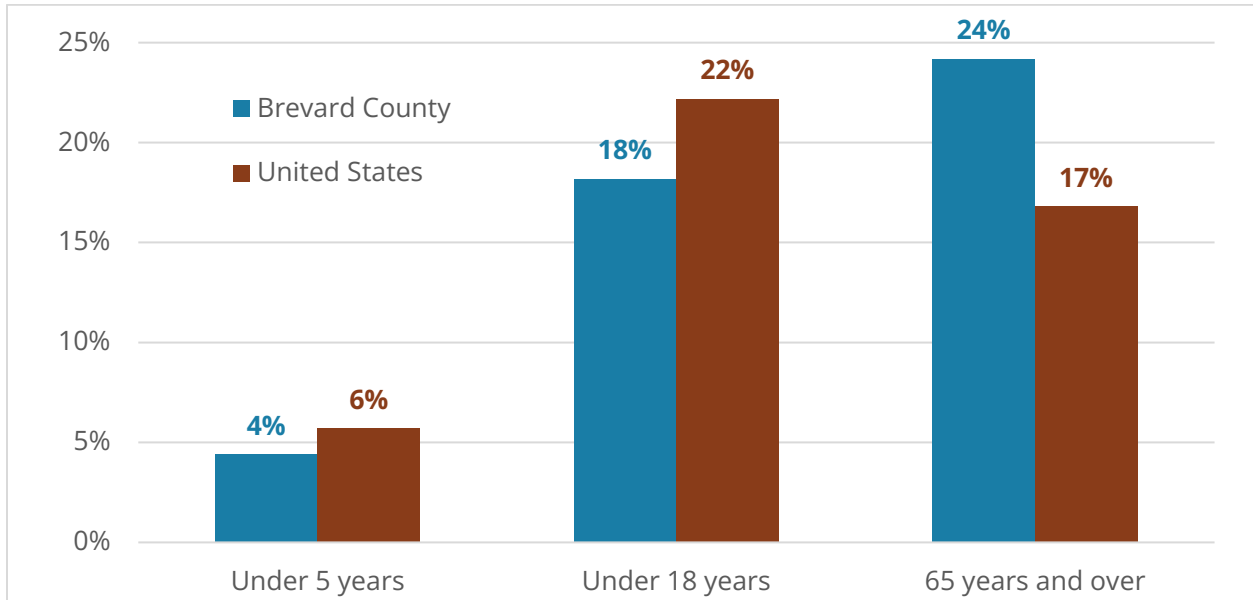
Figure 4: Population Projections (2025–2050) for Brevard County and the State of Florida



Data source: Bureau of Economic and Business Research Florida Population Studies, Volume 55 Bulletin 192 February 2022.

Almost a quarter of all persons in Brevard County are aged 65 years or over while this figure is 17 percent for the United States. This demographic reality highlights a greater demand for adaptable housing and services geared toward older people who may require assistance aging in place. During the consultation process for the AFH, stakeholders noted that seniors living on fixed incomes are often unable to afford increases in housing costs or the upkeep and modifications to maintain their homes. Service providers also noted that low-income seniors have difficulty getting transportation to medical appointments.

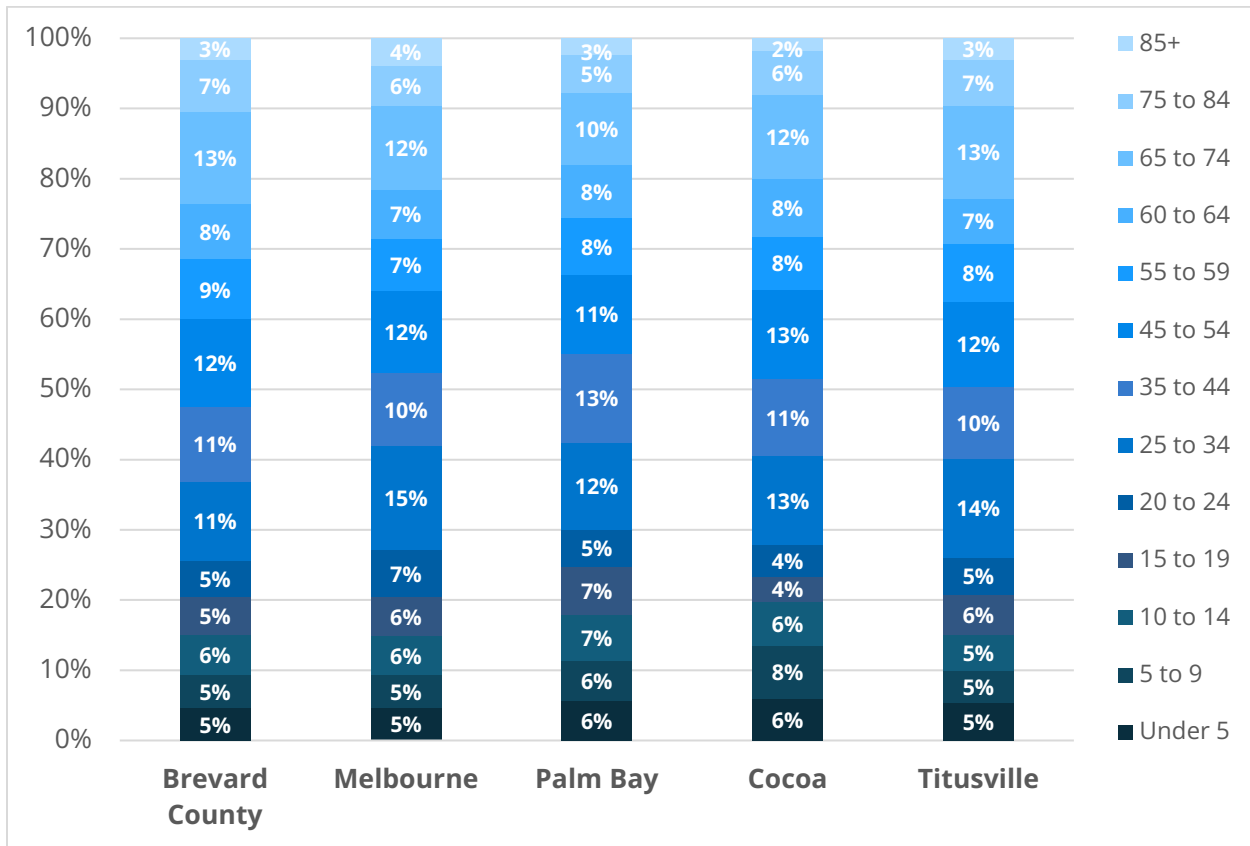
Figure 5: Share of the Population by Age Group in Brevard County and the United States



Data source: 2016–2020 ACS QuickFacts.

Figure 6 depicts the share of the population across age groups for Brevard County, Cocoa, Melbourne, Palm Bay, and Titusville. The data indicate that the population’s age distribution is largely the same across the Consortium members. In general, there are higher shares of residents over 65 years of age and lower shares of residents under age 20.

Figure 6: Percentage of the Population by Age Group in the Consortium

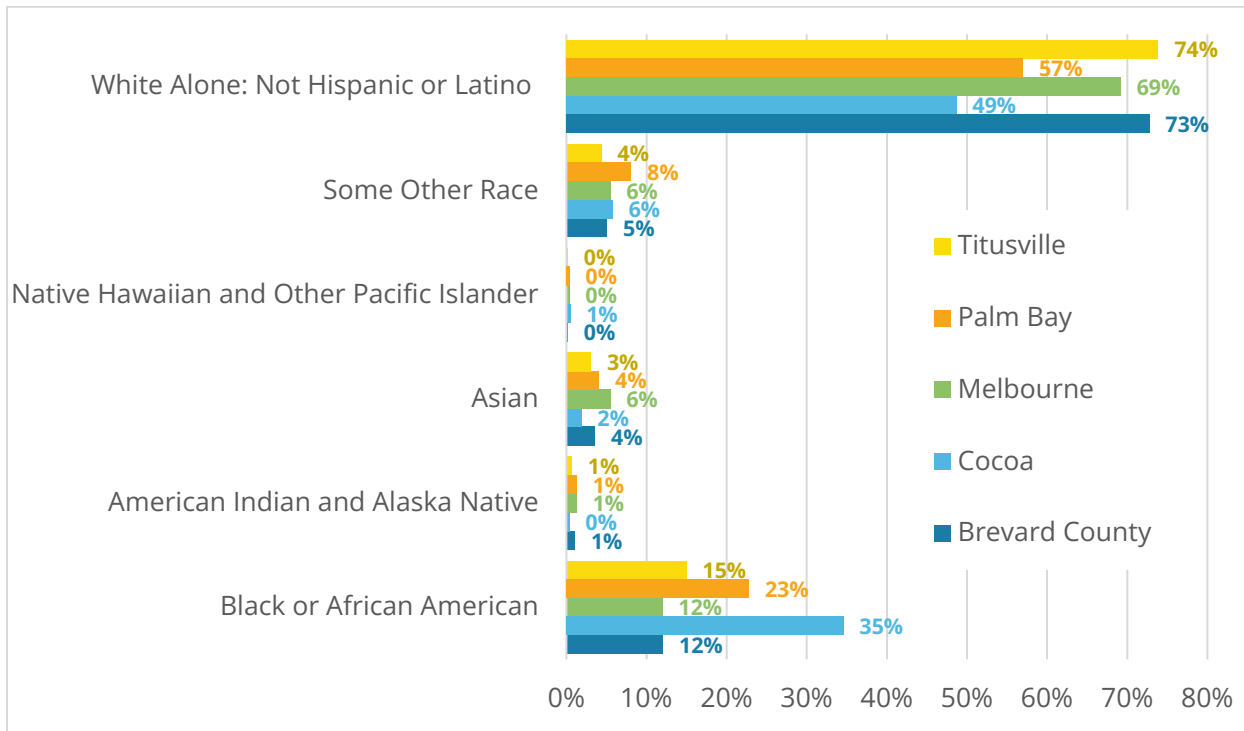


Data source: 2017–2021 ACS 5-Year Estimates Data Profiles DP05.

Data indicate that Brevard County has become more racially diverse over the past 10 years. Notably, the percentage of county residents identifying as multiracial increased by over 300 percent between 2010 and 2020, from 14,367 to 60,818.

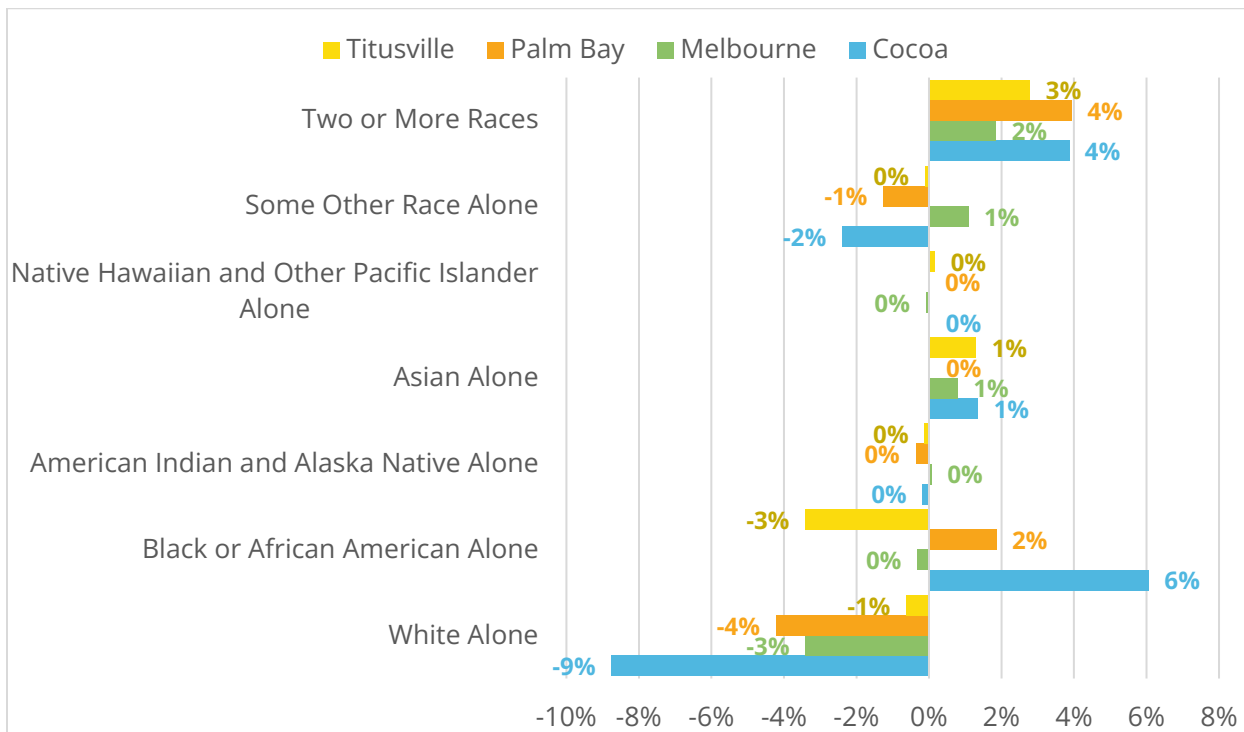
Figure 7 provides a breakdown of the percent of the population by race and ethnicity for each member of the Consortium and Figure 8 indicates the percent change in the population by race and ethnicity since 2010. Individuals identifying as White make up the largest racial group for each jurisdiction; however, the number of people identifying as White alone has declined despite overall population growth over the past 10 years. In 2020, 448,180 (74 percent) of Brevard County's population identified as White compared with 450,927 (83 percent) of the population in 2010. Conversely, the county's Hispanic population increased by 55 percent to 67,907 by 2020 and now accounts for 11 percent of the county's population. The Census Bureau considers whether a person identifies as Hispanic or Latino as an ethnicity, which is a separate category from race. From 2010 to 2020, the percentage of individuals identifying as Black/African American increased by 7 percent to 58,692 individuals and now comprises 12 percent of Brevard County's population. In the city of Cocoa, 35 percent of the population identifies as Black/African American.

Figure 7: Percentage of the Population by Race and Ethnicity



Data source: 2017–2021 ACS 5-Year Estimates Data Profiles DP05.

Figure 8: Change in Population Share by Race and City 2010–2020

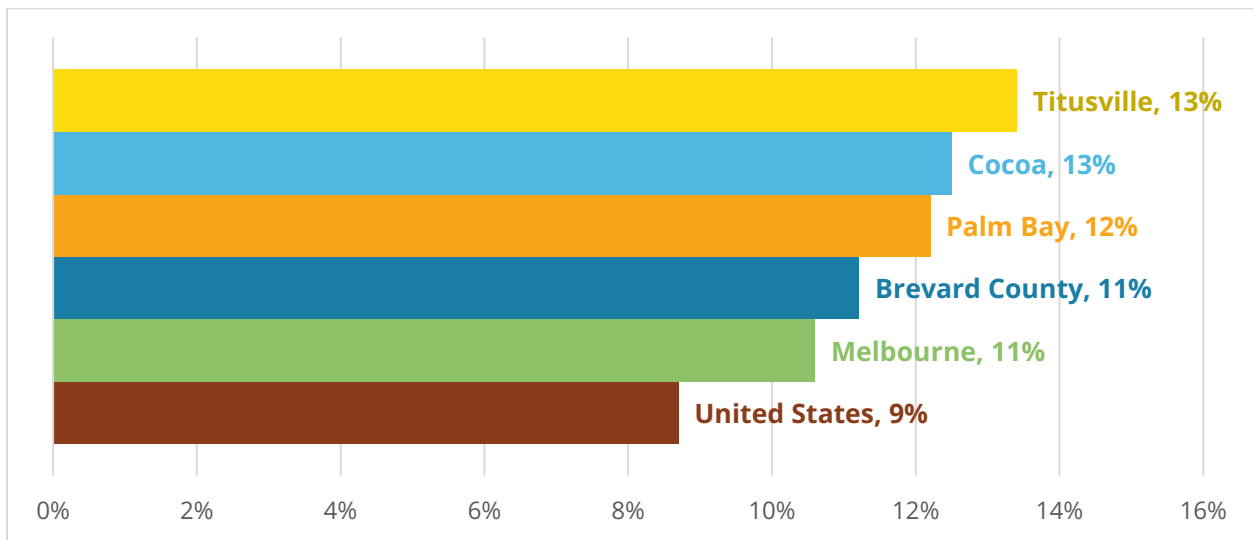


Data source: 2016–2020 and 2006–2010 ACS 5-Year Estimates Detailed Tables; Table ACSDT52020 Race.

Within the county, 11 percent of the population under age 65 reported at least one type of disability. Titusville and Cocoa had the highest levels of reported disability, at 13 percent each, followed by Palm Bay (12 percent) and Melbourne (11 percent) (see Figure 9).

Brevard County's 2009 AI identified the need for inclusionary housing for special needs populations (such as individuals with developmental disabilities) as an issue and this continues to be a concern today. During the consultation process for the AFH, stakeholders noted that Titusville has a particular need for supportive housing for individuals such as those with severe mental illness and substance use disorder. Currently, a proposed supportive housing project that is in the permitting process has received backlash from local residents who have voiced concerns about the development.

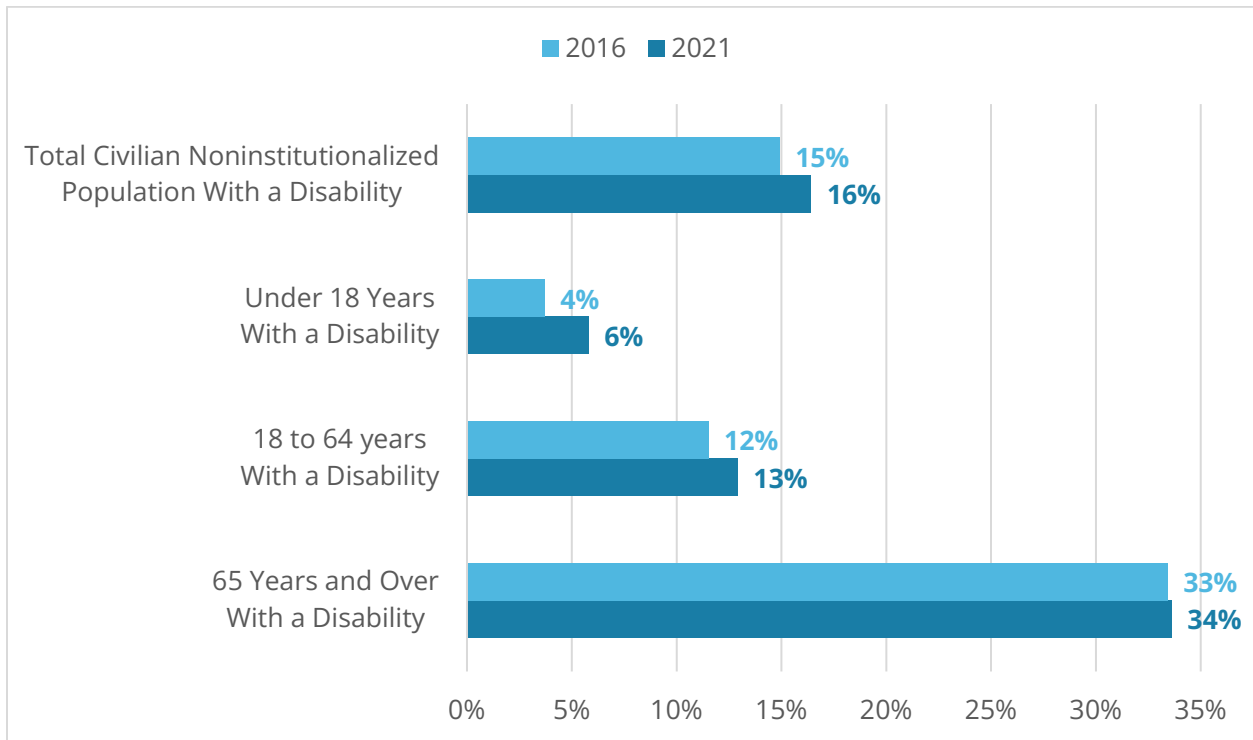
Figure 9: Percentage of the Population Under Age 65 with a Disability



Data source: 2017-2021 ACS QuickFacts.

Figure 10 depicts the percentage of the total population with a disability in Brevard County in 2016 and 2021 and indicates that the share of the population in each age group has increased slightly over the five-year period.

Figure 10: Percentage of the Population with a Disability in Brevard County



Data source: 2012–2016 and 2017–2021 ACS 5-Year Estimates; CP02 Comparative Social Characteristics in the United States.

Language Accommodations

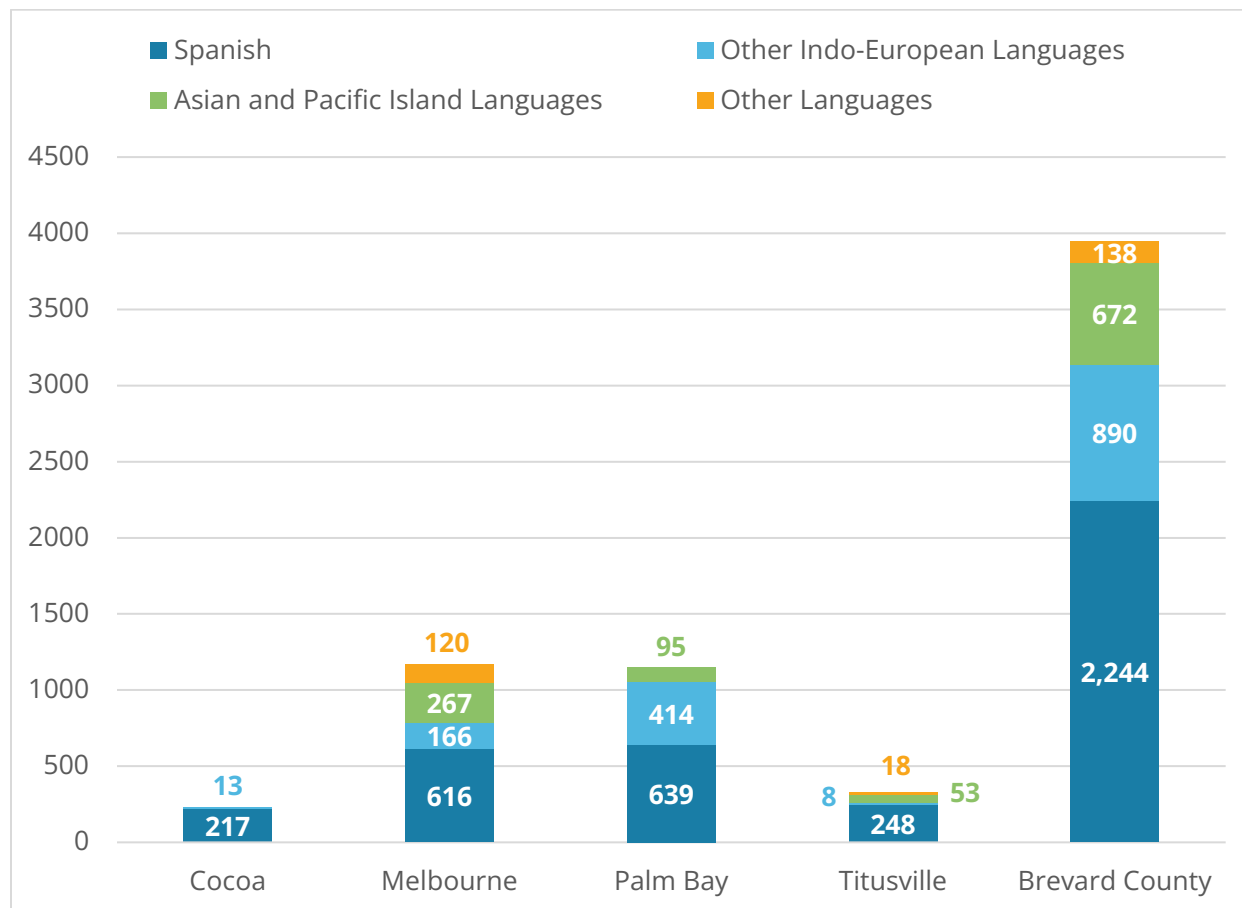
The Fair Housing Act prohibits discrimination based on national origin, and while English proficiency is not specifically addressed, the courts have found that national origin discrimination includes the linguistic characteristics of persons from a foreign geographic area. A limited English proficiency (LEP) household is defined by the Census Bureau’s ACS as a household in which no one aged 14 and over speaks English at home or, if household members speak a language other than English, they indicate that they speak English less than “very well.”

HUD has issued guidance clarifying that discrimination against people who do not speak, read, or write English proficiently is prohibited under the Fair Housing Act.

Figure 11 outlines the number of LEP households in Brevard County. Across the county, about 3,944 households, comprising 2 percent of total households, include LEP individuals who speak English less than very well. Of the county’s LEP households, 2,244 speak Spanish (57 percent), 890 speak another Indo-European language (23 percent), 672 speak an Asian or Pacific Islander language (17 percent), and 138 speak another language (3 percent). Within the four cities, a large share of LEP households spoke Spanish, while Palm Bay and Melbourne saw high numbers of LEP households speaking other Indo-European languages

and Asian and Pacific Islander languages. Notably, Melbourne was home to most of the county's LEP households speaking an "Other" language.

Figure 11: Number of LEP Households by Language in Brevard County



Data source: 2017–2021 ACS 5-Year Estimates; Table S1602 Limited English-Speaking Households.

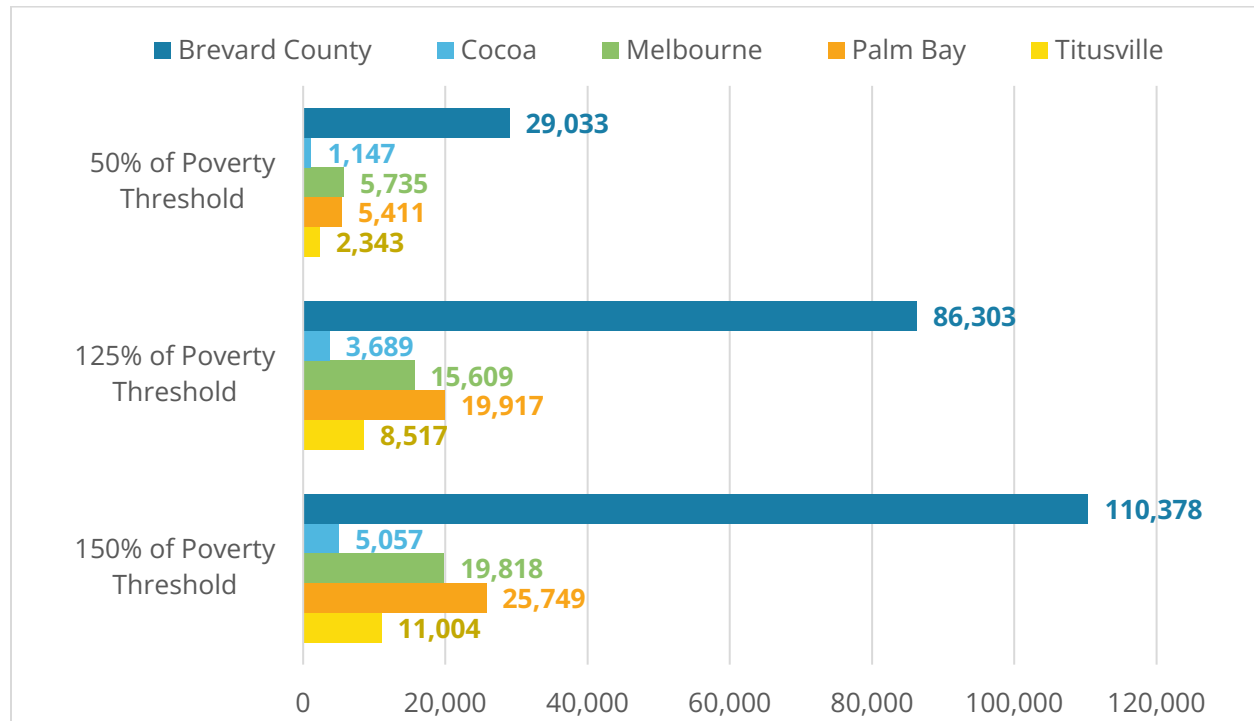
Income and Employment Trends

Figure 12 depicts the number of households in Brevard County, Cocoa, Melbourne, Palm Bay, and Titusville that have annual incomes below given poverty thresholds. The Census Bureau considers a household as being in poverty when annual household income is lower than the federal poverty threshold calculated based on family size, number of children, and for one- and two-person households, the age of the householder. In 2021, the federal poverty threshold for a three-person family with one child under 18 years of age was \$21,811. A three-person family earning below 50 percent of the poverty threshold would therefore earn less than \$10,906. Likewise, a three-person family below 150 percent of the poverty threshold would earn less than \$32,717.

The data indicate that there were 110,378 households in Brevard County earning less than 150 percent of the poverty threshold in 2021. Of these households, 25,749 were in Palm Bay (23 percent), 19,818 were in Melbourne (18 percent), 11,004 were in Titusville (10

percent), 5,057 were in Cocoa (5 percent), and the remaining 48,750 lived elsewhere in Brevard County (44 percent). Among families earning less than 50 percent of the poverty threshold, 5,735 were in Melbourne (20 percent), 5,411 were in Palm Bay (19 percent), 2,343 were in Titusville (8 percent), 1,147 were in Cocoa (4 percent), and the remaining 14,397 were elsewhere in Brevard County (50 percent).

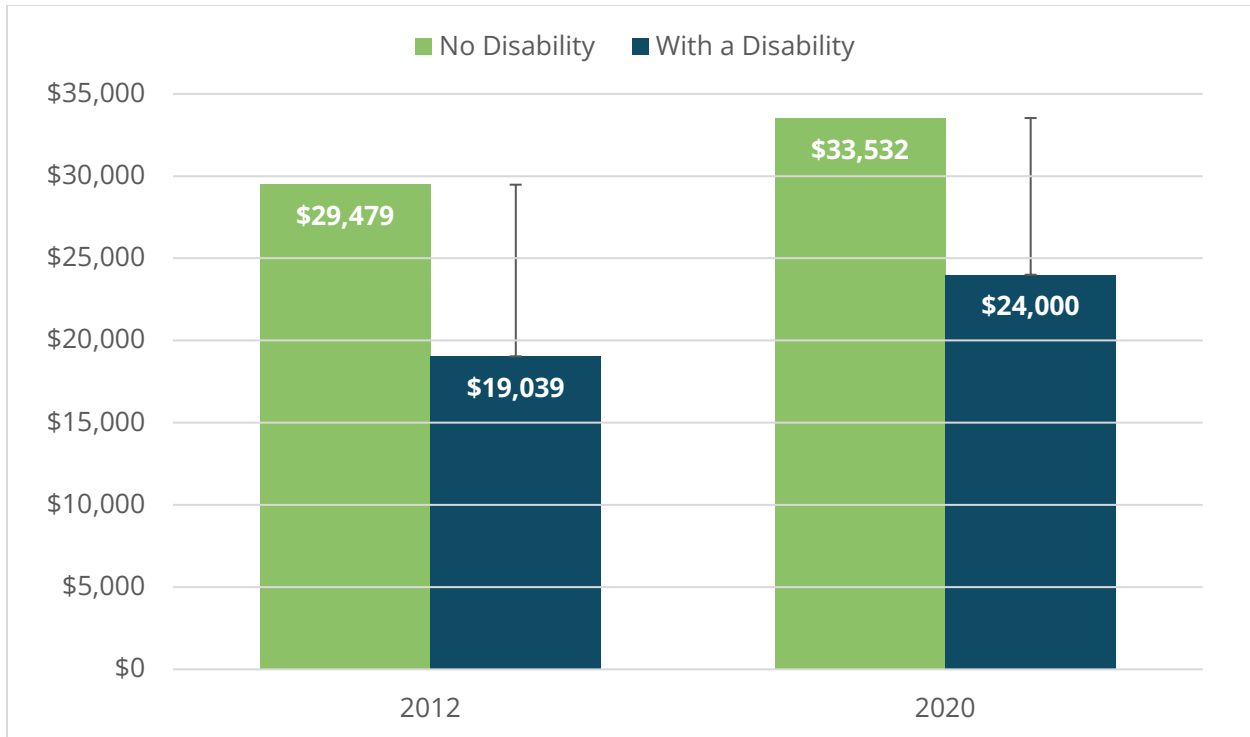
Figure 12: Number of Individuals Below Given Poverty Ratios in Consortium



Data source: 2017–2021 ACS 5-Year Estimates; Table S1701 Poverty Status in the Past 12 Months.

The gap in annual median earnings between county residents who report having a disability and those who do not has remained the same between 2012 and 2020: around \$10,000. Still, those without a disability in 2020 earned 39 percent more than residents with a disability. This discrepancy creates an unequal ability to access affordable housing. See Figure 13 below for a comparison.

Figure 13: Change in Annual Median Earnings by Disability Status in Brevard County (2012; 2020)

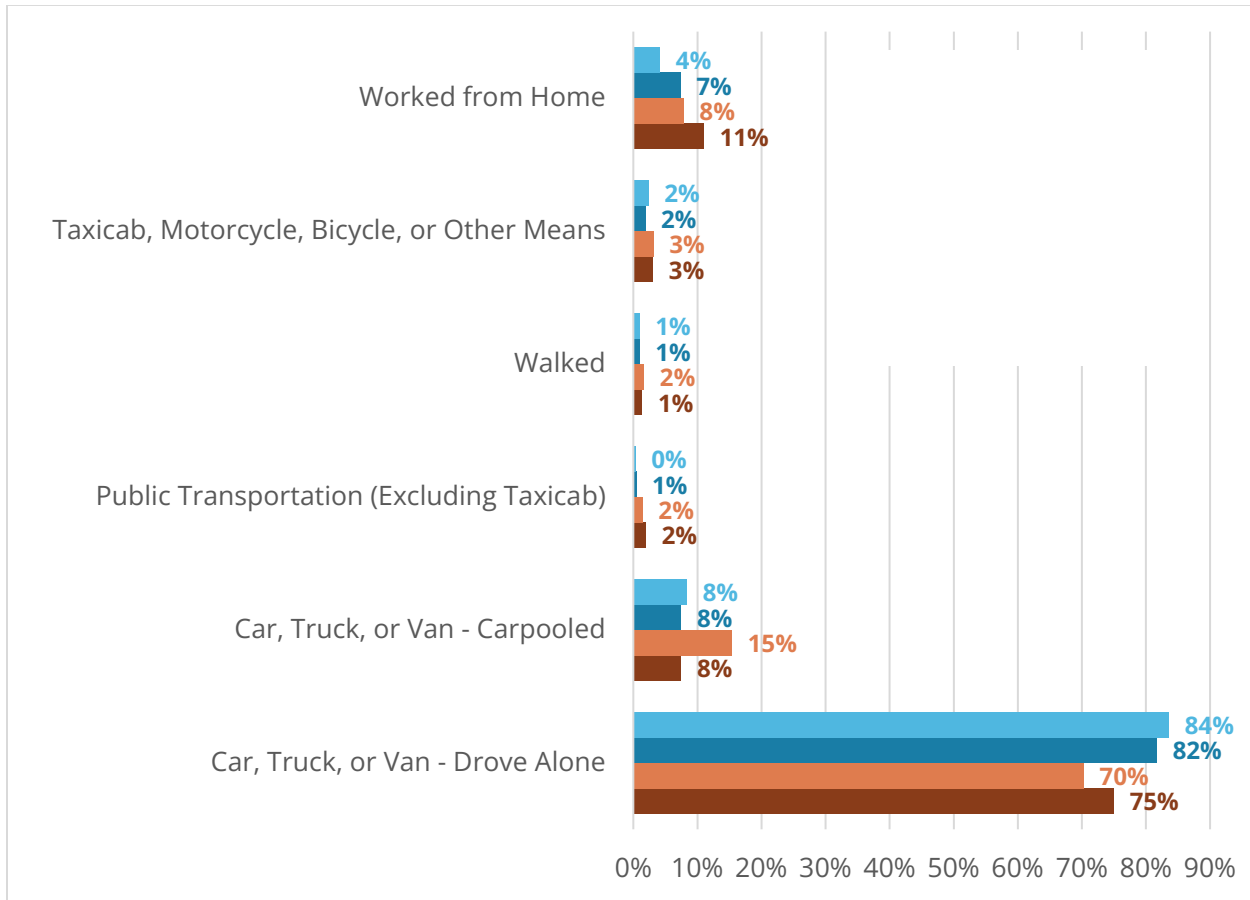


Data source: 2016–2020 and 2008–2012 ACS 5-Year Estimates; Table S1811 Selected Economic Characteristics for the Civilian Noninstitutionalized Population by Disability Status.

Data from 2020 suggest that fewer employed residents of Brevard County who report having a disability drive a car, truck, or van by themselves as their primary mode of transportation to work than residents without a disability. This trend has been the case for nearly ten years, though the number of residents with a disability who drive alone to work has increased by 5 percent over this time while the number of those who do not report having a disability has decreased slightly (by 2 percent). Because the number of residents with a disability who carpooled decreased by 7 percent during this period, presumably, some of those who formerly carpooled now drive alone to work.

Some residents who formerly commuted to work now work from home. Even before the COVID-19 pandemic began in March 2020, 7 percent of employed Brevard County residents without a disability were working from home, up from 4 percent almost a decade earlier. A higher percentage of employed residents who report having a disability worked at home, increasing from 8 percent to 11 percent.

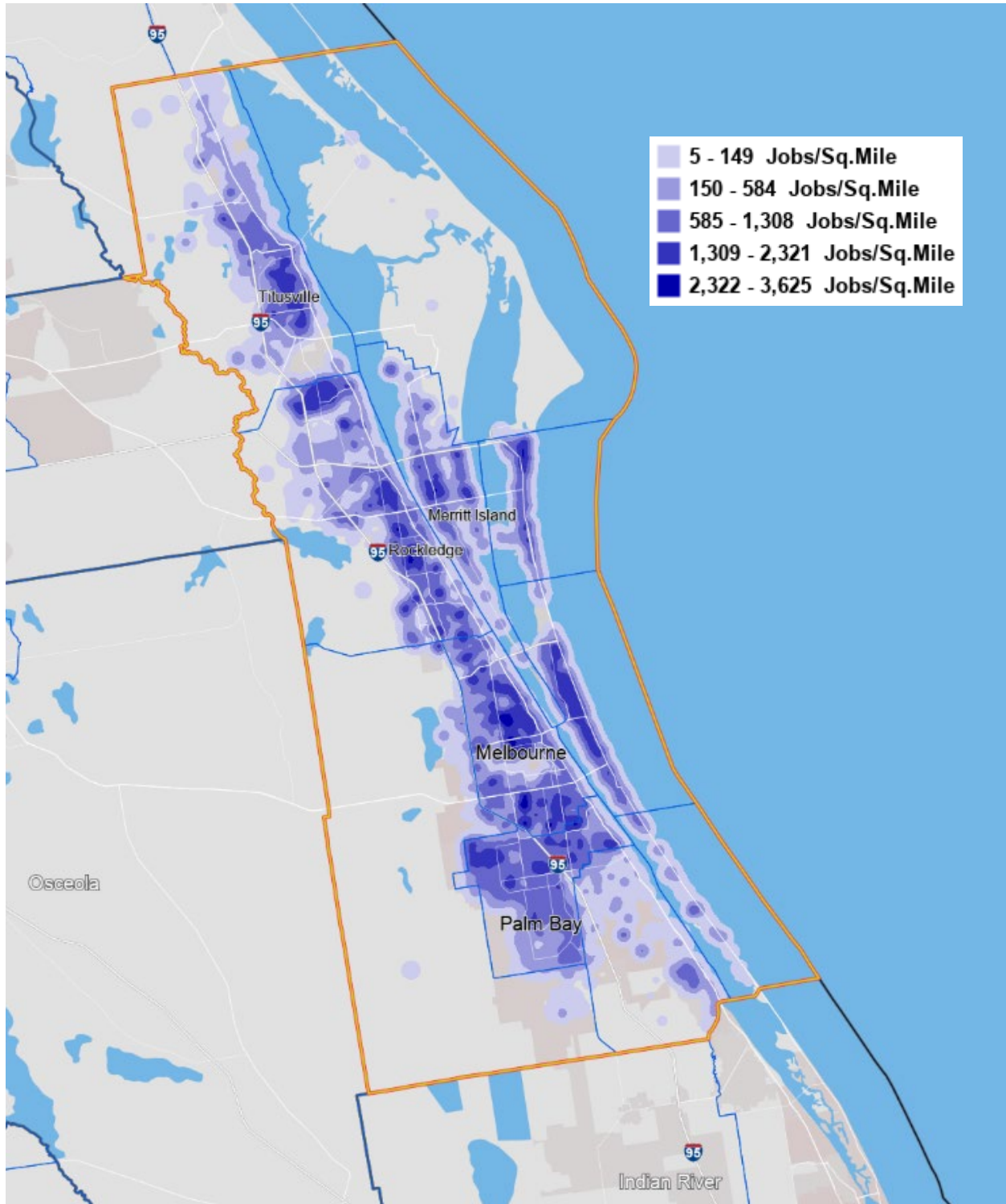
Figure 14: Change in Mode of Transportation Commuting to Work by Population Percent in Brevard County and Disability Status (2012–2020)



Data source: 2016–2020 and 2008–2012 ACS 5-Year Estimates; Table S1811 Selected Economic Characteristics for the Civilian Noninstitutionalized Population by Disability Status.

Figure 15 depicts job density surrounding major employment centers in Brevard County including Port Canaveral, Patrick Air Force Base, Eastern Florida State College, and the Florida Institute of Technology. The map reflects major employment industries in Brevard County including public and government jobs, medical and health services, and the space industry.

