

South Carolina



Planning Education Advisory Committee

Committee Members:

Stephen G. Riley, Chairman
Representing MASC
Term Expires.....

Phillip L. Lindler
Representing SCAC
Term expires: 2015

Cliff Ellis
Representing Clemson
University
Term expires: 2016

Dennis Lambries
Representing USC
Term expires: 2016

Donna London
Representing SCAPA
Term expires: 2014

February 26, 2014

Greenville County
Mark Tollison, County Attorney
301 University Ridge Ste 4100
Greenville, SC 29601

Re: Fair Housing Seminar

Dear Mr. Tollison:

On February 11, 2014, I received the Program Materials you submitted for accreditation of the Continuing Education Course detailed above. Upon receipt of your application, I sent an email to confirm receipt by all Committee members and set a deadline for comments.

Under the "no objection policy" adopted on July 8, 2009, your request is considered approved. Your signed "Notice of Decision" is attached. Formal, after-the-fact approval will be handled as part of a Consent Agenda at the regular quarterly meeting of the Committee, which is scheduled for April 7, 2014 at 10:00 a.m.

Thank you for your efforts to help make this program a success.

Sincerely,

A handwritten signature in black ink that reads "Stephen G. Riley".

Stephen G. Riley, ICMA~CM
Chairman

cc: Phil Lindler, Cliff Ellis, Dennis Lambries, and Donna London

South Carolina Planning Education Advisory Committee (SCPEAC)

ONE TOWN CENTER COURT • HILTON HEAD ISLAND, SC • 29928
PHONE: 843-341-4700 • FAX: 843-842-7728
www.scstatehouse.net/SCPEAC/index.htm
Stever@hiltonheadislandsc.gov

NOTICE OF DECISION

12. The following action has been taken by the SCPEAC on this application:

a) X ACCREDITED for 1.0 CE credits

b) DENIED ACCREDITATION

i. Reason: _____

c) RETURNED for more information

13. If accredited:

a) Approved Course No.: 2014-01

b) Date of accreditation: 02-26-2014

c) Comments: None

Signature of SCPEAC Representative: _____



**For further information, contact Mr. Stephen Riley, Chairman,
843-341-4701 or stever@hiltonheadislandsc.gov**

FAIR HOUSING SEMINAR

On January 30, 2014, the Greenville County Attorney's Office and the Greenville County Human Affairs Commission conducted a Fair Housing Seminar for the Greenville County Planning Commission, the Greenville County Board of Zoning Appeals, and County staff. Gina Wong, senior Housing Counselor with the Greenville County Human Affairs Commission, gave a detailed overview of the federal Fair Housing Act. Gina's presentation lasted approximately 40 minutes. Dean Campbell, Assistant County Attorney, discussed how the Planning Commission and the Board of Zoning Appeals should evaluate reasonable accommodation requests made by disabled persons under the federal Fair Housing Act. Dean's presentation lasted approximately 20 minutes.

Course Outline:

Welcome and Introduction – Mark Tollison, Greenville County Attorney

Fair Housing Act overview – Gina Wong, Senior Housing Counselor, Greenville County Human Relations Commission

Fair Housing Act issues involving zoning and land use – Dean Campbell, Assistant County Attorney, Greenville County Attorney's Office

Question and Answer session

Course Presenters:

Dean Campbell has been with the Greenville County Attorney's Office for over nine years. He is a former Research Director for the South Carolina House of Representatives and a former South Carolina Assistant Attorney General. He has had significant experience dealing with the federal Department of Housing and Urban Development and the U.S. Department of Justice over fair housing issues involving zoning and land use.

Gina Wong is a Senior Housing Counselor with the Greenville County Human Relations Commission (see attached bio).

**LOCAL OFFICIAL'S CERTIFICATION OF NEED
FOR CONTINUING EDUCATION PROGRAM**

NOTE: The Planning Director of a jurisdiction, or the COG Director serving a jurisdiction, may certify to the SCPEAC that a particular continuing education program is appropriate to meet the needs of that jurisdiction.

This certification form, together with the required information referenced therein, shall be submitted to the Committee. **If no objections are raised** by a member of the SCPEAC within 10 working days of receipt, the continuing education program shall be considered accepted. If an objection is raised, a teleconference meeting shall be scheduled, with appropriate public notice, as soon as reasonably possible, to review the application.

