

**ANALYSIS OF IMPEDIMENTS
TO FAIR HOUSING CHOICE**

SIERRA VISTA, ARIZONA

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1) INTRODUCTION

PURPOSE OF THE REPORT

The Fair Housing Act of 1968 states that it is the policy of the United States to provide for fair housing throughout the country and the Act prohibits any person from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, handicap, or familial status. The State of Arizona echoes such a goal and has also adopted legislation protecting equal access to housing.

Nationally, fair housing and impediments to fair housing are monitored by the United States Department of Housing and Urban Development (HUD) through the use of Community Development Block Grant (CDBG) funding for fair housing advocacy groups. This role of HUD to act as an administrator of fair housing programs originated in 1968 with the passage of the Civil Rights Act, described below.

Each grantee which receives CDBG funding under Title I of the Housing and Community Development Act is required to further fair housing and fair housing planning by conducting an analysis to identify impediments to fair housing choice within those cities/communities within its jurisdiction. The grantee will also take appropriate actions to overcome the effects of any impediments identified and will maintain records which reflect the analysis and actions taken in this regard.

The City of Sierra Vista has consistently supported the concept of the provision of fair housing for its residents without regard to race, color, religion, sex, national origin, handicap, or familial status. As a new entitlement community, the City will consistently use a portion of its funding to support programs of fair housing services for low and moderate income households. The fundamental fair housing goal is to make housing choice a reality through fair housing planning, which includes the following:

- Preparing an Analysis of Impediments to Fair Housing Choice (AI);
- Acting to eliminate identified impediments; and
- Providing fair housing records.

The purpose of this AI is to provide essential, specific, and detailed information and data to municipal officials and staff, policy makers, housing developers, lenders, and fair housing advocates. The AI helps build public support for fair housing efforts. This report represents Sierra Vista's efforts in making an objective assessment of the nature and extent of fair housing concerns in the City, and the potential impediments to making fair housing choice available to its residents.

This is the City's first AI. This AI considers the effects of population growth, an increasingly diverse population, economic change with regard to jobs and the housing market, and the continued need for awareness, education and outreach about fair housing.

DEFINING FAIR HOUSING

Federal Laws

The federal Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 (42 U.S. Code §§ 3601-3619, 3631) are federal fair housing laws that prohibit discrimination in all aspects of housing, such as the sale, rental, lease or negotiation for real property. The Fair Housing Act prohibits discrimination based on race, religion, and national origin. In 1988, the Fair Housing Act was amended to extend protection to familial status and people with disabilities (mental or physical). In addition, the Amendment Act provides for “reasonable accommodations”, allowing structural modifications for persons with disabilities if requested, at their own expense, and sets housing code standards for new multi-family dwellings to accommodate the physically disabled.

Discrimination against Families with Children and Persons with Disabilities are further defined:

Discrimination against Families with Children

Familial Status (often called “families with children”) refers to a parent or another person having legal custody of one or more individuals under the age of 18 years. It refers also to a person who is pregnant or in the process of getting legal custody of a minor child. Families with children have under the law the same protection against housing discrimination as other groups protected by the law. In only two instances, does the law permit, as exceptions, discrimination against families with children. Both exceptions pertain to so-called housing for older persons. Housing intended for and occupied solely by people 62 years of age or older and housing in which 80 percent of the units are intended for and occupied by at least one person who is 55 years of age or older do not need to comply with the law’s familial status provisions. Discrimination against families with children manifests itself in many ways, the most common of which are in advertising (e.g. indications that rentals are for “no children” or “adults only”), restrictive occupancy standards that unreasonably limit the number of children who may occupy a given space, and steering of families with children to separate buildings or parts of buildings.

Provisions for People with Disabilities

The Fair Housing Act defines "handicap" (or disability) as:

1. a physical or mental impairment which substantially limits one or more of such person's major life activities,
2. a record of having such an impairment, or
3. being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

Special Protections

In addition to providing people with disabilities all of the protections against housing discrimination that are provided to members of the other six protected classes, the following provisions of the Fair Housing Act provide important additional protection.

The prohibition against discriminating in the terms and conditions of sale or rental prohibits a landlord from asking any questions of a person with a disability than would be asked of any other applicant. A landlord may not, for example, inquire about the nature or severity of a person's disability or ask whether that person is capable of living alone.

Reasonable Accommodations

It is unlawful to refuse to make such reasonable changes in rules, policies, practices and services, which may be necessary to afford a person with a disability an equal opportunity to enjoy and use a dwelling. These "reasonable accommodations" include such things as making an exception to a "no pets" policy for a person who needs a service animal and providing a reserved, designated parking place for a person with mobility impairment.

Reasonable Modifications

It is unlawful to refuse to permit a person with a disability to make, at his/her own expense, such reasonable changes in the premises as may be necessary to permit use and enjoyment of the premises. "Reasonable modifications" include such things as installing grab bars to facilitate use of bathroom facilities, cabinets lowered or the widening of a doorway to accommodate a wheelchair.