Figure 15: Job Density (Jobs Per Square Mile) in Brevard County



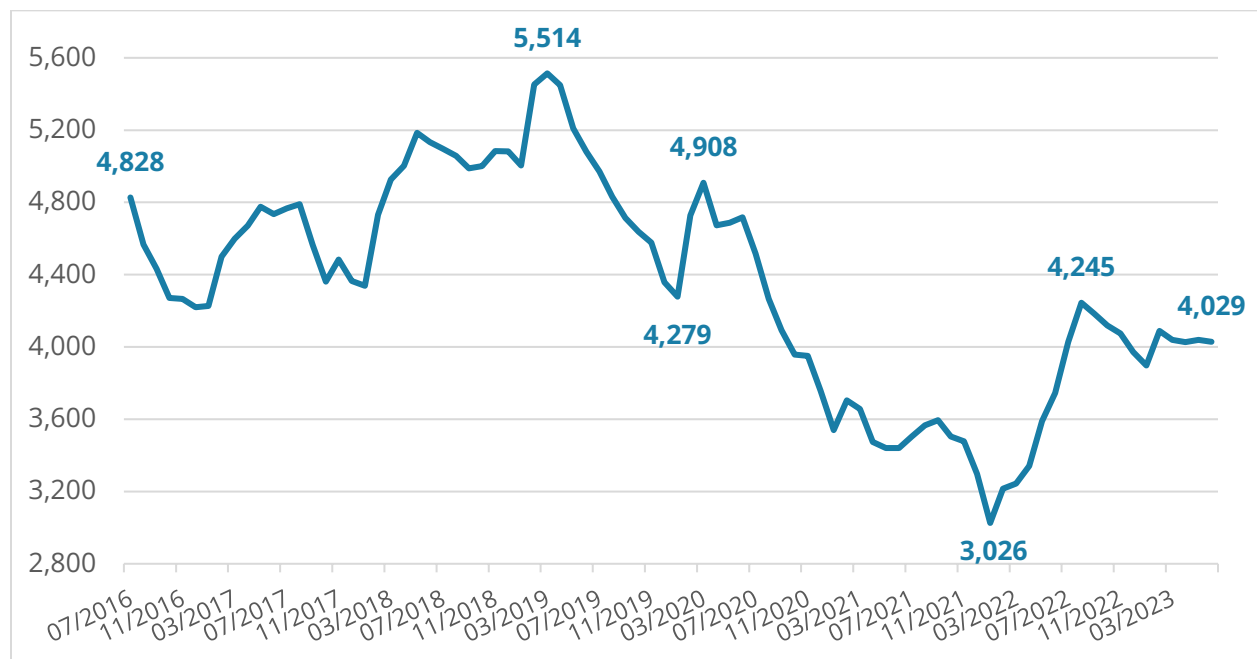
Data source: 2020 On the Map, Longitudinal Employer-Household Dynamics.

Housing Trends

Most Brevard County residents own their homes rather than rent. Melbourne has the lowest homeownership rate (59 percent) while the areas of the county outside the cities of Cocoa, Melbourne, Palm Bay, and Titusville have the highest homeownership rate (81 percent).

Figure 16 shows the total monthly housing listings in Brevard County from July 2016 to June 2023. In January 2020, the number of listings dropped to 4,279 yet increased to 4,908 during the onset of the COVID-19 pandemic in the U.S. in March of that year. For the next several months, the number of listings sharply declined to a low of 3,026 by January 2022, after which the number of monthly housing listings steadily increased. This fluctuation likely reflects the impact of the pandemic on the real estate market as well as changes in interest rates.

Figure 16: Total Monthly Housing Listings in Brevard County



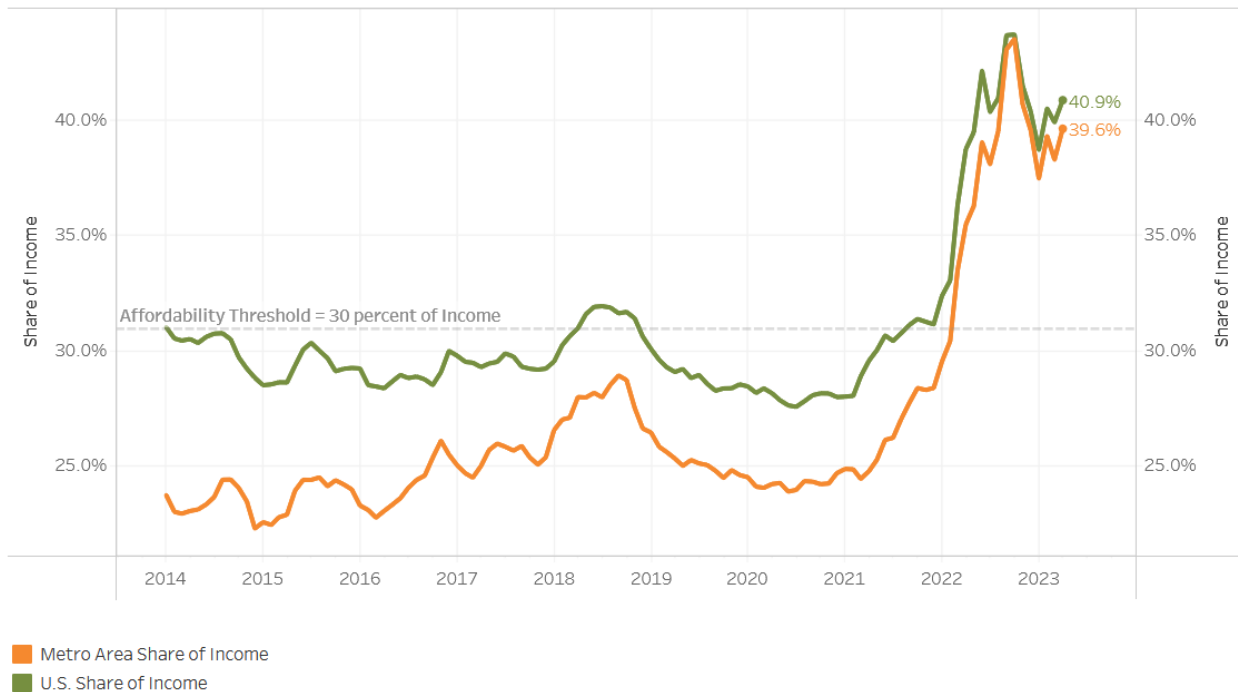
Data source: Realtor.com, Housing Inventory: Total Listing Count in Brevard County, FL, retrieved from FRED, Federal Reserve Bank of St. Louis, June 16, 2023.

The Federal Reserve Bank of Atlanta developed an interactive home affordability tool called the [Home Ownership Affordability Monitor Index](#). The tool measures the ability of a median income-earning household to pay the estimated annual costs associated with owning a median-priced home and provides a snapshot of affordability for a community. Figure 17 depicts the index for the entire country in green and compares it to the Palm Bay-Melbourne-Titusville metro area, which covers Brevard County in orange. The index shows the share of income needed for a median-income household to own a median-priced home from 2014 to 2023. The data indicate that households in Brevard County would need to

dedicate about 40 percent of their income to own a median-priced home, which is slightly lower than the national share of 41 percent. Considering that HUD defines housing as affordable when a household spends less than 30 percent of its income on housing costs, the data suggest that housing is unaffordable for the average household and has become increasingly less affordable in recent years.

Figure 17: Share of Income Needed to Own a Median-Priced Home in Brevard County

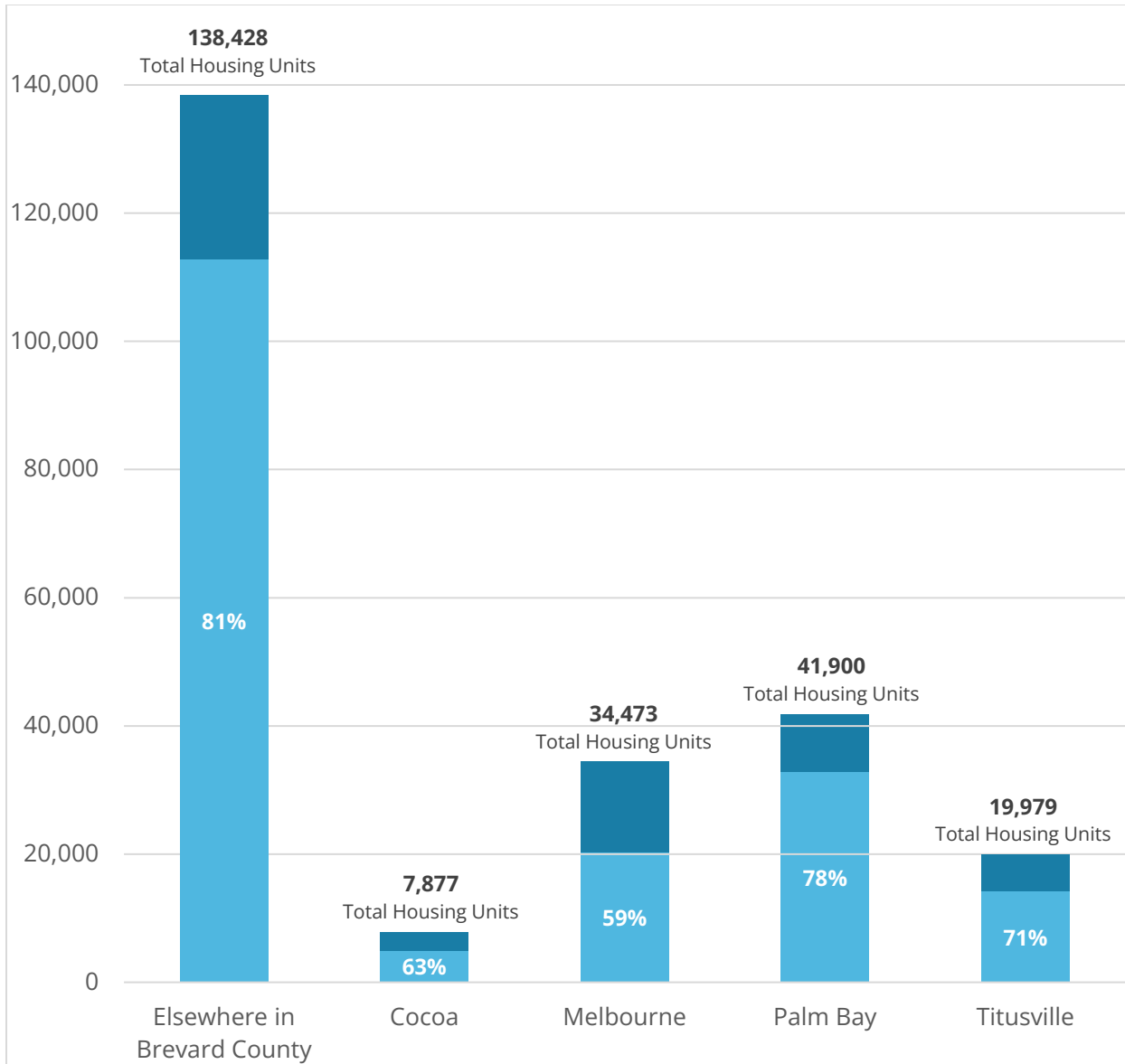
Nation vs Palm Bay-Melbourne-Titusville, FL
Share of Income Needed to Own the Median Priced Home
 Federal Reserve Bank of Atlanta Home Ownership Affordability Monitor
 Data through April 2023



Data source: Federal Reserve Bank of Atlanta, Home Ownership Affordability Monitor Index.

Most occupied housing units in Brevard County are owner-occupied units. In Cocoa, 63 percent of units are owner-occupied, while this figure is 59 percent for Melbourne, 78 percent for Palm Bay, 71 percent for Titusville, and 81 percent for the remaining areas in Brevard County (Figure 18).

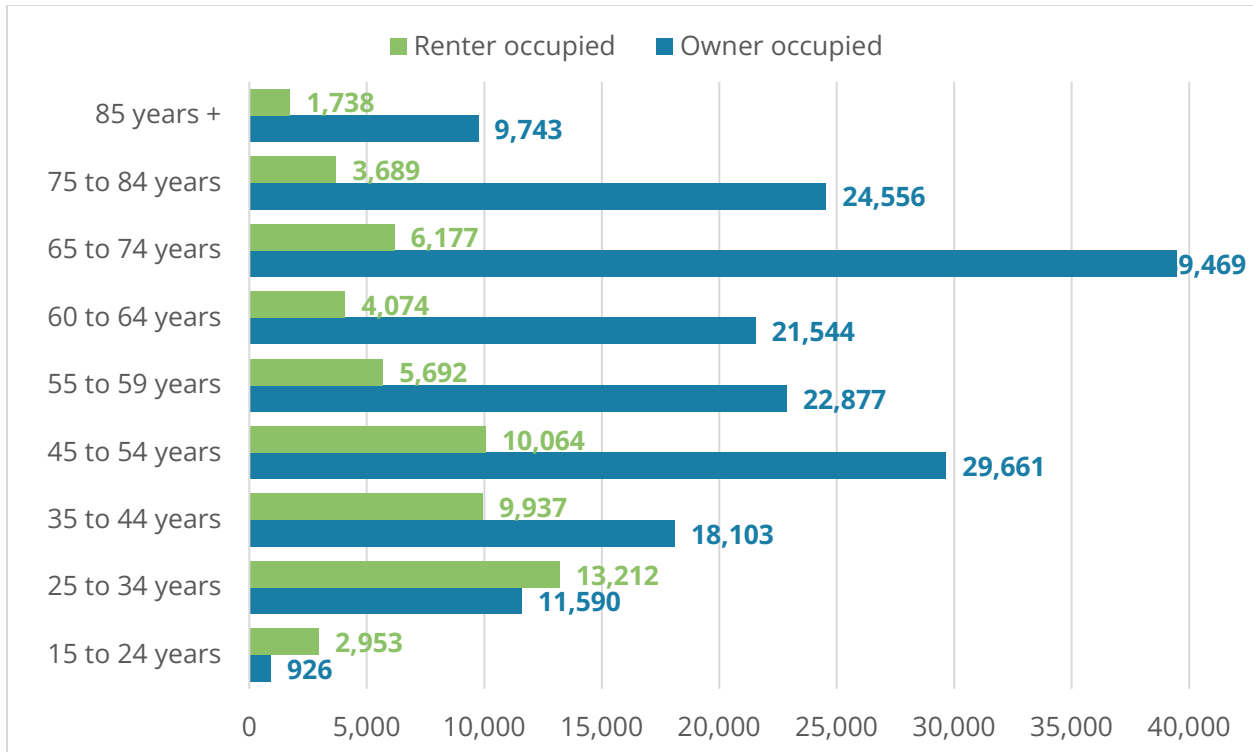
Figure 18: Percentage of Owner-Occupied Housing of Total Occupied Housing Units in Brevard County



Data source: 2017–2021 ACS 5-Year Estimates; Table S2504 Physical Housing Characteristics for Occupied Housing Units.

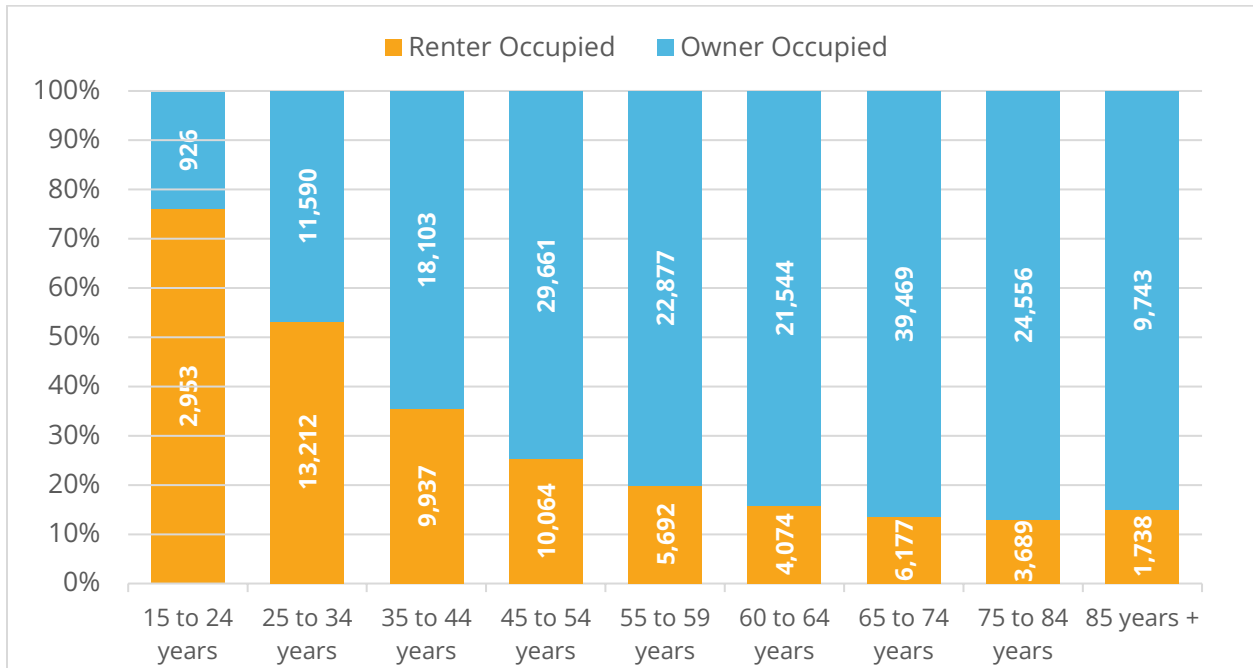
Owner-occupied households tend to be occupied by persons ages 35 and over, while, conversely, younger heads of households are more likely to rent housing. Still, data indicate that three out of every four millennial-aged households (between 25–40 years old) in Brevard County are homeowners, which is the third-highest such figure among the nation's 110 largest metropolitan areas (Florida Today, 2023). Figures 19 and 20 depict the number and percentage of households by tenure and the age of the head of household.

Figure 19: Age of the Head of Household for Owner-Occupied and Renter-Occupied Housing Units in Brevard County



Data source: 2016–2020 ACS 5-Year Estimates Detailed Tables; Table B25007 Tenure by Age of Householder.

Figure 20: Percentage of Heads of Households by Age Bracket and Tenure



Data source: 2016–2020 ACS 5-Year Estimates Detailed Tables; Table B25007 Tenure by Age of Householder.

Investor-Purchased Single-Family Homes

An emerging issue affecting homeownership in Brevard County is the purchase of single-family homes by investment groups, corporations, or institutions, rather than homebuyers purchasing a primary residence, usually for the purposes of fixing and reselling the properties (“flipping” the homes) and to use as long-term rentals.

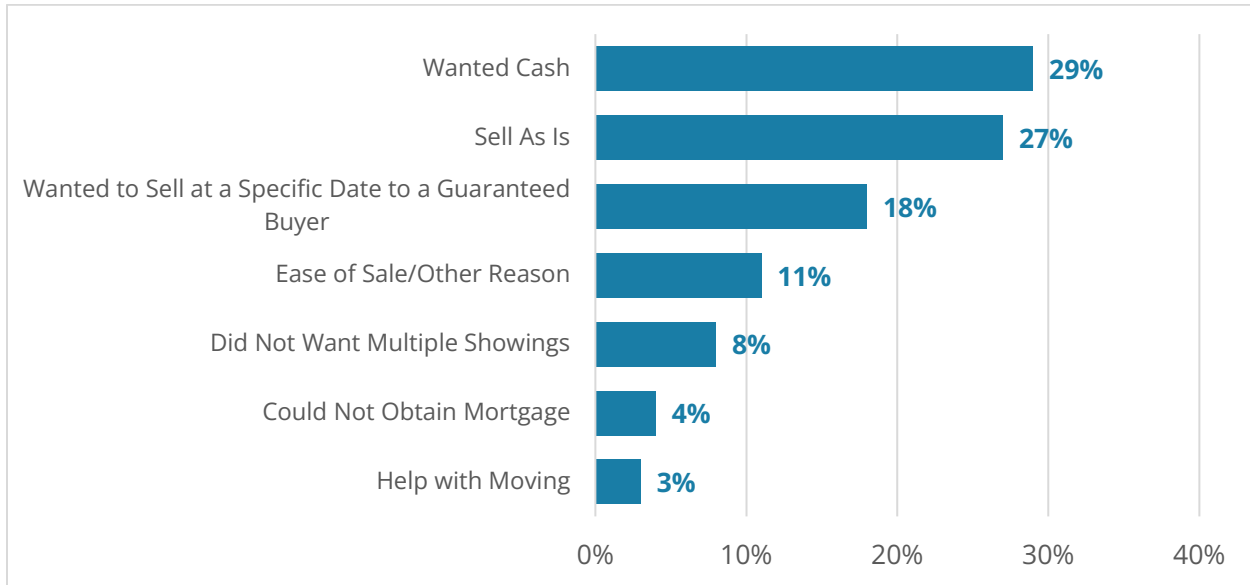
While most homes for purchase are still sold to owner-occupants, the number of corporations buying single-family homes is growing, particularly in southern states. In 2021, 16 percent of all single-family home sales in Florida were to investors, up almost 3 percent from 2020, which was the sixth-highest percentage of single-family housing sales to investors among all states in the U.S.³ The national average in 2021 was 13 percent. In Brevard County, all 87 homes in the single-family housing development of Cypress Bay in Palm Bay were purchased by a pair of companies backed by New York investment bank Goldman Sachs in 2022 for \$45 million.

Corporate purchase of homes affects the local housing market in several ways. First, many potential homeowners are unable to compete with a company in purchasing a home, as institutional buyers tend to have greater financial resources to pay cash for properties and buy a house “as is” without an inspection or pre-sale repairs since companies have funding available to complete any repair work needed on the house and can take larger risks with housing quality. Homes that are purchased and in need of work are generally referred to as “starter homes” and represented about 40 percent of all homes purchased by investors. When these homes are purchased by companies, it removes the low- to mid-priced homes from the market that could be fixed by owner-occupants gradually or with sweat equity. More than half of the eventual renters of corporate-purchased homes are between the ages of 25–44, the demographic often competing for the purchase of these homes.⁴

³ RealtyTrac Investor Purchase Report—Winter 2022.

⁴ Impact Of Institutional Buyers On Home Sales And Single-Family Rentals, National Association Of Realtors Research Group, May 2022.

Figure 21: Percent Distribution of Reasons Homeowners Sold to Institutional Buyers

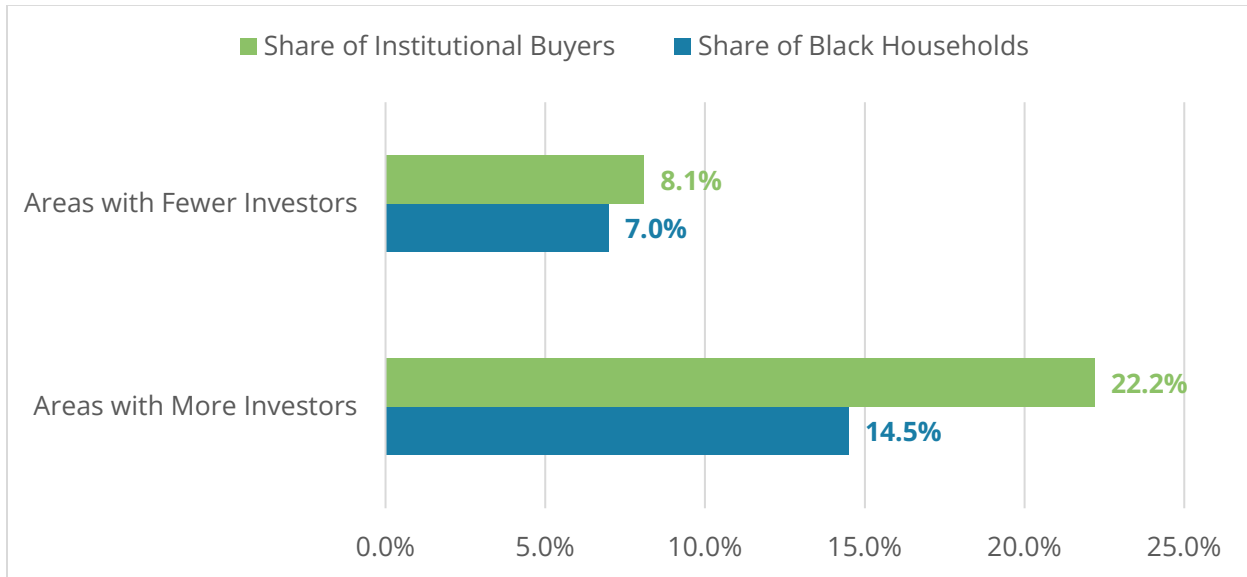


Data source: Impact of Institutional Buyers on Home Sales and Single-Family Rentals, National Association Of Realtors Research Group, May 2022.

In addition, corporate home purchases remove owner-occupied housing from the marketplace and increase rental housing stock, as more than 40 percent of corporate home purchases are for long-term rentals. Despite the increased housing rental stock, average rents in [areas with high home purchases by investors](#) go up more than the national average.

Investor-owned housing could have direct fair housing implications since areas with higher percentages of corporate home purchases occur in areas with higher percentages of Black/African American households (Figure 22). If households of color are affected equally or at higher rates by increased rent prices, limited homeownership opportunities, or displacement due to housing costs, these scenarios would represent fair housing concerns.

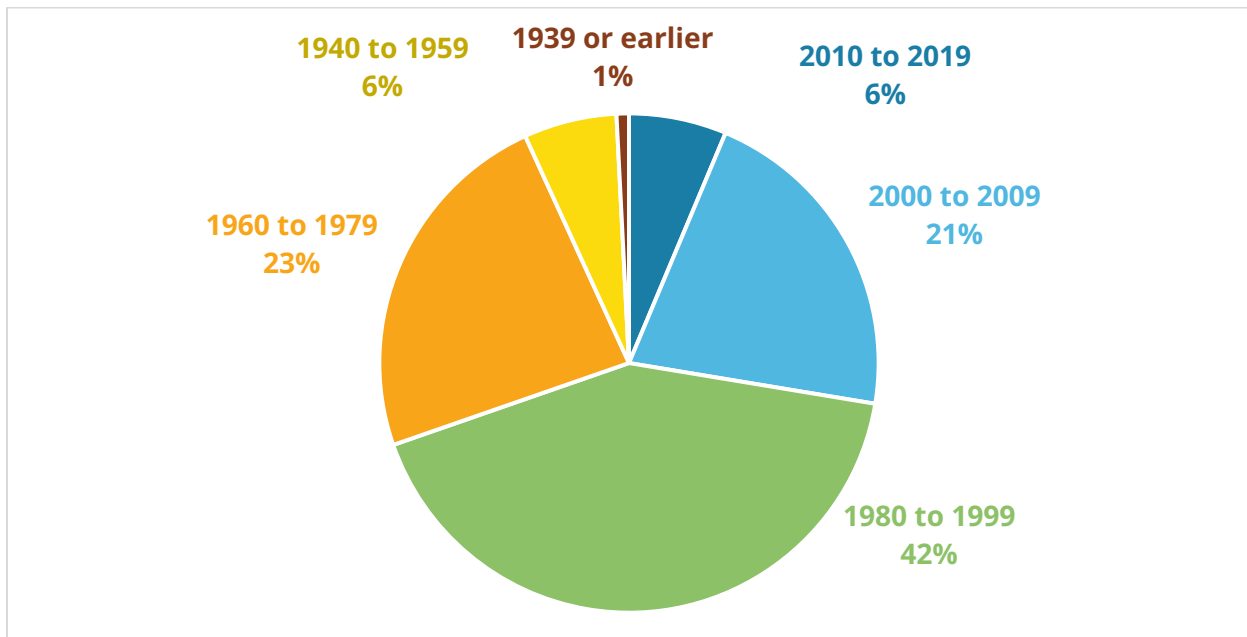
Figure 22: Percentage of Black Households in Areas with Above-Average Investor Housing Purchases



Data source: Impact of Institutional Buyers on Home Sales and Single-Family Rentals, National Association Of Realtors Research Group, May 2022.

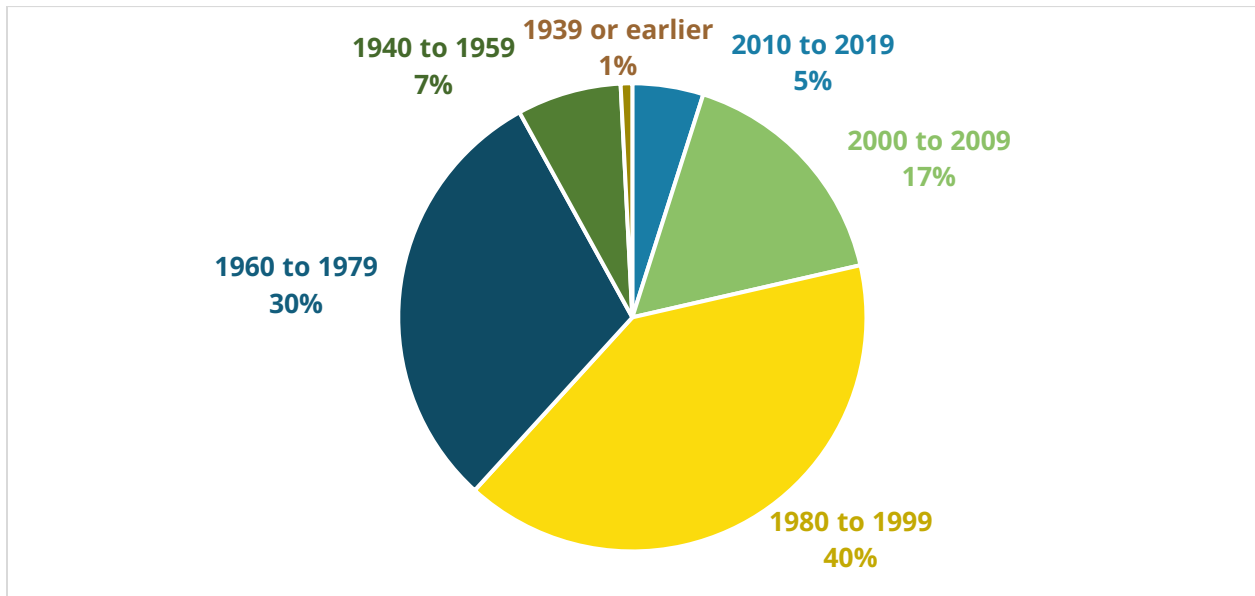
Data on the housing stock in Brevard County also indicate that a majority of both the owner-occupied and renter-occupied housing units were built between 1980 and 1999, while most of the newly constructed units built since 2000 are owner-occupied (Figures 23 and 24).

Figure 23: Age of Owner-Occupied Housing by Year Structure Was Built in Brevard County



Data source: 2017–2021 ACS 5-Year Estimates; Table S2504 Physical Housing Characteristics for Occupied Housing Units.

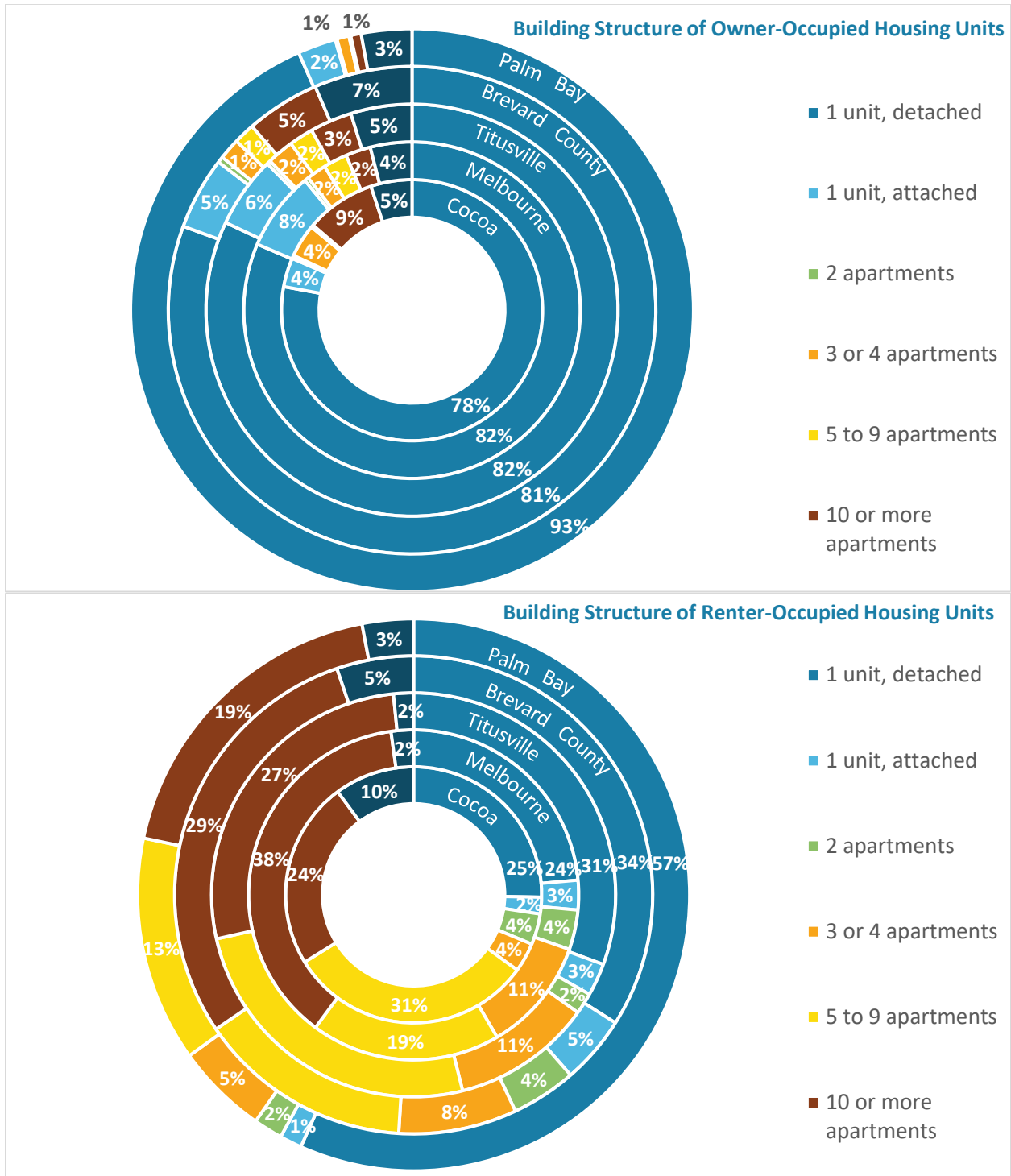
Figure 24: Age of Renter-Occupied Housing by Year Structure Was Built in Brevard County



Data source: 2017–2021 ACS 5-Year Estimates; Table S2504 Physical Housing Characteristics for Occupied Housing Units.

Most owner-occupied housing units in Brevard County, in addition to each of the four communities, are single-family housing units, while renter-occupied housing units vary considerably across communities, with Palm Bay containing primarily single-family housing units to Melbourne with primarily buildings containing 10 or more units. Figure 25 depicts the share of units by size and community for owners (top) and renters (bottom).

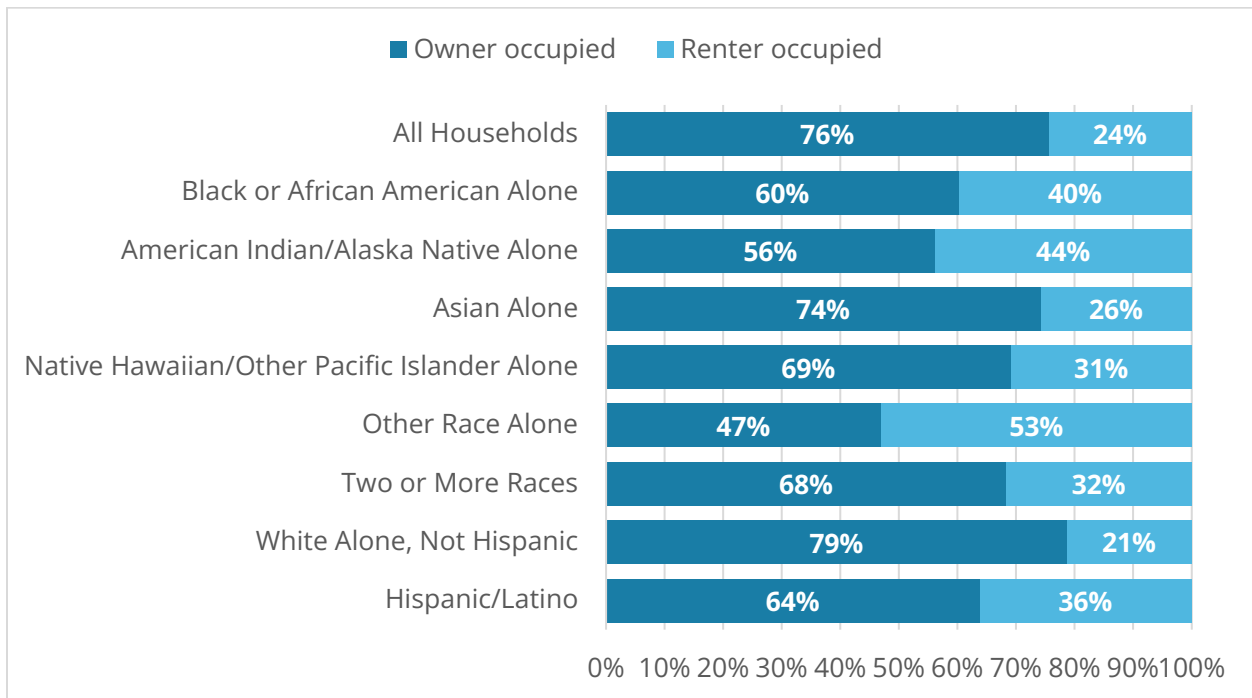
Figure 25: Units in Structure of Owner-Occupied (Top) and Renter-Occupied (Bottom) Housing Units



Data source: 2017–2021 ACS 5-Year Estimates; Table S2504 Physical Housing Characteristics for Occupied Housing Units.

Figure 26 outlines the percentage of owner-occupied and renter-occupied households by race and ethnicity in Brevard County. The data indicate that 76 percent of households were homeowners and 24 percent were renters overall, but when disaggregated by race and ethnicity, 79 percent of White households lived in owner-occupied units while 47 percent of households identifying as another race lived in owner-occupied units.

Figure 26: Race and Ethnicity in Owner-Occupied vs Renter-Occupied Housing in Brevard County by Percent



Data source: 2016–2020 ACS 5-Year Estimates Detailed Tables; Table B25003 Tenure.

Evictions and Foreclosures

Eviction and Foreclosure Filings in Brevard County

Data from the Shimberg Center provides information on the number of monthly eviction and foreclosure filings across Brevard County from January 2019 to March 2023. Figure 27 depicts the monthly number of evictions and foreclosures over the three-year period and indicates that there was significant monthly variation across the county.

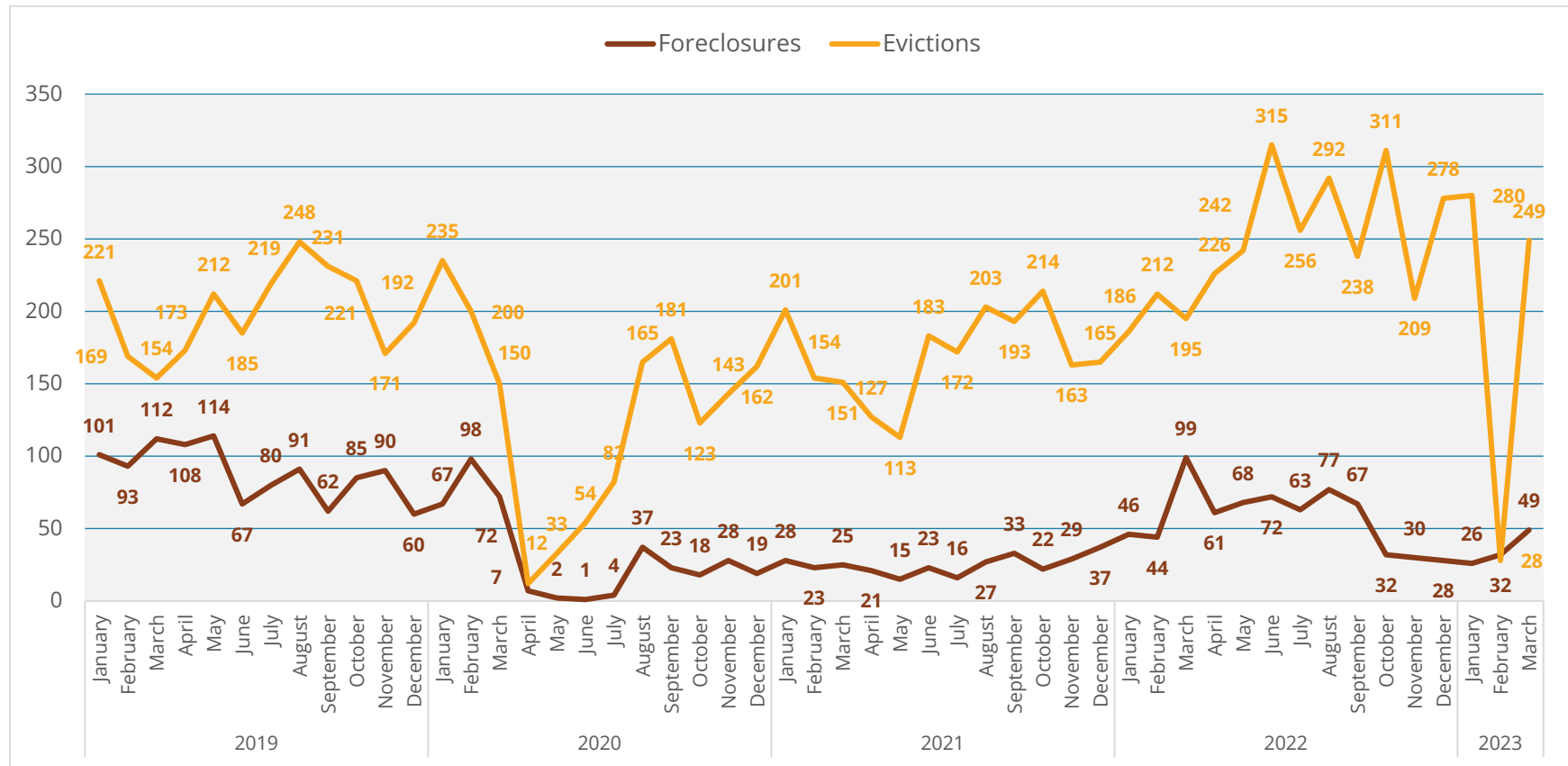
For evictions, there were an average of 200 filings a month in 2019. Over the next three years, the average was 128 in 2020, 170 in 2021, 247 in 2022, and as of March 2023, 186 average eviction filings each month. For foreclosures, there were on average 89 filings in 2019, 31 in 2020, 25 in 2021, 57 in 2022, and as of March 2023, 36 foreclosures on average each month.