1. Certifying Official's Information:

- a. Name: LANCE ESTER, AICP
- b. Title: DIRECTOR OF PLANNING & CODE COMPLIANCE
- c. Jurisdiction for which certification is being made: COUNTY OF GREENVILLE
- d. Address of Jurisdiction: 301 UNIVERSITY RIDGE STE 4100
- e. City: GREENVILLE
Zip Code: 29601
- f. Telephone: (864) 467-7373
- g. Email: LESTER@GREENVILLECOUNTY.ORG
- h. For COG Directors:
 - i. Name of COG: _____
 - ii. Address of COG: _____
 - iii. City: _____
Zip Code: _____
 - iv. Telephone: _____
 - v. Email: _____

2. Information on Educational Program:

- a. Title of Program: Fair Housing Seminar
- b. Name of Organization that is providing or sponsoring the Program:
 - i. Organization: Greenville County Attorney's office
 - ii. Street Address: 301 University Ridge, Suite 2400

iii. City: Greenville

State: S.C.

Zip Code: 29601

iv. Contact Person: Mark Tollison

v. Title: County Attorney

vi. Telephone: 864-467-7110

vii. Email: mtollison@greenvillecounty.org

c. Date(s) and Location(s) of Program:

Conference Room B, Greenville County Square, 301 University Ridge

d. Briefly describe the program and why it is relevant to your jurisdiction: Greenville, SC

Training provided for officials involved in land use and zoning over their obligations

3. Method of presentation (check all that apply. All sessions must have a Coordinator present): ^{under the Fair Housing Act.}

- a. Presentor(s) in room with participants
- b. Live presentation via close circuit TV, video conferencing, or similar; Coordinator present
- c. Videotape or CD/DVD presentation; Facilitator present
- d. Webinar or similar; Coordinator present
- e. Other (describe) _____

4. Description of materials to be distributed (check/fill in all that apply):

a. Powerpoint handout:	<input checked="" type="checkbox"/>	number of slides:
b. Other handouts:	<input type="checkbox"/>	total pages:
c. CD/DVD:	<input type="checkbox"/>	
d. Other (describe)	_____	
e. None:	<input type="checkbox"/>	

5. When are materials distributed?

- a. Sent before the program:
- b. Handed out at the program:
- c. Other (describe) _____

6. Required attachments (5 copies distributed as described below):

- a. Course description and outline including estimated time per section
- b. Brochure, if available

- c. Course Presenter(s) and credentials (include brief resumes and qualifications)
- d. Copies of all handouts and course materials
- e. Evaluation Form and method of evaluation (each program must be evaluated)

7. Instruction Time:

a. Indicate the total minutes of instruction time: 1 hour

Note: Breaks, meals and introductions should not be counted. A reasonable period of Q and A should be included and counted.

8. Local contact person (if other than Certifying Official):

a. Name: Mark Tollison
 b. Title: County Attorney
 c. Jurisdiction: Greenville County
 d. Telephone: 864 467 7110
 e. Email: MTOLLISON@GREENVILLECOUNTY.ORG

9. Certification. By Submitting this application, the applicant agrees to:

- a. Allow in-person observation, without charge, of the Program by the SCPEAC Committee members. Any food, travel or lodging costs will be the responsibility of the Committee member(s).
- b. The Certifying Official acknowledges that its approval for this Program may be withdrawn for violations of the regulations or failure to comply with the agreements and representations contained herein and as may be required by the SCPEAC.
- c. I do hereby certify that this program satisfies the current continuing education needs of this community.

i. Name: LANCE ESTER, ATCP
 ii. Title: DIRECTOR OF PLANNING & CODE COMPLIANCE
 iii. Signature: [Signature]
 iv. Date: 2/4/14

Application and all Materials may be submitted in one of the following means:

- 1. Electronic submission to each of the committee members listed below via email; or
- 2. Hardcopy via U. S. Mail, 1 copy each to each committee member; or
- 3. Electronic submission of the application via email to all committee members, and submit hardcopy supporting materials via U.S. Mail to each member, if materials not available electronically.
- 4. Please cc all applications to the Chairman's assistant, Vicki Pfannenschmidt at vickip@hiltonheadislandsc.gov