Full Accessibility of "New" Multi-family Housing

Multi-family housing constructed for first occupancy after March 13, 1991 (i.e. buildings consisting of 4 or more units) must be fully accessible to people with disabilities. If a building has an elevator, all units must be accessible; if there is no elevator, only "ground floor" units must be accessible. "Accessible" means: 1) There must be an accessible building entrance on an accessible route; 2) Public and common use areas must be readily accessible to and usable by people with disabilities; 3) All inside doors must be wide enough to accommodate a wheelchair; 4) There must be an accessible route into and through the dwelling; 5) Light switches, electrical outlets, thermostats and other environmental controls must be accessible; 6) Bathroom walls must be reinforced to allow later installation of grab bars; and 7) Kitchens and bathrooms must have enough space to permit maneuvering in a wheelchair.

Three significant changes to the Fair Housing Act were made. These changes are described briefly as follows:

- The Housing for Older People Act of 1995 (HOPA) made several changes to the 55 and older exemption. Since the 1988 Amendments, the Fair Housing Act has exempted from its familial status provisions properties that satisfy the Act's 55 and older housing condition. First, HOPA eliminated the requirement that 55 and older housing have "significant facilities and services" designed for the elderly. Second, HOPA establishes protection from damages for persons who in good faith believe that the 55 and older exemption applies to a particular property, if they do not actually know that the property is not eligible for the exemption and if the property has formally stated in writing that it qualifies for the exemption.
- Changes were made in the Act to enhance law enforcement, including making amendments to criminal penalties in section 901 of the Civil Rights Act of 1968 for violating the Fair Housing Act.

- Changes were made to provide incentives for self-testing by lenders for discrimination under the Fair Housing Act and the Equal Credit Opportunity Act. See Title II, subtitle D of the Omnibus Consolidated Appropriations Act, 1997, P.L. 104 - 208 (9/30/96)1. In addition, it is also illegal for anyone to threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right and advertise or make any statement that indicates a limitation or preference based on race, color, religion, national origin, familial status or handicap. Both intentional discrimination and unintentional actions or conditions that limit choice are also prohibited.

Arizona Laws

It is the policy of the State of Arizona to provide, within constitutional limitations, for fair housing throughout the state. The State of Arizona has a fair housing act (the Arizona Fair Housing Act) that carries the same protections as the Federal Fair Housing Act, and is designated as “substantially equivalent.” The Civil Rights Division of the Arizona Attorney General's Office investigates and resolves housing discrimination complaints as well as providing education on fair housing. Additionally, the Arizona Department of Housing has an active role in the education and training of housing providers to ensure awareness of fair housing laws.

Under the Federal Fair Housing Assistance Program (FHAP), the U.S. Department of Housing and Urban Development (HUD) contracts with the Arizona Attorney General's Civil Rights Division to investigate and rule on fair housing cases. Nearly all complaints that are submitted to HUD and originate within Arizona, except for Phoenix, are processed by the Attorney General's office.

To initiate a complaint with the Arizona Attorney General a person must complete an intake complaint form, which is delivered to the Attorney General's office by mail, fax, or via the internet. This form may be found on the Internet at:
http://www.azag.gov/civil_rights/CivilRightsIntake.pdf.

Typically after receiving the complaint, the Attorney General will notify the alleged violator of the complaint, and that person must submit a response. The Attorney General will investigate the complaint and determine whether reasonable cause exists to believe that the Fair Housing Act has been violated.

If the Fair Housing Act has been violated, the Attorney General will try to reach a conciliation agreement with the respondent. If an agreement is reached, the Attorney General will take no further action on the complaint. If the Attorney General finds reasonable cause to believe that the discrimination occurred, and no conciliation is reached, the case will be heard in an administrative hearing within 120 days. The case may be handled by the Department of Justice (DOJ) and heard in U.S. District Court if one of the parties so desires.

Individuals who believe they have been discriminated against in a housing transaction may also file a complaint with the HUD Enforcement Division in San Francisco. The first

step in filing a complaint with HUD is to submit a Housing Discrimination Complaint form explaining the nature of the alleged violation. Housing discrimination complaint forms are available on the Internet at: <http://www.hud.gov/complaints/housediscrim.cfm>.

A complaint form or additional information may also be obtained by calling the HUD Housing Discrimination Hotline at 1-800-669-9777, or by writing to the following address:

U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
Room 5204
451 Seventh St. S.W.
Washington, DC 20410-2000

A complaint may be resolved in a number of ways. First, HUD is required to try to reach an agreement between the two parties involved. A conciliation agreement must protect both the filer of the complaint and the public interest. If an agreement is approved, HUD will take no further action unless the agreement has been breached.

If HUD has determined that a state or local agency has the same housing powers (“substantial equivalency”) as HUD, it may refer the complaint to that state or local agency and notify the complainant of the referral. The agency, called a Fair Housing Assistance Program Partner (FHAP), must begin work on the complaint within 30 days or HUD may take it back. As noted, the Arizona Attorney General’s Civil Rights Division is the state agency FHAP in Arizona.

If, during the investigative, review and legal process, HUD finds that discrimination has occurred, the case will be heard in an administrative hearing within 120 days, unless either party prefers the case to be heard in Federal district court.