Notably, the number of eviction filings dropped to 12 and the number of foreclosures to 7 in April 2020. By July 2020, evictions filings increased to 82 while foreclosures decreased

further to 4. The sharp drop in eviction filings and foreclosures in mid-2020 relative to 2019 likely reflects the first federal eviction and foreclosure moratorium, which was in effect from mid-March to the end of July 2020. The first moratorium, established by the Coronavirus Aid, Relief, and Economic Security Act, covered federally related properties, or in other words, properties assisted by federal assistance programs or with federally backed financing from agencies including HUD, the Department of Veterans Affairs, and the Department of Agriculture. At the state level, Florida Governor Ron DeSantis issued Executive Order 20-94, which established a statewide moratorium on April 1, 2020 and was extended multiple times until it expired on October 1, 2020. In addition, the Centers for Disease Control and Prevention's moratorium, which began on September 4, 2020 and ran until June 30, 2021, likely contributed to the relatively low number of eviction filings and foreclosures from mid- to late-2020 to mid-2021 compared to the number of filings pre-pandemic.

In more recent months, the number of eviction filings varied considerably by month yet trended higher than pre-pandemic levels. Foreclosures, on the other hand, were less volatile following the end of pandemic-era protections and appear to have increased during the summer of 2022 and decreased toward the end of the year.

Figure 27: Monthly Evictions and Foreclosures in Brevard County



Data source: 2023 Shimberg Center.

V. Access to Opportunity

Overview

“Housing discrimination” can refer to individual actions, but also to residential patterns, whether intentional or unintentional. Research indicates that children who grow up in disadvantaged neighborhoods are more likely to have poorer health, lower lifetime earnings, and other negative quality of life factors compared to children who grow up in areas of opportunity. Equity in neighborhood choice is a component of fair housing and the level of neighborhood quality, and its relation to protected classes, can be analyzed using different types of information.

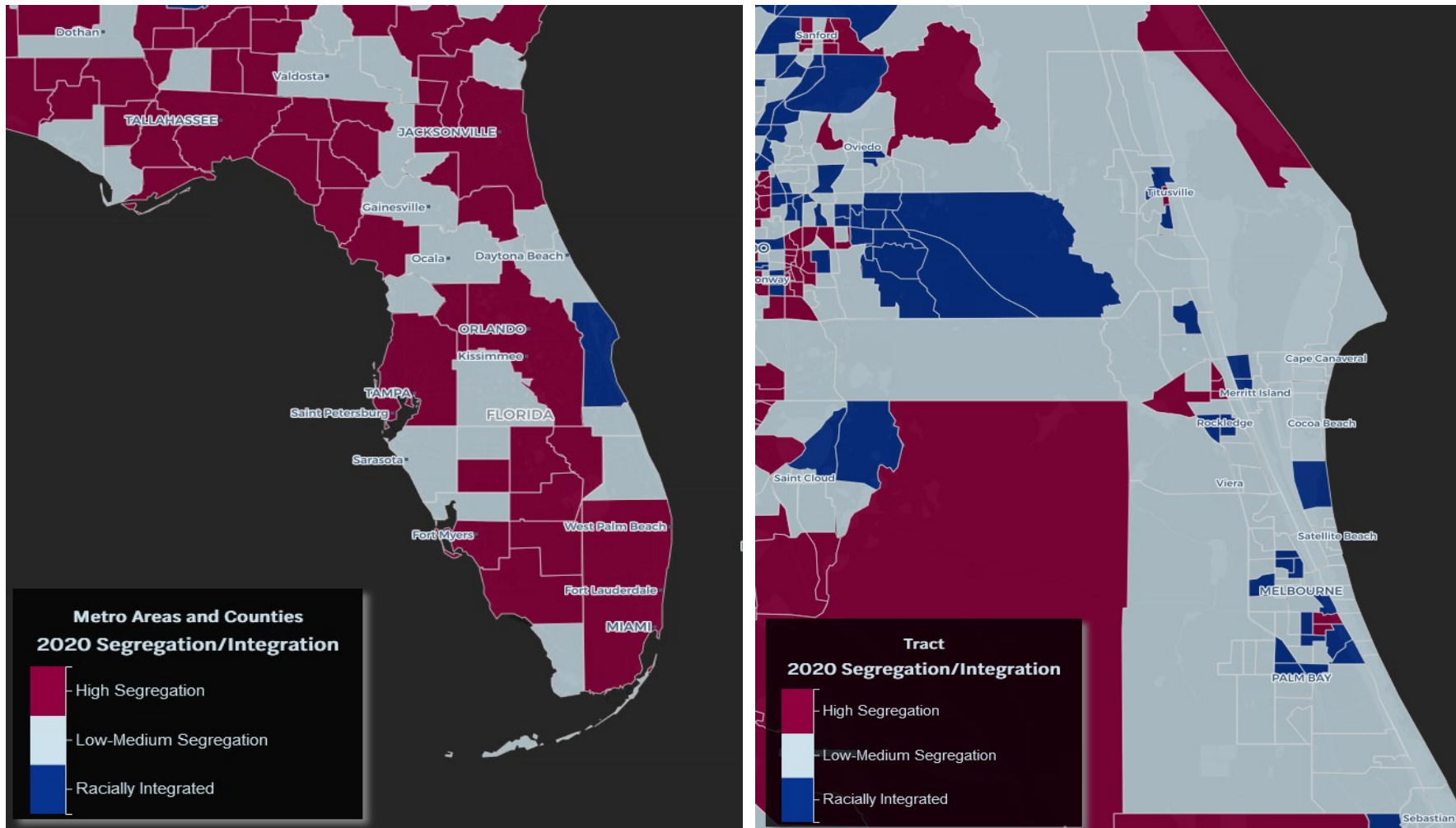
Segregation Indices

Segregation and diversity indices help measure the percentage of residents belonging to a minority group, the degree to which a minority group is distributed in a community, and the number of minority groups in an area (diversity). There are numerous index calculations and methods, each with a unique purpose, but a sample of segregation indices can help show signs of housing discrimination and barriers to housing opportunity.

The University of California—Berkeley’s Roots of Structural Racism project measures racial residential segregation using several methods for every city and metropolitan area in the U.S. After the 2020 Census, the study found that of all metro areas in the U.S. with over 200,000 people, the Palm Bay-Melbourne-Titusville metropolitan statistical area (MSA)—which comprises most of Brevard County—is one of only five that are considered “integrated” for residential segregation. The data indicate that Brevard County has become more diverse since 1980 and overall levels of segregation have decreased; however, there is variation across census tracts.

Residential segregation is just one method for analyzing barriers to housing choice. It does not necessarily measure the income level of residents, the quality of the housing, and the quality of schools and other amenities within a given neighborhood.

Figure 28: Racial/Ethnic Segregation by County (Left) and Racial/Ethnic Segregation by Census Tract (Right)



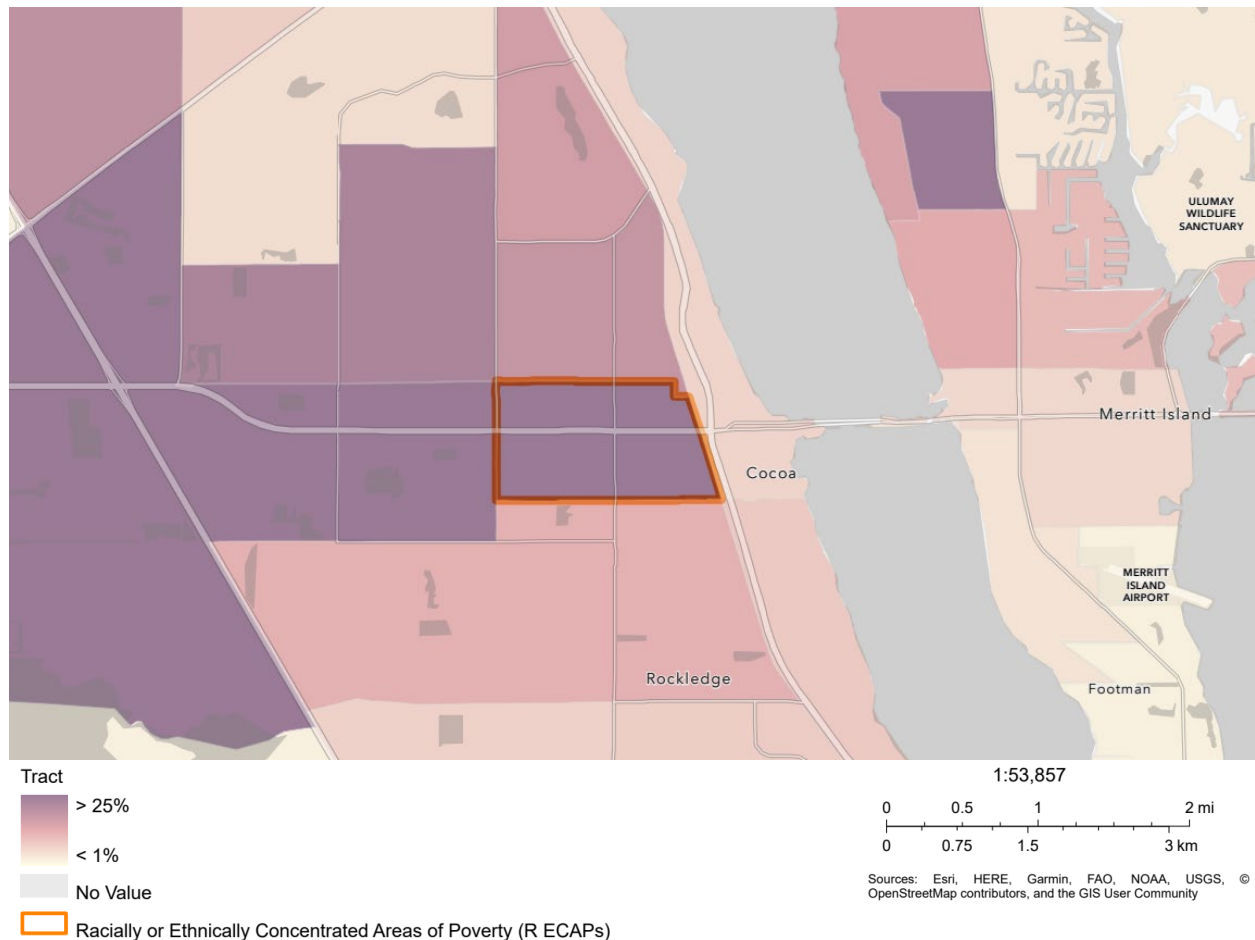
Data source: Stephen Menendian, Arthur Gales, and Samir Gambhir, *The Roots of Structural Racism: Twenty-First Century Racial Residential Segregation in the United States* (Berkeley, CA: Othering & Belonging Institute, 2021).

R/ECAPs

R/ECAPs are census tracts designated by HUD as meeting racial/ethnic concentration and poverty thresholds. Specifically, R/ECAPs are census tracts where the population of individuals identifying as a race or ethnicity other than White is 50 percent of the population or more. The census tract must also qualify as having “extreme poverty,” which HUD defines as having 40 percent of the population living at or below the federal poverty line. The area may also meet the poverty threshold by exceeding 40 percent or three times the average tract poverty rate in the metro area.

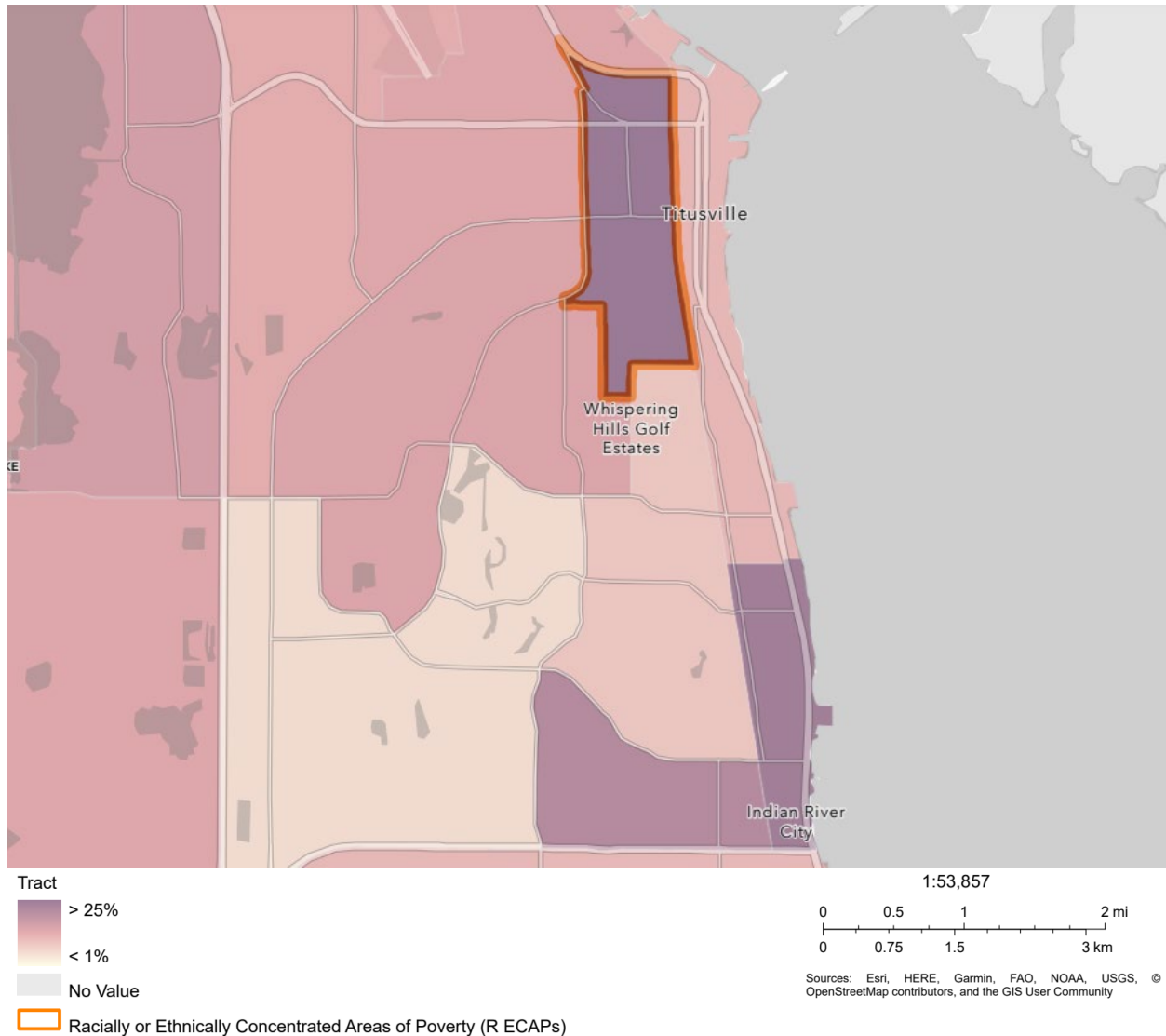
Figures 29 and 30 depict Brevard County’s two R/ECAPs. One is located in Cocoa (Figure 29) and the second is in Titusville (Figure 30).

Figure 29: Cocoa R/ECAP Census Tract with Percentage of Population Below the Poverty Level



Data source: HUD Data; 2013–2017 ACS 5-Year Estimates

Figure 30: Titusville R/ECAP Census Tract with Percentage of Population Below the Poverty Level

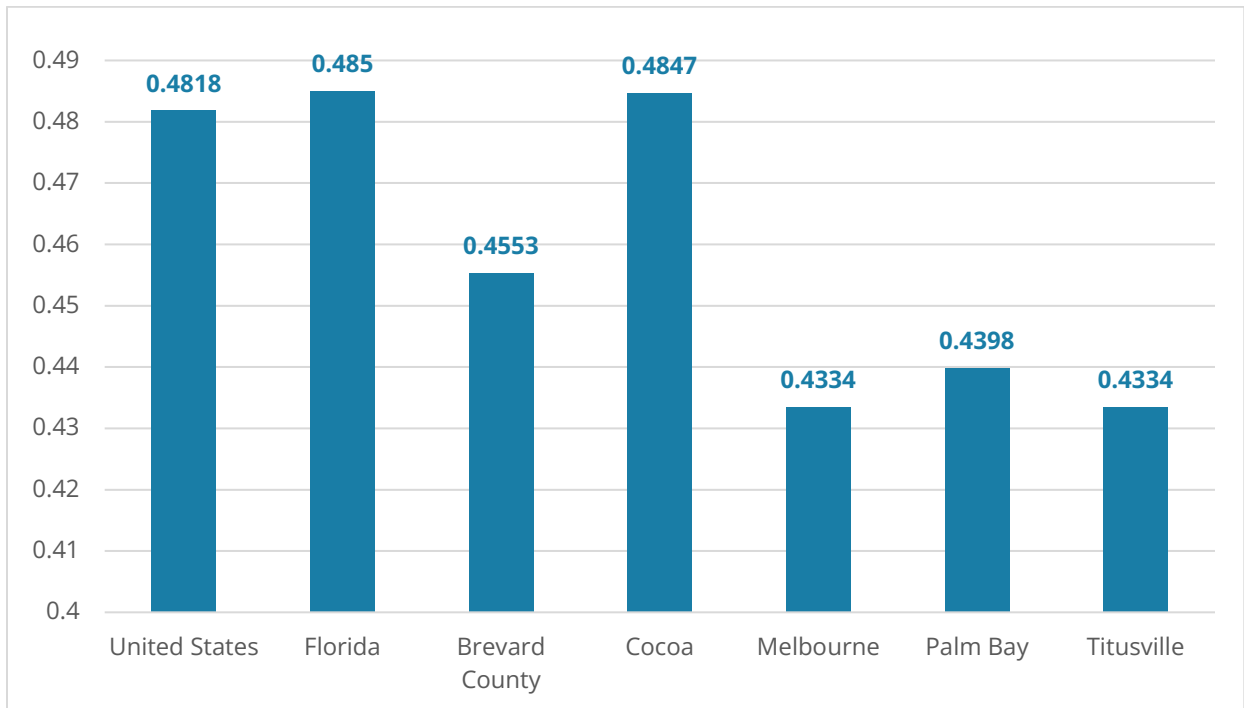


Data source: HUD Data; 2013–2017 ACS 5-Year Estimates.

Gini Index

The Gini index of income inequality measures how much household incomes in an area deviate from an equal distribution, on a scale from 0 to 1. A Gini index of 0 is an exactly equal distribution of income, while a Gini index of 1 is complete inequality in how household incomes are distributed. All municipalities within Brevard County have a Gini index that is less than the Florida statewide value of 0.485. The city of Cocoa has the highest index value (0.488), while the cities of Melbourne, Palm Bay, and Titusville have comparatively lower values. This suggests that Melbourne, Palm Bay, and Titusville have a more equal distribution of household income relative to the countywide Gini index of 0.455 (Figure 31).

Figure 31: GINI Index of Income Inequality for Selected Areas



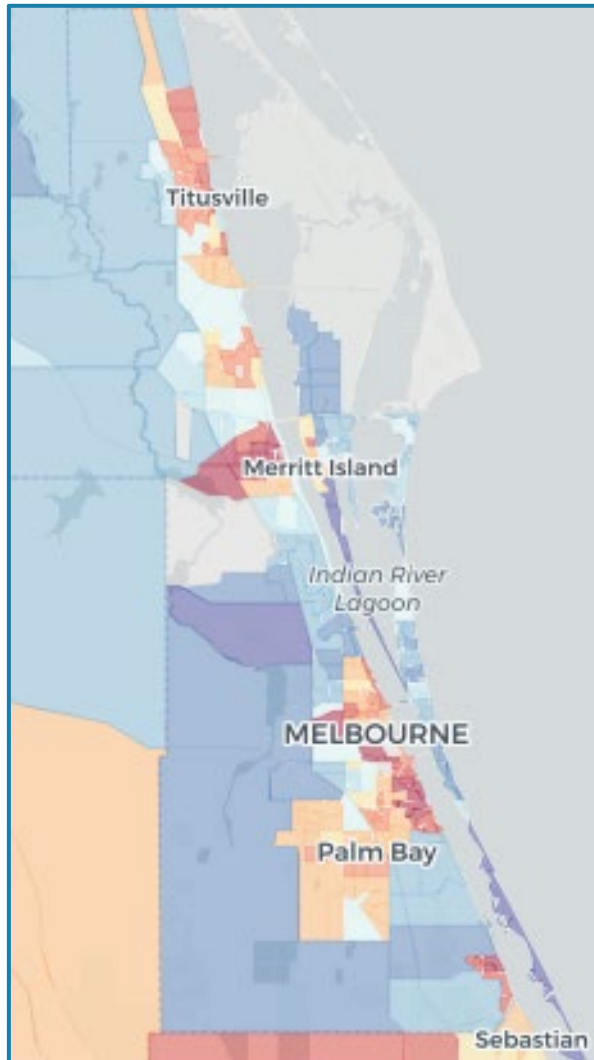
Data source: 2017–2021 ACS 5-Year Estimates Detailed Tables; Table B19083 GINI Index of Income Inequality.

Area Deprivation Index

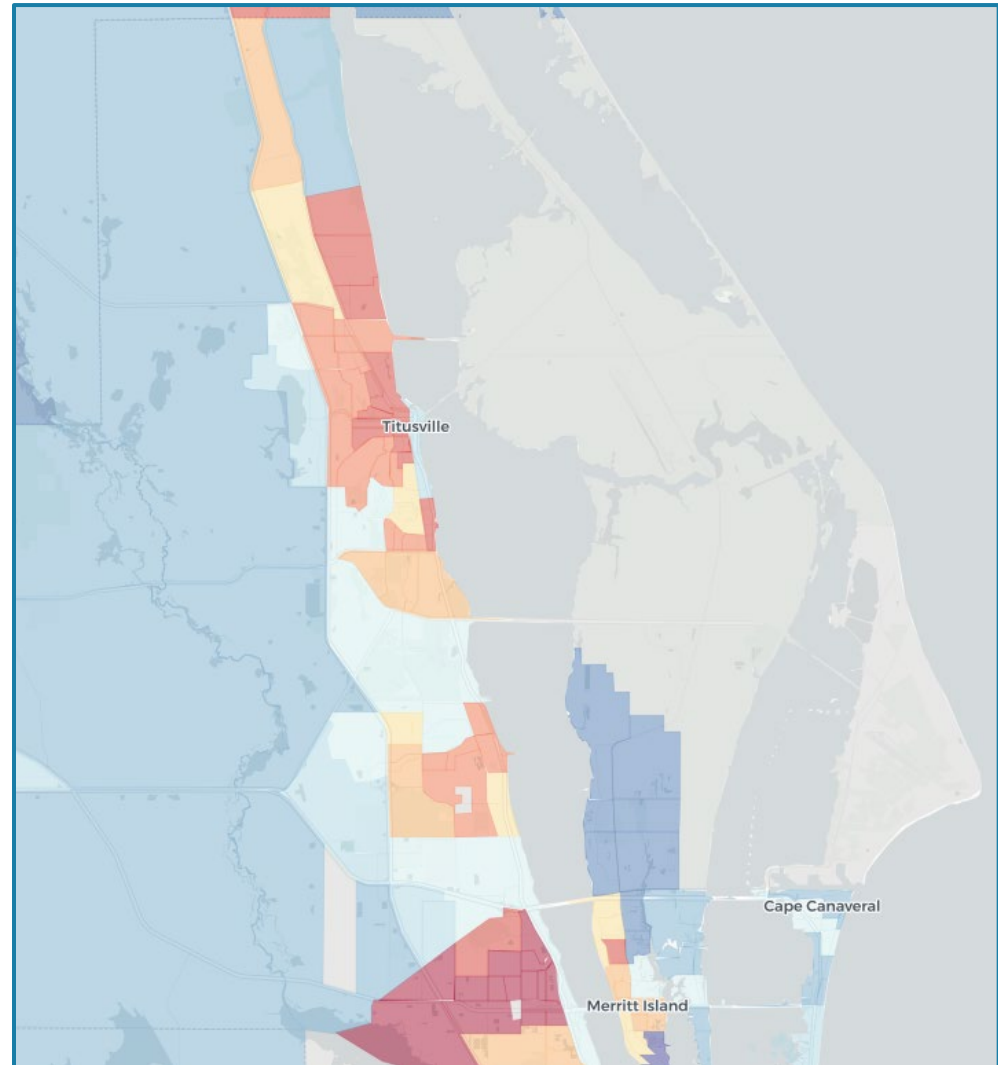
The University of Wisconsin—Madison established the Neighborhood Atlas to map an area’s overall neighborhood quality using factors related to income, education, employment, and housing quality. Using a measure called the area deprivation index, the Neighborhood Atlas visually depicts the level of socioeconomic disadvantage for each census tract block group in a community using a scale of 1 for the least disadvantaged block groups to 10 for the most disadvantaged block groups. Figure 32 depicts the Neighborhood Atlas for Brevard County and indicates that there is noticeable variation across communities in the County.

Figure 32: Neighborhood Atlas in Brevard County

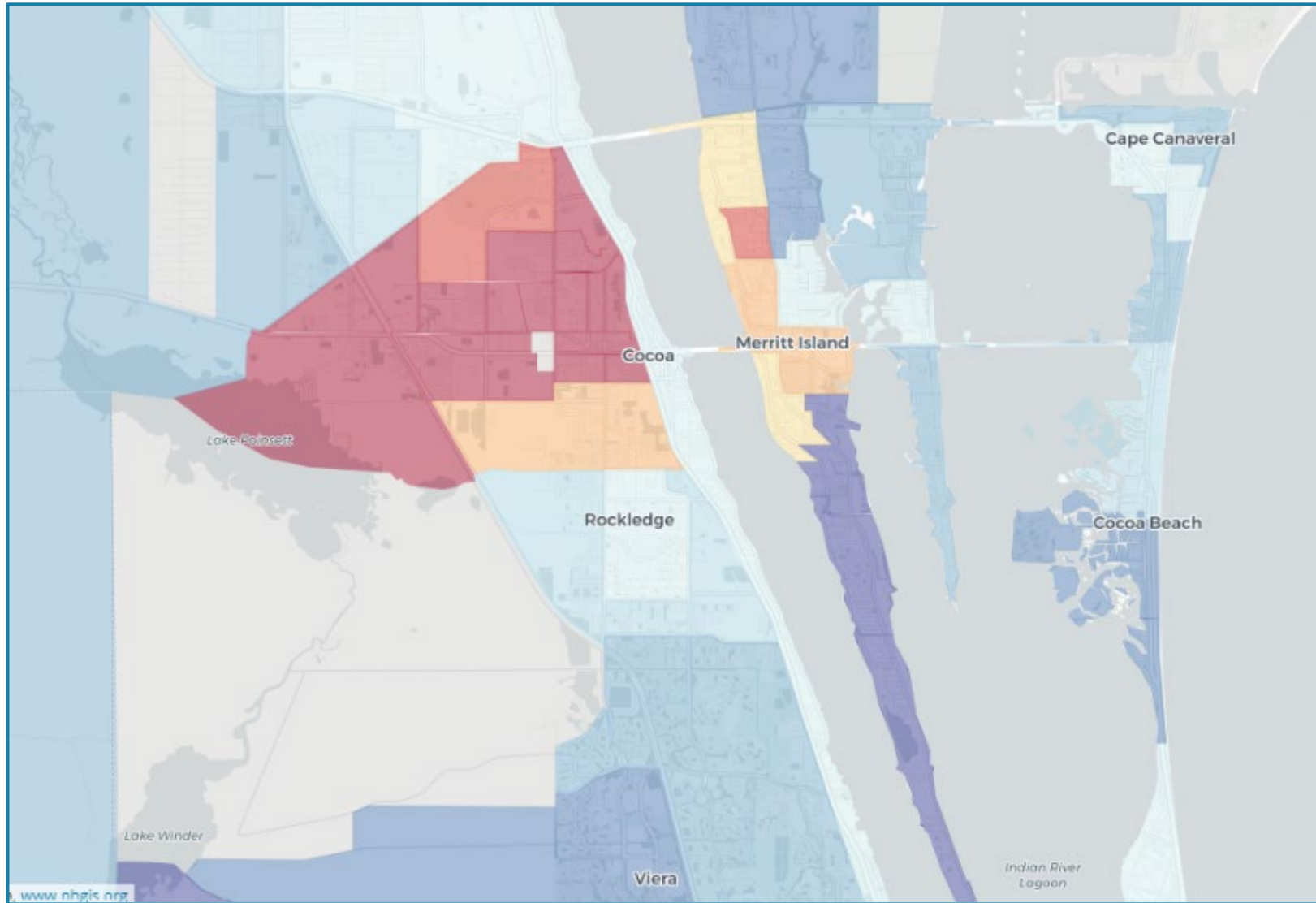
Map A: Brevard County



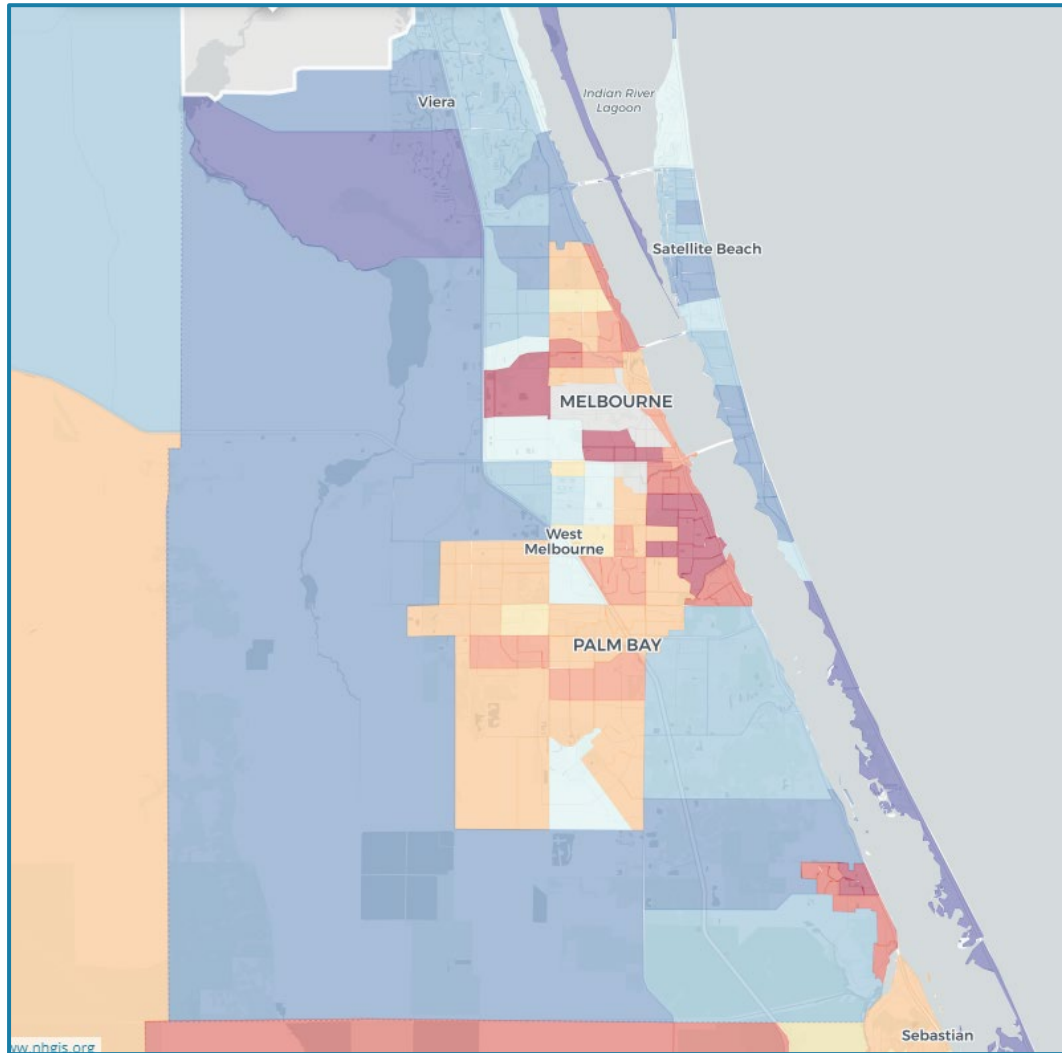
Map B: Northern Brevard County



Map C: Central Brevard County



Map D: Southern Brevard County



Data source: 2021 Neighborhood Atlas, University of Wisconsin—Madison School of Medicine and Public Health.

Environmental Quality

The quality of the natural environment, including pollution, noise, and the likelihood of natural hazards and the effects of climate change, is a significant part of neighborhood quality and is often unequal across neighborhoods and the communities within them.

Pollution and exposure to the impacts of climate change disproportionately affect communities of color, such as exposure to air and water pollution, and growing risks of housing instability from climate crises like extreme heat, flooding, and wildfires.

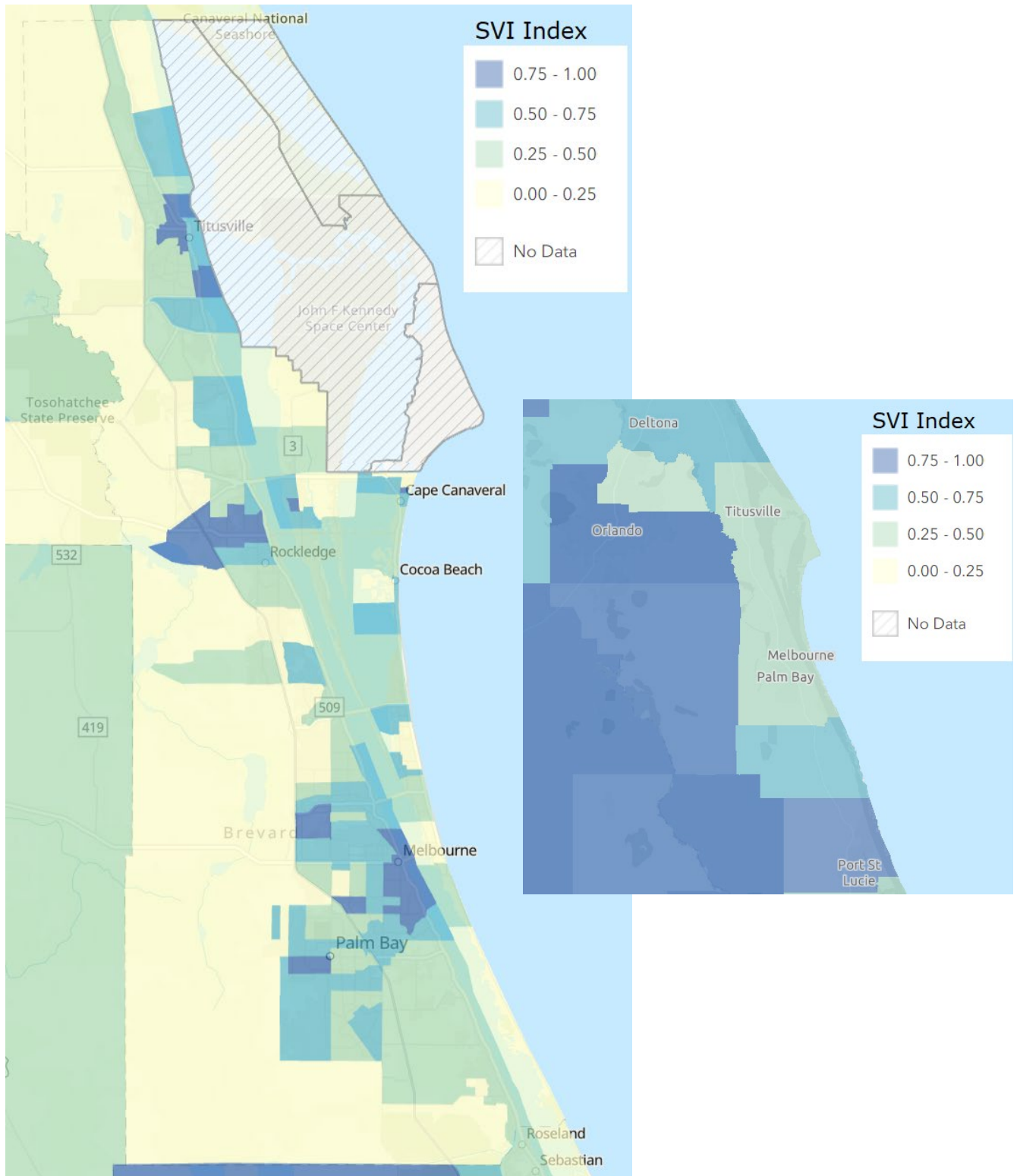
The idea of unequal exposure or an unequal burden by vulnerable populations (including the fair housing protected classes) has led to calls for environmental justice. Environmental justice is defined by the federal government, including the U.S. Environmental Protection Agency, Department of Energy, Department of Justice (DOJ), and HUD, as “the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” In addition, fair treatment means that, “no population bears a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations or from the execution of federal, state, and local laws, regulations, and policies.”

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" issued in 1994, requires federal agencies, including HUD, to consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and/or low-income populations.

Environmental justice can be analyzed in several ways. One is to assess the residents of an area who are most at risk before a disaster occurs. The U.S. Centers for Disease Control and Prevention Social Vulnerability Index (SVI) identifies at-risk groups, (socially vulnerable populations) that would require special attention in a disaster like a hurricane or flood. In emergency preparedness and rescue, the goal for emergency responders is to reach every person in a community. The SVI ranks census tracts using a metric that takes into account the population’s socioeconomic status, household characteristics, racial and ethnic minority demographic composition, housing types, and transportation. Percentile ranking values for each tract range from 0 to 1, with higher values indicating greater vulnerability.

Within Brevard County, census tracts with a high SVI are located in and around the cities of Cocoa, Melbourne, Palm Bay, and Titusville, all in the top 75 percent of census tracts for social vulnerability in the county. The county as a whole, however, is in the lower half of social vulnerability among all counties across the country and has a lower ranking than most surrounding Florida counties (Figure 33).

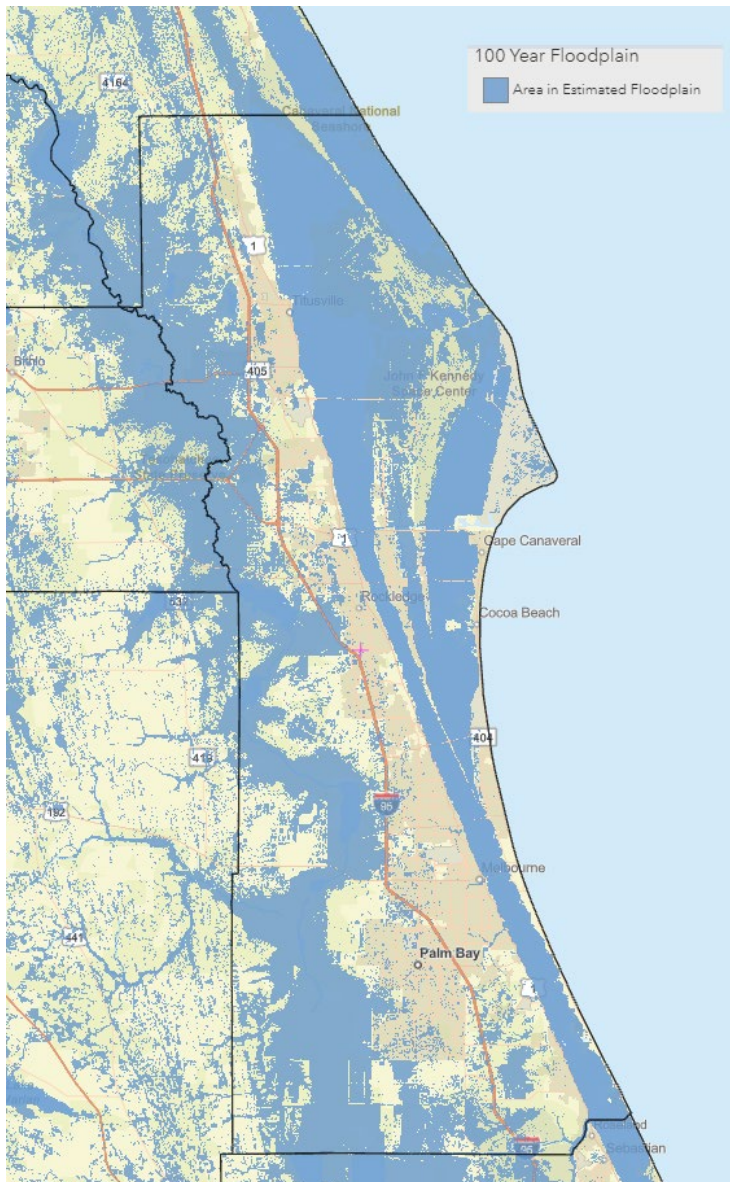
Figure 33: Social Vulnerability in Brevard County Census Tracts



Data source: 2020 Centers for Disease Control and Prevention SVI.

While health and safety are a top priority, financial and housing vulnerability is a concern among low-income residents who may not have the financial resources to recover after a disaster. Homes and businesses in high-risk flood areas with mortgages from government-backed lenders are required to have flood insurance; however, the high cost of homeowners insurance in Florida increases the housing cost burden and makes homeownership infeasible for many. Figure 34 depicts the Federal Emergency Management Agency's (FEMA's) 100-year floodplain map for Brevard County and indicates that significant portions of the County are within a floodplain.

Figure 34: 100-Year Floodplain in Brevard County



Data source: FEMA 100-year Floodplain mapping showing areas that are considered a “high risk” for flooding (Zone A—on official FEMA maps).

Transportation

Low- to moderate-income households without a vehicle are at a disadvantage in accessing jobs and services, particularly if public transit is inadequate or absent. Access to public transit can therefore be critical for these households and without convenient access, households can have fewer employment opportunities. Enhancing connectivity between residential areas with low- and moderate-income households with employment opportunities is key to expanding fair housing choices. Transportation is just one element influencing access to opportunity and includes elements such as pedestrian safety; proximity to and accessibility of jobs, services, and amenities to housing options; and the availability and access of transit options for different communities.