To access committee members email and postal addresses visit the link below:
<http://www.scstatehouse.gov/scpeac/members.htm>

Fair Housing Seminar

Dean Campbell

Assistant County Attorney, Greenville County

January 30, 2013

FAIR HOUSING LAW ISSUES INVOLVING LAND USE AND PLANNING

1. Overview of the Federal Fair Housing Law
 - a. Jurisdiction over private entities
 - b. Jurisdiction over public entities

2. Overview of Section 504 of the Federal Rehabilitation Act
 - a. Prohibits discrimination in programs funded by federal dollars
 - b. Requires reasonable accommodations for the disabled

3. Reasonable Accommodation Request under the Fair Housing Act
 - a. Can be the basis for a variance, special exception, or rezoning
 - b. Criteria for analyzing a reasonable accommodation request – must be reasonable, necessary, no undue burden on the County, and won't undermine legitimate purposes of existing zoning regulations

4. Group Homes
 - a. Garner, NC group home litigation – Town argued over home wanting two more people in a home than zoning allowed - cost the town \$100,000!
 - b. Recovering alcoholics – covered under the Fair Housing Act as disabled and can make a reasonable accommodation request

5. HUD and DOJ involvement
 - a. Complaint Process
 - b. Significant and Costly Litigation involving local governments
 - c. Alternatives – including Voluntary Compliance Agreements



**Greenville
County**

County of Greenville, South Carolina
Administrative Office
www.greenvillecounty.org

**SEMINAR ON FAIR HOUSING ISSUES FOR THE GREENVILLE
COUNTY PLANNING COMMISSION, GREENVILLE COUNTY
BOARD OF ZONING APPEALS, GREENVILLE COUNTY
OFFICIALS AND STAFF**

**CONDUCTED BY THE GREENVILLE COUNTY ATTORNEY'S
OFFICE AND THE GREENVILLE COUNTY HUMAN AFFAIRS
COMMISSION STAFF**

12:00 p.m.

Thursday, January 30, 2014

Conference Room B – County Square

EVALUATION FORM

COURSE TITLE: FAIR HOUSING SEMINAR PRESENTED BY THE GREENVILLE COUNTY HUMAN RELATIONS COMMISSION AND THE GREENVILLE COUNTY ATTORNEY'S OFFICE

LOCATION: CONFERENCE ROOM B, COUNTY SQUARE, GREENVILLE, SC

COURSE DATE: JANUARY 30, 2014

We appreciate our participants sharing their reactions to this program. Please complete this form and return it to us.

Please circle "Yes" or "No"

Did this program meet your education objectives? Yes No

Were you provided with substantive written materials? Yes No

Did the course contain significant professional content? Yes No

Was the environment suitable for learning? Yes No

Evaluation Rating Scale: Excellent – 5 Good – 4 Satisfactory – 3 Below Average – 2 Poor – 1

1. PRESENTERS: Gina Wong ____

Dean Campbell ____

2. OVERALL RATING OF THE COURSE: (PLEASE CIRCLE ONE)

Excellent – 5 Good – 4 Satisfactory – 3 Below Average – 2 Poor – 1

Comments: _____



Human Relations - Gina Wong

<p> Home Calendar Commissioners Essential Services History Links Newsletter Staff </p> <p> Gina Wong joined the staff in July 2000 as the Greenville County Human Relations Commission Fair Housing Counselor and since became the Principal Housing Counselor/Case Manager. </p> <p> As the senior counselor, she is responsible for providing Comprehensive Housing Counseling to all clients requesting assistance or information. This would include client intake, mediation of land lord/ tenant complaints, community outreach, pre-foreclosure counseling, reverse mortgage (HECM) counseling, pre-purchase counseling, high cost loan counseling, and pre-rental counseling for affordable housing. She also oversees client files and data collection. </p> <p> Prior to joining the Greenville County Human Relations staff, she had worked at SHARE for 3 years as a case manager and pre-purchase counselor. She is a graduate of Greenville Technical College where she received her Associate Degree in Human Services with an emphasis in Public Service. She has also received her BS in Sociology with an minor in Ppsychology from Lander University in 2005. </p>	 <p style="text-align: center;"> Gina Wong Senior Case Manager/Counselor </p>
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GREENVILLE COUNTY HUMAN RELATIONS