If HUD adjudicates the case, HUD lawyers will litigate the case for the complainant before an Administrative Law Judge (ALJ). If the ALJ decides that discrimination occurred, the respondent can be ordered:

- To compensate for actual damages, including humiliation, pain, and suffering.
- To provide injunctive or other equitable relief; for example, to make housing available.
- To pay the federal government a civil penalty to vindicate the public interest.
The maximum penalties are \$10,000 for a first violation, \$27,500 for a second offense, \$50,000 for a third violation within seven years.
- To pay reasonable attorney’s fees and costs.

There are two other laws that do not directly address fair housing, but which do deal with housing issues. The first is the Arizona Landlord and Tenant Act, which details the rights of both tenants and landlords with respect to rental property, while the second, the Arizona Mobile Home Landlord & Tenant Act, deals specifically with mobile homes.

Sierra Vista Ordinance

The City of Sierra Vista does not currently have a fair housing ordinance.

A citizen may contact the City of Sierra Vista Fair Housing Officer for information and referrals related to fair housing. That contact is Ms. Jenifer Thornton, who may be at (520) 458-3315 or by email at jthornton@cityofsierravista.org.

Fair Housing Defined

In light of the fair housing legislation passed at the federal, state, and local levels, fair housing throughout this report is defined as follows:

Fair housing is a condition in which individuals of similar income levels in the same housing market having a like range of housing choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.

Impediments Defined

Within the legal framework of federal and state laws and based on the guidance provided by the U.S. Department of Housing and Urban Development (HUD) Fair Housing Planning Guide, impediments to fair housing choice are defined as:

Any actions, omissions, or decisions taken because of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor which restrict housing choices or the availability of housing choices; or

Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation.

To affirmatively promote equal housing opportunity, a community must work to remove impediments to fair housing choice.

Fair Housing and Affordable Housing

When discussing “fair housing” and “affordable housing,” the two phrases are often used interchangeably. The concepts are distinct, but intertwined. However, it is important to distinguish between the two in order to clearly identify issues and reduce fair housing discrimination. The phrase “fair housing,” in the context of preparation of an Analysis of Impediments to Fair Housing Choice (AI), refers to persons (families, seniors, individuals, and special needs populations) who are members of protected classes, as specified by federal statutes. It is illegal to discriminate against a person on the basis of their membership in a protected class in the sale, rental, financing, and insuring of housing.

On the other hand, “affordable housing” generally refers to the ability of households to **afford**, based on income, to buy or rent housing within their means. The key difference between the two concepts is **that issues of discrimination regarding fair housing can apply to all income levels, because protected classes are represented in all income groups.**

Because the two concepts are different, tools to address fair housing are distinguished from tools to increase the supply of affordable housing. Most federal, state, and local funding programs to support the increase in the supply of affordable ownership and rental housing are targeted to low- and moderate-income households. Low-income households are defined by most of those publicly funded programs as earning less than 50 percent of the HUD determined area median income (AMI), with moderate-income households earning 50 to 80 percent of the AMI. In certain instances, affordable housing programs address households with greater incomes. The recently adopted Neighborhood Stabilization Program, for example, which focuses on foreclosed housing, has an income limit set at 120% AMI.

Clearly, there are many actions that can and should be taken that are directly aimed at elimination of discrimination against federally and locally protected groups in the selling, renting, financing, and insuring of housing, as recommended in this AI report. Those actions include: education of prospective homebuyers and tenants as to their rights to access to housing; and, enhancement of the system to study, receive complaints, investigate complaints, resolve complaints, and/or bring charges and prosecute violations of federal and local fair housing laws. While robust implementation of these actions will decrease discrimination in housing, it is not likely that such actions taken alone will eliminate housing discrimination.

Yet it is difficult to talk about addressing impediments to fair housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing. Discrimination in housing will, in part, be reduced by the provision of housing opportunities and choices made affordable to all income groups in all communities, especially low- and moderate-income households.

Certain protected classes have disproportionate representation in the numbers of low- and moderate-income households in Sierra Vista, and so it is reasonable to expect that as the supply of affordable housing is increased in all communities of the City, greater numbers of protected class members will have access to housing without discrimination.

SCOPE OF ANALYSIS

This Analysis of Impediments (AI) to Fair Housing Choice provides an overview of laws, regulations, conditions or other possible obstacles that may affect an individual’s or a household’s access to housing. The AI involves:

- A comprehensive review of the laws, regulations, and administrative policies, procedures, and practices;

- An assessment of how those laws, regulations, policies, procedures, and practices affect the location, availability, and accessibility of housing; and
- An assessment of conditions, both public and private, affecting fair housing choice.

Geographic Area Covered

This report constitutes the AI for the City of Sierra Vista.

DATA AND METHODOLOGY

The following are key data sources used to complete this AI:

- 2010 U.S. Census and the 2008-2012 American Community Survey
- The City’s Consolidated Plan, 2014-2019
- Comprehensive Housing Affordability Strategy (CHAS) Data from HUD
- Home Mortgage Disclosure Act (HMDA) Data
- RealtyTrac and Trulia Housing Sales and Foreclosure Data
- U.S. Department of Housing and Urban Development (HUD), Fair Housing and Equal Opportunity Complaint Data
- Housing Element of the Sierra Vista General Plan and 2008 Plan Update

Sources of specific information are identified in the text, tables and figures.