Brevard County can be difficult to traverse due to its geography. During the consultation process, stakeholders noted that it can take 45 minutes to one hour to travel the entire length of the county and that this commute is even longer for individuals traveling by bus when accounting for multiple bus stops along the way. For those that rely on public transit, navigating the county can quickly become quite time-consuming. The Chamber of Commerce identified transportation as an economic development issue since the area's hotel industry depends upon low-income employees who often utilize public transportation because they cannot afford a personal vehicle. Stakeholders also noted that seniors living on fixed incomes also have difficulty securing transportation to medical appointments.

Space Coast Transportation Planning Organization

The Space Coast Transportation Planning Organization (SCTPO) is the metropolitan planning organization that administers all policies and procedures for state and federal transportation funding for Brevard County. Brevard County is served by a bus-based transit system operated by Space Coast Area Transit. SCTPO has published several studies and assessments in recent years exploring issues related to transportation and employment access as well as pedestrian safety concerns.

SCTPO's [Bicycle & Pedestrian Master Plan](#) explored transportation and employment access in Brevard County. Although housing was not a component of the plan, it included data from a transit user survey indicating that 23 percent of survey respondents ride a bicycle because they lack access to a vehicle. According to the plan, households in poverty and households without access to a car may depend on walking and bicycling as their primary modes of transportation. Though access to a car is generally widespread in Brevard County, areas with limited access to a car are also the areas with the highest poverty rates and include downtown Titusville, central and eastern Cocoa, and central areas in Melbourne. In these areas, residents unable to afford a car are at a disadvantage regarding the transportation options available to them. Over 60 percent of residents in transportation-disadvantaged areas are residents belonging to minority communities and,

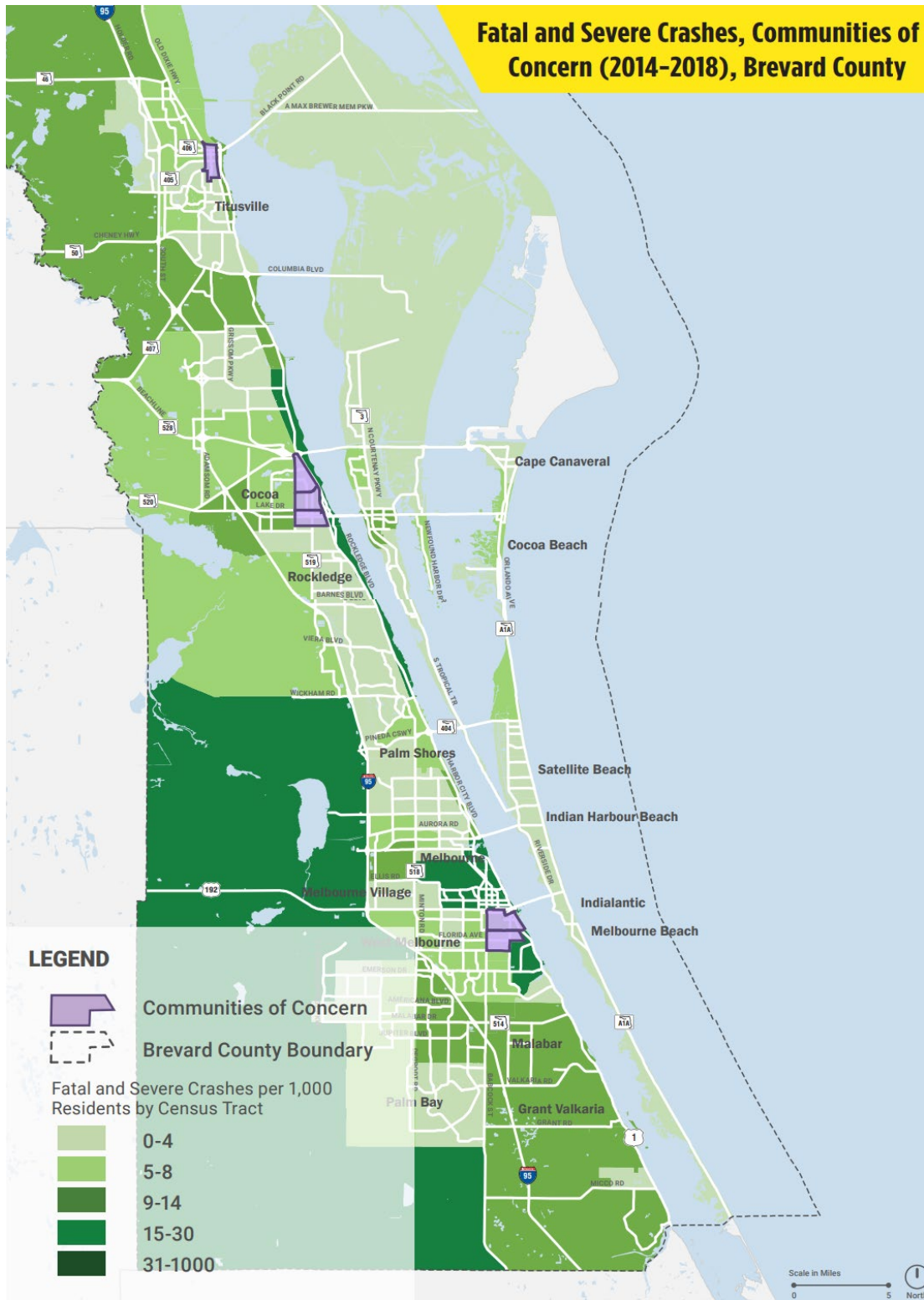
with limited access to personal vehicles, many residents utilize public transit, carpooling, vanpooling, walking, and biking.

The plan also identified transit corridors in Brevard County that are crucial regional connections and currently lack facilities or have significant gaps in existing facilities. This process helped determine which transit corridors to prioritize for bicycle and pedestrian improvements and identified whether underprivileged communities in Brevard County were equitably represented in the SCTPO's bicycle and pedestrian improvement network. The plan considered census block groups as underprivileged if 30 percent or more households were below the federal poverty level or 20 percent or more households did not own a car. Using this criterion, the plan identified nine "priority corridors" that influence the prioritization of bicycle and pedestrian improvements countywide, help determine transit routes, and factor into proposed transit projects each year.

The SCPTO also published a [Transportation Resiliency Master Plan](#) in 2023 to explore the vulnerabilities of the region's transportation system to hazards such as aging infrastructure, hurricanes, flooding, and other stressors. The plan also analyzes which communities are most at risk in the event of different hazards. Although the plan did not assess the relationship between housing and transportation in Brevard County, the SCPTO will include housing as a component of its upcoming 2050 Long Range Transportation Plan. The development of the 2050 Long Range Transportation Plan will span about two years and will be completed in 2025. Linking transportation with land use planning will be key to enhancing connectivity between housing, job centers, and other amenities across the county.

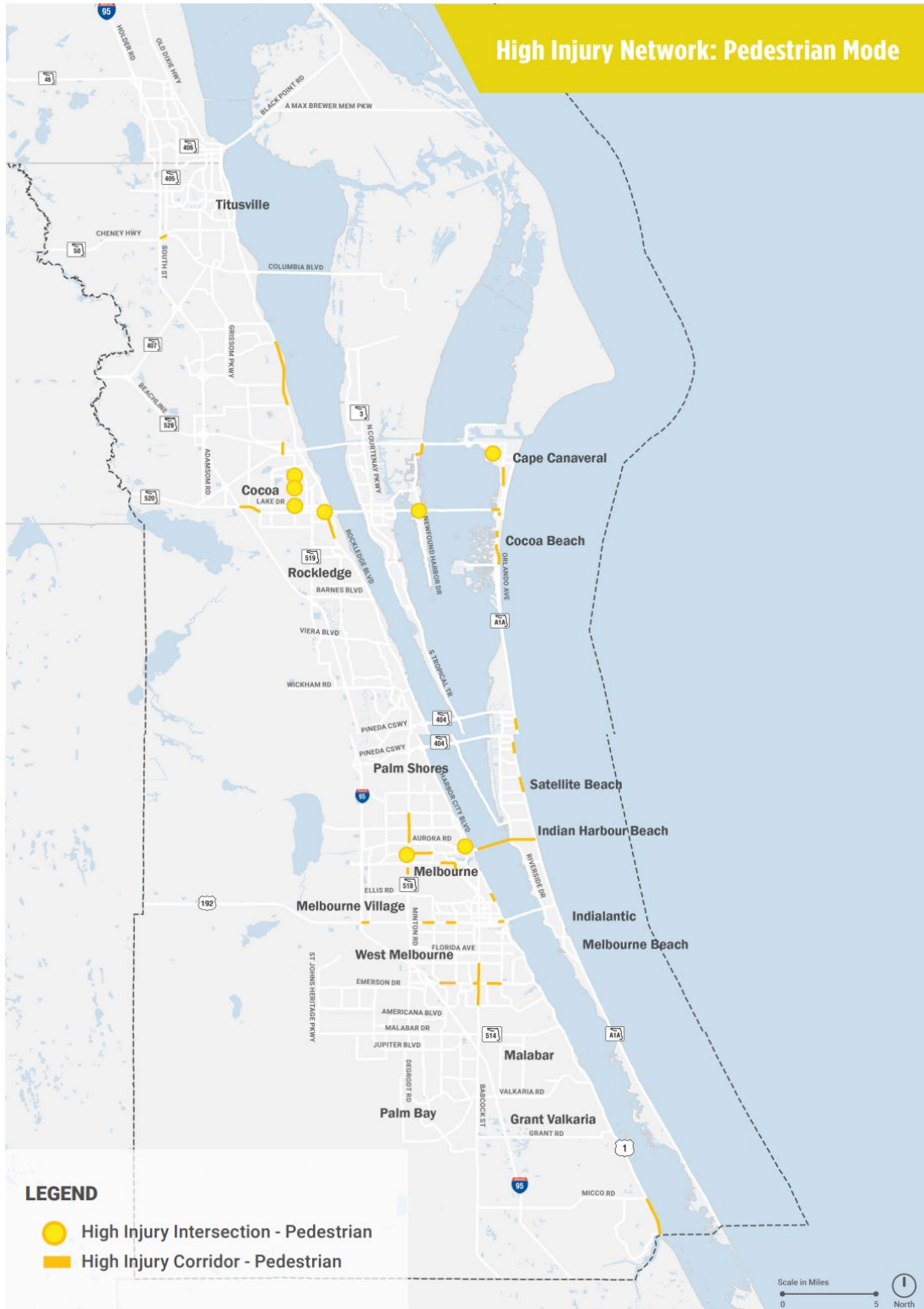
Lastly, SCTPO published a [Vision Zero](#) report in 2020 that outlines the county's goal of eliminating fatalities and severe injuries on Brevard County's roadways. Pedestrian safety has become a top concern as there were 3,343 deaths or severe injuries on county roadways between 2014 and 2018. Vision Zero aims to prevent fatalities on the roadways through a combination of education and targeted enforcement. Figure 35 depicts the number of fatalities and severe crashes from 2014 to 2018 and highlights communities of concern for the SCTPO. Figure 36 depicts traffic corridors and intersections in Brevard County where there were high numbers of pedestrian injuries between 2014 and 2018. Further analysis is needed to better understand the relationship between areas with high numbers of pedestrian injuries and transportation access and availability.

Figure 35: Fatalities, Severe Crashes, and Communities of Concern in Brevard County



Data source: 2020 SCTPO Vision Zero.

Figure 36: High Injury Locations for Pedestrians in Brevard County



Data source: 2020 SCTPO Vision Zero.

VI. Fair Housing Education and Enforcement

Overview

The following section outlines current fair housing education and enforcement activities available to residents of Brevard County and includes a summary of existing groups, organizations, and agencies providing fair housing resources such as legal assistance.

Appointed Boards and Commissions

Florida Commission on Human Relations

In 1969, the State of Florida Legislature established the Florida Commission on Human Relations to enforce the Florida Civil Rights Act and address complaints of discrimination in housing, employment, and public accommodations on the basis of race, color, religion, sex (including gender identity and sexual orientation), pregnancy, national origin, age, disability, familial status, and marital status. Through education, outreach, and partnerships with other organizations and agencies, the Commission promotes the fair treatment of persons within the state's protected classes.

The Commission is comprised of 12 members who are appointed by the governor and confirmed by the Florida senate for four-year terms. Commission members must represent the various racial, religious, ethnic, social, economic, political, and professional groups across Florida, and at least one member must be aged 60 or older. Governor Ron DeSantis appointed six members to the Commission in July 2020.

[Chapter 760 of the Florida Statutes](#) outlines the responsibilities of the Commission which include providing the following services:

- Investigating allegations of discrimination in employment, housing, and public accommodations (e.g., businesses, hotels, movie theatres, etc.).
- Investigating complaints of state employee whistle-blower retaliation.
- Offering mediation services to facilitate conflict resolution.
- Assisting Florida businesses through training services and distributing educational resources.

[According to its website](#), the Commission has investigated and closed more than 74,000 cases and has negotiated about \$13 million in settlements for more than 1,500 people through its mediation services. Information from the state's Office of Program Policy Analysis and Government Accountability indicates that in FY 2020–2021, the Commission accepted 1,897 cases involving discrimination, resolved 1,926 cases, and resolved 59 percent of complaints within the required timeframe.

The Commission is the State of Florida's Fair Housing Assistance Agency, which means it participates in HUD's Fair Housing Assistance Program and receives annual funding from HUD to process fair housing complaints, investigate allegations of discrimination, and conduct administrative or judicial enforcement of fair housing issues. HUD's [FY 2021 Fair Housing and Equal Opportunity \(FHEO\) Annual Report](#) notes that during FY 2021, HUD filed 64 fair housing complaints in Florida while the Commission filed 637.

Florida Housing Finance Corporation

The Florida Legislature established the Florida Housing Finance Corporation (Florida Housing) in 1980 to help provide a variety of affordable housing opportunities for residents across the state. Florida Housing currently offers numerous federal and state-funded homeowner and rental housing programs that assist households and develop housing units. In its [2022 Annual Report](#), Florida Housing notes that there are 4,737 rental units in Brevard County that have received funding from Florida Housing and are either currently providing affordable housing or are in the construction pipeline.

Florida Housing must comply with federal fair housing requirements. For housing funded using Low-Income Housing Tax Credits (LIHTC), fair housing issues are monitored closely by HUD and facilitated by an information-sharing memorandum of understanding among the departments of Treasury, HUD, and DOJ. Properties with fair housing issues could be found to be out of compliance with the LIHTC program and potentially lose tax credits.

As of August 2021, all housing counseling required under or provided in connection with HUD programs must be provided by HUD-certified housing counselors. For the CDBG and HOME programs, all homebuyer education programs must be facilitated by a HUD-certified housing counseling agency and course material must include fair housing information.

Local Affordable Housing Advisory Committees

Local governments that receive State Housing Initiatives Partnership (SHIP) funding are statutorily required to establish an Affordable Housing Advisory Committee (AHAC) to review local policies and recommend incentives for the development of affordable housing ([Florida Statute, Chapter 420.9076](#)). Each AHAC is composed of eight to 11 members among whom there must be one representative from at least six of the 11 categories described in the SHIP statute. These categories include individuals with specific expertise or representing particular interests related to affordable housing such as housing developers, housing lenders, real estate professionals, members of local planning agencies, advocates for low-income communities, and more. Together, a jurisdiction's AHAC reviews established policies, procedures, ordinances, land development regulations, and the jurisdiction's Comprehensive Plan as well as develops a Housing Incentive Plan that lays out specific methods to encourage affordable housing development. Brevard County and each of the four cities in the Consortium has its own AHAC.

Consortium Fair Housing Education and Outreach

The Consortium jointly funds various education and outreach activities to promote public awareness of fair housing laws, rights, and resources for residents who believe they have been discriminated against. Consortium members annually set aside part of their CDBG, HOME, and SHIP allocations to jointly fund fair housing education and outreach activities across the county. Some of this funding was used to support the development of this AFH to provide Consortium program staff and the community with updated data on fair housing issues impacting Brevard County.

In past years, the Consortium has funded activities including fair housing public service announcements (PSAs) on Space Coast Government TV, educational billboards strategically placed around major traffic corridors in Brevard County, and fair housing training sessions for the general public and targeted groups such as tenants. In addition, each Consortium member has a dedicated fair housing coordinator or a process in place for staff to accept complaints of housing discrimination from residents and refer individuals to federal, state, and local resources for further assistance. Consortium program staff also work externally with local organizations offering fair housing services and internally with county and city government departments to comply with federal fair housing laws and regulations.

Lastly, each member of the Consortium conducts routine subrecipient monitoring to ensure that organizations receiving grant funding for housing programs provide equal access to and marketing of housing opportunities for Brevard County residents. Brevard County also implements its [Title VI Nondiscrimination Plan](#) which outlines the county's policy to ensure that LEP persons have meaningful access to county programs, services, and benefits. The plan outlines the process and contact for residents to submit complaints of discrimination.

Opposition to Affordable Housing

As with other communities across the country, Brevard County has seen groups of local residents, businesses, or other entities organize in opposition to affordable housing development projects. Opposition groups often cite concerns over increased traffic, perceived threats to public safety, and decreased property values as reasons against the development of affordable housing in their communities. The following examples are two recent instances of local opposition to affordable housing projects in Brevard County.

In 2022, Daily Bread withdrew a proposal to develop a \$25M affordable housing project called Grace Place for a four-story apartment building with 126 affordable housing units. The project would have been located on Malabar Road in Palm Bay, but Daily Bread withdrew the proposal shortly before a scheduled city council meeting to review the organization's request for \$5M following resident backlash against the project. News articles explained that residents were against the project for a variety of reasons including concerns over increased traffic near the project site, concerns about decreased property

values, social media posts contributing to misinformation that the project was already approved, and unanswered questions about the nonprofit's proposal.

In Titusville, Carrfour Supportive Housing currently has plans to develop Apollo Gardens on Demaret Drive, which would develop 84 units of supportive housing for persons experiencing homelessness and adults with serious mental health illnesses who are high utilizers of behavioral health care services. Many residents are expected to have incomes below 60 percent AMI. As of May 2023, the project is in the permitting stage of development. Some local residents have organized in opposition to the development and use social media and a website to organize their efforts, distribute materials, and fundraise for a lawyer to provide legal assistance.

Fair Housing Testing

There is currently no active fair housing organization located in Brevard County that conducts fair housing testing and enforcement. There was a Cocoa/Rockledge-based nonprofit called The Fair Housing Continuum, Inc., which was founded in 1995 and received funding under HUD's Fair Housing Initiatives Program (FHIP). The Fair Housing Continuum, Inc. provided public fair housing education and outreach, conducted fair housing testing to identify discrimination, and provided services and assistance to individuals who felt they had been discriminated against in the housing market. The Fair Housing Continuum, Inc. closed its doors in recent years due to insufficient funding.

Although there is no longer a HUD FHIP organization in Brevard County, Community Legal Services of Mid-Florida is a regional FHIP organization that has an office in neighboring Volusia County. The organization's website indicates that its Daytona Beach Office serves Volusia County and Brevard County and that Community Legal Services accepts volunteers for [fair housing testing](#); however, it is unclear whether the organization currently conducts fair housing testing in Brevard County.

Reporting Fair Housing Act Violations

The federal Fair Housing Act and the Florida Fair Housing Act both allow persons who believe they have been discriminated against to file a housing discrimination complaint with HUD, the Florida Commission on Human Relations, or another fair housing enforcement agency within one year of when the last instance of alleged discrimination occurred. In addition, individuals have two years from the last instance of alleged discrimination to file a housing discrimination complaint in federal court if the individual does not want to file the complaint through a fair housing agency.

Table 4 summarizes the various entities that will accept or refer housing discrimination complaints from residents in Brevard County and any stated limits for the period to submit the complaint.

Table 4: Entities That Will Accept and/or Refer Fair Housing Complaints from Brevard County Residents

Entity	Method for Submitting Complaints	Stated Time Limits for Submitting Complaints	More Information
Brevard County Housing and Human Services Department	Submit a written statement describing the complaint to Brevard County. Brevard County will refer the complaint to a fair housing agency.	1 year from the date of the alleged act of discrimination to file the complaint.	Contact: Brian Breslin Phone: 321-633-2076 Email: Brian.Breslin@BrevardFL.gov Website URL
Melbourne Housing and Urban Improvement Division	Submit a written statement describing the complaint to the city of Melbourne. The city will refer the complaint to a fair housing agency.	180 days from the date of the alleged act of discrimination to file the complaint.	Phone: 321-608-7530 Email: huid@mlbfl.org Website URL
Palm Bay Housing Programs	Submit a written statement describing the complaint to the city of Palm Bay. The city will refer the complaint to a fair housing agency.	180 days from the date of the alleged act of discrimination to file the complaint.	Phone: 321-726-5633 Website URL
Titusville Neighborhood Services Department	Submit a written statement describing the complaint to the city of Titusville. The city will refer the complaint to a fair housing agency.	N/A	Phone: 321-567-3987 Website URL
Community Legal Services of Mid-Florida	Call the helpline or visit the website for online intake.	1 year from the date of the alleged act of discrimination to file the complaint.	Helpline: 1-800-405-1417 Website URL

Entity	Method for Submitting Complaints	Stated Time Limits for Submitting Complaints	More Information
Florida Commission on Human Relations	Complaints can be mailed, submitted online, or submitted over the phone.	1 year from the date of the alleged act of discrimination to file the complaint.	Phone: 850-488-7082 Email: fchrinfo@fchr.myflorida.com Website URL
HUD Office of FHEO	Complaints can be mailed, submitted online, or submitted over the phone.	1 year from the date of the alleged act of discrimination to file the complaint.	National FHEO Intake Phone Number: 1-800-669-9777 Website URL

Data is current as of June 2023.

Current Resources

The following information summarizes fair housing and legal resources available to eligible residents in Brevard County and is current as of June 2023. Some organizations and agencies serve the state or a specific region or are local to the county. It is important to note that some online resources continue to list The Fair Housing Continuum, Inc. as a resource; however, the nonprofit is no longer in operation.

HUD FHEO and the Florida Commission on Human Relations

HUD’s Office of FHEO aims to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities by providing enforcement, administration, and educational resources of federal fair housing policies and laws. Individuals who believe they have been discriminated against can file a housing complaint directly with HUD or a fair housing agency such as the Florida Commission on Human Relations. The Commission is the State of Florida’s Fair Housing Assistance Agency and works closely with HUD to investigate allegations of housing discrimination and enforce fair housing laws. More information about the Commission is provided earlier in this section of the AFH.

Florida Veterans Legal Helpline

The Florida Department of Veterans Affairs funds the [Florida Veterans Legal Helpline](#), which is managed by Bay Area Legal Services and offers eligible veterans living in Florida access to legal advice and services for a variety of cases involving veterans benefits, family, housing, drivers licenses, Social Security, advanced directives, and criminal records. The website specifies that all veterans—regardless of discharge status—can receive services as long as they meet income and legal case requirements. The website further explains that it

does not accept criminal, traffic, personal injury, medical malpractice, or other fee-generating cases or class action cases.

Florida Senior Legal Helpline

Bay Area Legal Services manages the Florida Senior Legal Helpline, which offers free legal advice and referrals to Florida seniors (aged 60+) and their family members on legal issues involving family law, housing, caregiver services, public benefits, guardianship, elder abuse prevention, and more. The [helpline's website](#) notes that Bay Area Legal Services serves eight counties (Hardee, Highlands, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota counties) as well as the rest of Florida, and information on the website clarifies that some in-person events, such as legal clinics, are limited to locations within the eight specified counties, while other services such as the helpline are available for all Florida residents.

Florida Office of Financial Regulation

For individuals with information on predatory lending or those who believe they have been the victim of predatory lending, Florida's Office of Financial Regulation accepts complaints and will investigate financial fraud. [The agency's website](#) explains that it provides regulatory oversight of financial service providers in the State of Florida. The Office's Bureau of Financial Investigations looks into allegations of securities and lending fraud and other crimes impacting consumers and the financial services industry. The agency clarifies that it does not represent individuals in private litigation, so if an individual is trying to recover money or property, they should consult legal counsel in addition to providing information to the Office of Financial Regulation.

Florida Department of Financial Services

The [Florida Department of Financial Services](#) was created in 2003 to consolidate the state's Department of Insurance, Treasury, State Fire Marshal, and the Department of Banking and Finance into a single department and now includes 13 divisions serving the state. The department offers an [Insurance Consumer Helpline](#) for Florida residents to receive guidance related to insurance concerns and complaints. The website indicates that specialists can help residents to resolve their insurance concerns, review their coverage options, and help ensure that their claim is processed in a reasonable timeframe.

Community Legal Services of Mid-Florida

Community Legal Services of Mid-Florida is a self-described full-service civil legal aid law firm that provides free legal aid to low-income people with non-criminal legal issues in Florida. The organization works with clients on issues related to consumer protection, debt, family law, children and education, domestic violence, elder abuse and neglect, health and income-related benefits, housing, and veterans' benefits. The organization offers a helpline for individuals who believe they have been victims of housing discrimination and provides

information on its website related to fair housing such as fair housing laws, lending discrimination, and fair housing testing.

[HUD data](#) indicate that Community Legal Services received \$625,000 in FY 2022 under HUD’s FHIP. Of this funding, HUD provided \$425,000 to Community Legal Services under its Private Enforcement Initiative, which provides funds for intake and testing activities as well as covers expenses for investigating and litigating fair housing complaints under the Fair Housing Act. HUD also awarded Community Legal Services \$200,000 under its Education and Outreach Initiative, which funds fair housing education activities for the public and housing providers about equal opportunity in housing and compliance with fair housing laws.

Community Legal Services has ten local offices in the Central Florida region and the Daytona Beach Office serves Volusia and Brevard Counties. In its 2021 Annual Report, the organization indicated that it provided legal services to 565 children and 591 adults in Brevard County.

Brevard County Legal Aid

Brevard County Legal Aid was established in 1970 by the Brevard County Bar Association and provides legal services for low-income persons on topics including family law, foreclosure, domestic violence, guardianship, bankruptcy, and landlord/tenant cases. Brevard County Legal does not specialize in fair housing cases; however, the organization will take legal cases related to housing and will refer individuals to other fair housing agencies such as the Florida Commission on Human Relations and Community Legal Services of Mid-Florida.

Table 5: Fair Housing and Legal Resources Available to Brevard County Residents

Organization	Services Provided	Eligible Recipients	Contact Information
Brevard County Legal Aid	Legal services and referrals.	Low-income persons living in Brevard County.	Address: 1038 Harvin Way, Suite 100 Rockledge, FL 32955 Phone: 1-321-631-2500 Website URL
Community Legal Services of Mid-Florida	Legal services.	Low-income persons who live in Florida and have a legal issue in Florida.	Helpline: 1-800-405-1417 Website URL Daytona Beach Office (Serving Volusia and Brevard Counties) Address: 1440 North Nova Road, Suite 101

Organization	Services Provided	Eligible Recipients	Contact Information
			Daytona Beach, FL 32117 Phone: 386-257-6824
Florida Commission on Human Relations	Discrimination complaint intake, mediation, trainings, and educational resources.	Florida residents, businesses, and organizations.	Address: 4075 Esplanade Way, Room 110 Tallahassee, FL 32399 Phone: 850-488-7082 Toll-Free: 1-800-342-8170 Email: fchrinfo@fchr.myflorida.com Website URL
Florida Senior Legal Helpline	Legal advice and referrals.	Seniors (60+) living in Florida.	Helpline: 888-895-7873 Website URL
Florida Veterans Legal Helpline	Legal advice and representation for veterans.	All veterans living in Florida regardless of discharge status that meet income and case requirements.	Helpline: 866-486-6161 Website URL
HUD Office of FHEO	Discrimination complaint intake, mediation, trainings, and educational resources.	Anyone.	National FHEO Intake Phone Number: 1-800-669-9777 Website URL
Florida Legal Services	Legal services and advocacy.	Low-income people who live in Florida and have a legal issue in Florida.	Address: PO Box 533986 Orlando, FL 32853 Phone: 407-801-4350 Website URL
Florida Office of Financial Regulation	Accepts complaints and information related to financial crimes such as predatory lending. Does not offer private litigation services.	Anyone in Florida with information on financial fraud.	Webpage URL for filing a complaint

Organization	Services Provided	Eligible Recipients	Contact Information
Florida Department of Financial Services	Insurance Consumer Helpline for guidance related to insurance concerns or complaints.	Anyone in Florida with insurance concerns or complaints.	Insurance Consumer Helpline: 1-877-693-5236 Webpage URL

Data is current as of June 2023.

VII. Comprehensive Plan and Zoning Ordinances

Overview

The Comprehensive Plan and zoning ordinances are interrelated documents that guide local policies for the development and preservation of community assets. In the Comprehensive Plan, the land use element defines the location, type, and character of future developments while the housing element defines the preferred density of and uses for residential neighborhoods. Taken together, these elements define a vision of the type of community a jurisdiction wishes to become.

In Florida, jurisdictions exercise local controls on land use and planning through the Comprehensive Plan, zoning ordinances, subdivision ordinances, and building and development permits. Combined, these local controls can impact not only the look and feel of a community but also who can access the community.

Introduction

Role of the Comprehensive Plan and Zoning Ordinances

The range and location of housing choices available to residents are a function of public policies established at the regional and local levels that can affect housing development. Fair housing laws are designed to encourage an inclusive living environment, and assessing public policies and practices can help determine potential impediments to fair housing opportunities. This section presents an overview of government regulations, policies, and practices enacted by jurisdictions in Brevard County that may influence fair housing choice.

Comprehensive Plan

The Comprehensive Plan and zoning ordinance are two primary policy levers that local governments can use to influence the rate and intensity of housing development within their jurisdictions. The Comprehensive Plan is a planning document that serves as a framework for localities to establish a vision for their community and provides the long-term goals and policies to guide development toward achieving that vision.

Two elements in the Comprehensive Plan, the housing and land-use elements, directly impact local housing markets because they define key parameters for housing development such as permitted density, required fees, and allowable zoning uses.

The housing element and land use element must be developed to meet the requirements of [Chapter 163.3177 \(6\)\(f\) of the Florida Statutes](#), which establishes the minimum requirements for the contents of each element.

Zoning Ordinance

Brevard County has limited ability to address barriers that are imposed by local regulations. In the State of Florida, land development decisions reside largely with municipal governments through the formulation of local controls such as Comprehensive Plans, zoning ordinances, and building and development permits.

Land use and zoning laws can contribute significantly to segregation since local controls govern the types of housing that can be constructed, the permitted density of housing developments, and various residential uses in a community.

Review of Local Zoning Ordinances

For this analysis, the AFH reviewed zoning ordinances (Land Use Regulations) for all Brevard jurisdictions (Cities of Cocoa, Palm Bay, Melbourne, Titusville, and Brevard County) in Brevard County. All jurisdictions in Brevard County enforce local zoning ordinances.

In considering how zoning might create barriers to fair housing, the AFH considered the following three key areas based on the topics raised in [HUD's Fair Housing Planning Guide](#), which include:

- The definition used for “family” and restrictions on the number of unrelated persons in a dwelling unit.
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e., group homes) in a single-family district.
- Minimum lot size requirements, and the opportunity to develop various housing types including apartments and housing at various densities.

Family

Under the Fair Housing Act, “familial status” refers to “children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18.” A restrictive definition of “family” within a planning document may impede unrelated individuals from sharing a housing unit. Defining family broadly advances non-traditional families and supports the blending of families who may be living together for economic purposes. Restrictions in the definition of family typically cap the number of unrelated individuals that can live together. These restrictions can impede the development of group homes, effectively impeding housing choice for the disabled. However, in some cases, caps on unrelated individuals residing together may be warranted to avoid overcrowding, thus creating health and safety concerns.

Brevard County

No current definition for “family.”

City of Cocoa

The City of Cocoa defines the term “family” as a single individual doing their own cooking and living on the premises as a separate housekeeping unit, or a collective body of persons doing their own cooking and living together on the premises as a separate housekeeping unit in a domestic relationship based upon birth, marriage, or other domestic bond, as distinguished from a group occupying a boardinghouse, lodging house, club, fraternity or hotel. In Cocoa’s fair housing code, family is defined as “one or more individuals living as a single housekeeping unit.”

City of Melbourne

The City of Melbourne defines the term “family” as a group living together as a unit whether or not related and including a single individual. This term includes community residential homes occupied by not more than six community resident home residents, but does not include any fraternity, sorority, club, convent, monastery, or group housing.

City of Palm Bay

The city of Palm Bay defines the term “family” as one or more persons occupying a single-family dwelling unit, provided that unless all members are related by blood, marriage, or adoption, no such family shall contain over four persons (step-children and foster children under state-approved care shall be deemed to be part of a natural blood-related family). The term “family” shall not be construed to mean a fraternity, sorority, club, monastery or convent, boardinghouse, or nursing home.

City of Titusville

The City of Titusville defines the term “family” as one or more individuals living as a single housekeeping unit.

Group Homes

Group homes are residential uses that do not adversely affect a community. Efforts should be made to ensure group homes can be easily accommodated throughout the community under the same standards as any other residential use. Of particular concern are group homes that serve members of protected classes such as individuals with a disability. Since group homes for individuals with a disability provide a residential living situation for occupants, imposing conditions are contrary to the purpose of a group home. More importantly, unless executed against all residential uses in the zoning district, the restrictions impede the siting of group homes in violation of the Fair Housing Act.

The two primary purposes of a group home residence are normalization and community integration. By allowing group residences throughout the community in agreement with the same standards as applied to all other residential uses occupied by a family, the purposes of the use are not hindered and housing choice for persons with disabilities is not

impeded. Toward this end, municipalities may not impose distance requirements on group homes for persons with disabilities.

[Chapter 419.001 of the Florida Statutes](#) mandates the minimum space between community residential homes to avoid concentration. The state defines a community residential home as “a dwelling unit licensed to serve the clients of the Department of Elderly Affairs, the Agency for Family Services or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.”

Florida Statutes state that local governments may reject applications for group homes on sites that would “result in such a concentration of community residential homes in the area in proximity to the site selected or would result in a combination of such homes with other residences in community, such that the nature and character of the area would be substantially altered.” Specifically, state law declares a concentration of community residential homes when two are located within 1,200 feet of one another in multifamily zones. Further, a community residential home located within a radius of 500 feet of an area zoned as single-family “substantially alters the nature and character of the area.”

According to [Chapter 419.001\(2\) of the Florida Statutes](#), homes of six or fewer residents that otherwise meet the definition of family may locate as single-family homes in single-family neighborhoods, but not within 1,000 feet of another existing community residential facility with six or fewer residents. The statutes allow local governments to adopt more liberal standards by stating that “nothing in this section requires any local government to adopt new ordinance if it has in place an ordinance governing the placement of community residential homes that meet the criteria of this section. State Law on community residential homes controls over local ordinances, but nothing in this section prohibits a local government from adopting more liberal standards for siting such homes.”

Brevard County

“Group home” means a facility in which the owners or operators are subject to licensing and approval by the State Department of Children and Families, and where the owners or operators provide basic care, personal services, and supervision necessary to meet the physical, emotional, and social needs of assigned residents. A group home shall house no more than 14 assigned residents.

Group homes shall be categorized by levels, according to the number of assigned residents residing on the premises, as follows:

1. Level I: No more than six assigned residents.
2. Level II: Seven to 14 assigned residents.

Distance restriction(s):

3. Dispersal of facilities and notification to the county.
 - a. The minimum distance between level I facilities in single-family or multi-family zoned areas shall be 1,000 feet. Notification to the county shall occur at the time of home occupancy pursuant to F.S. § section 419.001(2).
 - b. The minimum distance between level II facilities in multi-family zoned areas and other group homes shall be 1,200 feet. Such facilities shall also maintain a radius of 500 feet from an area of single-family residential zoning.

City of Cocoa

Group homes are permitted in the South of the Village by right in the RU-2-25 and the CBD zoning districts for group homes of six or fewer residents and require a special exception for seven or more persons in the same zoning districts.

No definition for distance restriction(s) exists for the City of Cocoa.

City of Melbourne

A group home is a building used for housing accommodations of not more than six unrelated people, not living as a single housekeeping unit but sharing kitchen or dining facilities. A group home shall be owner-occupied and occupancy shall be prearranged, which shall be for lengths of stay of at least one week or more only. This term includes boarding houses, lodging houses, rooming houses, and hostels, but does not include any community residential home, shelter, or assisted living facility.

(a) Group home, low intensity. Any group housing that meets all of the following standards:

- Is owner-occupied.
- Is intended for or occupied by not over 12 people.
- Occupancy is pre-arranged and for lengths of stay of at least one week or more only.
- Contains kitchen facilities.

(b) Group housing, high intensity. Any group home that fails to meet all of the standards for low-intensity group housing. This term includes youth hostels.

No definition for distance restriction(s) exists for the City of Melbourne.

City of Palm Bay

The City of Palm Bay does not have a definition for group homes.

No definition for distance restriction(s) exists for the City of Palm Bay.

City of Titusville

A community residential home of six or fewer residents as further defined in Chapter 419, Florida Statutes.

Distance restriction(s):

- In the Multifamily High Density (R-3) district, a residential treatment facility that is located within a radius of 1,200 feet of another existing residential treatment facility, neighborhood group home, or community residential home in a single-family or multifamily use or zone shall be an over-concentration of such homes/facility that substantially alters the nature and character of the area and shall not be allowed.
- In the Downtown Mixed-Use Midtown sub-district, recovery/halfway houses shall not be allowed within 2,400 linear feet of another group home, community residential home, soup kitchen, homeless shelter, or other recovery home/halfway houses.

Case Law Related to Group Homes

The DOJ and HUD issued a joint statement in 1999 regarding Group Homes, Local Land Use, and the Fair Housing Act. The joint statement takes the position on laws requiring that group homes be at a certain minimum distance from one another by stating that density restrictions are generally inconsistent with the Fair Housing Act. An updated joint statement in 2016 explicitly states that, “[A] local government may not block a group home or deny a requested reasonable accommodation in response to neighbors’ stereotyping fears or prejudices about persons with disabilities or a particular type of disability.”

With some notable exceptions, courts have generally struck down requirements that group homes maintain a minimum distance from other group homes; for example, in *Horizon House Development Services, Inc. v. Township of Upper Southampton* (8th Cir. 1993), striking down 1,000-foot dispersal requirement for group homes, and in *The Children’s Alliance et al v. City of Bellevue* (W.D. Wash. 1997), striking down 1,000-foot dispersal requirement for group homes. But in *Family style of St. Paul v. City of St. Paul*, Minnesota (3rd. Cir 1991), the court permitted the application of a dispersal requirement to prevent a cluster of 21 group homes within a 1.5-block area.

Persons With Disabilities

Other terms that may be defined in a jurisdiction’s zoning ordinance and could result in disparate impact are “disabled individuals,” “disability,” and other terms referring to individuals with a disability. Limitations on the definition of “family” can adversely impact protected groups by restricting access to and availability of affordable housing options. Similarly, a jurisdiction’s definition for terms related to disabled persons can be considered an impediment to fair housing if they are inconsistent with definitions provided under the Fair Housing Act and restrict housing choice. The Fair Housing Act defines a disabled person as “an individual with mental or physical impairments—including hearing, mobility,

and visual impairments, cancer, chronic mental illness, HIV/AIDS, or mental retardation—that substantially limits one or more major life activities.”

Currently, all communities follow Florida definitions for disabled persons and developmentally disabled persons as defined in [Chapter 393.063 of the Florida Statutes](#). This is consistent with the Fair Housing Act and therefore not considered an impediment.

Allowable Densities and Land Use Designations

The following section summarizes allowable densities and land-use designations within the jurisdictions in Brevard County.

Permitted Residential Densities by Zone

Several factors, governmental and non-governmental, affect the supply and cost of housing in a local housing market. The governmental factor that most directly influences these market conditions is the allowable density range of residentially designated land. In general, higher densities allow developers to take advantage of economies of scale, reduce the per-unit cost of land and improvements, and reduce development costs associated with new housing construction. Reasonable density standards ensure the opportunity for higher-density residential uses to be developed within a community, increasing the feasibility of producing affordable housing. The minimum required densities in multi-family zones ensure that land zoned for multi-family use, the supply of which is often limited, will be developed as efficiently as possible for multi-family uses.

Table 6: Permitted Residential Densities

Government	Residential Density Range (units/ac)	Planning Document
Brevard County	.4 - 30	1988 Brevard County Comprehensive Plan, Chapter 11: Future Land Use Element (Updated February 2022)
Cocoa	.4 - 25	City Of Cocoa Comprehensive Plan 2020- 2030, Chapter 1: Future Land Use Element
Melbourne	0 - 30	City Of Melbourne Comprehensive Plan, Chapter I: Future Land Use Element (Updated July 2011)
Palm Bay	.2 - 20	City of Palm Bay Comprehensive Plan 2001-2011 (Updated June 2019), B. Land Use Element
Titusville	1 - 15	City of Titusville Comprehensive Plan, Future Land Use Element

Density Bonuses

A density bonus is a local incentive to increase the number of deed-restricted housing units for lower-income households by private housing developers in exchange for an increase in building height, housing density (units/acre), or building footprint (also measured as a “floor area ratio”) above what is allowed by right within the zoning ordinance.

Brevard County

Per Brevard County Sec. 62-6305, developments located within any residential or commercial zoning or future land use category with a density of six units per acre or greater, and with a minimum of 30 percent of units designated as affordable housing, or meeting the Affordable Housing Tax Credits (AHTC) definition and eligibility requirements, are eligible to apply for a 25 percent density bonus consistent with the criteria in the County Comprehensive Plan, provided the overall residential development density does not exceed the density in the next highest residential future land use designation.

In addition, Section 62-6310 of the Brevard County Land Development Code allows affordable housing developers to seek reduced design requirements and standards by up to 35 percent for eligible developments 30 acres or under. The standards that may be reduced include front yard setbacks, side yard setbacks, rear yard setbacks, and guest parking spaces. For developments 30 acres and under, permitted on-street parking spaces in the public right-of-way along site frontages may count as one-half of a space toward on-site parking requirements.

City of Cocoa

Not applicable: only in commercial districts for businesses.