CERTIFICATE OF COMPLETION

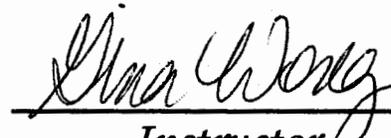
This Certificate is awarded

FAIR HOUSING COMPLIANCE COURSE

I acknowledge that I have been trained in Fair Housing laws. I understand it is illegal to discriminate against any person because of race, color, religion, sex disability, familial status or national origin. I agree to obey these laws.



Student's Signature



Instructor

1/30/2014

Date



Greenville County Human Relations Commission

FAIR HOUSING COMPLIANCE

2014

Gina Wong
Senior Housing Counselor



Agenda for Today

- FAIR HOUSING BASICS
 1. Brief History of Fair Housing
 2. What are the protected categories
- Defining disability/disability rights
 1. What is discrimination?
 2. How to prevent discrimination and what to do if it happens
 3. Reasonable Accommodations and modifications
- Discriminatory Impact or Effects



FAIR HOUSING BASICS

Brief History of Fair Housing

Fair Housing Act

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex familial status (including 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), and disability.

Protected Categories

- RACE
- COLOR
- RELIGION
- NATIONAL ORIGIN
- SEX
- FAMILIAL STATUS
- DISABILITY *_{focus today}

Title II of the Americans with disabilities Act of 1990

Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

Definition of Disability

- PERSONS WITH PHYSICAL OR MENTAL IMPAIRMENT THAT SUBSTANTIALLY LIMITS ONE OR MORE MAJOR LIFE FUNCTION
- REGARDED AS DISABLED
- RECORD AS DISABLED
- ASSOCIATES WITH DISABLED PERSON

Examples

- OBVIOUS PHYSICAL IMPAIRMENTS
 - SIGHT, HEARING, LOSS OF USE OF LEGS, ARMS, ILLNESSES, HIV/AIDS
- LESS OBVIOUS PHYSICAL IMPAIRMENTS
 - ALLERGIES, BREATHING IMPAIRMENTS, HEART LIMITATIONS
- OBVIOUS MENTAL IMPAIRMENT
 - DEVELOPMENTAL DISABILITIES, TOURETTE'S SYNDROME, SCHIZOPHRENIA,
- LESS OBVIOUS MENTAL IMPAIRMENTS
 - SEVERE DEPRESSION, BIPOLAR DISORDER, ANXIETY DISORDER, PERSONALITY DISORDER
- Additions are disabilities too
 - People who have a drug or alcohol addition qualifies as having a disability.

What is Discrimination?

- **TREATING PEOPLE DIFFERENTLY**
- **EVERYONE DISCRIMINATES**
- **NOT ALL DISCRIMINATIONS IS ILLEGAL**
- **THE LAW DEFINES WHAT IS ILLEGAL**

Who Can be Liable?

- OWNERS
- MANAGERS
- LEASING AGENTS
- MAINTENANCE STAFF
- NEIGHBORS
- CONTRACTORS
- MORTGAGE COMPANIES
- INSURANCE COMPANIES
- GOVERNMENT AGENCIES

Best practices to Avoid Enforcement Actions

- BE CONSISTENT
- HAVE WRITTEN POLICIES AND PROCEDURES
- BE PARTICULARLY CAREFUL PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION
- REVIEW COMPLIANCE OF STAFF AND SUBORDINATES
- DOCUMENT INCIDENTS AND KEEP RECORDS (3 YEARS +)
- UPDATE TRAINING THROUGH IN HOUSE

Incident Reports

- ENCOURAGE ALL STAFF TO DOCUMENT SITUATIONS WITNESSED
- REPORTS SHOULD INCLUDE DATE, PERSONS PRESENT, AND FACTS OF SITUATION
- DO NOT INCLUDE EVALUATIONS OR PSYCHIATRIC DIAGNOSIS
- FOLLOW UP WITH LATER REPORTS



HUD Requires housing providers to make reasonable accommodations for person with disabilities

* Make sure the person requesting the accommodation meet the eligibility pertaining to the disability.