ORGANIZATION OF THE REPORT

The AI is divided into nine (9) chapters:

1. Introduction: Defines “fair housing” and explains the purpose of the report.
2. Community Participation: Describes the community outreach program.
3. Community Profile: Presents the demographic, housing, and income characteristics in the City of Sierra Vista
4. Fair Housing Practices: Identifies and explains the oversight of fair housing by both government and industry organizations
5. Lending and Complaint Data, Advertising: Assesses the nature and extent of fair housing complaints and violations, examines loan data and lending practices, and evaluates advertising
6. Public Policies and Practices: Analyzes public policies and actions that may impede fair housing within the City
7. Resident Survey and Focus Group Meetings: Analyzes results of the resident surveys and the focus group meetings
8. Fair Housing Accomplishments: Describes recent activities and accomplishments related to Fair Housing
9. Identified Impediments, Recommendations, and Action Plan: Describes the Impediments to Fair Housing Choice and summarizes AI findings regarding fair housing issues; provides recommendations for furthering fair housing choice and describes actions for implementation

2) COMMUNITY PARTICIPATION

As with the development of the Consolidated Plan, this Analysis of Impediments to Fair Housing Choice (AI) results from a process of consultation and citizen participation, building upon existing participation mechanisms and venues. Citizens, not-for-profit organizations, and interested parties were afforded a variety of opportunities to:

- contribute during meetings, hearings and planning sessions,
- review and comment upon the participation plan, the Analysis of Impediments, and comments made about the Analysis,
- participate in public hearings,
- comment upon the plan and its amendments, and
- register complaints about the Analysis and its amendments.

The City complied with the citizen participation requirements of the regulations by doing the following:

- Preparing, adopting, and following a Citizen Participation Plan;
- Publishing informational notices about the document;
- Holding public hearings in accessible places at convenient times after providing reasonable notice;
- Publishing a summary of the Analysis, describing its contents and purpose and a listing of locations where the entire document could be examined;
- Making the Analysis available for public examination and comment for a period of fifteen (15) days before submission to HUD;
- Providing citizens, public agencies, and other interested parties reasonable access to records regarding uses of assistance for affordable and supportive housing the City may have received during the preceding five years; and
- Considering the views and comments of citizens, and preparing a summary of those views for consideration with the submission.

The Department of Community Development staff held publicized public hearings on two occasions – on July 8 and on August 12, both at the time of a City Council meeting. These sessions were part of a concerted effort to obtain as much public input as possible in the preparation of the Consolidated Plan and the AI.

The City also conducted a public meeting, held on June 25 at the Sun Canyon Inn. Three focus group meetings were also held in the City Council Chambers on June 25 and 26. Representatives from community social service organizations, housing developers and advocates, and government departments were invited to attend. Active participation by attendees at the meeting provided insight into fair housing issues and concerns.

The City Council approved the Analysis of Impediments to Fair Housing Choice and an executed Resolution of Authorization. The document was then forwarded to the HUD Regional Office.

3) COMMUNITY PROFILE

Fair housing is concerned with ensuring that: 1) all people are treated equally in the rental, sale, or occupancy of housing; and 2) a range in types and prices of housing is available. This chapter examines the population, housing, and special needs characteristics and trends in the City that may affect equal housing opportunity.

This Community Profile provides insights for identifying potential impediments to fair housing choice. While not definitive indicators of impediments to fair housing choice in and of themselves, these data may point to conditions or situations that could be indicators of impediments to fair housing choice. Observations about issues that **could** arise are made at the end of this section.

OVERVIEW

The City of Sierra Vista is located in Cochise County, Arizona, 75 miles southeast of Tucson. Sierra Vista is the largest of seven incorporated cities in Cochise County, accounting for one-third of the county's population, and is bordered on the northwest by the much smaller town of Huachuca City. The city has a total area of 140.17 square miles, which includes Fort Huachuca. Sierra Vista is flanked on the southwest side by the Huachuca Mountains, with Miller Peak rising to 9,466 feet and Carr Peak to 9,236 feet, both south of the city limits. The city is accessible via Arizona State Routes 90 and 92. The San Pedro River flows just east of the city limits. The City serves as the main commercial, cultural, and recreational hub of Cochise County. The city is served by the Sierra Vista Municipal Airport (FHU) which is jointly operated by the U.S. Army as Libby Army Airfield. Currently there are no commercial flights arriving to or departing from FHU.

In addition to serving as a retail center, Sierra Vista has a substantial employment base because of Fort Huachuca, the community's major employer. Because of contracts with the Army, the professional, scientific and technical services sector has been unusually large, and nearly half of all jobs in Sierra Vista are in the government sector. Wick Communications, which publishes several dozen newspapers in some twelve states, is headquartered in Sierra Vista. Higher education is available through the University of Arizona South, Cochise Community College, the University of Phoenix, Wayland Baptist University, and Western International University.