City of Melbourne

A density allowance is designated by the Future Land Use category established in the city's Comprehensive Plan. Recent legislation (June 2023) includes a 30 percent density bonus for R2 and R3 zoning districts.

City of Palm Bay

The city of Palm Bay currently permits flexibility in densities for all housing, particularly under its planned unit development process. The city has routinely offered higher densities in most zoning categories.

City of Titusville

Recent updates to Titusville's ordinance (Sec. 33-107) allow increased densities and flexibility for infill areas in the target area, thus encouraging and creating more opportunities for affordable housing.

Parking Minimums

The number of parking spaces required for housing developments can adversely impact the production of affordable housing by reducing the potential number of dwelling units per acre, increasing development costs, and ultimately constricting the availability of housing types in a community. As a particular concern for multi-family, affordable, and senior housing projects, a jurisdiction's parking requirement policy, and whether there are exceptions for affordable housing developments, can serve as an indicator of a community's willingness to provide more affordable housing options.

Brevard County

1. Flexible design requirements and criteria for developments providing a minimum of 30 percent of affordable or workforce housing.
2. Flexibility remains available through the county Land Development Regulations and the county Comprehensive Plan in multiple future land use categories and zoning classifications countywide. It has been used in one multi-family apartment development.

For eligible affordable developments, permitted on-street parking spaces in the public right-of-way along site frontages may count as one-half of a space toward onsite parking requirements. For developments providing a minimum of 30 percent of affordable (up to 120 percent AMI) or 15 percent workforce (up to 140 percent AMI) housing units, road widths, driveway widths, drive aisle widths, turn radii, and similar guidelines may be reduced.

City of Cocoa

Cocoa requires a minimum of two off-street parking spaces per dwelling unit.

City of Melbourne

- Melbourne allows for the following parking minimums: single-family units.
- Reduce parking requirements for one-bedroom multifamily units to one parking space.
- Allow all multifamily residential parking spaces to be 10 feet in width.

City of Palm Bay

Palm Bay allows for the following parking minimums:

- Allow a carport in lieu of an enclosed garage for
- Allow flexible setback requirements for all development upon approval by the planning and zoning board and city council.
- Allow parking in driveways.

- Driveways may be used to satisfy the parking requirements for single-family dwellings, duplexes, and mobile homes provided that sufficient space is available exclusive of right-of-way or road easements.

City of Titusville

Titusville requires that all developments provide a minimum of two spaces or an amount equal to five percent of the vehicular spaces for bicycles. The city also allows for a reduction of parking and setback requirements for affordable housing.

Accessory Dwelling Units

An accessory dwelling unit (ADU) is a residential unit that is secondary to the primary residence of the homeowner. It can be an apartment within the primary residence, or it can be an attached or freestanding home on the same lot as the primary residence. These units offer independent living facilities for one or more inhabitants, including permanent provisions for living, sleeping, cooking, and sanitation. In many high-cost communities, this type of housing offers a more affordable option for low-income households because they often rent for less than apartments of comparable size.

Brevard County

Brevard County does not permit ADUs by right. The county has outlined the following goals in its SHIP Affordable Housing Development Recommendations report:

1. Continue established procedures and direct staff to evaluate the feasibility of developing additional county regulation changes for ADUs consistent with Florida Statutes and HB 1339(2020) (estimated time of completion: one to two years).
2. Consolidate ADUs and similar units into one section of the County Code (estimated time of completion: one to two years).
3. Develop a User Guide for use and application (estimated time of completion: one to two years).
4. Provide density, intensity, and impact fee waivers and concurrency exemptions for affordable ADUs and tiny homes (estimated time of completion: two years).
5. Incentivize the development of ADUs and tiny homes in permissible areas with local housing program funds and lands (estimated time of completion: one to two years).

City of Cocoa

ADUs are not permitted in the City of Cocoa.

City of Melbourne

A residential ADU is allowed in residential zoning districts within one-third acre lots (as of June 2023). In the Central Business Overlay Zone and the Eau Gallie Art Overlay, one ADU is allowed with no minimum lot area requirement. Within nonresidential developments, one residential ADU is allowed.

The City of Melbourne has a number of older granny flats built in the 1940s/1950s. Also, a lot of newer developments include ADUs.

City of Palm Bay

The City of Palm Bay currently permits ADUs in residential zoning districts.

City of Titusville

The City of Titusville currently permits residential ADUs in residential zoning districts.

Short-Term and Vacation Rentals

Vacation rentals are any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project. In comparison, hosted rentals are short-term rentals in which the host remains in the home and are not considered “public lodging.” Renting a single room or rooms other than the whole unit is not regulated by the Florida Department of Business and Professional Regulation. Hosted rentals may still be subject to other city, county, or other local-level requirements.

Home-sharing websites such as Airbnb have become increasingly popular in recent years in many areas of Florida, resulting in a significant increase in homes being offered on a short-term basis to generate rental income. Short-term rentals are particularly popular in coastal locations, such as Brevard County, which have a robust demand for tourist accommodations. While the impact of short-term rentals on housing availability and affordability is still being evaluated, there is evidence that short-term rentals have a negative effect on housing affordability by changing the way residential properties are used and reducing housing availability for residents.

In this challenging housing market, some tenants have even started to use Airbnb for longer-term housing. This could lead a family with children to live in a 1-bedroom, 1-bathroom apartment for a high rent level—a trend that investors may be noticing and pricing for. Illegal rooming houses (without proper licensing or zoning) are also increasingly a source of privately owned affordable housing. Tenants do not have the same protections in these places and are even more reluctant to call for an inspection for fear of a property being shut down. This allows landlords to evict people outside of the legal process or even threaten immigrant tenants with Immigration and Customs Enforcement custody.

The 2022–2026 Brevard County Consolidated Plan noted that the conversion of lots of housing to vacation rentals was an issue in communities heavily impacted by tourism. Much of the housing near amenities (service industries, schools, employment centers) has been turned into rentals (VRBO, Airbnb, etc.). In addition, beach-access communities are mostly Airbnb/VRBO-oriented, with a few enclaves of affordability, but limited and diminishing in supply.

Licensing

In order to be legal, the State of Florida requires property managers or hosts to acquire a license. These can be obtained through the Florida Department of Business and Professional Regulation Vacation Rental and Timeshare Project Licensing division. Florida requires that anyone renting an entire unit more than three times in a calendar year and for periods of less than 30 days or one month must acquire a license. If the property is advertised anywhere or regularly rented exclusively to the public, it also needs a license.

The one place where hosts can find an exception is with the phrase “entire unit.” If hosts rent a single room or multiple units that do not comprise the entire unit, then that place is not considered to be public lodging. The Florida Department of Business and Professional Regulation and the Division of Hotels and Restaurants do not require these rentals to get a license because of this classification.

Public Housing and Voucher Programs

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 require 5 percent of all public housing units to be accessible to persons with mobility impairments. Another 2 percent of public housing units must be accessible to persons with sensory impairments. In addition, a PHA’s administrative offices, application offices, and other non-residential facilities must be accessible to persons with disabilities. The Uniform Federal Accessibility Standards is the standard against which residential and non-residential spaces are judged to be accessible.

Brevard County is home to four PHAs. The Housing Authority of Brevard County (HABC) and the Melbourne Housing Authority (MHA) utilize the same staff to jointly administer programs serving the City of Melbourne and the non-entitlement areas of Brevard County. HABC and MHA own and operate public housing units while HABC also administers a Section 8 Housing Choice Voucher program. The Cocoa Housing Authority (CHA) serves the City of Cocoa and manages its own Housing Choice Voucher program. In addition, CHA manages properties that were converted from public housing to Project-Based Rental Assistance and LIHTC units. Lastly, the Housing Authority of the City of Titusville (HACTV) serves the City of Titusville and oversees a Housing Choice Voucher program and public housing units.

In 2021, a total of 8,432 individuals comprising 3,486 households were assisted across Brevard County by the four PHAs. Table A-3 in the Appendix provides an overview of the demographic information for households residing in PHA units in Brevard County.

VIII. Homeownership: Real Estate, Lending, and Insurance

Overview

The following section summarizes key trends and themes involving real estate, lending, insurance markets, and real estate trade groups as they relate to fair housing, discrimination, and access to opportunity. Private housing mortgage, real estate, and insurance transactions all fall under the federal Fair Housing Act and the Florida Fair Housing Act. This section explores these housing topics within Brevard County with respect to the Fair Housing Act.

Mortgage Lending

Analysis of mortgage lending in Brevard County primarily relies on lending data made publicly available through the HMDA Regulation C. HMDA, enacted in 1975, requires that financial institutions, including banks, savings associations, credit unions, and other lenders, annually disclose mortgage data to the public and regulators to show lending patterns. This data serves various purposes, including determining whether lenders are meeting community housing needs, supporting public officials in investments to encourage development, and identifying potential patterns of discriminatory lending that are illegal under the Fair Housing Act.

It is important to note that HMDA data alone cannot conclusively identify individual instances of discrimination in lending. Instead, the HMDA analysis aims to explore patterns of discrepancies in lending outcomes and identify areas of concern. If a pattern of discrimination is suspected based on the data, an in-depth investigation will look at the lending institution's loan data, policies, and practices to determine if discrimination has occurred based on a protected class.

HMDA Data Terminology

The following terms are used regarding mortgage lending in HMDA data:

- Loan origination** The multi-step process by which borrowers apply for a loan and lenders process the loan application.⁵
- Lien** A legal right that gives an individual or entity a claim to a collateral property until the outstanding debt is paid off.⁶
- Conventional loan** Any mortgage loan that is not insured or guaranteed by the government (such as under the Federal Housing Administration,

⁵ [Origination: Definition in Finance, Loan Process & Requirements](#), Investopedia.com.

⁶ [Lien: Three Main Types of Claim Against and Asset](#), Investopedia.com.

Department of Veterans Affairs, or Department of Agriculture loan programs).⁷

FHA loan A mortgage loan guaranteed by the Federal Housing Administration. Serves low- and moderate-income households with mortgage, refinancing, or rehabilitation loans.⁸

VA loan A mortgage loan guaranteed by the U.S. Department of Veterans Affairs. Serves eligible veterans, service members, or surviving spouses with mortgage, refinancing, or rehabilitation loans.⁹

Farm Service Agency/Rural Housing Service loan A mortgage loan guaranteed by the U.S. Department of Agriculture's Farm Service Agency/Rural Housing Service. Serves low- and moderate-income households living in rural areas with mortgage, refinancing, or rehabilitation loans.¹⁰

First lien The first lien that is placed on a property (also called the first mortgage lien or the primary lien).¹¹

Subordinate lien Any lien that is not the first lien. The order of the lien on the property determines the order in which the lien is repaid.¹²

Cash-out refinancing A type of mortgage refinancing that converts home equity into cash. A new mortgage is taken out for more than the previous mortgage balance, and the difference is paid in cash.¹³

HMDA Overview

HMDA data from 2021 indicates that 816 unique financial institutions reported 65,494 loan applications across Brevard County. Of these loans, 1,372 (2 percent) originated in Cocoa, 11,463 (17 percent) originated in Melbourne, 4,965 (8 percent) originated in Palm Bay, 4,636 (7 percent) originated in Titusville, and the remaining 43,058 (66 percent) originated in other locations in Brevard County. Among all loan applications, 70 percent were conventional loans, 17 percent were VA loans, 12 percent were FHA loans, and less than one percent were Farm Service Agency/Rural Housing Service loans.

Countywide, home purchase loans accounted for 38 percent of all loan applications in 2021. About one-third (32 percent) of loans were for refinancing, 21 percent were for cash-out

⁷ [What is a conventional loan?](#) CFPB.

⁸ [Special loan programs](#), CFPB.

⁹ Ibid.

¹⁰ Ibid.

¹¹ [What is a First Mortgage Lien?](#), Better.com.

¹² [Understanding Mortgage Subordination](#), Quicken Loans.

¹³ [Cash-Out Refinancing Explained: How It Works and When to Do It](#), Investopedia.com.

refinancing, and 5 percent were for home improvement. There was a similar distribution across the four cities in the Consortium (see Table A-4 in the Appendix).

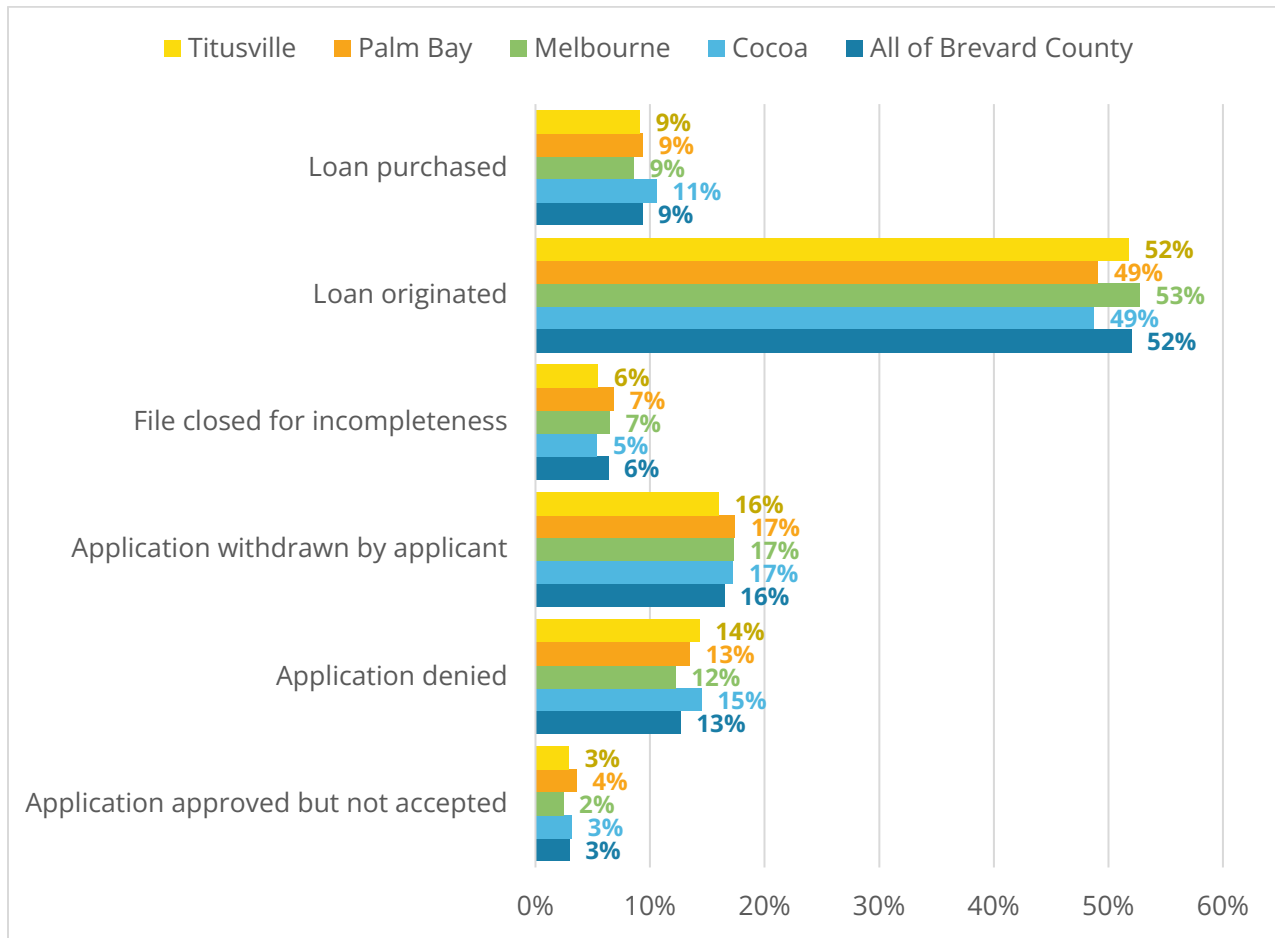
The majority of loan applications were for primary residences; 91 percent of applicants intended to use the property as their primary residence. Notably, 3,202 applications (4.9 percent) were intended as investment properties and another 2,971 (4.5 percent) were for secondary residences. Over half of the investment properties (53 percent) and secondary residences (56 percent) were located in Melbourne.

HMDA regulations require that financial institutions disclose the type of action taken on a loan application as one of the following:

<i>Loan originated</i>	The loan application was approved and the financial institution offered credit to the applicant.
<i>Loan approved but not accepted</i>	The loan application was approved but the applicant did not accept the offer of credit.
<i>Loan denied</i>	The loan application was denied.
<i>Loan withdrawn by applicant</i>	The applicant withdrew the loan application before the financial institution made a credit decision on the application.
<i>Loan closed due to incompleteness</i>	The loan application was closed due to lack of information. The financial institution sent the applicant a written notice of incompleteness.
<i>Loan purchased</i>	The financial institution purchased the loan after closing and did not make a credit decision prior to closing.

Across Brevard County, 52 percent of all loan applications were originated, and 13 percent were denied. Sixteen percent of loan applications were withdrawn by the applicant before the financial institution could make a credit decision, and 3 percent of applications were approved but not accepted by the applicant. Financial institutions closed 6 percent of applications due to incompleteness and purchased 9 percent of loans. Figure 37 indicates that there was not much variation in loan actions taken across the Consortium.

Figure 37: Loan Actions Taken in Brevard County



Data source: 2021 HMDA.

Characteristics of Loan Applicants

One method to explore whether barriers to lending opportunities exist in a community is to analyze differences in outcomes by an applicant’s demographic characteristics.

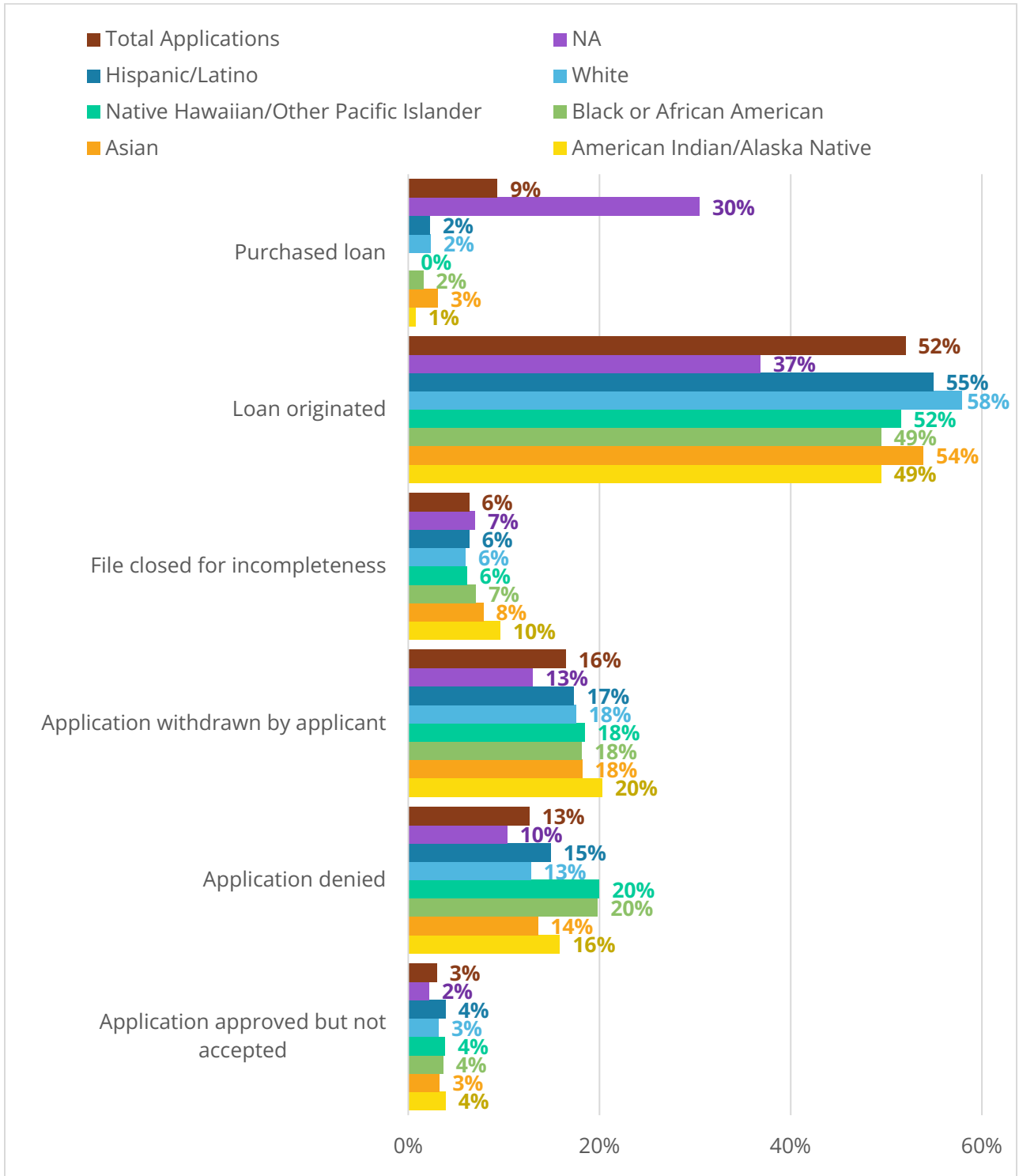
In 2021, most applicants in Brevard County were male (55 percent), White (66 percent), over age 55 (41 percent), and earned over 100 percent of AMI (44 percent) (see Table A-5 in the Appendix). There was some variation in applicant demographics between Cocoa, Melbourne, Palm Bay, Titusville, and all of Brevard County; however, applicant sex, race, ethnicity, age bracket, and income category were largely the same across jurisdictions. Notably, between 15 and 27 percent of data on applicant sex, race, and ethnicity was not available, which indicates that there is an incomplete picture of the demographic characteristics of loan applicants across the county.

Figure 38 depicts the percentage of loan applications by action taken for race and ethnicity. The data indicate that while 52 percent of all loan applications resulted in a loan origination, this figure was 49 percent for applicants identifying as Black/African American and applicants

identifying as American Indian/Alaska Native. The highest rate for loan origination was for White applicants at 58 percent and the lowest was for applicants that did not disclose their race at 37 percent.

The data also indicate that 13 percent of all loan applications were denied and when disaggregated by race and ethnicity, there was variation in application denial rates. Specifically, 10 percent of applications for applicants that did not disclose their race were denied, while this figure was 13 percent for White applicants, 14 percent for Asian applicants, 15 percent for Hispanic/Latino applicants, 16 percent for American Indian/Alaska Native applicants, 20 percent for Black/African American applicants, and 20 percent for Native Hawaiian/Other Pacific Islander applicants.

Figure 38: Loan Actions by Race/Ethnicity for Brevard County



Data source: 2021 HMDA.

Loan Application Denial by Race/Ethnicity

In 2021, 8,297 loan applications were denied in Brevard County. Of these denied applications, the top four primary reasons for denial were debt-to-income ratio (29 percent), credit history (25 percent), incomplete credit application (18 percent), and collateral (11 percent). Table 7 shows that there was variation in the primary reasons for denial by race and ethnicity (see Table 7 below). For applicants identifying as Asian, Black/African American, or Hispanic/Latino, the data indicate that the debt-to-income ratio was the primary reason for application denial and comprised a greater share of denied applications relative to the total population of denied applications. It is important to note that for some groups, such as applicants identifying as American Indian/Alaska Native or Native Hawaiian/Other Pacific Islander, the number of denied applications is small and the HMDA analysis therefore may not accurately reflect the primary reasons for loan application denial for these populations.

Overall, the data suggest that the debt-to-income ratio is the primary reason for loan application denial in Brevard County and is a challenge for many prospective homebuyers.

Table 7: Most Common Reasons for Loan Application Denial in Brevard County by Race/Ethnicity

Race/Ethnicity	Total Denied	Collateral		Credit Application Incomplete		Credit History		Debt-to-Income Ratio	
		#	%	#	%	#	%	#	%
American Indian/Alaska Native	61	4	7%	8	13%	15	25%	22	36%
Asian	214	19	9%	31	14%	39	18%	82	38%
Black or African American	730	58	8%	81	11%	211	29%	242	33%
Native Hawaiian/Other Pacific Islander	26	1	4%	5	19%	10	38%	7	27%
White	5,575	620	11%	972	17%	1,418	25%	1,591	29%
Hispanic/Latino*	807	74	9%	121	15%	210	26%	258	32%
N/A	1,691	206	12%	394	23%	355	21%	452	27%
Total Denied Applications	8,297	908	11%	1,491	18%	2,048	25%	2,396	29%

Data source: 2021 HMDA. *Hispanic/Latino is classified as an ethnicity that is separate from race categories in HMDA data. Total denied applications in this table is the sum of all race rows.

Loan Application Denial by Income Category

Among the 8,297 denied loan applications, the top four primary reasons for denial were debt-to-income ratio (29 percent), credit history (25 percent), incomplete credit application (18 percent), and collateral (11 percent). These top four reasons for all denied loan applications were among the top reasons for denial across all income categories.

For applicants with incomes under 80 percent AMI, the primary reason for loan application denial was due to the applicant’s debt-to-income ratio. For applicants with incomes above 80 percent AMI, the primary reason for application denial was credit history. The HMDA data indicate that the primary reasons for application denial differ across income categories in Brevard County.

Table 8: Top Primary Reasons for Loan Application Denial in Brevard County by Income Category

Income Category	Total Denied	Collateral		Credit Application Incomplete		Credit History		Debt-to-Income Ratio	
		#	%	#	%	#	%	#	%
Zero/Negative Income	267	5	2%	86	32%	29	11%	89	33%
0–30% AMI	568	22	4%	34	6%	107	19%	342	60%
30–50% AMI	1,127	89	8%	120	11%	244	22%	525	47%
50–80% AMI	1,918	185	10%	316	16%	470	25%	647	34%
80–100% AMI	880	89	10%	165	19%	251	29%	238	27%
100% AMI +	2,894	470	16%	617	21%	734	25%	522	18%
N/A	643	48	7%	153	24%	213	33%	33	5%
Total Denied Applications	8,297	908	11%	1,491	18%	2,048	25%	2,396	29%

Data source: 2021 HMDA.

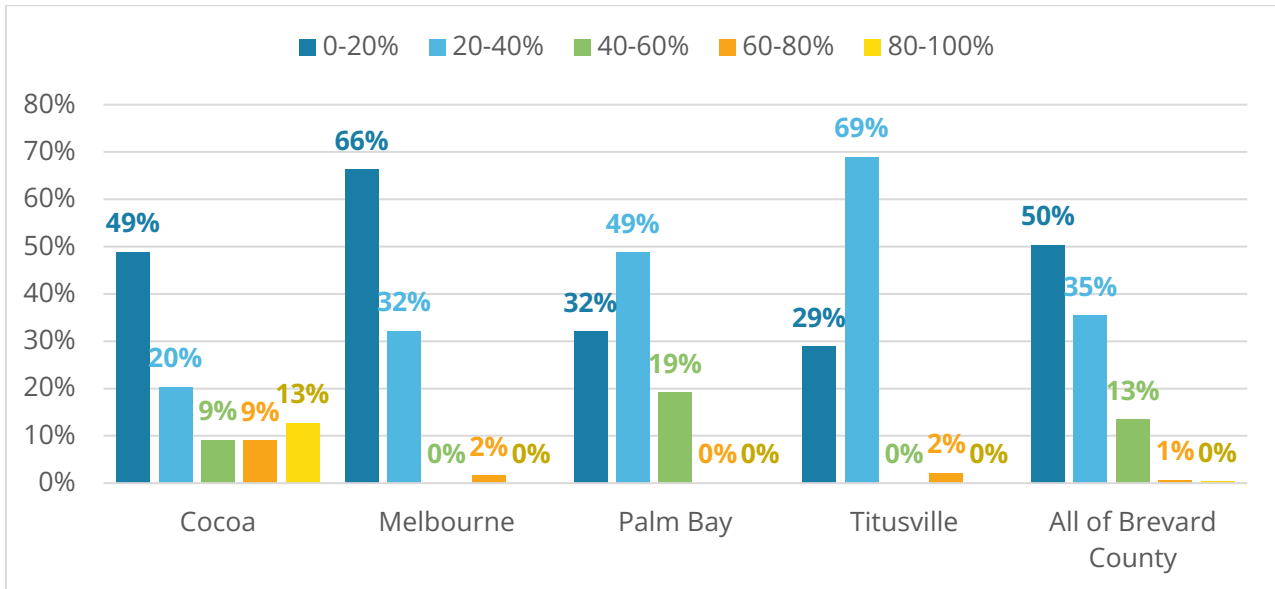
Loan Actions by Census Tract Minority Share

In addition to exploring lending outcomes by applicant race/ethnicity and income category, outcomes may differ by the percentage of minority residents located in the same census tract due to historical patterns of discrimination such as redlining. Analysis of an area’s demographic composition can show if the characteristics of residents within a given location correlate with disparities in loan outcomes. One way to do this is to disaggregate the data by census tract minority share, or in other words, the percentage of minority residents in a

census tract. For this analysis, “minority” refers to individuals who identify as Hispanic (of any race) or belong to a race group other than White.

HMDA data for each loan application includes the corresponding census tract of the applicant and the tract’s demographic and income data derived from the ACS (Figure 39). For Cocoa, Melbourne, and Brevard County at large, most loan applications were for properties located in census tracts in which under 20 percent of residents are in a racial or ethnic minority group. For Palm Bay and Titusville, most loan applications were for properties located in census tracts in which 20–40 percent of residents are in a racial or ethnic minority group. Notably, Cocoa was the only jurisdiction among the four cities in the Consortium that included loan applications in census tracts in which 80–100 percent of residents are in a racial or ethnic minority group.

Figure 39: Loan Applications by Census Tract Minority Share Across Brevard County



Data source: 2021 HMDA.

Loan actions can also be grouped by census tract minority share using HMDA data. The data indicate that the percentage of denied loan applications varies by census tract minority share. The lowest denial rate (11 percent) was for loan applications in census tracts in which 80–100 percent of residents are racial or ethnic minorities, while the highest denial rate (21 percent) was for loan applications in census tracts in which 60–80 percent of residents are racial or ethnic minorities. It is important to note that the sample sizes for both of these minority tract share categories are low, which suggests that the denial rates from the data may not accurately represent the denial rate in similar tracts. Additional analysis is needed to better explain the relationship between loan actions taken and census tract minority share in Brevard County.

Table 9: Loan Actions Taken by Census Tract Minority Share

Loan Action Taken*	0-0% Minority Total=32,947		20-40% Minority Total=23,174		40-60% Minority Total=8,784		60-80% Minority Total=414		80-100% Minority Total=175	
	#	%	#	%	#	%	#	%	#	%
Application Approved But Not Accepted	881	3%	688	3%	373	4%	8	2%	4	2%
Application Denied	3,971	12%	3,026	13%	1,195	14%	86	21%	19	11%
Application Withdrawn by Applicant	5,571	17%	3,756	16%	1,365	16%	74	18%	33	19%
File Closed for Incompleteness	2,087	6%	1,490	6%	563	6%	28	7%	6	3%
Loan Originated	17,495	53%	12,039	52%	4,267	49%	176	43%	87	50%
Loan Purchased	2,899	9%	2,132	9%	1,016	12%	40	10%	25	14%

Data source: 2021 HMDA. *Table excludes preapproval requests that were denied and preapproval requests that were approved but not accepted.

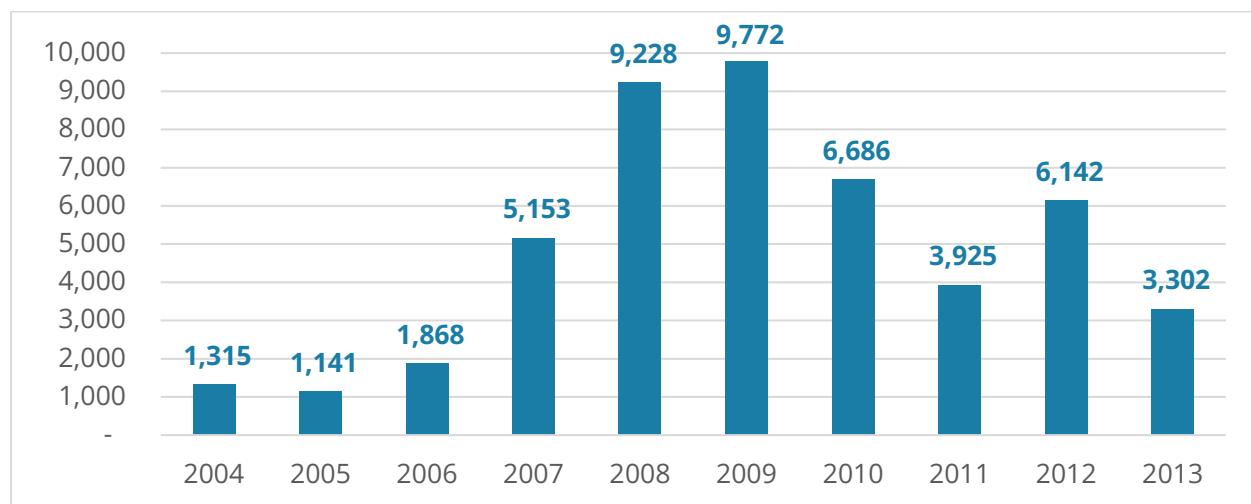
Foreclosed Properties

The Subprime Mortgage Crisis and REO Properties

The national subprime mortgage housing crisis that began in 2008 hit the state of Florida hard compared to other parts of the country. In 2012, the state hit its highest foreclosure rate, with almost 13 percent of all Florida mortgages in foreclosure, and one in 32 homeowners receiving a foreclosure filing.¹⁴ At the time, Florida led the nation in the number of foreclosure filings and had the highest foreclosure rate in the country. Four of the country's top five metro areas with the highest foreclosure rates were in Florida, including the Palm Bay-Melbourne-Titusville MSA, which covers Brevard County.¹⁵

In March 2012, around 14,300 home loans in Brevard County (15.6 percent) were 90 or more days delinquent, in foreclosure, or transitioned into REO status.¹⁶ In other words, one out of every 109 housing units were foreclosed. By 2014, foreclosure rates in Brevard County had decreased but were still high compared to the rest of the country. Specifically, in February 2014, Brevard County had the highest foreclosure rate in the nation for MSAs with a population of 200,000 and one in every 296 housing units had a foreclosure filing during the month, which was nearly four times the national average.

Figure 40: Annual Recorded Foreclosures in Brevard County



Data source: Brevard County Clerk of Courts, Recording: Number of Foreclosures. 2013 does not include the months of November and December.

¹⁴ Florida Housing Finance Corporation, [2012 Annual Report](#).

¹⁵ [Florida: An Overview of Foreclosures](#), The Florida Legislature Office of Economic and Demographic Research, presented February 4, 2015

¹⁶ [Comprehensive Housing Market Analysis: Palm Bay-Melbourne-Titusville](#), U.S. Department of Housing and Urban Development Office of Policy Development and Research, Florida April 1, 2012.

With the high number of foreclosures, banks and other lending institutions possessed a high number of REO properties in Brevard County and the surrounding areas in Florida.¹⁷ The institutions included Bank of America, U.S Bank, Wells Fargo, Deutsche Bank, and the Federal National Mortgage Association (“Fannie Mae”), among other financial institutions. Upkeep of the properties, including lawn care and maintenance activities, fell to the lending institution owner of the REO properties.

Between 2008–2012, 20 nonprofit fair housing agencies joined together to conduct a countrywide investigation showing that the REO properties in neighborhoods with a majority of Black/African American and/or Hispanic/Latino residents were not treated equally with properties in predominantly White, affluent areas. The REO properties owned by several banks—including Fannie Mae, Wells Fargo, Deutsche Bank, and others—were much more likely to have yards filled with trash, broken doors, damaged windows, and other signs of neglect, while homes in predominantly White neighborhoods were generally maintained and marketed for sale. Poorly maintained homes lowered the value of the REO properties and the surrounding homes in the neighborhood by 5–10 percent, making the property less likely to be sold and more likely to remain vacant.

One nonprofit agency involved with the investigation and legal action was The Fair Housing Continuum, Inc., which is now no longer in operation. The organization was based in Brevard County and spent 564 hours in the [fair housing investigation](#), which included inspecting Fannie Mae REO properties in the central Florida region. In addition to The Fair Housing Continuum, Inc., other Florida fair housing organizations involved with the investigation and legal action were Housing Opportunities Project for Excellence, Inc., which works in Miami-Dade and Broward Counties, and The Fair Housing Center of the Greater Palm Beaches, which works throughout Florida.

Together, the nonprofits investigated over 2,300 properties owned and maintained by Fannie Mae throughout the U.S., collected evidence on over 35 aspects of the maintenance of each property investigated, and took over 49,000 photographs and images.

Nationwide, the investigation found that 24 percent of Fannie Mae’s properties in communities of color had 10 or more deficiencies, compared with just 6 percent of properties in predominantly White neighborhoods. The disparities persisted even when controlling for non-racial factors, like property age and crime statistics. The group of nonprofit fair housing agencies filed multiple lawsuits as a result of the investigation and by 2022, the group reached a settlement with Fannie Mae for \$53M.¹⁸ This was the first time

¹⁷ [Consequences of the Foreclosure Crisis](#), HUD PD&R Edge.

¹⁸ [Fair Housing Center of the Greater Palm Beaches and Other Fair Housing Groups Reach Historic Settlement with Fannie Mae](#).

that the courts confirmed that the upkeep and marketing of foreclosed, lender-owned properties is covered by the Fair Housing Act.¹⁹

In June 2013, the complaint against Wells Fargo—which was also included in the lawsuit—was settled, with Wells Fargo agreeing to provide \$1.4M to The Fair Housing Continuum, Inc. to “promote home ownership, neighborhood stabilization, property rehabilitation, and development in communities of color.” The complaints against Bank of America and US Bank have not been resolved.

Foreclosures in 2023

Events during the subprime mortgage crisis are now over a decade old, but foreclosure rates have started rising again in Brevard County, and some nearby areas in mid-Florida have witnessed some of the highest foreclosure initiation rates in the country.

Among the 223 MSAs in the U.S. with a population of at least 200,000 people, several areas in Florida witnessed some of the highest foreclosure rates across the country in May 2023. Specifically, one in every 1,647 homes in Palm Bay had a foreclosure filing. Among larger metro areas with populations of over 1 million people, some of the country's highest foreclosure rates were in Jacksonville, FL, in which one in every 1,699 housing units had a foreclosure filing, and in Orlando, FL, in which one in every 2,049 housing units had a foreclosure filing. Florida also had the highest number of foreclosures initiated across the country in May 2023, with 2,901 foreclosures in progress (15 percent more than the next highest state for foreclosures, California, with 2,451).

Given the impacts of the 2008 housing crisis, as well as the findings from the REO property investigation, the Consortium will continue to monitor information related to foreclosures and housing discrimination across Brevard County in upcoming years.

Homeowners Insurance

Insurance companies in Florida face a unique market unlike anywhere else in the country. A combination of multiple natural disasters including hurricanes and flooding, and what members of the insurance industry describe as [abuse of the legal system](#), has destabilized the market and pushed many insurance companies to leave the state or dissolve into insolvency. As a result, many homeowners across Florida are faced with unaffordable insurance coverage with the highest average premiums in the country.

For insurance companies operating in Florida, rates have increased and companies have become more selective about which properties they will insure. During the consultation sessions for the AFH, stakeholders noted that the cost of homeowners' insurance is increasingly unaffordable for many middle-income households. They shared stories of

¹⁹ [Landmark housing discrimination settlement with Fannie Mae sets key precedent](#), Reuters, February 11, 2022.

insurance companies that were denying coverage of homes with older roofs or requiring households to replace their roof every 12 years in order to maintain coverage. News articles from across the state over the past few years have highlighted similar stories of insurance companies tightening various policies such as roof requirements as a way to protect themselves against financial risk. In response to the issue, the Florida Legislature implemented new roof requirements for homeowners' insurance in May 2022 that aimed to protect homeowners from stringent requirements and provide financial support to fund needed repairs.

On top of issues concerning insurance requirements to maintain coverage, homeowners in Florida face high premiums. Average premiums across the state are \$4,231, which is almost three times higher than the nationwide average of \$1,544. In addition, most homeowners' insurance policies do not cover flood damage.²⁰ For those that add flood protections to their policies, premiums are much higher. Given the prevalence and destruction of natural disasters in recent years, as well as projections that premiums will continue to rise, the cost of maintaining a home has become increasingly less affordable for many Florida residents.

The alternative to insurance in the private market is insurance by Citizens Property Insurance Corporation ("Citizens"), which was created by the Florida Legislature in 2002 as a last resort for homeowners who could not find affordable coverage in the private market. A homeowner is eligible for Citizens insurance if there is no coverage available from a Florida-authorized insurance company or the quote for a premium in the private market is 20 percent or more than the cost of coverage from Citizens.²¹ In some parts of the state, Citizens is the dominant insurance provider, and news articles indicate that the premiums that Citizens charges are insufficient to cover the risk the entity has assumed, which is concerning given the precarious state of the broader industry.

Predatory Lending

There is no one definition of "predatory lending," but various red flags such as loans that include misleading information and hidden loan terms; forged loan documents; high interest rates, penalties, and fees; high-pressure sales tactics; and misdirection are all signs of this phenomenon. Predatory lending often targets vulnerable people and those who are not able to find financing through traditional means, and many victims of predatory lending are members of protected classes under the Fair Housing Act.

Nationally, several laws address predatory lending, notably the Truth in Lending Act and the Equal Credit Opportunity Act. Within the Florida Statutes, [Chapter 494, PART IV: Florida Fair Lending Act](#) includes restrictions aimed at stopping predatory lending practices from occurring within the state. Florida law also sets limits on interest rates. For example, a two-

²⁰ [Triple-I: Extreme Fraud and Litigation Causing Florida's Homeowners Insurance Market's Demise](#), Insurance Information Institute, June 2023.

²¹ [Citizens Eligibility Requirements](#), Citizens Property Insurance Corporation.

year \$2,000 loan is limited to 31 percent APR; however, banks are exempt from state rate caps, so lenders can sometimes avoid this regulation.

[HUD's website](#) offers resources to help recognize and avoid predatory lending. Specifically, HUD warns that companies that ask for a fee in advance of services or advise individuals to stop paying their mortgage lenders and pay them instead are often scams.