You Can Ask

DO YOU MEET THE ELIGIBILITY REQUIREMENTS
PERTAINING TO DISABILITIES?

CAN YOU VERIFY YOUR DISABILITY IF
REQUIREMENT FOR ELIGIBILITY?

ARE YOU ASKING FOR THIS ACTION/EXCEPTION
BECAUSE OF A DISABILITY?

IF A PERSON IS ASKING FOR A REASONABLE
ACCOMMODATION YOU CAN ASK WHETHER
HIS/HER DISABILITY IS PERMANENT

YOU CAN ASK THAT PERSON AND VERIFIER
**DESCRIBE THE CONNECTION BETWEEN
DISABILITY AND REQUEST**

Reasonable Accommodations

- TO BE GRANTED EXCEPTIONS TO USUAL RULES, POLICIES OR PROCEDURES
- EXCEPTION MUST BE NECESSARY TO PROVIDE A PERSON WITH A DISABILITY EQUAL ACCESS TO PROGRAMS, FACILITIES, AND ACTIVITIES, AND THE BUILDING ITSELF
- FEDERALLY FUNDED PROPERTIES MUST HAVE A WRITTEN REASONABLE ACCOMMODATIONS POLICY AND PROCEDURE
- USE OF FORMS – RECOMMENDED BUT CAN'T REQUIRE RESIDENTS TO USE THEM

Verification

- ONLY APPLIES WHEN THE DISABILITY AND/OR THE NEED IS NOT READILY APPARENT (“VISUALLY OBVIOUS”)
- WHEN ASKED TO PROVIDE A REASONABLE ACCOMMODATION, HOUSING PROVIDERS CAN VERIFY (FROM A PROFESSIONAL THIRD-PARTY SOURCE)
 1. THAT THE INDIVIDUAL IS “DISABLED”
 2. THE CONNECTION BETWEEN THE DISABILITY AND THE REQUEST

When can a Request Be Denied?

- WHEN THE REQUEST IS NOT “REASONABLE”
- WHEN IT WOULD RESULT IN AN ADMINISTRATIVE AND FINANCIAL BURDEN
- WHEN IT WOULD RESULT IN A FUNDAMENTAL ALTERATION OF THE PROGRAM
- WHEN IT IS STRUCTURALLY INFEASIBLE

Finding Alternative Accommodations

- PROVIDER SHOULD ALWAYS CONSIDER THE PREFERENCES OF THE PERSON WITH THE DISABILITY
- ACCOMMODATION MUST BE EFFECTIVE
 - NOT NECESSARILY THE ONE THE PERSON WANTS

Discriminatory Impact or Effects

- Neutral Policy
- Discriminatory Impact on Protected Category
- Examples – Domestic Violence Situations, Criminal History Policies, Refusal to Permit New Multifamily Property through Application of Zoning Laws
- If discriminatory effect is shown, defendant can rebut by showing that policy has legally sufficient justification
- P can rebut by showing legitimate interests could be served by practice with less discriminatory effect

Affirmatively Further Fair Housing

- New Emphasis by HUD being motivated by fair housing advocates throughout country
- AFFH Requirement of FHA was supercharged after settlement of \$50 Million by fair housing advocates with Westchester County, NY because officials signed the county's AI and CP without adequate action to remedy the impediments – False Claims Act
- HUD provides Grants of \$\$ cities, counties, states, PHA's
- Grantee agrees to AFFH

AFFH cont.

- Must develop Analysis of Impediments to FH
- Thorough review of all protected categories and their opportunities for fair housing throughout jurisdiction
- Includes opportunity for recipients to participate in process and to be informed of their fair housing rights
- Results should be reflected in the grantees' Consolidated Plans, which should include plans with activities to address the identified impediments to fair housing

Section 3 – Economic Development

- The **Section 3** program requires that recipients of certain HUD financial assistance, to the greatest extent possible, provide job training, employment, and contract opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods
- Housing and Community Development Act of 1968
- Applies to PHA's, Grantees for housing rehabilitation projects, housing construction
- Receiving new emphasis by HUD's Office of FHEO

**Questions????
Thanks for Your
Attention**

Gina Wong
Senior Housing Counselor
Greenville County Human Relations Commission
864-467-7095