DEMOGRAPHICS

Population

The population of the City now estimated to be 44,774 persons according to the 2008-2012 American Community Survey (ACS). This is an 18.5 percent increase from the 37,775 persons in the 2000 census.

Sierra Vista has a relatively younger population. The median age according to the ACS was 33.7 years. This compares to 37.2 for the United States and 36.0 for the State. However, in Sierra Vista 15.6 percent of the population is over 65, while in Arizona, the percentage is 14.0, and the United State percentage is 13.2. The low median age is affected by the presence of a higher percentage of young, working-age adults in the age

cohorts between 15 and 35. The table below compares Sierra Vista’s population with those of the State and the nation by age cohort, showing the larger percentage of persons in the City under 34 and the higher percentages of persons over 65.

| Population by Age - Sierra Vista - AZ - US | | | |
|--|----------------|------|------|
| Age Cohort | Sierra Vista % | AZ % | US % |
| <5 Years | 7.9 | 7.1 | 6.5 |
| 5 - 9 | 6.7 | 7.0 | 6.6 |
| 10-14 | 5.3 | 7.0 | 6.7 |
| 15-19 | 8.3 | 7.1 | 7.1 |
| 20-24 | 8.3 | 7.0 | 7.0 |
| 25-34 | 14.9 | 13.5 | 13.3 |
| 35-44 | 11.8 | 12.9 | 13.3 |
| 45-54 | 11.1 | 13.1 | 14.4 |
| 55-59 | 4.8 | 5.9 | 6.4 |
| 60-64 | 5.4 | 5.5 | 5.5 |
| 65-74 | 8.6 | 7.9 | 7.1 |
| 75-84 | 5.2 | 4.4 | 4.3 |
| >85 | 1.7 | 1.6 | 1.8 |
| <i>Source: 2012 ACS</i> | | | |

As will be seen below, age and household size and structure considerations affect housing needs and requirements, as well as shaping the types of services the residents need.

Race

The table below compares the racial composition of Sierra Vista with that of Arizona and the United States, demonstrating racial diversity in the City. As can be seen, Sierra Vista has a smaller percentage of White persons than the State, and while the percentage of African-Americans is higher than that of the State, it is below the national figure. The City’s percentage of persons of Two or More Races is well above both State and national percentages.

| <i>Racial Composition: Sierra Vista, Arizona, and the United States, 2012</i> | | | |
|---|----------------|-----------|------|
| | Sierra Vista % | Arizona % | US% |
| White | 74.2 | 79.3 | 74.2 |
| Black or African American | 7.5 | 4.1 | 12.6 |
| American Indian & Alaska Natives | 1.3 | 4.4 | 0.8 |
| Asian | 3.9 | 2.8 | 4.8 |
| Native Hawaiian & Pacific Islander | 0.7 | 0.2 | 0.2 |
| Some Other Race | 4.6 | 6.4 | 4.8 |
| Two or More Races | 7.7 | 2.8 | 2.7 |
| <i>Source: 2012 ACS</i> | | | |

The Hispanic population in Sierra Vista constitutes 22.0 percent of the City’s population, an increase from the 15.8 percent reported in the 2000 Census. The current percentage is above the national figure of 16.4 percent, but lower than the State percentage of 29.7.

There are no Census Tracts in which a minority population constitutes over 50 percent of the population of that Tract.

The percentage of foreign-born persons in Sierra Vista is 9.2 percent, which is below both the State figure of 13.6 percent, and the national percentage, 12.9. It should also be noted that 17.7 percent of Sierra Vista residents speak a language other than English at home, a percentage that is below both the State (26.9%) and the US figure of 20.5 percent.

Families and Households

The average household size in Sierra Vista, 2.46 persons, is below both the US figure (2.61), and the Arizona’s figure of 2.66 persons. The percentage of Family Households in Sierra Vista is 68.7 percent, above the US average of 66.5 percent, and the State figure (65.9%). The percentage of families with children under 18, is 31.2 percent, which is almost two percent higher than the State. It should be noted that the percentage of Female Headed Households (12.2%) is on par with the State figure and below the national percentage. However, the percentage of those households with children under 18 (7.9%) is slightly above both State and National percentages.

Though there are 5,410 nonfamily living in Sierra Vista (31.3% of the households), the number of households with persons 65 or older living alone is 1,793, which is 10.4 percent of the households, a figure above both State and national norms.