Since predatory lending often involves illegal activities, it is difficult to collect and analyze data on the prevalence of predatory lending in a community. Information gathered through the consultation sessions in the development of the AFH indicate that some staff within the Consortium have concerns that predatory lending will reemerge as an issue in Brevard County. Program staff shared that in the years leading up to the housing crisis in 2008, predatory lenders targeted low-income households in Brevard County, particularly in Cocoa. Many of these households ultimately lost their homes to foreclosure due to predatory lending tactics. The City of Cocoa continues to post materials on its website to educate residents about the dangers of predatory lending, red flags to look out for, and resources for getting help.

Real Estate Associations

Real estate transactions, which have a long history of discrimination in the U.S., are covered by the federal and Florida Fair Housing Acts. Discrimination on the basis of protected characteristics has been a part of the housing market, legally and by practice, throughout the county's history in individual housing transactions and local housing laws and policies, and through intentional and incidental patterns of residential segregation.

Even after the passage of the Fair Housing Act, individuals identifying as White in the U.S. are still more likely to be homeowners than individuals identifying as Black/African American or American Indian and Alaska Native, even after accounting for factors like location and education. Moreover, a White person who did not complete high school is more likely to be a homeowner than a Black/African American person with a college degree.

National Association of Realtors

The National Association of Realtors (NAR) is a real estate trade organization that connects members of the real estate industry, sets professional standards and licensing requirements for realtors, influences policies impacting the industry, and provides training and resources to its members. The designation of "realtor" is a registered collective membership mark of NAR, and its use signifies an individual's affiliation with the organization and its code of ethics. NAR additionally has local affiliate groups that represent multi-state regions and metro areas/cities.

On its website, the organization includes a statement on its commitment to diversity and inclusion, which reads:

NAR fully embraces perspectives from all walks of life—regardless of race, ethnicity, gender, religion, age, sexual orientation, gender identity, disability, national origin, socioeconomic status, political affiliation, or any other qualities by which we may define ourselves.

NAR also publishes a [code of ethics for members](#), which details standards for realtors. Each year, NAR publishes its Professionalism in Real Estate Practice handbook, which provides guidance for professionals in applying the Code of Ethics.

Lastly, NAR's [2023–2025 Strategic Plan](#) and [Diversity, Equity, and Inclusion Strategic Plan](#) outline the organization's objectives and long-term goals, several of which are related to fair housing awareness and education, fair housing choice, and promoting sustainable communities:

**Political
advocacy**

Strengthen messaging around Fair Housing in political advocacy efforts.

**Housing
production and
access**

Improve housing availability, affordability, accessibility, and sustainability to better meet consumer demand.

Critically review NAR public policy through an equity lens and incorporate the NAR operating value of diversity, equity, and inclusion as an organic part of the policy development and review process.

**Climate and
sustainability**

Raise member understanding of the impact of climate change and the importance of sustainability practices to the industry.

**Strategic
alliances**

Significantly expand NAR strategic alliances to improve collaboration on a wide range of issues impacting real estate and sustainable, vibrant, accessible communities.

2023–2025 Strategic Plan.

State and Local Branches of NAR

NAR has state and local branches across the country; in Florida, these include Florida Realtors and the Space Coast Association of Realtors. In addition to adopting the ethics standards set by NAR, the state branch promotes its own policy priorities and educational programs for members on its website.

The Space Coast Association of Realtors also outlines its code of ethics online and publishes a [Public Policy Statement](#) on its website to “provide the public and our government officials with a better understanding of our specific positions.”

Residents in Brevard County can file an ethics complaint to the Space Coast Association of Realtors, including discrimination based on a protected class. [The association's website](#) indicates that the complaint must be in writing, using the specified forms provided by the association, and state the facts on which the complaint is based. In addition, complaints must be received by the association within 180 days of the conclusion of the transaction or event, or within 180 days "after the facts constituting the matter could have been known in the exercise of reasonable diligence, whichever is later."

IX. Subsidized and Supportive Housing

Overview

The following section assesses the subsidized and supportive housing policies and programs (including rental assistance) available in Brevard County, including housing for seniors and other special needs populations. These policies and programs influence housing choice throughout the county despite challenges faced by members of the community in utilizing these resources.

The section also examines the availability and capacity of emergency shelter (ES) and other housing available for persons experiencing homelessness, funding sources for this housing, and the challenges that individuals and families face trying to access these resources.

Housing Funding and Incentives

The governments of Brevard County and the Cities of Cocoa, Melbourne, Palm Bay, and Titusville all receive funding from the State of Florida and the federal government that can be used to create or rehabilitate housing units and emergency housing and help those in need of safe, affordable, accessible, and supportive housing (housing with social services). Local agencies including the Brevard Homeless Coalition and the PHAs serving the county (including the HABC, CHA, MHA, and the HACTV) receive direct funds from HUD.

Table 10: Affordable Housing Funding Administrative Agencies in Brevard County

Agency	Organization Type
Brevard Homeless Coalition	Continuum of Care (CoC) lead agency
HABC	PHA
MHA	PHA
CHA	PHA
HACTV	PHA
Florida Housing Finance Corporation	Administrator of federal LIHTC and state housing programs

Definitions

Each housing program has its own set of definitions. The following terms are defined by the State of Florida in the Florida Statutes to clarify various income and affordability terms:

Affordable Refers to monthly rents or monthly mortgage payments (including taxes, insurance, and utilities) that do not exceed 30 percent of that

amount which represents the percentage of the median adjusted gross annual income for the households.

Extremely low-income persons

One or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower-income counties, extremely low income may exceed 30 percent of AMI and that in higher-income counties, extremely low income may be less than 30 percent of AMI.

Very low-income persons

One or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the MSA or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

Low-income persons

One or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the MSA or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

Moderate-income persons

One or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the MSA or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

Data source: 2022 Florida Statutes, [Chapter 420 Housing](#).

State Housing Funding

The State of Florida has several programs to fund and regulate affordable and supportive housing within the state.

State Housing Initiatives Partnership (SHIP)

The [SHIP program](#), administered by the Florida Housing Finance Corporation, provides each Florida county and CDBG entitlement city the opportunity to receive at least \$350,000 for affordable housing construction and preservation annually. The program may fund both homeownership properties and multifamily housing developments.

To receive SHIP funds, eligible local governments must “establish a local housing assistance program by ordinance; develop a local housing assistance plan and housing incentive strategy; amend land development regulations or establish local policies to implement the incentive strategies; form partnerships and combine resources in order to reduce housing costs; and ensure that rent or mortgage payments within the targeted areas do not exceed 30 percent of the AMI limit, unless authorized by the mortgage lender.”

State Apartment Incentive Loan (SAIL)

The [SAIL program](#), also administered by the Florida Housing Finance Corporation, approves low-interest loans annually for the construction or substantial rehabilitation of affordable multifamily housing units. The loan rate is zero percent for developments that reserve 80 percent of their units for farmworkers, commercial fishing workers, or persons experiencing homelessness.

Low-Income Housing Tax Credits (LIHTC)

The LIHTC program is a federal program through the Internal Revenue Service that is administered at the state level by the Florida Housing Finance Corporation. The LIHTC program gives the state the ability to award the equivalent of billions of dollars each year for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households.

Live Local Act

A series of amendments to the Florida Statutes known as the “[Live Local Act](#)” (SB 102) were signed into law on March 29th, 2023. The Live Local Act provides funding and incentives for workforce and affordable housing, as defined in the Florida Statutes, as well as other housing changes. Among the changes are:

1. Prohibition on rent control. Counties and municipalities within Florida may not adopt housing rent control rules/ordinances, with no exceptions.²²
2. Waiver of local processes for multifamily residential and mixed-use developments:
 - a. If 10 percent of units within a proposed housing or mixed-use development are “affordable,” counties **may** approve the development on land zoned commercial or industrial.
 - b. If at least 40 percent of the residential units in the proposed development are set aside as “affordable” for 30 years, the county **must** administratively approve the development and cannot require a rezoning, land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, or density restriction (for mixed-use

²² Senate Bill 102: How the “Live Local Act” Incentivizes Affordable and Workforce Housing in the State of Florida, [Stearns Weaver Miller News](#).

projects, at least 65 percent of the development's total square footage must be residential).

3. Housing property inventory. Every three years, each county or municipality must inventory and list all properties within its jurisdiction that may be appropriate for use as affordable housing. The local governments are also encouraged to adopt best practices for surplus land programs.
4. "Ad valorem" property tax exemptions. Local taxes (based on value) such as property tax are reduced or eliminated from some qualifying property. Long-term affordable housing owned by nonprofit organizations may be eligible, as is "missing middle" or "workforce" housing for those households with moderate incomes.

Assisted Housing Inventory

The Shimberg Center maintains an Affordable Housing Inventory of state and federally subsidized rental housing properties across the state. The Affordable Housing Inventory includes public housing and properties subsidized by the Florida Housing Finance Corporation, HUD multifamily programs, the U.S. Department of Agriculture, and local housing finance authorities. [Shimberg's Affordable Housing Inventory User Guide](#) specifies which subsidy programs are included in the Affordable Housing Inventory, and since the list only includes assisted properties subsidized with specific resources, it may not contain a complete inventory of all assisted units in Brevard County.

The Affordable Housing Inventory indicates that 58 properties across the county in the beginning of 2023 were subsidized by state and federal funding. Table 11 indicates that these properties included a total of 6,108 housing units, of which 6,003 were assisted units with rent or income restrictions. Seventy-eight percent of assisted units across the county received funding from the Florida Housing Finance Corporation, 34 percent were subsidized by a HUD multifamily program, 23 percent were subsidized by a local housing finance authority, and 13 percent were HUD public housing. For Cocoa, Melbourne, Palm Bay, and Titusville, most units were also subsidized by the Florida Housing Finance Corporation. Lastly, 1,743 units across the county received monthly rental assistance from a HUD program. Of these units, 43 percent were located in Cocoa, 38 percent were in Melbourne, 6 percent were in Titusville, and 5 percent were in Palm Bay.

Table 11: Assisted Rental Housing by Funding Source and Jurisdiction

Brevard County				
Funding Source	# Properties	# Total Units	# Assisted Units	HUD Rental Assistance Units
Florida Housing Finance Corporation	39	4,737	4,674	1,221
HUD Multifamily	27	2,078	2,013	1,743
Local Housing Finance Authority	12	1,409	1,387	460
HUD Public Housing	5	811	807	0
Total	58	6,108	6,003	1,743
Cocoa				
Funding Source	# Properties	# Total Units	# Assisted Units	HUD Rental Assistance Units
Florida Housing Finance Corporation	7	771	771	376
HUD Multifamily	11	796	758	757
Local Housing Finance Authority	1	50	50	49
Total	15	1,190	1,152	757
Melbourne				
Funding Source	# Properties	# Total Units	# Assisted Units	HUD Rental Assistance Units
Florida Housing Finance Corporation	11	1,471	1,444	565
HUD Multifamily	9	773	746	667
Local Housing Finance Authority	4	582	582	258
HUD Public Housing	1	150	148	0
Total	16	1,723	1,694	667

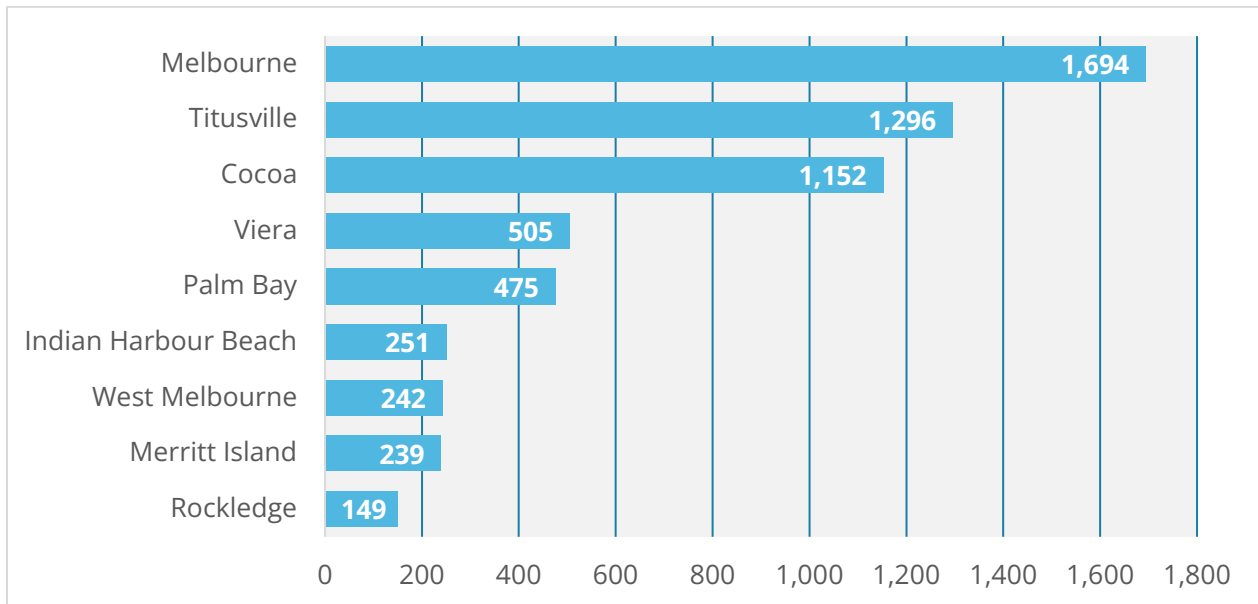
Palm Bay				
Funding Source	# Properties	# Total Units	# Assisted Units	HUD Rental Assistance Units
Florida Housing Finance Corporation	5	467	475	85
HUD Multifamily	1	85	85	85
Local Housing Finance Authority	3	233	211	85
Total	5	497	475	85

Titusville				
Funding Source	# Properties	# Total Units	# Assisted Units	HUD Rental Assistance Units
Florida Housing Finance Corporation	10	1,042	1,042	110
HUD Multifamily	3	300	300	110
Local Housing Finance Authority	2	272	272	68
HUD Public Housing	2	255	254	0
Total	12	1,297	1,296	110

Data source: 2023 Shimberg Center.

Figure 41 shows the distribution of assisted units by location across the county and indicates that 1,694 (28 percent) units are in Melbourne, 1,296 (22 percent) are in Titusville, 1,152 (19 percent) are in Cocoa, and 475 (8 percent) are in Palm Bay.

Figure 41: Number of Assisted Rental Units by Location



Data source: 2023 Shimberg Center.

Lastly, data from the Shimberg Center provide an estimate for the number of assisted units with income restrictions by location across Brevard County. The Affordable Housing Inventory only includes data on income-restricted units for 68 percent of all assisted units across the county. The available data provide an estimate for the number of assisted units that are affordable to extremely low-income and very low-income households. Table 12 indicates that a total of 4,644 assisted units have data on the unit's income restrictions and of them, 87 percent are restricted to households earning 55–88 percent AMI, 5 percent are restricted to households earning 40–50 percent AMI, and 9 percent are restricted to households earning less than 35 percent AMI. Of the income-restricted units affordable to the lowest income households, about one-third are located in Cocoa, and over half of units that would be affordable to households earning 40–50 percent AMI are located in Melbourne. Although the data on income-restricted units in Brevard County is incomplete and therefore an underrepresentation of the county's affordable housing stock, the available data provide a useful estimate for the distribution of income-restricted units in communities across the county.

Table 12: Assisted Units by Income Restrictions and Location

Assisted Units with Income Category Data						
*Only 77% of units contain data						
Location	Less than 35% AMI	40-50% AMI	55-80% AMI	Assisted Units with Data	% of Total Assisted Units with Data	Total Assisted Units
Cocoa	132	0	622	754	65%	1,152
Indian Harbour Beach	0	0	0	0	0%	251
Melbourne	82	121	1,240	1,443	85%	1,694
Merritt Island	0	0	85	85	36%	239
Palm Bay	15	0	460	475	100%	475
Rockledge	11	0	99	110	74%	149
Titusville	94	80	868	1,042	80%	1,296
Viera	10	21	474	505	100%	505
West Melbourne	60	0	170	230	95%	242
Brevard County Total	404	222	4,018	4,644	77%	6,003

Data source: 2023 Shimberg Center.

Federal Voucher Assistance

The Consortium also reviewed data from HUD’s Housing Choice Voucher Data Dashboard on the availability and use of federal vouchers at the HABC, the CHA, and the HACTV. Table 13 includes data on the number of vouchers by program type that are available and in use as of March 2023. Since the MHA only operates public housing units, this PHA was not included in the table.

The first row in the table identifies the number of Housing Choice Vouchers available and in use at each PHA. The HABC has the most Housing Choice Vouchers (2,084) and as of March 2023, recipient households were using 1,781 of them (86 percent). The CHA has 170 available vouchers and a utilization rate of 86 percent, while the HACTV has 738 available vouchers and a utilization rate of 93 percent.

The remaining rows in Table 13 include information on special-purpose vouchers. The Mainstream Voucher Program, previously known as Mainstream 5 or Section 811 vouchers,

assists households that include a non-elderly person with disabilities. Only the HABC and the CHA receive Mainstream 5 vouchers and currently, each PHA has about 50 vouchers in use.

The Family Unification Program provides vouchers to serve two main types of recipients: 1) families that lack adequate housing and are at imminent risk of the household's children being placed in out-of-home care and 2) youth between the ages of 18 and 24 who have left or will soon leave the foster care system and are either currently homeless or at risk of becoming homeless. Only CHA has Family Unification Program vouchers and 5 (38 percent) are currently used by recipients.

Non-Elderly Disabled vouchers serve families where the head, co-head, or spouse is a non-elderly person with disabilities. All three of the PHAs have Non-Elderly Disabled vouchers, and the CHA and the HACTV have high utilization rates; however, the data for CHA and the HACTV indicates that more vouchers were in use in March 2023 than were available. There is no additional information provided to explain why.

The last special use voucher is provided through the Veterans Affairs Supportive Housing program, which offers rental assistance and case management to homeless veterans. The HACTV is the only PHA that has Veterans Affairs Supportive Housing vouchers and the current utilization rate is 83 percent.

Table 13: Availability and Utilization of Vouchers by Type and PHA

Voucher Type	Housing Authority of Brevard County			Cocoa Housing Authority			Housing Authority of the City of Titusville		
	# Vouchers Available	# Vouchers in Use	Utilization Rate	# Vouchers Available	# Vouchers in Use	Utilization Rate	# Vouchers Available	# Vouchers in Use	Utilization Rate
Housing Choice Vouchers	2,084	1,781	86%	170	147	86%	738	687	93%
Mainstream Vouchers	75	54	72%	53	51	96%	N/A	N/A	N/A
Family Unification Program Vouchers	N/A	N/A	N/A	13	5	38%	N/A	N/A	N/A
Non-Elderly Disabled Vouchers	200	141	71%	75	76	101%	125	127	102%
Veterans Affairs Supportive Housing Vouchers	N/A	N/A	N/A	N/A	N/A	N/A	296	246	83%

Data source: HUD Housing Choice Voucher Data Dashboard. Note: Data is current as of March 2023.

Rental Unit Affordability and Occupancy

One data source to better understand unit affordability and occupancy is Comprehensive Housing Affordability Strategy (CHAS) data, which estimate the number of households occupying rental units affordable at different income levels. CHAS data use HUD-Adjusted Median Family Incomes (HAMFIs) to classify household income which, for the purposes of this analysis, are comparable to AMI. Table 14 depicts the number of households by income level who were occupying rental units that are affordable to specific HAMFI categories in 2019. For example, rental units affordable at 30 percent HAMFI are rental units where the gross rent for the unit is affordable to a household making 30 percent HAMFI. Rental units affordable at 50 percent HAMFI would have gross rents that are unaffordable to a household earning 30 percent HAMFI but would be affordable to a household earning 50 percent HAMFI. In 2019, CHAS data indicates that there were approximately 5,385 rental units affordable to households earning 30 percent HAMFI and 10,500 rental units affordable to households earning 50 percent HAMFI.

Table 14: Households Occupying Rental Units by Unit Affordability and Household Income

Rental Unit Affordability	Occupant Income Category				
	0-30% HAMFI	30-50% HAMFI	50-80% HAMFI	80-100% HAMFI	Over 100% HAMFI
Rental units affordable at 30% HAMFI	2,460	1,195	825	285	620
Rental units affordable at 50% HAMFI	2,855	2,870	2,315	1,100	1,360
Rental units affordable at 80% HAMFI	4,680	5,440	7,750	4,320	8,580
Rental units affordable at greater than 80% HAMFI	1,175	1,330	1,925	1,640	6,440

Data source: 2015-2019 CHAS.

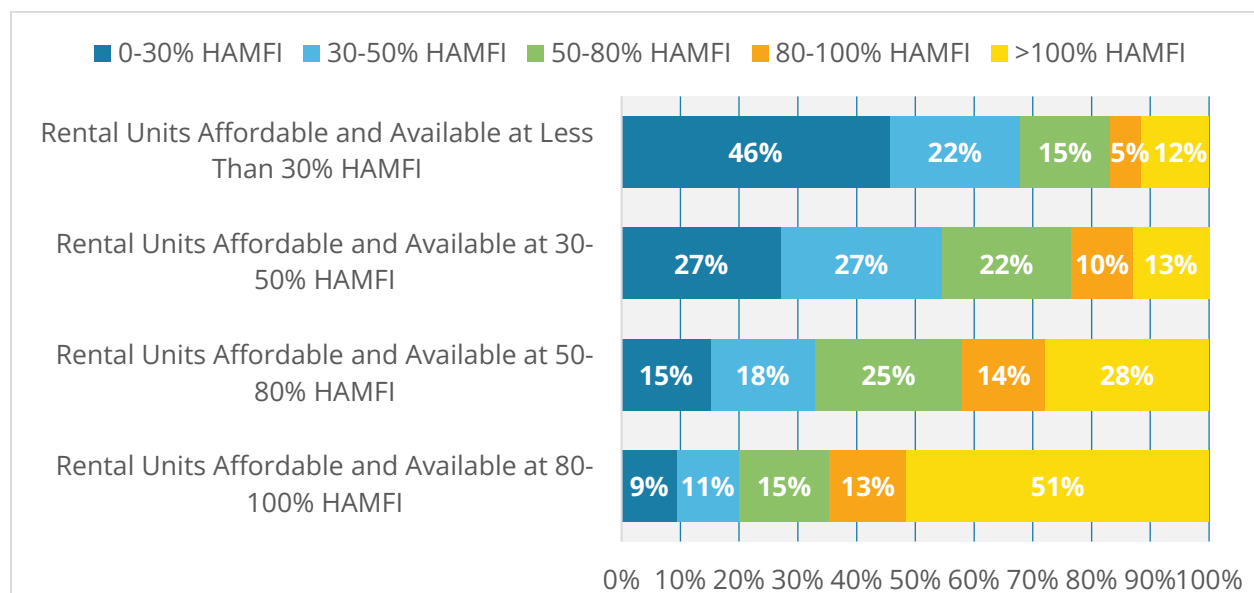
The data indicate that there were a significant number of renter households who were living in units that were not affordable given their household income category. Figure 42 depicts the share of households by income category who were occupying rental units affordable to specific income levels. The data suggest that for rental units at all income levels, there was a mismatch between the income level of the households occupying those units and the income category for which the rental unit would be affordable. Specifically,

only 46 percent of rental units that are affordable to households earning 30 percent HAMFI were occupied by households earning less than 30 percent HAMFI. In other words, 54 percent of rental units that would be affordable to extremely low-income households were occupied by higher-income households. There were similar trends for rental units affordable at other income levels. For example, only 27 percent of rental units affordable to very low-income households were occupied by households earning 30–50 percent HAMFI.

It is important to keep in mind that these data do not provide information that explains the mismatch between households and rental units. For instance, extremely low-income households may not occupy rental units that are affordable to them because these units are not located in their communities. Alternatively, units affordable to households earning 30 percent AMI may be hard to find and, when they are available, extremely low-income households may need to compete with higher-income households to secure them.

Another important consideration is that the number of rental units affordable and available at different income levels does not align with the number of households in each income category. There are fewer units affordable and available for extremely low-income and very low-income households and more units that are affordable for higher-income households. The lack of affordable housing options for the lowest-earning households can force households to reside in units that are unaffordable to them.

Figure 42: Percent of Units Occupied by Households at Different Income Levels



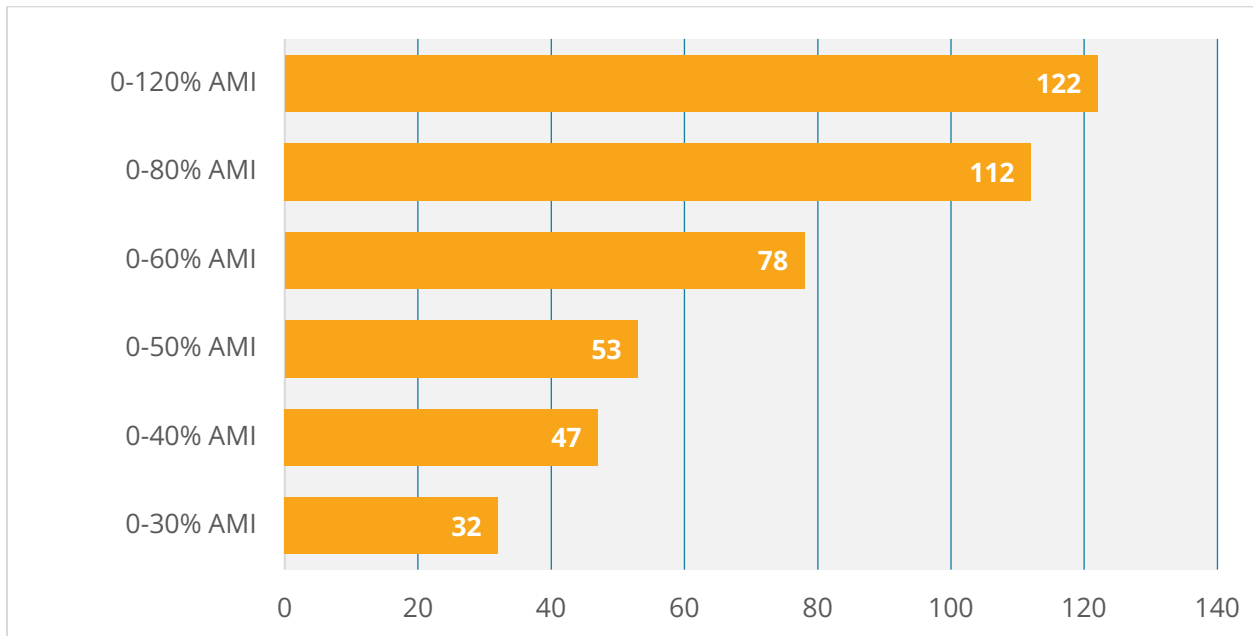
Data source: CHAS Data, 2019.

Shortage of Affordable Rental Housing Units

Data from the Shimberg Center on the affordability and availability of rental housing units in the Palm Bay-Melbourne-Titusville, FL Metropolitan Statistical Area provide an estimate of the surplus and deficit of units in the community by income category. Figure 43

estimates the number of rental units that are affordable and available for every 100 renter households at a given income level in 2019. Shimberg estimates that there are 32 affordable and available units for every 100 renter households earning less than 30 percent AMI. For households earning less than 40 percent AMI, there are 47 affordable and available rental units for every 100 households. The data indicate that the number of affordable and available rental units gradually increases as the income category rises, and it is not until the income threshold reaches 80 percent AMI and below that there are more units affordable and available than households.

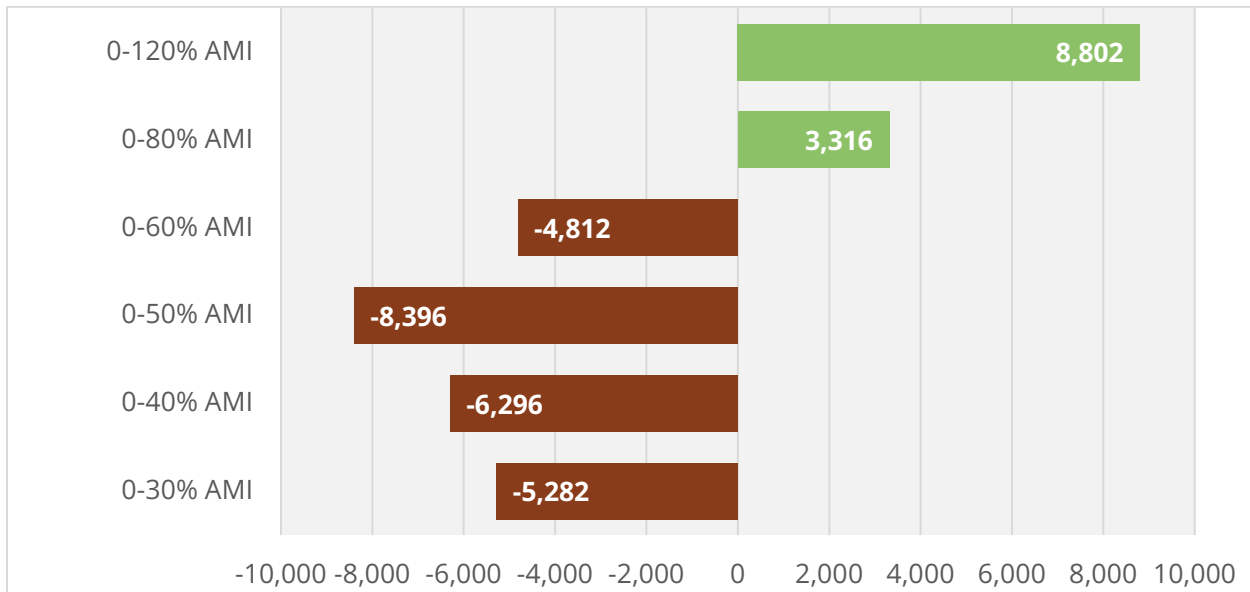
Figure 43: Affordable and Available Rental Units Per 100 Renter Households



Data source: 2019 Shimberg Center.

Figure 44 depicts Shimberg's estimates for the number of available rental units affordable and available at different income levels given the population of renters at each percent AMI. The data suggest that there is a shortage of rental units for households earning less than 30 percent AMI, 50 percent AMI, and 60 percent AMI; however, for households earning less than 80 percent AMI and less than 120 percent AMI, there is a surplus of rental units affordable and available to renter households.

Figure 44: Number of Affordable and Available Rental Units by Percent AMI

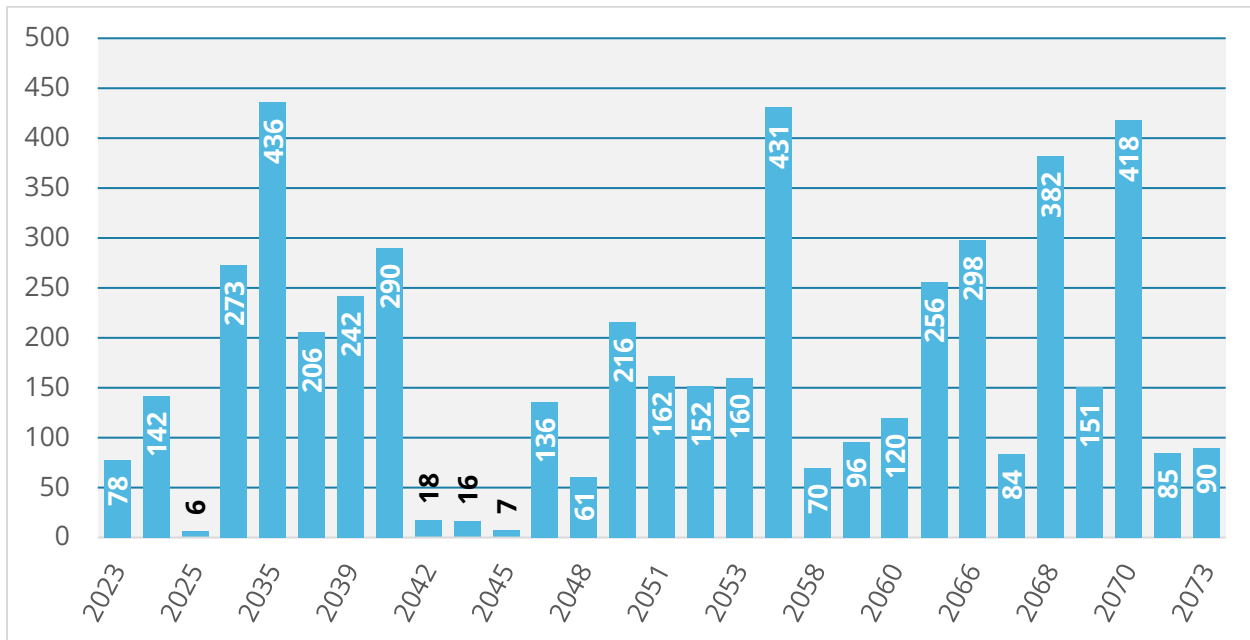


Data source: 2019 Shimberg Center.

Assisted Units at Risk of Subsidy Expiration

The Shimberg Center’s Affordable Housing Inventory also provides data on the estimated year of subsidy expiration for assisted units across Brevard County. Figure 45 depicts the number of assisted units by year of subsidy expiration and provides an indication of how many units could be lost if no action were taken to preserve the affordability of assisted units. The Affordable Housing Inventory shows that over the next few years, Brevard County could lose 78 assisted units in 2023, 142 assisted units in 2024, and six assisted units in 2025. Notably, 436 assisted units have subsidy expirations in 2035. It is important to note that property managers track subsidy expiration dates for their units and many, especially nonprofit organizations, work to extend the affordability of assisted units rather than let subsidies expire. This data helps underscore the importance of preserving the county’s existing assisted housing stock.

Figure 45: Assisted Rental Units by Year of Subsidy Expiration



Data source: Shimberg Center, 2019.

Unmet Need for Rental Assistance

Quantitative data on the availability and use of federal rental assistance in Brevard County suggest that rental assistance is available for some and the number of households using a voucher fluctuates over time and by program. For Housing Choice Vouchers, overall utilization rates are high across the county. Data from the Housing Choice Voucher Data Dashboard provide insight into the monthly fluctuation in Housing Choice Voucher utilization rates for each PHA and indicate that in recent years, the HABC’s Housing Choice Voucher utilization rate hit a low of 83 percent in November 2019 and then grew to 91 percent by November 2021, after which the rate decreased to 86 percent by March 2023. For the CHA, the Housing Choice Voucher utilization rate was 96 percent in April 2019, which decreased to 89 percent by March 2020, grew to 93 percent by February 2021, decreased to 77 percent by March 2022, and grew to 86 percent by March 2023. Lastly, the HACTV’s Housing Choice Voucher utilization rate remained within the mid-90 percent range throughout 2019 and early 2021. By June 2021, the utilization rate was 99 percent; however, since this time, the rate has gradually decreased to 93 percent.

Monthly fluctuations in Housing Choice Voucher utilization rates are to be expected as households exit programs and new recipients are awarded vouchers. Data from the Housing Choice Voucher Data Dashboard indicate that annual Housing Choice Voucher program attrition rates across the county’s PHAs are low. On average, 10 percent of recipient households had left the Housing Choice Voucher program at the HABC as of March 2023, while this figure was 14 percent at the HACTV and 12 percent at the CHA.

Unmet Need for Affordable Housing and Rental Assistance from the Consultation Process

During the consultation sessions in the development of the AFH, stakeholders described the housing needs facing the lowest-income residents in Brevard County. Stakeholders described how increasing housing costs and the shortage of affordable housing options contribute to housing instability for many county residents. The shortage of affordable housing includes extremely low-income, very low-income, and moderate-income households, and for specific subpopulations, achieving and maintaining housing stability can be a significant challenge. For individuals experiencing homelessness, stakeholders noted that there are few permanent supportive housing (PSH) options for individuals who need long-term affordable housing paired with wraparound supportive services, such as chronically homeless individuals. Other subpopulations with specific housing needs include seniors, service sector workers, and individuals who face barriers in the rental market due to eviction histories, criminal records, or poor credit. In terms of rental assistance, stakeholders explained that many households would benefit from financial assistance with housing costs; however, there are several challenges with existing tenant-based rental assistance programs. They described that voucher recipients are often unable to locate and secure a unit that is affordable to them in the private market, even with their voucher. For those who manage to find an affordable unit, many will encounter landlords who are reluctant to accept their voucher for a variety of reasons, including an unwillingness to follow program rules and inspections, an unwillingness to work with the government, and negative perceptions about voucher recipients.

Services and Housing for Seniors

Both housing designed for seniors including supportive housing, and services meant to help seniors live in their own homes to “age in place,” are funded by federal, state, and local government; however, these resources are often in short supply and are out of financial reach for many Brevard County residents.

Assisted Housing for Seniors

The Florida Agency for Health Care Administration provides a publicly available search tool on its website, FL Health Finder, to identify healthcare-related facilities across the state. For Brevard County, this information provides an estimate of the number of assisted housing beds available for seniors. Table 15 outlines the number of licensed beds in assisted living facilities and nursing homes located in Brevard County. Data from FL Health Finder uses the following definitions for assisted living facilities and nursing homes:

Assisted Living Facility

Assisted living facilities provide full-time living arrangements in the least restrictive and most home-like setting. The basic services include but are not limited to providing housing and nutritional meals; helping with the activities of daily living, like bathing, dressing, eating, walking, physical transfer, giving medications or helping residents give themselves

medications; arranging for health care services; providing or arranging for transportation to health care services; health monitoring; giving respite care; and providing social activities. Assisted living facilities are licensed and surveyed by the State of Florida.

Nursing Home A nursing home provides nursing, personal, custodial, and rehabilitative care. Nursing homes, sometimes called skilled nursing facilities, are freestanding, which means they are not part of a hospital. Nursing homes are licensed and surveyed by the State of Florida.

Data source: [Florida Agency for Health Care Administration Glossary.](#)

Table 15 indicates that there are 4,181 total licensed assisted living beds and 2,819 total licensed nursing home beds available in Brevard County in 2023. Of the county’s assisted living beds, 29 (1 percent) are located in Cocoa, 1,900 (45 percent) are located in Melbourne, 708 (17 percent) are in Palm Bay, and 419 (10 percent) are in Titusville. Most assisted living beds (91 percent) are provided by for-profit companies and only 9 percent are offered by nonprofit organizations. Notably, 50 percent of the county’s for-profit assisted living beds are located in Melbourne while 56 percent of the county’s nonprofit assisted living beds are in Titusville.

Among the county’s inventory of licensed nursing home beds, 948 beds (34 percent) are located in Melbourne, 381 beds (14 percent) are in Palm Bay, and 397 beds (14 percent) are located in Titusville. There is no data available for licensed nursing home beds located in Cocoa. As with assisted living beds, the majority of nursing home beds (85 percent) are provided by for-profit companies, and fewer beds (15 percent) are offered by nonprofit organizations. The data also indicate that there are no licensed nonprofit nursing home beds located in Melbourne and Palm Bay, although Titusville has 157 licensed nonprofit nursing home beds, which comprises 36 percent of the county’s total inventory of nursing home beds provided by nonprofits.

Table 15: Licensed Beds by Facility Type in Brevard County

Assisted Living Licensed Beds	Brevard County	Cocoa	Melbourne	Palm Bay	Titusville
For-Profit	3,809	23	1,900	697	211
Nonprofit	372	6	0	11	208
Total	4,181	29	1,900	708	419

Nursing Home Licensed Beds	Brevard County	Cocoa	Melbourne	Palm Bay	Titusville
For-Profit	2,386	NA	948	381	240
Nonprofit	433	NA	0	0	157
Total	2,819	NA	948	381	397

Data source: 2023 FL Health Finder, Florida Agency for Health Care Administration.

Homelessness System and Resources

The Consortium also analyzed information on the existing shelter and housing inventory available to persons experiencing homelessness across Brevard County. Exploring the availability and accessibility of resources for persons experiencing homelessness is a useful component of fair housing planning because oftentimes, barriers to shelter for persons experiencing homelessness are indicative of challenges that some of the most vulnerable members of the community face in accessing permanent housing.

Housing Inventory Count

The 2022 Housing Inventory Count (HIC) provides an estimate for the number of ES, transitional housing (TH), and PSH beds located in Brevard County. Table 16 includes the number of shelter beds disaggregated by bed/unit type and project type. Project types include emergency shelter (ES), Safe Haven (SH), transitional housing (TH), permanent supportive housing (PSH), rapid rehousing (RRH), and other permanent housing (OPH). The table includes the following bed and unit types:

- **Family units:** Units for households with children.
- **Family beds:** Beds for households with children.
- **Adult-only beds:** Beds for households without children.
- **Child-only beds:** Beds for households with only children.
- **Veteran beds:** Beds for veterans and their households.
- **Youth beds:** Beds for youth aged 24 or younger.
- **Chronic beds:** Beds for chronically homeless individuals.
- **Seasonal:** Beds available for part of the year.
- **Total year-round beds:** Beds available for the entire year.

The table indicates that there are a total of 1,978 beds across the county. The most common project type is rapid rehousing which accounts for 920 beds (47 percent). There are also 373 (19 percent) transitional housing beds, 236 (12 percent) other permanent beds, 221 (11 percent) emergency shelter beds, 207 (10 percent) permanent supportive housing beds, and 21 (1 percent) Safe Haven beds. All of the beds in Brevard County are

available year-round, and the most common bed type is family beds, which account for 60 percent of total beds. There are 767 (39 percent) adult-only beds, 156 beds (8 percent) for youth between the ages of 18 and 24, and 22 beds (1 percent) for children under age 18. In addition, there are 30 beds (2 percent) designated for individuals who are chronically homeless, and 489 beds designated (25 percent) for veterans. There are no designated beds for victims of domestic violence and no seasonal beds. A breakdown of shelter beds and units by provider is [available on the HUD Exchange](#).

Table 16: HIC Beds in Brevard County by Bed/Unit Type and Project Type

Bed/Unit Type	Project Type					Total
	ES	TH & SH	PSH	RRH	OPH	
Family units	17	51	45	186	55	354
Family beds	42	192	128	635	192	1,189
Adult-only beds	159	202	79	283	44	767
Child-only beds	20	0	0	2	0	22
Chronically homeless beds	0	0	30	0	0	30
Veterans' beds	24	160	68	178	59	489
Youth beds	34	3	9	36	74	156
Year-round beds	221	394	207	920	236	1,978
Seasonal beds	0	0	0	0	0	0
Total	221	394	207	920	236	1,978

Data source: 2022 HIC. Note: The sum of each column may be greater than the total number of beds for each project type because some rows are subsets and should not be added.