Thus, the City has a significant percentage of non-family households, a relatively high percentage of female head of households with children and a relatively high percentage of persons over 65 living alone. The following table presents this data.

| <i>Average Household and Family Size and Other Household Characteristics</i> | | | |
|--|----------------|-----------|------|
| <i>Sierra Vista, Arizona, and the United States</i> | | | |
| | Sierra Vista % | Arizona % | US % |
| Family households | 68.7 | 65.9 | 66.5 |
| Families w/ Children <18 | 31.2 | 29.3 | 29.9 |
| Female Head of Household | 12.2 | 12.3 | 12.9 |
| Female Head w/ Children <18 | 7.9 | 7.3 | 7.3 |
| Nonfamily households | 31.3 | 34.1 | 33.5 |
| Householder Living Alone | 26.9 | 27.1 | 27.5 |
| 65 years and older | 10.4 | 9.3 | 9.6 |
| Average household size | 2.46 | 2.66 | 2.61 |
| <i>Source: 2012 ACS</i> | | | |

Disabled Persons and Special Needs Populations

The Elderly and Frail Elderly

The elderly, 65 and over, constituted 15.6 percent of the total population in City of Sierra Vista in the 2012 ACS. The Frail Elderly, those 75 and over (6.9% of the population), may need additional assistance to live independently and have additional requirements for their housing, such as elevators, grab bars in the bathroom, and special types of kitchen and bathroom fixtures. There are an estimated 3,104 frail elderly in Sierra Vista.

The elderly, especially in very low-income households, face housing difficulties based upon their particular housing needs (size of units, and types of fixtures and amenities), and on the basis of the cost burden they bear for housing and the fact that most are limited by fixed incomes.

Disabled Persons

The 2012 figures for disability indicate that 14.2 percent of the City's population has some disability. This represents 5,774 persons. This percentage is higher than the national figure of 12.0 percent, and the State percentage of 11.5 percent. Information about specific types of disability is not available.

The Developmentally Disabled

The Association for Retarded Citizens (ARC) indicates that the base definition of developmentally disabled is an IQ score less than 70. ARC indicates that the nationally accepted percentage of the population that can be categorized as developmentally disabled is two and one-half to three percent of the population. By this calculation, there are an estimated 1,119 developmentally disabled persons in Sierra Vista.

The preferred housing options for the developmentally disabled are those that present a choice and integrate them into the community. This includes supervised apartments, supported living, a skills development home, and family care homes.

The Physically Disabled

The number of persons under the age of 18 with disabilities is 350, while the number of persons aged 18 to 64 with disabilities is 2,767, or 11.9 percent of the persons in that age group. The number of persons 65 and over with disabilities is 2,657 or 39.8 percent of that age group. These figures, based upon the Census Bureau definition of disability, include a wide range of disabilities and a precise figure for persons with physical disabilities is difficult to determine.

Deducting the number of developmentally disabled persons from the census figure for disabled persons gives an approximate figure of 4,655 persons who may be physically disabled.

Persons with physical disabilities may require assistance with daily living, and additional requirements for their housing including, for example, special types of kitchen and bathroom fixtures and special fire alarms.

The implications for fair housing issues are that there is a need for smaller housing units for the elderly and those living alone. There is a need for housing for the frail elderly, but the City's population percentages would indicate a moderate demand for the housing designed for these persons. The percentage of persons with disabilities is higher than that of the State and would indicate a need for housing to meet the needs of this segment of the population.

ECONOMIC FACTORS

Educational Attainment

Sierra Vista's population has a high percentage of persons with an Associate's, Bachelor's or Graduate degree, and a very low percentage of persons with less than a high school diploma. The percentage of persons with a Bachelor's degree is almost two and one-half percent greater than the State and one and one-half percent higher than the National percentage.

| <i>Educational Attainment (Population 25 and Over)</i> | | | | |
|--|---------------------|----------------|-----------|------|
| <i>Sierra Vista, Arizona, and the United States</i> | | | | |
| | Sierra Vista Number | Sierra Vista % | Arizona % | US % |
| Less than 9th Grade | 779 | 2.7 | 6.5 | 6.0 |
| 9th to 12th Grade, No Diploma | 1,473 | 5.2 | 8.1 | 8.2 |
| High School Grad. (incl. Equivalency) | 5,519 | 19.8 | 24.4 | 28.2 |
| Some College, No Degree | 8,102 | 28.5 | 26.2 | 21.3 |
| Associate's Degree | 3,744 | 13.2 | 8.2 | 7.7 |
| Bachelor's Degree | 5,455 | 19.2 | 16.9 | 17.9 |
| Graduate or Professional Degree | 3,248 | 11.4 | 9.7 | 10.6 |
| <i>Source: 2012 ACS</i> | | | | |

Labor Force and Employment

The labor force (persons 16 years and over) in Sierra Vista was 22,390 in 2012. These persons represented 63.6 percent of the working age population, a labor force participation rate that is slightly below the US figure of 64.7 percent but above the State figure of 61.4 percent.