Unmet Need for Shelter Beds

Data from the 2022 Point-in-Time (PIT) count provide a snapshot of the individuals and households experiencing homelessness on a given night across Brevard County and is useful for capturing insights on shelter utilization. Comparing data from the PIT and HIC helps estimate the unmet level of need across the county.

Table 17 provides PIT data for Brevard County and indicates how many individuals and households were sheltered or unsheltered on the day of the PIT count. The data show that there were 916 individuals comprising 767 households who were experiencing

homelessness on a given night in Brevard County. Among households experiencing homelessness, 351 (46 percent) were sheltered and 416 (54 percent) were unsheltered. For individuals, 473 (52 percent) were sheltered and 443 (48 percent) were unsheltered. Part of the reason Brevard County has a high rate of unsheltered individuals is because of the area's warmer climate.

Table 17: PIT Count of Individuals and Households in Brevard County

Households by Type	Sheltered		Unsheltered	Total
	ES	SH & TH		
Adult-only households	122	173	402	697
Families	16	27	14	57
Children-only households	13	0	0	13
Total Households	151	200	416	767
Individuals by Subpopulation	Sheltered		Unsheltered	Total
	ES	SH & TH		
People in adult-only households	125	177	415	717
People in families	55	103	28	186
People in children-only households	13	0	0	13
Chronically homeless persons	27	1	262	290
Severely mentally ill	8	18	163	189
Chronic substance abuse	7	19	167	193
Veterans	6	119	30	155
HIV/AIDS	0	1	8	9
Victims of domestic violence	1	1	119	121
Unaccompanied youth	20	7	7	34
Total Individuals	193	280	443	916

Data source: 2022 PIT.

When comparing data from the PIT and HIC, a few unmet needs become apparent. One is that there appears to be an insufficient number of shelter beds and supportive housing for chronically homeless individuals. The PIT count indicates that there were 290 chronically homeless individuals, of whom 28 (10 percent) were staying in emergency shelter or transitional housing while the remaining 262 (90 percent) were unsheltered. The HIC

indicates that there are 30 designated permanent supportive housing beds for chronically homeless individuals across the county. While it is unclear the extent to which chronically homeless individuals are residing in undesignated permanent supportive housing beds, the fact remains that there were 262 unsheltered chronically homeless individuals and a total of 207 permanent supportive housing beds across the county.

Another unmet need is for victims of domestic violence. The PIT count reveals that there were 121 victims of domestic violence on a given night in 2022 and that two (2 percent) were staying in a shelter and 119 (98 percent) were unsheltered. Given that the county has no designated beds for victims of domestic violence and the majority of victims are living in unsheltered locations, there appears to be a high need for shelter and housing space specifically for victims of domestic violence.

Lastly, there appears to be an unmet need for individuals with a severe mental illness or chronic substance use disorder. The PIT count indicates that there were 189 individuals with a severe mental illness, of whom 26 (14 percent) were sheltered and 163 (86 percent) were unsheltered. Similarly, there were 193 individuals with a substance use disorder and 26 (13 percent) were staying at a shelter while 167 (87 percent) were unsheltered. Individuals in either of these populations would most likely benefit from housing that is coupled with supportive services specific to their needs.

Homeless Management Information System System Performance Indicators

The Consortium also analyzed Homeless Management Information System (HMIS) data from 2022 on system performance indicators including program exits, returns to homelessness, and average length of stay to identify unmet needs in Brevard County.

In 2022, a total of 1,732 households were served, of which 1,709 were enrolled in a shelter or housing program and 1,193 exited a program during the year. Table 18 provides the number of households that exited a program by household and exit type. The data indicate that 576 (48 percent) of all households exited to a permanent destination, 508 (43 percent) exited to a temporary destination, and 109 (9 percent) exited to an unknown destination. Exits to permanent destinations are preferable to temporary or unknown locations when an individual or household exits a CoC program as these destinations offer greater housing stability. Permanent destinations can include exits to permanent supportive housing, permanent rental housing, permanent subsidized housing, or staying permanently with family or friends. Temporary destinations can include institutional, group, or assisted housing such as foster care or nursing homes; medical institutions such as hospitals, substance use treatment facilities, or psychiatric facilities; jails, prisons, or juvenile detention facilities; hotels or motels; emergency shelter, Safe Haven, or transitional housing; or temporarily staying with family or friends. Lastly, unknown destinations can include individuals who passed away during the program year, individuals who did not provide information as to where they exited, or individuals who exited to places not meant for human habitation such as vehicles or parks.

Among households that exited during the year, 740 (62 percent) were adult-only households, 235 (20 percent) were households with at least one adult and child, and 217 (18 percent) were households that only included children. Overall, households with children experienced higher exit rates to permanent destinations compared to adult-only households. Specifically, 44 percent of adult-only households exited to permanent destinations, while this figure was 57 percent for adult and child households and 53 percent for child-only households. Across the three household types, a small percentage of households exited to unknown destinations in 2022.

Table 18: Exit Destinations by Household Type

Exit Destinations	Household Type							
	All Households (Total=1,709)		Adult Only (Total=1,101)		Adult and Child (Total=373)		Child Only (Total=232)	
Households that exited during FY 2022	1,193		740		235		217	
	#	%	#	%	#	%	#	%
Permanent destinations	576	48%	329	44%	133	57%	114	53%
Temporary destinations	508	43%	330	45%	80	34%	97	45%
Unknown destinations	109	9%	81	11%	22	9%	6	3%

Data source: 2022 HMIS.

Table 19 provides additional insight into household exit destinations based on program enrollment and indicates that households that were enrolled in rapid rehousing or permanent supportive housing witnessed higher exit rates to permanent destinations than households that were not enrolled in one of these programs. While the table indicates that households could be enrolled in various combinations of shelter and housing programs, for households that were at some point enrolled in rapid rehousing or permanent supportive housing, the exit rate to permanent destinations was at least 60 percent. In comparison, for households that were not enrolled in rapid rehousing or permanent supportive housing, the highest exit rate to permanent destinations was 36 percent. This data suggests that households enrolled in rapid rehousing or permanent supportive housing are more likely to exit to permanent destinations compared to households not enrolled in these programs.

Table 19: Exit Destinations by Program Enrollment

Program Enrollment	Exit Destinations							
	Total Households		Permanent Destinations		Temporary Destinations		Unknown Destinations	
	#	%	#	%	#	%	#	%
ES/SH only	496	100%	179	36%	265	53%	52	10%
TH only	211	100%	69	33%	118	56%	24	11%
ES/SH + TH	18	100%	5	28%	12	67%	1	6%
RRH only	283	100%	194	69%	63	22%	26	9%
ES/SH + RRH	158	100%	109	69%	43	27%	6	4%
TH + RRH	18	100%	14	78%	4	22%	0	0%
ES/SH + TH + RRH	4	100%	3	75%	1	25%	0	0%
PSH only	5	100%	3	60%	2	40%	0	0%

Data source: 2022 HMIS.

Table 20 outlines the number of households who exited a program by exit destination and household type which include the following subpopulations.

- **Adult-Only 55+:** Households in which all members are at least 55 years old.
- **Adult with Three+ Children:** Households with at least one adult and three or more children.
- **Fleeing Domestic Violence:** Households where the head of household or any adult member identified that they were fleeing domestic violence at the time of project entry.
- **Have Disabled Member:** Households in which the head of household or an adult identified that they have a disabling condition at project entry.
- **First-Time Homeless:** A household that entered an ES, SH, TH, RRH, or PSH project and was not previously enrolled in any projects in the two years prior to entry.
- **Returners from a Permanent Destination:** A household that entered an ES, SH, TH, RRH, or PSH project and has a previous exit to a permanent destination from a project in the 15–730 days prior to enrollment.

The data indicate that the largest household subpopulation in 2022 was first-time homeless households, which accounted for 703 households. Of the first-time homeless households who exited a program during the year, 284 (40 percent) exited to a permanent destination, 353 (50 percent) exited to a temporary destination, and 66 (9 percent) exited to

an unknown destination. The second-largest subpopulation was households that included a disabled member, which accounted for 439 households. Half of these households exited to a permanent destination, 41 percent exited to a temporary destination, and 8 percent exited to an unknown location.

When comparing the household subpopulations, households fleeing domestic violence had the highest exit rate to permanent destinations (91 percent); however, this was also the smallest subpopulation, with 11 households that exited during the program year. In addition, three of the five recorded subpopulations had at least half of their households exiting to a permanent destination. The exception was for first-time homeless households and returners from a permanent destination where half of the households exited to temporary destinations.

Differences in the distribution of households exiting to permanent, temporary, or unknown locations across household subpopulations could indicate a need for more targeted housing, shelter, and services to better serve households experiencing homelessness.

Table 20: Exit Destinations by Subpopulation

Household Subpopulations	Exit Destinations							
	Total Households		Permanent Destinations		Temporary Destinations		Unknown Destinations	
	#	%	#	%	#	%	#	%
Adult-only 55+	285	100%	144	51%	112	39%	29	10%
Adult with 3+ children	70	100%	41	59%	24	34%	5	7%
Fleeing domestic violence	11	100%	10	91%	1	9%	0	0%
Has a disabled member	439	100%	220	50%	182	41%	37	8%
First-time homeless	703	100%	284	40%	353	50%	66	9%
Returners from a permanent destination	38	100%	16	42%	19	50%	3	8%

Data source: 2022 HMIS.

The Consortium also analyzed data on the number of days that households stayed in emergency shelter, Safe Haven, or transitional housing projects and the days spent in rapid rehousing and permanent supportive housing projects prior to move-in. Table 21 outlines the average cumulative number of days that households stayed in a project (referred to as “days homeless”). For the 1,709 households enrolled in a shelter or housing program in FY 2022, households spent an average of 188 days homeless. For adult-only households, the

average was 216 days, while this figure was 209 days for households with at least one adult and child, and 23 days for households with only children.

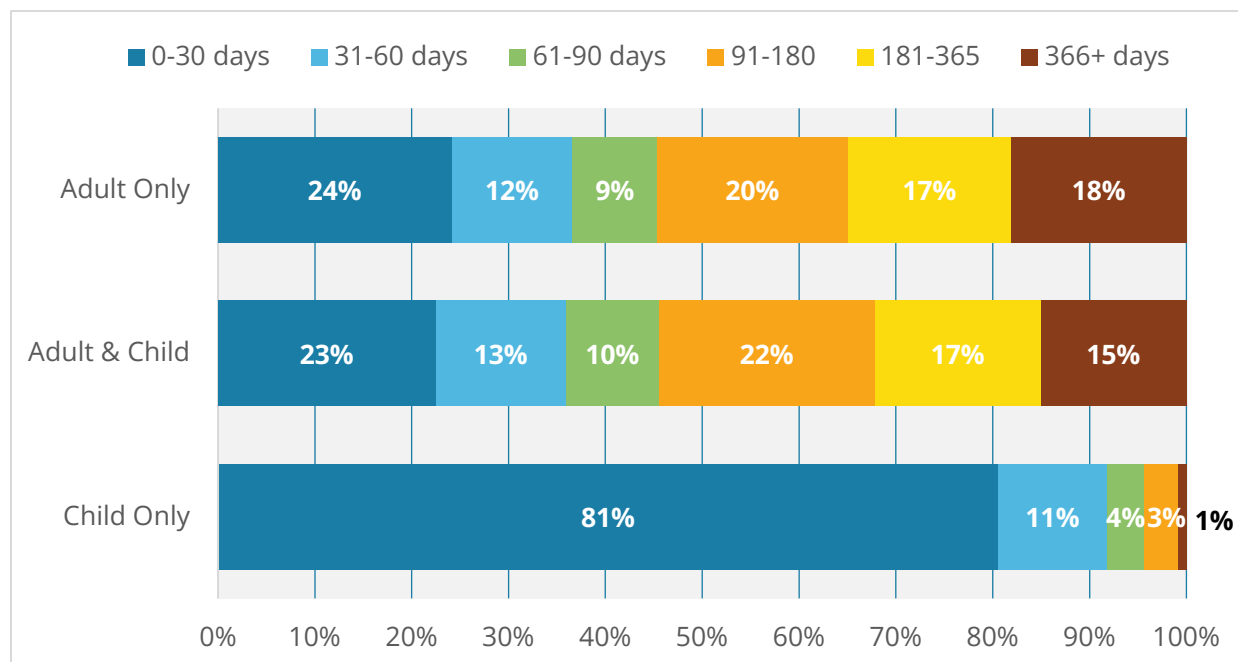
Table 21: Average Cumulative Days Homeless

Household Type	# Households	Average Days Homeless
All households	1,709	188
Adult-only	1,101	216
Adult and child	373	209
Child-only	232	23

Data source: 2022 HMIS.

Figure 46 depicts the share of households by household type in various intervals of days homeless. Overall, there is a more even distribution across intervals for households that contain adults compared to households with only children where 81 percent of households were homeless for less than 30 days.

Figure 46: Percentage of Households by Intervals of Days Homeless



Data source: 2022 HMIS.

Lastly, the Consortium reviewed data on returns to homelessness. Table 22 outlines the number of households that enrolled in an emergency shelter, Safe Haven, transitional housing, rapid rehousing, or permanent supportive housing project during the reporting period and have a record of previously exiting to a permanent destination six months prior to project enrollment. In 2022, 266 households had exited to a permanent destination six

months prior, of whom 28 returned to homelessness within six months. When disaggregated by household type, adult-only households had the lowest return rate at 6 percent while child-only households had the highest return rate of 18 percent.

Table 22: Returns to Homelessness by Household Type

Household Type	# Households Who Had Exited to Permanent Destinations	# Returns to Homelessness	% Returns to Homelessness
Adult-only	139	9	6%
Adult and child	62	7	11%
Child-only	65	12	18%
All households	266	28	11%

Data source: 2022 HMIS.

Overall, the data indicate that although child-only households spent fewer days homeless on average, this population witnessed a higher rate of returns to homelessness compared to adult-only and adult and child households in 2022. HMIS data also suggest that households enrolled in rapid rehousing or permanent supportive housing are more likely to exit to permanent destinations compared to households not enrolled in these programs, and that exits to permanent destinations vary by household subpopulation.

Unmet Needs in Brevard County

During the consultation process in the development of the AFH, stakeholders described the shelter and supportive housing needs facing persons experiencing homelessness in Brevard County. Stakeholders noted that there is currently limited shelter space across the county and that the overall shortage of affordable housing makes it challenging for individuals experiencing homelessness to locate permanent housing options. This has contributed to longer stays in short-term arrangements, such as emergency shelter, and can limit the availability of shelter space for other individuals in need of assistance.

Stakeholders also mentioned specific subpopulations with unmet shelter needs including single men and women, unaccompanied youth, youth who have aged out of foster care, seniors, and LGBTQI+ individuals. Many of these subpopulations do not have designated shelter space or targeted supportive services available to them. Stakeholders explained how some individuals are turned away from shelters either due to the lack of beds or a lack of services to assist them. Notably, there are also no designated shelter beds for victims of domestic violence or human trafficking across the county and stakeholders noted that this can make it harder to adequately meet this population’s needs. Lastly, stakeholders described how existing shelter capacity is often unable to accommodate entire households experiencing homelessness and that as a result, household members may need to split up across shelter facilities in order to be sheltered.

X. Evidence of Housing Discrimination

Overview

The following section reviews HUD fair housing complaint data on the prevalence and nature of cases of housing discrimination and then explores a sample of problematic online rental advertisement listings on a given day to showcase fair housing concerns impacting Brevard County.

Fair Housing Complaints

Many interactions involving housing transactions are covered under the Fair Housing Act, at all points in the housing process, whether for rental housing (including inquiries and applications for rental housing, lease conditions, seeking housing assistance, interactions with management, rental costs, rental housing renewal, and evictions) or homeowner housing (like viewing homes for sale, offering to purchase a home, getting a mortgage, homeowners insurance, home inspections, transaction fees, and in HOA rules).

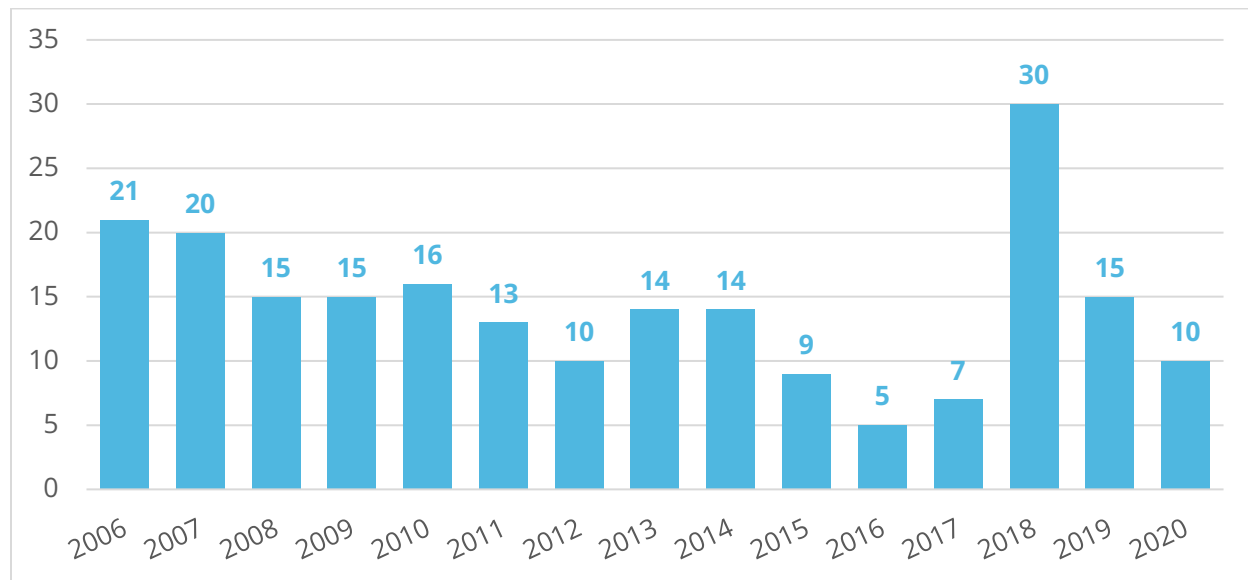
In Brevard County, residents who believe they have experienced housing discrimination have several avenues to file a complaint and may also qualify for additional assistance with suspected instances of housing discrimination. Residents can file a complaint with HUD's Office of FHEO for allegations of housing discrimination on the basis of a federally protected class. Any person or organization that can affect housing opportunities could have a complaint filed against them, including property owners and managers, developers, real estate agents, mortgage lenders, HOAs, and insurance providers. FHEO investigates complaints, which may be one or both of the following types:

- Discrimination under the Fair Housing Act (including housing that is privately owned and operated).
- Discrimination and other civil rights violations in housing and community development programs, including those funded by HUD.

HUD provides publicly available data on housing complaints submitted to FHEO since 2006, with the most recent data being for 2020. While HUD complaint data is a useful resource for better understanding the prevalence and nature of housing discrimination in a community, it is often an undercount of instances of housing discrimination because many individuals who experience discrimination or suspect they have been discriminated against do not report it. There are a variety of reasons an individual may not report housing discrimination such as lacking evidence to support their case; fearing retaliation for reporting the event; being unwilling to participate in an investigation; not wanting to bring attention to themselves, the suspected perpetrator, or the incident; not knowing how to file a complaint; not knowing that the discrimination they experienced is a fair housing violation; and more.

FHEO data indicate that from 2006 to 2020, there were 214 complaints filed by individuals for housing discrimination in which the alleged violation took place in Brevard County. Figure 47 indicates that 30 complaints were filed in 2018, which was the most complaints recorded for a single year within the dataset. Figure 48 depicts the sum of complaints by the basis of the complaint in the bar chart and then provides a breakdown of race-based complaints in the pie chart. It is important to note that a single complaint could be on the basis of more than one protected class.

Figure 47: Annual Fair Housing Complaints Submitted to HUD in Brevard County

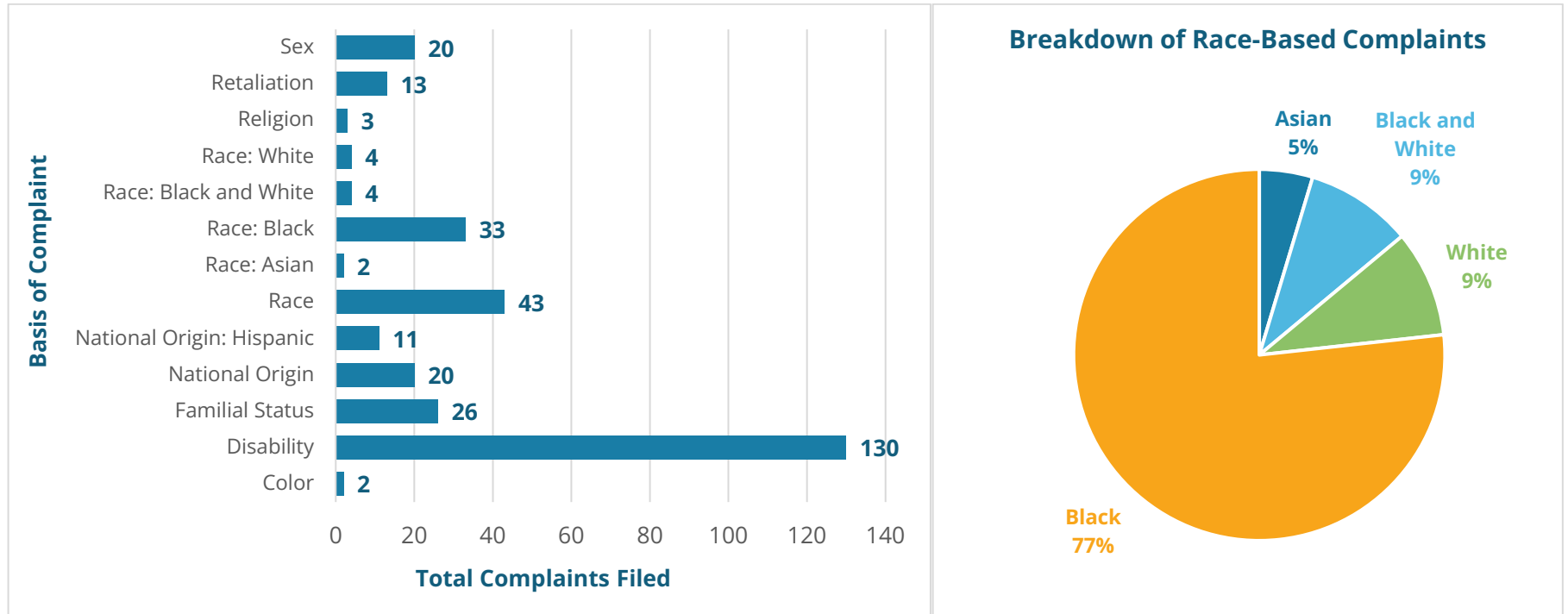


Data source: HUD FHEO Filed Cases in Brevard County (2006–2020), HUD, Updated November 10, 2020.

Of the 214 complaints filed during the time period, 130 (61 percent) were for discrimination on the basis of disability. Complaints on the basis of disability are often related to an individual being denied a modification or accommodation related to their disability. A common example includes an individual with a disability being denied the request to keep their assistance or service animal in their housing unit when they live in an apartment that has a no pets policy.

The second most common basis for complaints in Brevard County was on the basis of race which accounted for 43 or 20 percent of complaints. Among race-based complaints, 33 were on the basis of being Black/African American (77 percent), four were on the basis of being Black/African American and White (9 percent), four were on the basis of being White (9 percent), and two were on the basis of being Asian (5 percent). Among the 20 complaints submitted on the basis of national origin, 11 (55 percent) were on the basis of being Hispanic/Latino.

Figure 48: Basis of Fair Housing Cases Submitted to HUD in Brevard County (Left) and Breakdown of Race-Based Complaints (Right)



Data source: HUD FHEO Filed Cases in Brevard County (2006–2020), Updated November 10, 2020.

Community Data

Advertisements for housing are protected under the Fair Housing Act. Advertisements for nearly all types of housing are covered, including housing with legal exceptions under other sections of the law, like owner-occupied housing or multifamily housing with four or fewer units. The Fair Housing Act prohibits the making, printing, and publishing of advertisements that indicate a preference, limitation, or discrimination on the basis of protected class. “Advertising” also extends to online and web-based media, radio, as well as in-person, email, or phone discussions with prospective tenants and homebuyers.

While professional management companies of rental housing must follow fair housing laws as much as landlords who may own only a few rental units, professional management companies often have training and policies for advertisements. Owners of a few rental units are not typically housing professionals and may not know fair housing law, leading to housing advertisements that either would likely be found illegal in court or could be illegal depending on the circumstances.

Rental housing advertisements for properties within the Brevard County area were sampled from the website [Craigslist](#) in the category “Apartments/Housing for Rent” on a single day in June 2023. The language used in individual advertisements (quoted verbatim) that is listed in Table 23 could be considered discriminatory on the basis of the listed protected class. The three protected class groups found in multiple advertisements in the sample included familial status, religion, and disability.

Occupancy restrictions are a common statement on ads, which, when used to restrict families from housing, are illegal. Note that not all occupancy restrictions are inherently illegal, but could be illegal depending on fire, health, or building code occupancy requirements, and other similar exceptions within fair housing law. Likewise, use of an illegal drug is not covered by the Fair Housing Act, but a person who formerly used illegal drugs and has completed a treatment program would be considered as having a disability and therefore covered under the law. The ability to drive a car (and hold a driver's license rather than other legal identification) or perform housing maintenance (rather than ask or hire others to help with a task) also should not be stated within a housing advertisement.

Though there has been progress in educating the public about the requirements and rights under the Fair Housing Act, public education for both rental housing owners and tenants is needed continuously.

Table 23: Examples of Problematic Statements in Craig’s List Ads for Rentals in Brevard County

Problematic Statement from Rental Ad	Related Protected Class
For single occupant.	Familial Status
Located within a 5-minute walking distance to church.	Religion
Only one person, no couples, no overnight guests.	Familial Status
No drug use. If suspected will require drug testing.	Disability
Great for family and kids.	Familial Status
Please, no couch potatoes!	Possibly any protected class.
Only 1 Occupant. No exceptions!	Familial Status
We only rent to 3 people.	Familial Status
Per HOA rules no more than 4 unrelated persons allowed in unit.	Familial Status
Asking \$1,200 per month for single person. May consider couples, please ask.	Familial Status
Preferably Christian renters.	Religion
Must show driver’s license.	Possibly any protected class.

Data source: Craig’s List Rental Ads in Brevard County, June 2023.

XI. Fair Housing Action Plan

Overview

The following section summarizes the fair housing issues identified in the AFH and describes the steps that the Consortium will pursue to take meaningful actions to address some of the challenges that limit fair housing choice and contribute to disparities in Brevard County.

Identified Fair Housing Issues

Through data analysis and the consultation process, the AFH identified several fair housing issues and contributing factors impacting fair housing choice, segregation or the lack of integration, R/ECAPs, and disparities in access to opportunities. The AFH utilizes the following HUD definitions to describe fair housing issues, contributing factors, and meaningful actions:

- Fair Housing Issue* A condition in a jurisdiction's geographic area of analysis that restricts fair housing choice or access to opportunity and includes such conditions as ongoing local or regional segregation or lack of integration, R/ECAPs, significant disparities in access to opportunity, disproportionate housing needs, and evidence of discrimination or violations of civil rights law or regulations related to housing.
- Contributing Factor* A factor that creates, contributes to, perpetuates, or increases the severity of one or more fair housing issues. Goals in an AFH are designed to overcome one or more contributing factors and related fair housing issues.
- Meaningful Actions* Significant actions that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity.

The Consortium identified several fair housing issues and contributing factors in its analysis, which are summarized in Tables 24 and 25. The lack of a local fair housing organization is a concern for the county as there is not a countywide fair housing infrastructure in place to receive fair housing complaints, investigate concerns, coordinate education and outreach efforts, and enforce fair housing laws. The Consortium and other local providers work to fill this need, but having a fair housing agency with its own dedicated funding to lead these efforts would benefit county residents.

Other identified fair housing issues include discrimination in the rental housing market against unprotected groups including people with poor credit histories, criminal backgrounds, eviction records, and pets as well as protected classes such as families with children, people of color, multiracial households, and older adults (55+). Among homeowners, the AFH also identified concerns about predatory lending targeting low-income households, foreclosures, and discriminatory banking practices related to REO properties that adversely impact predominantly Black/African American and Hispanic/Latino neighborhoods.

Table 24: Fair Housing Issues in Brevard County

#	Fair Housing Issue	Associated with the Following Contributing Factors	Groups Impacted by Issue
1	The County does not have a local fair housing agency to accept fair housing complaints, conduct fair housing testing, provide fair housing education and outreach, or enforce fair housing laws.	12	All protected classes.
2	Housing voucher recipients face discrimination in the rental housing market from landlords who will not rent to them. Landlords may be prejudiced against them or be unwilling to work with government voucher programs.	5, 9	All protected classes. Persons with rental assistance vouchers
3	The limited supply of and high demand for rental housing allows landlords to use more stringent screening criteria for applicants regarding eviction and credit history, criminal justice involvement, pets, and even protected groups such as families with children, people of color, multiracial families, and older adults (55+).	1, 2, 4, 5, 6, 8, 9, 11	Protected classes including familial status (e.g., families with children), race, color, and age. Persons with eviction and poor credit histories, criminal backgrounds, and pets.
4	More affordable housing units are needed throughout the county, for all types of populations. The lack of affordable housing options limits housing choice.	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 14	All protected classes. All persons with incomes below 120% AMI.
5	In some small, closeknit communities, tenants are afraid of submitting fair housing complaints due to possible landlord retaliation, whether from existing landlords or potential future landlords.	12	All protected classes.
6	Environmental hazards are a concern in some areas with contamination. The Live Local Act allows for affordable housing development in industrial, commercial, and mixed-use zones, which could uncover issues with affordable housing placement in areas with environmental hazards and health risks.	1, 7, 11	All protected classes. All persons with incomes below 120% AMI.

#	Fair Housing Issue	Associated with the Following Contributing Factors	Groups Impacted by Issue
7	Predatory lending and foreclosures are a concern in some areas across Brevard County.	12	All protected classes. All persons with incomes below 100% AMI.
8	Seniors with low, fixed incomes have a need for home rehabilitation, accessibility improvements, and home modifications to help them age in place and maintain their housing.	3, 4, 9	Seniors (age 55+), persons with disabilities. Seniors with incomes below 80% AMI.
9	Several banks in the mid-Florida/Brevard County area failed to properly maintain REO properties in predominantly Black/African American and Hispanic/Latino communities. Poorly maintained REO properties reduced surrounding property values and adversely impacted communities of color.	15	People of color including people identifying as Black/African American and/or Hispanic/Latino. Communities with foreclosed properties (REO properties).

Table 25: Contributing Factors to Fair Housing Issues Across the Consortium

#	Fair Housing Contributing Factor
1	“Not in my backyard” mindsets and opposition to affordable housing or alternate housing options are issues in certain areas across the county that can prevent the development of affordable housing options.
2	Individuals and families can face sudden, sharp increases in housing costs, particularly for rent. This can price them out of communities with opportunities, force them to relocate, and make it harder to make ends meet.
3	Many seniors have difficulty getting transportation to medical appointments. For those with fixed incomes and limited housing options, the lack of accessibility to community resources and amenities can have dire consequences for their wellbeing.
4	Seniors with low, fixed incomes are less likely to afford increased housing costs and/or upkeep costs to maintain their homes.
5	Housing voucher recipients often struggle to locate rental units that are affordable and available to them.
6	Households on fixed incomes and families earning less than 80 percent AMI are at risk of homelessness or housing instability. Households earning 80–90 percent AMI often do not qualify for many assistance programs but would benefit from services to help them remain housed.

#	Fair Housing Contributing Factor
7	The Live Local Act offers new tools to encourage the development of affordable housing; however, there are not many developers looking to construct high density affordable housing in Brevard County.
8	Insurance costs and requirements have a big impact on driving up the cost of housing for rental units and homeowner units. Increasing costs for homeowners insurance and destruction following natural disasters and weather events also contribute to high housing costs.
9	The private market has few restraints on increasing rent.
10	Shelter space is needed for all populations but is particularly hard to find for families with children. It is difficult to find nonprofits/agencies who can operate shelters.
11	Development costs can be prohibitive in some areas, such as communities with infrastructure limitations.
12	The county previously had a local fair housing agency (The Fair Housing Continuum, Inc.), but the organization no longer exists. Other groups (such as the Consortium and service providers) offer fair housing resources and referrals, but overall fair housing resources and services across the county are limited.
13	Evictions have increased since the end of pandemic moratoriums and have remained high in some areas across Brevard County.
14	Certain types of housing that would be affordable to lower income persons, such as tiny homes and ADUs, are not allowed in some jurisdictions. This limits options to help lower-income residents find housing.
15	Discriminatory practices by banks related to poorly maintained REO properties reduced property values and adversely impacted predominantly Black/African American and Hispanic/Latino communities.

AFH Goals and Action Steps

The Consortium met for a series of working sessions to outline the group’s fair housing goals and action steps for the next several years. Table 26 includes the Consortium’s joint goals and action steps for Brevard County and the cities of Cocoa, Melbourne, Palm Bay, and Titusville to pursue as a Consortium.

The Consortium’s first goal is to continue providing fair housing education and outreach efforts to county residents. Currently, members of the Consortium set aside part of their CDBG and HOME resources to fund ongoing fair housing activities that have included PSAs on Space Coast TV, placement of fair housing billboards located across the county, and training sessions for the general public and tenants. Although the Consortium jointly works to provide fair housing services to the community in the absence of a local fair housing organization, it is important to recognize that the Consortium’s resources are insufficient to fully meet the needs of the community. In the upcoming years, the Consortium plans to devote some of its resources to public education and outreach efforts as well as work with local partners to explore strategies for reestablishing a local fair housing

organization. Specifically, the Consortium plans to meet with existing partner organizations to outline a common strategy for providing fair housing outreach and education across Brevard County to help meet the community's needs in the short and medium term. During consultation sessions for the AFH, the Consortium received feedback from service providers that various county resources contain outdated information on local fair housing resources. Part of the Consortium's efforts can therefore include coordinating with partners to update fair housing-related content so residents have a better sense of what resources are available and which organizations to contact. In addition, the Consortium intends to work with interested parties in reestablishing a local fair housing organization by exploring the potential agency's funding needs and possible funding sources. Working with interested parties to set up a local fair housing organization with dedicated funding sources would help better meet the community's fair housing needs in the long term.

Another Consortium goal is to continue creating affordable rental housing opportunities. To work toward this goal, the Consortium will continue preparations for its one-time HOME-ARP funding, which includes developing HOME-ARP policies and procedures based on the activity selections in the Consortium's HOME-ARP Allocation Plan. The Allocation Plan set aside \$3M for affordable housing development and part of HUD's requirements for administering and monitoring HOME-ARP funding includes developing HOME-ARP policies and procedures. Once the Consortium develops its policies and procedures, the Consortium will develop and issue a request for proposals (RFP) for projects to develop affordable and accessible rental housing opportunities. In addition, the Consortium will work together to establish affordable housing development goals for various AMI categories based on the needs of the county. Setting development goals and aligning multiple planning efforts—such as the Consolidated Plan, HOME-ARP Allocation Plan, and SHIP reports—will help the Consortium coordinate efforts across different strategies that are ultimately working toward the shared goal of enhancing housing options for residents.

Lastly, the Consortium plans to participate in future planning meetings with the SCTPO to encourage joint planning efforts between transportation and housing. The AFH identified the need for improved transportation access relative to housing, particularly for lower-income residents and seniors. By coordinating with the SCTPO, the Consortium aims to leverage resources and improve connectivity between housing, transportation, employment centers, and other amenities across Brevard County.

Consortium’s Fair Housing Action Plan

Table 26 outlines the Consortium’s joint fair housing goals and actions over the next several years. The goals and actions in the table include activities that Brevard County, Cocoa, Melbourne, Palm Bay, and Titusville will pursue together.

Table 26: Consortium’s Fair Housing Goals and Action Steps

#	AFH Goal <i>The target/ objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
1	Provide Fair Housing Public Outreach and Education	Enhance Intra-Consortium Coordination <ul style="list-style-type: none"> Consult with the Consortium’s partner organizations to establish common goals for providing fair housing outreach and education across Brevard County. Outline strategies and methods for providing fair housing outreach and education; identify target audiences for fair housing materials; and establish best practices for creating and publishing fair housing information. 	There is not an active local fair housing organization in Brevard County.	HOME, SHIP, CDBG	<ul style="list-style-type: none"> Renew and reaffirm relationships between the Consortium and its partners on fair housing goals and strategies. Develop the county’s fair housing strategy to guide actions over the next five or so years.
		Create and Publish Public Outreach & Fair Housing Education Resources <ul style="list-style-type: none"> Using the county’s fair housing strategy, develop fair housing resources for the public such as a PSA on Space Coast Government TV and fair housing information on the county’s/city’s websites. 	There is not an active local fair housing organization in Brevard County. Evidence indicates that fair housing discrimination takes	HOME, SHIP, CDBG	<ul style="list-style-type: none"> Increase public education and awareness of fair housing issues. Clarify the process for residents to access fair housing resources and services.

#	AFH Goal <i>The target/ objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
		<ul style="list-style-type: none"> Coordinate with the Consortium's partners so that fair housing resources and information reflect what is currently available in the county and are updated routinely. 	place in Brevard County.		<ul style="list-style-type: none"> Reduce the frequency of fair housing issues in Brevard County.
		<p>Look into Re-Establishing a Local Fair Housing Organization</p> <ul style="list-style-type: none"> Support interested parties in outlining steps for reestablishing a local fair housing organization, including exploring funding needs and potential funding sources. 	There is not an active local fair housing organization in Brevard County.		<ul style="list-style-type: none"> Assist partners in exploring options for reestablishing a local fair housing organization.
2	Create Affordable Rental Housing Opportunities	<ul style="list-style-type: none"> Develop HOME-ARP policies and procedures to guide the use of the Consortium's one-time allocation of HOME-ARP funding (\$3M was set aside for affordable housing development). Issue an RFP to solicit proposals to develop accessible, affordable rental housing options that are available to persons with disabilities. 	There is a need for accessible affordable housing options for persons with disabilities.	HOME-ARP	<ul style="list-style-type: none"> The Consortium estimates that HOME-ARP could fund 10 rental units, assuming that HOME-ARP covers 100 percent of the cost for each unit.

#	AFH Goal <i>The target/ objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
		<ul style="list-style-type: none"> Facilitate a strategic planning meeting with the Consortium to establish affordable housing development goals for various AMI categories based on need and tie multiple planning efforts (Consolidated Plan, HOME-ARP Allocation Plan, SHIP reports, etc.) together. Continue to issue RFPs to fund the development of a variety of affordable housing options for Brevard County residents. 	<p>There is a need for housing affordable to households earning less than 140% AMI.</p>	<p>HOME, SHIP, CDBG</p>	<ul style="list-style-type: none"> Coordinate affordable housing projects across the Consortium. Establish affordable housing development goals to guide efforts across multiple fundings sources and plans.
3	Align Planning Initiatives to Increase Access to Opportunity for Underserved Residents Across Brevard County	<p>Continue Engagement and Coordination with the SCTPO</p> <ul style="list-style-type: none"> Participate in transportation planning meetings to provide input on the affordable housing needs of lower-income households, underserved communities, and protected classes in Brevard County. Advocate for further study of the relationship between housing and transportation and best practices for policy and planning in the upcoming 2050 Long Range Transportation Plan. Work with SCTPO to encourage connectivity between transit systems, 	<p>There is a need for accessibility to public transportation for residents of low-income areas and seniors.</p>	<p>Florida Department of Transportation (FDOT)</p>	<ul style="list-style-type: none"> Enhance alignment between transportation and housing planning. Improve residents' connectivity between affordable housing units, public transportation, and other community amenities.

#	AFH Goal <i>The target/ objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
		affordable housing, and employment centers in the county.			

Brevard County's Fair Housing Action Plan

Table 27 outlines Brevard County's fair housing goals and actions over the next several years. The goals and actions in the table include activities that Brevard County will pursue outside of the Consortium.

Over the next few years, Brevard County will continue to provide funding opportunities to support the development of a range of affordable and workforce housing options for residents. Based on the findings from the AFH, the county will ensure that the RFPs for funding opportunities encourage the development of housing units that are accessible to people with disabilities and are available to a variety of income levels. The consultation sessions for the AFH indicated that there is a shortage of affordable housing options for a variety of income levels; however, households earning between 80–90 percent AMI often do not qualify for housing assistance programs and as a result are not served. Part of this process will therefore include reviewing how multiple funding sources such as CDBG, HOME, and SHIP can be leveraged to meet housing needs for households earning up to 140 percent AMI to better meet the community's housing needs.

In addition to continuing its current affordable and workforce housing development activities, Brevard County also intends to explore the County Code and ordinances in light of the Live Local Act. Along with the county's AHAC and planning and zoning boards, staff will meet over the next few months to develop recommendations for ways to provide flexible options and incentives to encourage the development of affordable housing options. Since the Live Local Act allows for affordable housing development projects in areas zoned for industrial, commercial, and mixed use, the county will study current sites for suitability for affordable housing projects and consider how to utilize new statutory tools made available under the Live Local Act.

Table 27: Brevard County's Fair Housing Goals and Action Steps

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
1	Create and Preserve Affordable Housing and Workforce Housing	Fund affordable housing options (at or below 120 percent AMI) that are accessible to persons with disabilities. <ul style="list-style-type: none"> Continue to advertise RFP funding opportunities that will create or preserve affordable housing that is accessible to persons with disabilities. 	There is a lack of affordable housing options that are affordable to households earning below 120 percent AMI and accessible to persons with disabilities.	HOME, SHIP, CDBG	<ul style="list-style-type: none"> Create and preserve affordable housing that is accessible to persons with disabilities.
		Fund housing developments for workforce housing (at or below 140 percent AMI) <ul style="list-style-type: none"> Continue to advertise RFP funding opportunities that will create or preserve affordable/workforce housing. 	There is a need for workforce housing affordable to households earning up to 140 percent AMI.	HOME, SHIP, CDBG	<ul style="list-style-type: none"> Create and preserve workforce housing.
2	Provide Incentives and Flexible Options in County Code and Ordinances to Encourage Affordable Housing Development	<ul style="list-style-type: none"> Work with the AHAC and planning and zoning board to review the County Code and ordinances and develop recommendations for potential modifications. Study the county's commercial, industrial, and mixed-use sites that could utilize new statutory tools under the Live Local Act. Create an inventory of eligible parcels for affordable housing development. Develop a timeline and next steps for implementing incentive strategies in the County Code, reviewing draft ordinances, and developing policy changes. 	Deficits and loss of affordable/workforce housing units and to persons with disabilities and persons in protected classes.	SHIP incentives and strategies including those per FL SB 102, Live Local Act	<ul style="list-style-type: none"> Identify methods for the county to facilitate development and infill projects in commercial, industrial, and mixed-use sites.

Cocoa's Fair Housing Action Plan

Table 28 outlines the City of Cocoa's fair housing goals and actions over the next few years. The goals and actions in the table include activities that the city will pursue outside of the HOME Consortium.

Over the next few years, Cocoa intends to review and strengthen the city's existing housing programs and services, update public-facing information on available resources, and better leverage its limited resources to address priority needs. The data analysis and information gathered through the consultation process for the AFH identified significant housing needs in Cocoa; however, the city's CDBG and HOME resources continue to decrease each year, which limits the reach of housing programs and services. While the city's SHIP allocation from the state will increase over the next fiscal year, anticipated resources in the coming years are not sufficient to fully address housing needs in Cocoa.

Given limited resources and the needs identified in the AFH, the city plans to continue its Purchase Assistance Program, which helps qualifying low-income households become first-time homeowners. The city would like to modify the program to include the Diamond Square Community Redevelopment Area (CRA) and expand eligibility to households earning up to 90 percent AMI. The Diamond Square CRA is an area that includes a high level of need for housing assistance. Through the consultation sessions for the AFH, stakeholders also indicated that there is a shortage of affordable housing options for a variety of income levels; however, households earning between 80–90 percent AMI often do not qualify for housing assistance and as a result are not served. The AFH further identified predatory lending as a concern in Cocoa. By providing first-time homebuyer assistance, the city can educate households about the warning signs of predatory lending while offering financial assistance for households to become homeowners. Using CRA funding, the city anticipates helping up to 10 households over the next two years through the program.

Cocoa also intends to continue its Housing Rehabilitation Program, which funds rehab for very low-income and low-income homeowners living in older homes in need of maintenance. Currently, the program has a closed waitlist with 30 households that need assistance. Although the city is unable to serve many households with current funding levels, data analysis and information gathered through the consultation process indicate that a significant portion of the city's affordable housing stock is old and requires rehab. By assisting lower-income households in maintaining their housing, Cocoa helps enhance housing stability while preserving the city's affordable housing stock.

Additionally, two of the city's goals include revising internal grant application procedures and working with partner organizations to better align grant funding opportunities with community needs. Through the consultation process, stakeholders shared that existing procedures can be confusing and cumbersome for service providers applying for city funding. The city intends to streamline its CDBG and HOME grants application process to make it easier for organizations to apply for funding while highlighting needed community services such as homelessness prevention and transportation services. These efforts would also include outreach to organizations such as informational sessions to clarify the application process, answer questions, and highlight city funding priorities. Cocoa also plans to modify some of its program requirements for beneficiaries so it is easier for assisted households to participate in and understand program rules.

Lastly, Cocoa plans to review and update materials that list available housing programs and services for residents. Internally, the city would like to develop updated handouts for city staff to better refer residents to available resources. Externally, Cocoa intends to coordinate with partners and align public outreach and education efforts so residents in need have current resources and contacts for available services.

Table 28: Cocoa's Fair Housing Goals and Action Steps

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
1	Increase First-Time Homeownership Opportunities for Households Earning Less Than 90 Percent AMI	Review and modify the city's existing Purchase Assistance Program so more lower income households can become first-time homeowners by: <ul style="list-style-type: none"> Expanding the program to include the Diamond Square CRA. Increasing the income eligibility requirements to serve households earning up to 90 percent AMI. 	<ul style="list-style-type: none"> There is a lack of affordable housing for households earning less than 90 percent AMI. Oftentimes, households earning between 80–90 percent AMI do not qualify for housing programs and go unassisted. 	CRA funds	Over the next two years, the city anticipates assisting 10 households through the program.
2	Support the Rehabilitation and Preservation of Affordable Housing Units for Lower-Income Homeowners	Continue the city's existing Housing Rehabilitation Program to provide funding for very low-income and low-income households to maintain their homes, remain stably housed, and ultimately preserve the city's housing stock.	<ul style="list-style-type: none"> There is a lack of affordable housing for very low-income and low-income households as well as seniors and persons with disabilities. Many lower-income households living in older units need rehabilitation assistance to preserve their current housing. 	SHIP and CDBG funds	Over the next two years, the City anticipates rehabbing two to three housing units, assuming that each unit receives up to \$40K in assistance. The number of units assisted depends on the city's SHIP and CDBG allocations as well as the extent of rehabilitation required for eligible housing units.
3	Improve the City's CDBG and HOME	Review and revise the city's existing HOME application procedures to:	While not directly tied to a fair housing issue, this goal will help more effectively	CDBG and HOME resources	The city intends to review and revise CDBG and HOME procedures prior to

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
	Grant Application Procedures	<ul style="list-style-type: none"> • Make housing programs easier for beneficiary households to participate in and understand. <p>Review and revise the city's existing CDBG grant application procedures to:</p> <ul style="list-style-type: none"> • Streamline the application process to make it easier for providers and nonprofits to apply for funding. • Highlight needed community services, such as homelessness prevention and transportation assistance, and tie these services to funding opportunities. 	utilize limited city resources to address priority needs.		the next RFP cycle in FY 2024.
4	Enhance Partnerships with Local Agencies to Increase Participation in Funding Opportunities for Affordable Housing and	<ul style="list-style-type: none"> • Identify partner organizations that do not currently apply for city funding but could provide affordable housing and homelessness prevention in Cocoa. • Conduct outreach to existing partners as well as potential 	While not directly tied to a fair housing issue, this goal will help service providers access funding opportunities to address Cocoa's priority needs.	CDBG	The city intends to conduct outreach to partner organizations prior to the next RFP cycle for CDBG in January 2024.

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
	Homelessness Prevention	partners to provide informational sessions on the city's grant application process and answer questions. <ul style="list-style-type: none"> Share the city's priorities for providing affordable housing and homelessness prevention services with prospective grant applicants. 			
5	Improve Outreach and Education on Housing Programs and Resources Available for Residents	Review and revise the city's internal process for referring residents to housing programs and services by: <ul style="list-style-type: none"> Creating handouts listing the current housing programs and services available to Cocoa residents. Sharing updated resources with staff across City departments. 	There is a need to update the city's internal process for referring residents to housing programs and services.	CDBG, HOME, and SHIP	The city plans to update internal resources over the next year.
		Enhance the city's external process for sharing information on current housing programs and services by: <ul style="list-style-type: none"> Creating external-facing handouts listing current housing programs and 	There is a need to improve coordination with external partners and better align information on current housing programs and services available to Cocoa residents.	CDBG, HOME, and SHIP	The city plans to work with partner organizations to align resources and share content with the public over the next two years.

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
		services available to Cocoa residents. <ul style="list-style-type: none"> • Develop PSAs to share current housing programs and services with community members. • Work with partner organizations to align public outreach and education initiatives related to housing programs and services for residents. 			

Melbourne's Fair Housing Action Plan

Table 29 outlines the City of Melbourne's fair housing goals and actions over the next several years. The goals and actions in the table include activities that the city will pursue outside of the HOME Consortium.

Over the next few years, Melbourne will continue funding opportunities to promote housing stabilization through its owner-occupied rehabilitation program as well as develop a new foreclosure prevention strategy. The city's owner-occupied rehabilitation program provides qualifying low-income homeowners with a deferred payment loan to fund necessary repairs to bring homes into compliance with City Code and the Florida Building Code. During the consultation process, stakeholders noted that seniors living on a fixed income often struggle to maintain their homes and that rising housing costs exacerbate challenges with housing stability in Brevard County. Through the city's rehabilitation program, Melbourne is able to help low-income homeowners maintain their housing and remain stably housed while preserving some of the city's affordable housing stock. In FY 2023–2024, Melbourne anticipates funding the fullscale rehabilitation of five to seven homeowner units.

Information gathered through the consultation sessions for the AFH indicated that predatory lending is a concern for some communities in Brevard County and that sharp increases in housing costs can threaten housing stability and risk foreclosure for many lower-income households. In the wake of sudden and sharp increases in housing costs, predatory lenders may also take advantage of low-income homeowners that are unable to find financing through traditional means. Both predatory lending and foreclosure can destabilize households and disrupt entire communities. To address concerns over predatory lending and foreclosures, the city intends to develop a foreclosure prevention strategy that would assist eligible households at risk of foreclosure with payments, taxes, insurance, and utilities. The strategy would incorporate educational resources on noticing and avoiding predatory lending while offering assistance to help stabilize households in the community. Melbourne plans to further develop and outline this strategy in its Local Housing Assistance Plan during FY 2024–2025.

Lastly, the city intends to continue funding affordable housing development projects, TH and supportive services for households experiencing homelessness, and assistance to keep families stably housed. Melbourne works with nonprofit agencies and partners to provide public services, case management, and rental assistance to families at risk of homelessness or currently experiencing homelessness.

Table 29: Melbourne’s Fair Housing Goals and Action Steps

#	AFH Goal <i>The target/ objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
1	Promote Housing Stabilization	Continue the city’s current open strategy for owner-occupied rehabilitation	<ul style="list-style-type: none"> Helping families earning less than 80 percent AMI. Helping seniors age in place. Address families at risk of homelessness or housing instability. 	HOME and SHIP, based on funding and set-aside requirements	The city anticipates serving five to seven owner-occupied full-scale rehabilitation projects in SHIP FY 2023–2024, with a budget for each project of approximately \$95,000.
		<ul style="list-style-type: none"> Create a new strategy to serve households at risk of foreclosure through assistance with payments, taxes, insurance, and utility protection. Outline a strategy in the city’s Local Housing Assistance Plan during FY 2024–2025. 	<ul style="list-style-type: none"> Low-income households can be targeted by predatory lenders and/or lose their housing to foreclosure. Insurance costs contribute to the unaffordable cost of housing. 	Staff time to develop strategy	<ul style="list-style-type: none"> Help stabilize households and prevent foreclosure for low-income homeowners. Develop a new strategy to guide city efforts.
2	Provide Public Services and Case Management for At-Risk Households	Continue to work with non-profit agencies to provide public services, case management, and direct financial	Persons experiencing or at risk of homelessness and those with disabilities and/or mental health conditions have	CDBG—Public Services	<ul style="list-style-type: none"> Assist residents in remaining stably housed. Connect residents with needed

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
		services for rent to families who are at risk of homelessness or homeless.	acute needs and need services to achieve housing stability.		services to prevent episodes of homelessness. •
3	Encourage New Construction of Affordable Housing	Review projects and award American Rescue Plan Act (APRA) funding for the development of affordable housing for households earning less than 80 percent AMI.	There is a need for housing affordable to households earning less than 80 percent AMI.	\$1.5M in American Rescue Plan Act funds	<ul style="list-style-type: none"> • Development of affordable housing units. • Anticipated to be completed by October 1, 2026.
4	Provide Purchase Assistance with Rehabilitation & Housing Counseling	Provide purchase assistance and housing counselling to households earning between 80–120 percent AMI to assist with rehabilitation.	Households earning between 80–120 percent AMI often do not qualify for other programs and fall through the cracks. There is a need for home rehabilitation, accessibility improvements, and home modifications to help people remain stably housed.	\$309K in SHIP for two fiscal years	\$309,631 had been earmarked in two SHIP fiscal years to provide purchase assistance and counselling. The anticipated completion date is by June 30, 2025.
5	Provide TH and Supportive Services for Persons Experiencing Homeless	Continue to work with non-profit organizations in HOME and CDBG FY 2024–2025 that can provide housing units to at-risk persons/families due to domestic violence, aging out of foster care,	Provides units and supportive services to homeless and families at risk of homelessness who earn less than 80 percent AMI and in most cases are below 30 percent AMI.	CDBG and HOME	Create new units for households experiencing homelessness and offer case management and supportive services to help households move onward to permanent housing and self-sufficiency.

#	AFH Goal <i>The target/ objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
		mental health, and or disabilities.			

Palm Bay’s Fair Housing Action Plan

Table 30 outlines the City of Palm Bay’s fair housing goals and actions over the next several years. The goals and actions in the table include activities that the city will pursue outside of the HOME Consortium.

Palm Bay plans to continue its Homeowner Assistance and Home Purchase Assistance programs as well as utilize incentives provided through SHIP and the Live Local Act to encourage the development and preservation of affordable housing options in the city. The AFH underscored the need for housing and services to help individuals with special needs, seniors, and those with disabilities live in supportive housing arrangements or have the option to remain housed in their current living situation. Palm Bay’s housing programs currently offer services such as homeowner rehabilitation, utility hookup assistance, and homeowner purchase assistance to help low-income persons remain stably housed. In addition, Palm Bay uses HOME and SHIP to fund the development of affordable rental housing projects and CDBG to fund public services for low- and moderate-income residents.

The city also plans to explore ways to promote mobility among low-income residents by funding vouchers for medical transport for seniors that struggle to secure transportation to medical appointments. During the consultation sessions for the AFH, stakeholders noted that low-income seniors living on fixed incomes have difficulty accessing transportation options for medical appointments. Vouchers would help bridge the gap for seniors who are otherwise unable to secure transportation to medical facilities.

The city will also take the next few months to review the City Code, ADU ordinance, and tiny homes ordinance and develop recommendations for ways to provide more flexible options for residents and developers. During the consultation process for the AFH, program staff noted that aspects of the city’s existing tiny homes ordinance could be improved to make it easier and more affordable to comply with local policies while still meeting community needs for more affordable housing. The City Code and ordinance review process would also include studying the city’s commercial, industrial, and mixed-use sites for suitability for affordable housing projects and strategies for utilizing statutory tools made available under the Live Local Act.

Table 30: Palm Bay's Fair Housing Goals and Action Steps

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
1	Increase the Stock of Affordable and Accessible Rental Housing in Palm Bay.	<ul style="list-style-type: none"> Implement SHIP incentives to encourage the development of affordable rental units. Study the city's commercial, industrial, and mixed-use sites that could utilize new statutory tools under the Live Local Act. 	Reduction in number of cost-burdened households.	About \$100K in SHIP and \$1.7M in American Rescue Plan funds	Develop approximately 44 affordable housing rental units in the next five years using SHIP and American Rescue Plan funds.
		Provide incentives to increase the number of affordable housing units for low-income residents and special needs residents.	More affordable housing units are needed throughout the county for all types of populations.	HOME, CDBG, SHIP, State Apartment Incentive Loan	The city anticipates adding eight affordable housing units in the next five years.
		Review City Code and ADU and tiny homes ordinances to identify strategies to help reduce development costs while encouraging the production of safe and decent housing options.	There is a need for a variety of affordable housing options.	Staff time to review and develop recommendations for code and ordinance updates	Allow flexible options to facilitate the development of ADUs and tiny homes.
2	Maintain Affordable, Accessible Housing in Integrated Settings for Persons with Disabilities and	Continue to fund housing repairs for persons with special needs in order to keep them in their homes.	There is a need for home rehabilitation, accessibility improvements, and home modifications to help seniors age in place,	The city anticipates utilizing SHIP funds to address this goal	The city expects to assist approximately 20 households in the next five years.

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
	Those Who Need Supportive Services.		including persons with disabilities.		
3	Encourage Mobility Among Low-Income Residents Living in Areas of Poverty, Particularly in R/ECAPs.	Identify nonprofit agencies that can provide Space Coast Area Transit Bus Vouchers or medical transport to low-income residents.	Helping low-income residents and seniors with transportation needs, including medical appointments.	The city will use CDBG and CDBG CARES Act funds	The city will assist approximately 105 residents with mobility services.

Titusville's Fair Housing Action Plan

Table 31 outlines the City of Titusville's fair housing goals and actions over the next several years. The goals and actions in the table include activities that the city will pursue outside of the HOME Consortium.

The city plans to pursue fair housing education and outreach activities both with the Consortium (described previously) and independently (summarized below in Table 31). The city's fair housing goals and actions include continuing its annual social media campaign to promote fair housing awareness and education for the general public by publishing information on the city's social media accounts during Fair Housing Month. Titusville also intends to develop a fair housing education strategy specifically to provide factual information on the purpose and impacts of affordable housing projects. Over the past few years, the city has seen local opposition groups that organize against affordable housing projects. Some groups spread misinformation about affordable housing projects that are based on stereotypes of the people they believe will live in affordable housing or are based on resident fears of the impacts of affordable housing projects on the community. Titusville plans to publish factual information on what affordable housing is, who it serves in the community, and examples of case studies from local communities to provide evidence of the likely impacts of projects on the surrounding area. The goal of these efforts is to address resident concerns while promoting facts over misinformation, so that the city can help support housing options for all of its residents.

In addition, Titusville plans to continue promoting the development of affordable housing options to meet the needs of the community. Specifically, the city aims to issue funding opportunities through RFPs as well as build new relationships and strengthen existing connections with affordable housing developers to advocate for projects that provide units for a variety of household sizes. Through the consultation process, the city indicated that some households in lower-income communities are living in overcrowded housing situations because they cannot afford a suitably sized unit. By working with the city's partners, Titusville aims to encourage projects that help address overcrowding.

Lastly, Titusville intends to continue reviewing its City Code, ordinances, and new tools provided by the Live Local Act for ways to promote affordable housing development while upholding the safety and wellbeing of residents. The city annually reviews its codes and ordinances for opportunities to encourage affordable housing development and has recently started researching ways to utilize incentives and strategies under the Live Local Act. Since the Live Local Act allows for the development of affordable housing in industrial, commercial, and mixed-use zones, Titusville wants to ensure that any potential housing developments in these zones is not located in areas with environmental and health-related hazards.

Table 31: Titusville’s Fair Housing Goals and Action Steps

#	AFH Goal <i>The target/ objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
1	Fair Housing Outreach and Education	<ul style="list-style-type: none"> Continue the city’s fair housing social media campaign, which includes developing and publishing fair housing information for the general public on the city’s social media accounts each year during Fair Housing Month. 	<ul style="list-style-type: none"> There is not an active local fair housing organization in Brevard County. Evidence indicates that fair housing discrimination takes place in Brevard County, including Titusville. 	CDBG, SHIP, HOME	<ul style="list-style-type: none"> Increase public education and awareness of fair housing issues. Reduce the frequency of fair housing issues in Titusville.
		<ul style="list-style-type: none"> Outline a strategy for the city to develop and publish information geared toward local opposition groups to explain the purpose and impacts of affordable housing projects in the community. Address concerns voiced by local opposition groups, particularly related to special needs housing projects. 	Local groups have organized in opposition against affordable housing projects.	CDBG, SHIP, HOME	<ul style="list-style-type: none"> Educate residents about affordable housing and its impacts on the community using local case studies. Address legitimate concerns from the community. Promote special needs housing opportunities in Titusville to improve access to housing for residents.

#	AFH Goal <i>The target/objective for the next few years</i>	Action Steps <i>The next steps in making progress toward the goal</i>	Fair Housing Issue(s) the Action Aims to Address <i>The issue(s) the action will help address</i>	Anticipated Resources <i>The resources expected to support the identified action</i>	Expected Outcomes <i>The specific outcomes the action aims to accomplish</i>
2	Promote a Variety of Affordable Housing Options for Residents	<ul style="list-style-type: none"> Continue to issue RFPs to fund the development of a variety of affordable housing options for city residents. Strengthen existing connections and develop new relationships with developers and nonprofits to advocate for projects that address specific housing concerns in the city such as overcrowding. Encourage the development of affordable housing options for households of different sizes to meet the needs of the community. 	<ul style="list-style-type: none"> There is a need for affordable housing options. Overcrowding is an issue in some lower income communities in Titusville. 	CDBG, SHIP, HOME	<ul style="list-style-type: none"> Encourage the development of affordable housing units. Reduce the number of households that are living in overcrowding situations.
3	Provide Incentives and Flexible Options in City Code and Ordinances to Encourage Affordable Housing Development	<ul style="list-style-type: none"> Continue studying the city's commercial, industrial, and mixed-use sites that could utilize new statutory tools under the Live Local Act. Continue steps to implement incentive strategies in the City Code, review ordinances, and develop policy changes. 	Deficits and loss of affordable housing units.	SHIP incentives and strategies, including those per FL SB 102, Live Local Act	<ul style="list-style-type: none"> Identify methods for the city to facilitate development and infill projects in commercial, industrial, and mixed-use sites while ensuring the health, safety, and wellbeing of prospective affordable housing residents.

Appendix

Community Engagement Tables

The following table includes the 57 organizations that provided input in the development of the AFH.

Table A-1: Consulted Organizations for the AFH

#	Organization Name	Organization Type	Consultation Method		Consultation Date(s)
			Session	Survey	
1	2-1-1 Brevard	Services, Referrals	X	X	4/7/2022, 10/4/2022, 10/26/2022, 12/7/2022
2	Aging Matters	Services, Serving Persons with Disabilities	X		4/7/2022, 9/1/2022, 10/26/2022
3	Arise International Ministry	Serving Persons Experiencing Homelessness	X		10/26/2022
4	Brevard Alzheimer's Foundation	Services, Serving Persons with Chronic Health Conditions/ Disabilities		X	11/29/2022
5	Brevard County Housing and Human Services Department	County Government	X	X	8/25/2022, 10/4/2022, 10/13/2022
6	Brevard Affordable Housing Advisory Committee (AHAC)	County Advisory Committee	X		8/18/2022
7	Brevard County Public Schools	Public School System		X	12/6/2022
8	Brevard Family Partnership	Services	X	X	4/7/2022, 10/26/2022, 11/29/2022
9	Brevard Health Alliance	Healthcare Center	X		10/4/2022

#	Organization Name	Organization Type	Consultation Method		Consultation Date(s)
			Session	Survey	
10	Brevard Homeless Coalition (Palm Bay, Melbourne, Brevard County CoC (FL-513))	Continuum of Care Lead, Services	X	X	8/25/2022, 9/1/2022, 10/13/2022, 10/26/2022, 12/1/2022, 12/6/2022
11	CareerSource Brevard	Services, Job Readiness	X		10/26/2022, 12/6/2022
12	Carrfour Supportive Housing	Community Housing Development Organization, Affordable Housing Developer		X	12/6/2022
13	Catholic Charities of Central Florida	Services, Serving Persons Experiencing Homelessness	X	X	4/7/2022, 10/26/2022, 12/7/2022
14	Central Brevard Sharing Center	Services	X		4/7/2022, 10/26/2022
15	Central Florida Cares Health System (CFCHS)	Mental Health Services, Substance Use Services	X		9/1/2022
16	Christ Is the Answer (CITA) Rescue Mission	Services, Serving Persons Experiencing Homelessness		X	12/1/2022
17	Circles of Care	Services, Youth Social Services		X	12/2/2022
18	City of Cocoa	Local Government	X		8/23/2022, 9/1/2022,
19	City of Melbourne	Local Government	X	X	8/23/2022, 9/1/2022, 11/28/2022, 12/6/2022
20	City of Palm Bay	Local Government	X		8/23/2022, 9/1/2022
21	City of Titusville	Local Government	X	X	8/23/2022, 12/1/2022
22	Cocoa Housing Authority	Public Housing Authority		X	4/7/2022, 4/14/2022, 11/28/2022

#	Organization Name	Organization Type	Consultation Method		Consultation Date(s)
			Session	Survey	
23	Community of Hope	Services, Serving Persons Experiencing Homelessness	X	X	4/13/2022, 9/1/2022, 10/26/2022, 11/28/2022, 12/2/2022
24	Community Housing Initiatives (CHI)	Community Housing Development Organization, Affordable Housing Developer	X		4/13/2022
25	Community Legal Services of Mid-Florida	Services, Legal Services	X		4/14/2022
26	Crosswinds Youth Services, Inc.	Service, Serving Youth Experiencing Homelessness	X		10/26/2022
27	Daily Bread	Service, Serving Persons Experiencing Homelessness	X	X	9/1/2022, 10/26/2022, 11/30/2022
28	Eckerd Connects	Service, Serving Persons Experiencing Homelessness	X		9/1/2022, 10/26/2022
29	Elevate Brevard	Service, Educational and Job Readiness	X		4/13/2022
30	Family Promise of Brevard	Service, Serving Persons Experiencing Homelessness	X	X	10/26/2022, 11/30/2022, 12/6/2022
31	Florida Department of Children and Families	State Government, Serving Families and Youth	X	X	9/1/2022, 10/26/2022, 12/6/2022
32	Florida Department of Health	State Government, Healthcare	X		10/4/2022

#	Organization Name	Organization Type	Consultation Method		Consultation Date(s)
			Session	Survey	
33	Florida Department of Veteran Affairs	State Government, Serving Veterans	X		10/26/2022
34	Genesis House	Service, Serving Persons Experiencing Homelessness	X	X	4/13/2022, 10/26/2022, 12/7/2022
35	Habitat for Humanity of Brevard County	Affordable Housing Developer	X		4/13/2022
36	Health Council of East Central Florida	Healthcare	X		10/4/2022
37	Helps Community Initiatives, Inc.	Service, Serving Persons Experiencing Homelessness		X	11/29/2022
38	Housing Authority of Brevard County & Melbourne Housing Authority	Public Housing Authority	X	X	9/1/2022, 12/15/2022
39	Housing Authority of the City of Titusville	Public Housing Authority	X	X	4/14/2022, 9/1/2022, 12/16/2022
40	Housing for Homeless	Service, Serving Persons Experiencing Homelessness	X	X	9/1/2022, 10/26/2022, 11/28/2022, 12/6/2022
41	Life Recaptured, Inc.	Service, Serving Persons Experiencing Homelessness, Domestic Violence		X	12/1/2022
42	Mosaic Church Palm Bay	Service, Serving Persons Experiencing Homelessness	X		10/26/2022

#	Organization Name	Organization Type	Consultation Method		Consultation Date(s)
			Session	Survey	
43	North Brevard Charities	Service, Serving Persons Experiencing Homelessness	X	X	10/26/2022, 11/29/2022, 12/12/2022
44	North Brevard Sharing Center	Service, Affordable Housing Developer	X		4/13/2022
45	Open Door Concierge Services, Inc.	Service, Serving Persons Experiencing Homelessness, Persons with Disabilities		X	11/28/2022
46	Resource Center for Disability Solutions	Service, Serving Persons with Disabilities	X		4/14/2022
47	Salvation Army of Brevard County	Service	X		4/13/2022
48	Serene Harbor	Service, Serving Persons Fleeing Domestic Violence	X	X	10/26/2022, 12/1/2022
49	South Brevard Sharing Center	Service		X	4/13/2022, 10/26/2022, 12/1/2022
50	South Brevard Women's Center	Service, Serving Persons Fleeing Domestic Violence	X		4/13/2022
51	Space Coast Health Centers	Service, Healthcare		X	10/26/2022, 12/6/2022
52	Space Coast Health Foundation	Service, Healthcare	X		10/4/2022
53	Space Coast Transportation Planning Organization	Public Agency, Transportation	X		6/16/2023

#	Organization Name	Organization Type	Consultation Method		Consultation Date(s)
			Session	Survey	
54	United Way of Brevard	Service	X		4/7/2022, 10/4/2022
55	Volunteers of America Florida	Service	X		4/7/2022, 10/26/2022
56	Ways for Life (formerly "Ready for Life Brevard")	Service, Serving Persons Experiencing Homelessness	X		4/7/2022, 10/26/2022
57	Women's Center of Brevard	Service, Serving Persons Fleeing Domestic Violence		X	12/9/2022

Table A-2: Community Engagement Activities

#	Activity	Time Period	Stakeholder Participation	Summary
1	Housing Session	4/13/2022	4 organizations	Organizations discussed the need for a variety of affordable housing options such as ADUs and challenges with increasing housing costs, the lack of accessible housing for seniors and persons with disabilities, and limited housing stock for households earning less than 80 percent AMI.
2	Social Services Session	4/13/2022	5 organizations	Organizations discussed the various supportive service needs they are seeing across the county, including services for transportation, education/job readiness, and legal assistance, as well as the need for greater coordination among service providers to better meet the needs of the communities served.
3	Fair Housing Session	4/14/2022	4 organizations	Organizations discussed the impact of the lack of a local fair housing organization on the county and the

#	Activity	Time Period	Stakeholder Participation	Summary
				challenges faced by subpopulations in accessing housing.
4	Infrastructure Session	4/14/2022	3 organizations	Organizations discussed how infrastructure limitations in certain areas across the county can have negative impacts on affordable housing development and residents' access to amenities and services.
5	CoC Quarterly Meeting	4/7/2022	CoC member organizations	Brevard County staff presented on the Consolidated Plan and AFH and then heard from CoC members on community needs.
6	Brevard County CDBG Advisory Board Meeting	4/19/2022	Brevard County CDBG Advisory Board members	Brevard County presented on the Consolidated Plan and AFH. No members of the general public attended to ask questions or make comments.
7	CoC Advisory Council Meeting	5/5/2022	CoC member organizations	Brevard County presented on the Consolidated Plan and AFH and then facilitated a discussion on the housing and community development needs facing the county.
8	Brevard AHAC	5/19/2022	Brevard County AHAC membership	Brevard County presented on the Consolidated Plan and AFH and then heard comments from the general public and AHAC members.
9	Brevard AHAC	8/18/2022	Brevard County AHAC membership	Brevard County presented on the HOME-ARP qualifying populations and eligible activities and then discussed the system needs and gaps from committee members' perspectives.
10	HOME Consortium Meeting	8/23/2022	Brevard County HOME Consortium	Brevard County presented on the HOME-ARP qualifying populations and eligible activities and discussed the system needs and gaps in their communities.

#	Activity	Time Period	Stakeholder Participation	Summary
11	CoC Advisory Council Meeting	9/1/2022	CoC member organizations	Brevard County presented on the HOME-ARP qualifying populations and eligible activities and then discussed the needs facing subpopulations across the county. Discussed possible alignment between CoC Strategic Plan and HOME-ARP Allocation Plan.
12	Health Advisory Board	10/4/2022	Health Advisory member organizations	Brevard County presented on the HOME-ARP qualifying populations and eligible activities and then discussed the health-related needs impacting the county.
13	CoC Staff Meeting	10/13/2022	Brevard Homeless Coalition and Brevard County	Facilitated discussion on the needs and gaps of each qualifying population. Discussed HMIS data and supplemental data to understand the demographic characteristics of qualifying populations.
14	Quarterly CoC Membership Meeting	10/26/2022	CoC member organizations	Brevard County facilitated a round-robin discussion on the needs and housing, shelter, and service gaps according to each organization.
15	Stakeholder Survey	11/28/2022–12/14/2022	39 responses	Stakeholder survey asking for input on the unmet housing, shelter, and service needs facing the HOME-ARP qualifying populations.

Supplementary Data Tables

PHA Data Tables

The following table include demographic information for households residing in public housing units in Brevard County.

Table A-3: Demographic Information of Assisted Households by PHA in Brevard County

Age Group of Head of Household	Housing Authority of Brevard County Total Households=2,257		Melbourne Housing Authority Total Households=143		Cocoa Housing Authority Total Households=132		Housing Authority of the City of Titusville Total Households=954	
	#	%	#	%	#	%	#	%
24 years or less	45	2%	3	2%	4	3%	29	3%
25 to 49 years	1,241	55%	93	65%	65	49%	420	44%
51 to 60 years	429	19%	23	16%	38	29%	172	18%
62 or more years	542	24%	24	17%	25	19%	334	35%

Race/Ethnicity of Head of Household	Housing Authority of Brevard County Total Households=2,257		Melbourne Housing Authority Total Households=143		Cocoa Housing Authority Total Households=132		Housing Authority of the City of Titusville Total Households=954	
	#	%	#	%	#	%	#	%
Asian or Pacific Islander	23	1%	1	1%	0	0%	0	0%
Black/African American	1,264	56%	70	49%	86	65%	525	55%
Multiracial	23	1%	1	1%	1	1%	10	1%
Native American	0	0%	0	0%	0	0%	10	1%
Hispanic	316	14%	30	21%	12	9%	57	6%
White	655	29%	41	29%	34	26%	363	38%
Household Income Category	Housing Authority of Brevard County Total Households=2,257		Melbourne Housing Authority Total Households=143		Cocoa Housing Authority Total Households=132		Housing Authority of the City of Titusville Total Households=954	
	#	%	#	%	#	%	#	%
30% AMI and below	1,512	67%	82	57%	94	71%	639	67%
50% AMI and below	2,076	92%	116	81%	124	94%	887	93%

Household Unit Size	Housing Authority of Brevard County Total Households=2,257		Melbourne Housing Authority Total Households=143		Cocoa Housing Authority Total Households=132		Housing Authority of the City of Titusville Total Households=954	
	#	%	#	%	#	%	#	%
0-1 bedroom	542	24%	33	23%	38	29%	382	40%
2 bedrooms	858	38%	53	37%	48	36%	324	34%
3+ bedrooms	858	38%	57	40%	48	36%	248	26%
Over-housed (more bedrooms than people)	429	19%	19	13%	22	17%	172	18%
Household Subpopulations	Housing Authority of Brevard County Total Households=2,257		Melbourne Housing Authority Total Households=143		Cocoa Housing Authority Total Households=132		Housing Authority of the City of Titusville Total Households=954	
	#	%	#	%	#	%	#	%
Households with two adults and one or more children under 18	45	2%	4	3%	3	2%	29	3%
Households with one adult and one or more children under 18	1,038	46%	83	58%	55	42%	334	35%
Female-headed households with one or more children under 18	1,038	46%	80	56%	53	40%	324	34%
Head of household or spouse is under age 62 and has a disability	635	28%	32	22%	64	49%	254	27%
Head of household or spouse is age 62 or over and has a disability	444	20%	21	15%	20	15%	124	13%

Data source: 2021 Picture of Subsidized Households.

HMDA Data Tables

Table A-4: Loan Purpose and Occupancy Type of Loan Applications in Brevard County

BREVARD COUNTY		Occupancy Type			
		Investment Property	Primary Residence	Secondary Residence	Total
Loan Purpose	Home purchase	1,518	21,120	2,130	24,768
	Home improvement	110	3,353	76	3,539
	Other purpose	45	1,837	50	1,932
	Not applicable	6	221	1	228
	Refinancing	882	19,615	533	21,030
	Cash-out refinancing	641	13,175	181	13,997
	Total	3,202	59,321	2,971	65,494
COCOA		Occupancy Type			
		Investment Property	Primary Residence	Secondary Residence	Total
Loan Purpose	Home purchase	50	528	40	618
	Home improvement	1	63	2	66
	Other purpose	2	27	0	29
	Not applicable	0	10	0	10
	Refinancing	27	321	7	355
	Cash-out refinancing	26	266	2	294
	Total	106	1,215	51	1,372
MELBOURNE		Occupancy Type			
		Investment Property	Primary Residence	Secondary Residence	Total
Loan Purpose	Home purchase	290	3,341	314	3,945
	Home improvement	32	704	9	745
	Other purpose	9	354	8	371
	Not applicable	0	28	1	29
	Refinancing	155	3,611	82	3,848
	Cash-out refinancing	134	2,365	26	2,525
	Total	620	10,403	440	11,463

PALM BAY		Occupancy Type			
		Investment Property	Primary Residence	Secondary Residence	Total
Loan Purpose	Home purchase	115	1,581	142	1,838
	Home improvement	5	260	5	270
	Other purpose	2	154	1	157
	Not applicable	0	29	0	29
	Refinancing	49	1,446	20	1,515
	Cash-out refinancing	55	1,093	8	1,156
	Total	226	4,563	176	4,965
TITUSVILLE		Occupancy Type			
		Investment Property	Primary Residence	Secondary Residence	Total
Loan Purpose	Home purchase	104	1,694	83	1,881
	Home improvement	10	205	6	221
	Other purpose	7	133	3	143
	Not applicable	0	17	0	17
	Refinancing	65	1,316	13	1,394
	Cash-out refinancing	42	931	7	980
	Total	228	4,296	112	4,636

Data source: 2021 HMDA.

Table A-5: Demographic Characteristics of Loan Applicants in Brevard County

Sex	Brevard County Total=65,494		Cocoa Total=1,372		Melbourne Total=11,463		Palm Bay Total=4,965		Titusville Total=4,636	
	#	%	#	%	#	%	#	%	#	%
Male	36,158	55%	752	55%	6,279	55%	2,657	54%	2,523	54%
Female	18,482	28%	394	29%	3,305	29%	1,447	29%	1,327	29%
N/A	10,811	17%	226	16%	1,874	16%	857	17%	784	17%
Both*	43	0.1%	0	0%	5	0.04%	4	0.1%	2	0.04%
Race	Brevard County Total=65,494		Cocoa Total=1,372		Melbourne Total=11,463		Palm Bay Total=4,965		Titusville Total=4,636	
	#	%	#	%	#	#	%	#	%	#
American Indian/ Alaska Native	384	1%	7	1%	58	1%	31	1%	36	1%
Asian	1,577	2%	33	2%	287	3%	93	2%	88	2%
Black or African American	3,680	6%	112	8%	362	3%	410	8%	281	6%
Native Hawaiian/ Other Pacific Islander	130	0.2%	1	0.1%	23	0.2%	18	0.4%	5	0.1%
White	43,388	66%	868	63%	7,960	69%	3,084	62%	3,088	67%
N/A	16,335	25%	351	26%	2,773	24%	1,329	27%	1,138	25%

Ethnicity	Brevard County Total=65,494		Cocoa Total=1,372		Melbourne Total=11,463		Palm Bay Total=4,965		Titusville Total=4,636	
	#	%	#	%	#	#	%	#	%	#
Hispanic/Latino	5,408	8%	114	8%	759	7%	500	10%	380	8%
Not Hispanic/Latino	44,057	67%	904	66%	7,952	69%	3,199	64%	3,112	67%
N/A	16,029	24%	354	26%	2,752	24%	1,266	25%	1,144	25%
Age Bracket	Brevard County Total=65,494		Cocoa Total=1,372		Melbourne Total=11,463		Palm Bay Total=4,965		Titusville Total=4,636	
	#	%	#	%	#	%	#	%	#	%
Less than 25	915	1%	36	3%	119	1%	78	2%	98	2%
25 to 34	8,174	12%	152	11%	1,310	11%	638	13%	664	14%
35 to 44	11,482	18%	213	16%	2,021	18%	855	17%	724	16%
45 to 54	12,572	19%	232	17%	2,332	20%	931	19%	842	18%
55 to 64	13,926	21%	334	24%	2,523	22%	1,098	22%	901	19%
65 to 74	9,323	14%	194	14%	1,646	14%	701	14%	696	15%
Greater than 74	3,789	6%	76	6%	659	6%	238	5%	312	7%
N/A	5,313	8%	135	7%	853	7%	426	9%	399	9%

Income Category	Brevard County		Cocoa		Melbourne		Palm Bay		Titusville	
	Total=65,494		Total=1,372		Total=11,463		Total=4,965		Total=4,636	
	#	%	#	%	#	%	#	%	#	%
Zero or Negative Income	1,118	2%	22	2%	187	2%	106	2%	88	2%
0-30% AMI	1,497	2%	38	3%	262	2%	136	3%	151	3%
30-50% AMI	4,639	7%	155	11%	762	7%	445	9%	451	10%
50-80% AMI	12,126	19%	265	19%	1,900	17%	1,067	21%	1,017	22%
80-100% AMI	6,942	11%	130	9%	1,070	9%	598	12%	609	13%
100% AMI+	29,085	44%	567	41%	5,569	49%	1,757	35%	1,544	33%
N/A	10,087	15%	195	14%	1,713	15%	856	17%	776	17%

Data source: 2021 HMDA. If there was more than one applicant for the same loan application, only data for the first applicant is included in the table. *Applicants are able to select both male and female

Acronyms

Acronym	Definition
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADU	Accessory Dwelling Unit
AFFH	affirmatively furthering fair housing
AFH	Assessment of Fair Housing
AHAC	Affordable Housing Advisory Committee
AI	Analysis of Impediments
AMI	area median income
CDBG	Community Development Block Grant
CDC	Centers for Disease Control
CHA	Cocoa Housing Authority
CHAS	Comprehensive Housing Affordability Strategy
CoC	Continuum of Care
CRA	Community Redevelopment Area
DOJ	Department of Justice
ES	emergency shelter
FEMA	Federal Emergency Management Agency
FHAA	Fair Housing Amendments Act
FHEO	Fair Housing and Equal Opportunity
FHIP	Fair Housing Initiative Program
HABC	Housing Authority of Brevard County
HACTV	Housing Authority of the City of Titusville
HAMFI	HUD-Adjusted Median Family Income
HIC	Housing Inventory Count
HMDA	Home Mortgage Disclosure Act
HMIS	Homeless Management Information System
HOA	homeowner's associations

Acronym	Definition
HOME	HOME Investment Partnership
HOME-ARP	HOME Investment Partnership American Rescue Plan
HOPA	Housing for Older Persons Act
HUD	U.S. Department of Housing and Urban Development
ICE	Immigration and Customs Enforcement
LEP	Limited English Proficiency
LIHTC	Low-Income Housing Tax Credits
MHA	Melbourne Housing Authority
MSA	Metropolitan Statistical Area
NAR	National Association of Realtors
PHA	Public Housing Authority
PIT	Point-in-Time
PSA	Public Service Announcement
PSH	Permanent Supportive Housing
R/ECAP	Racially or Ethnically Concentrated Areas of Poverty
REO	Real Estate-Owned
RFP	Request for Proposal
RRH	Rapid Rehousing
SCTPO	Space Coast Transportation Planning Organization
SH	Safe Haven
SHIP	State Housing Initiatives Partnership
SVI	Social Vulnerability Index
TH	Transitional Housing