The following table compares the employment by industry of Sierra Vista's workers with those at the state and national level.

| Percentage of Workers by Industry | | | | |
|---|------------------------|----------------|-----------|------|
| Sierra Vista, Arizona, and the United States | | | | |
| | Sierra Vista Number | Sierra Vista % | Arizona % | US % |
| Agriculture, forestry, fishing and hunting, and mining | 148 | 0.9 | 1.4 | 1.9 |
| Construction | 520 | 3.0 | 7.2 | 6.5 |
| Manufacturing | 487 | 2.8 | 7.5 | 10.6 |
| Wholesale trade | 77 | 0.4 | 2.5 | 2.8 |
| Retail trade | 1,639 | 9.6 | 12.3 | 11.6 |
| Transportation and warehousing, and utilities | 507 | 3.0 | 4.9 | 5.0 |
| Information | 275 | 1.6 | 1.9 | 2.2 |
| Finance and insurance, real estate, rental and leasing | 845 | 4.9 | 8.0 | 6.7 |
| Professional, scientific, management | 3,049 | 17.8 | 11.4 | 10.7 |
| Educational services, health care and social | 3,419 | 19.9 | 21.8 | 22.9 |
| Arts, entertainment, and recreation | 2,093 | 12.2 | 10.5 | 9.2 |
| Other services, except public administration | 716 | 4.2 | 4.9 | 4.9 |
| Public administration | 3,377 | 19.7 | 5.7 | 4.9 |
| <i>Source: 2012 ACS</i> | | | | |

As mentioned in the introduction to this community profile, Sierra Vista has a very high percentage of workers in the Professional, Scientific and Management sector, the Public Administration sector, and relatively higher percentage of employees in the Arts, entertainment and recreation sector. As a regional commercial center, the percentages of workers in the Retail, Wholesale, and Transportation sectors are low. Education and Health Care Services, a very large employer in many communities, is slightly below both State and national figures.

The largest employers in Sierra Vista, according to the Sierra Vista Chamber of Commerce website, are:

- Fort Huachuca
- Sierra Vista Unified School District
- General Dynamics Information Technology

- Sierra Vista Regional Health Center
- Northrup Grumman Corporation
- Man Tech International Corporation
- City of Sierra Vista
- Science Applications International Corporation
- Aegis Communications Group
- Raytheon
- NCI Information Systems
- Cochise College
- Wal-Mart

Unemployment

Unemployment was 8.5 percent in Sierra Vista in January of 2013, but has declined only gradually since then. According to the U.S. Bureau of Labor Statistics the average unemployment rate for 2013 was 8.0 percent. Figures for the first seven months of 2014 show that the number of unemployed has declined from 1,638 (8.5%) in January to 1,295 (6.8%) in April, but climbed to 8.1 percent in July, the latest available figure.

The unemployment rate in Sierra Vista is currently lower than both the State and National figures of 7.1 and 6.2 percent respectively.

Income and Poverty

The following table compares key income and poverty figures for the city, the state, and the United States.

| Selected Income and Poverty Statistics | | | |
|---|--------------|----------|---------------|
| Sierra Vista, Arizona and the United States | | | |
| | Sierra Vista | Arizona | United States |
| Median HH Income (\$) | \$56,433 | \$50,256 | \$53,046 |
| Per Capita Income (\$) | \$27,566 | \$25,571 | \$28,051 |
| Persons in Poverty (%) | 10.0 | 17.2 | 14.8 |
| <i>Source: 2012 ACS</i> | | | |

Sierra Vista’s Median household Income is 106.3 percent of the national figure and 112.3 percent of the State figure. Though higher than the State Per Capita Income (PCI), the City’s PCI is 98.2 percent of the national figure.

The City does have a higher percentage of households with retirement income than the nation (32.2% vs. 17.6%) and a slightly higher percentage of households with Social Security income (29.9% vs. 28.3%). At the same time, the percentage of persons with Supplemental Security Income is 3.7 percent compared to the national figure of 4.6

percent. The percentage of persons receiving Food Stamp/SNAP benefits is 10.4 percent, which is lower than the national percentage, 11.4.

The table below shows the number and percentage of households at various income levels.

| Sierra Vista Household Incomes, 2012 | | | | |
|--------------------------------------|---------------------------|-------------------------|--------------------|---------------|
| Income | Sierra Vista Number of HH | Sierra Vista Percentage | Arizona Percentage | US Percentage |
| Less than \$10,000 | 1,186 | 6.9 | 7.4 | 7.2 |
| \$10,001 to \$14,999 | 611 | 3.5 | 5.2 | 5.4 |
| \$15,000 to \$24,999 | 1,287 | 7.4 | 11.0 | 10.7 |
| \$25,000 to \$34,999 | 1,621 | 9.4 | 11.2 | 10.4 |
| \$35,000 to \$49,999 | 2,775 | 16.1 | 15.0 | 13.7 |
| \$50,000 to \$74,999 | 3,585 | 20.7 | 18.9 | 18.2 |
| \$75,000 to \$99,999 | 2,465 | 14.3 | 12.0 | 12.2 |
| \$100,000 to 149,999 | 2,551 | 14.8 | 12.0 | 12.8 |
| \$150,000 to \$199,999 | 711 | 4.1 | 3.9 | 4.8 |
| \$200,000 or more | 497 | 2.9 | 3.5 | 4.6 |
| <i>Source: 2012 ACS</i> | | | | |

The City has a modest number of households with an income of less than \$15,000; indeed, only 10.4 percent of households, some 1,797 households, are below this figure. Though the percentage of households with incomes of less the \$15,000 is below the national figure, so is the percentage of households with incomes of over \$150,000 (8.0% in Sierra Vista and 9.4% nationally). Slightly larger percentages in Sierra Vista in the income brackets between \$35,000 and \$150,000 make up for the smaller figures at either end of the spectrum.

HUD has provided detailed data as part of its Comprehensive Housing Affordability Strategy materials to assist in preparing the Consolidated Plan and implementing HUD programs. HUD established five income categories for its analysis of incomes. The five income ranges are:

- Extremely Low (0-30% of the median income),
- Very Low-income (31-50% of the median income),
- Low-income (51-80% of the median),
- Moderate-income (81-100% of the median), and
- Upper-income (100% and above of the median).

The table below shows the income distribution of households in the City based upon this data. The 2014 Median Income figure for a family of four in Sierra Vista, calculated by HUD, is \$51,900.

**HUD AREA MEDIAN FAMILY INCOME
SIERRA VISTA, 2014**

| Income Category | 2014 | Approx. # of HH | Approx. % of HH |
|-----------------|------------------------------------|--------------------|--------------------|
| | HUDMedian HH Income \$51,900 | | |
| <30% AMI | \$15,570 | 1,797 | 10.4% |
| 31-50% AMI | \$25,950 | 1,287 | 7.4% |
| 51-80% AMI | \$41,520 | 3,008 | 17.4% |
| 81-100% AMI | \$51,900 | 1,865 | 10.8% |
| >101% AMI | \$52,419 | 9,331 | 54.0% |

Source: HUD Income Limits Documentation System

By HUD’s definitions, 6,092 (35.2 %) of Sierra Vista households are in the low-income categories.

Poverty is an issue in Sierra Vista as 17.2 percent of the population had an income in the preceding twelve months that was below the established poverty level. 8.2 percent of the elderly and 24.4 percent of persons under 18 are in this group.

HOUSING DATA

Housing Stock and Condition

Sierra Vista has 19,666 housing units as of the 2012 ACS figures. However, 2,377 units, 12.1 percent, are vacant according to the ACS figures. This figure is lower than the US 12.5 percent and the State’s 17.0 percent. The Sierra Vista homeowner vacancy rate (2.9%) is below both the national and State percentages, and the rental vacancy rate (11.5%) is almost one percent higher than that of the State (10.6%) and significantly higher than the nation (7.5%). Please note that these are Census Bureau figures, not current data from local sources.

Housing in Sierra Vista is similar to the national norm in terms of the types of structures. Nationally, 61.7 percent of structures are one-unit structures and the percentage of multi-unit structures is around 39.0 percent. In Sierra Vista 63.1 percent of structures are one-unit detached and about 37.0 percent are multi-unit structures. The City has fewer duplex and two through nine unit structures compared to the State and nation. The table below shows the number and percent of each type of unit in Sierra Vista and compares this to State and national percentages.

| Housing Units by Type | | | | |
|--|---------------------------------|-------------------------------------|--------------------------------|------------------------|
| Sierra Vista, Arizona and the US, 2012 | | | | |
| Type of Structure | Sierra Vista Number of Units | Sierra Vista Percent of Units | Arizona Percent of Units | US Percent of Units |
| One unit, detached | 12,410 | 63.1% | 63.1% | 61.7% |
| One unit, attached | 1,126 | 5.7% | 5.1% | 5.8% |
| Two units | 142 | 0.7% | 1.4% | 3.8% |
| 3 or 4 units | 864 | 4.4% | 3.4% | 4.4% |
| 5 to 9 units | 650 | 3.3% | 4.4% | 4.8% |
| 10 to 19 units | 1,360 | 6.9% | 5.0% | 4.5% |
| 20 or more units | 1,623 | 8.3% | 6.4% | 8.4% |
| Mobile home | 1,405 | 7.1% | 10.7% | 6.5% |
| Boat, RV or van | 86 | 0.4% | 0.4% | 0.1% |
| Total # of Units | 19,666 | | | |
| <i>Source: 2012 ACS</i> | | | | |

The City has few mobile homes, but percentage-wise is equal to the State.

A review of the numbers of units by room size shows that 45.4 percent of units are 3-bedrooms, but that there are 2,097 small units (no bedroom or one bedroom) – 10.7 percent of housing units, which compares to 13.3 percent for the US. At the same time, there are 3,943 units of four or five bed rooms (20.0% of the total) for large households, compared to 20.2 percent nationally. Thus, there would appear to be some balance between household size and availability of appropriately sized units. Indeed, ACS figures show the percentage of overcrowded households in Sierra Vista at 1.7 percent, almost one-half the national figure of 3.2 percent.

The housing stock in Sierra Vista is young. The table below shows the number of units built by decade in the City.

| Decade Housing Structures Built - Sierra Vista | |
|--|-------------------------------|
| Period Structure Built | % of Units in Sierra Vista |
| Built 2010 or later | 1.0 |
| Built 2000 to 2009 | 28.5 |
| Built 1990 to 1999 | 17.2 |
| Built 1980 to 1989 | 21.3 |
| Built 1970 to 1979 | 20.6 |
| Built 1960 to 1969 | 6.1 |
| Built 1950 to 1959 | 4.2 |
| Built 1940 to 1949 | 0.4 |
| Built 1939 or earlier | 0.7 |
| <i>Source: 2012 ACS</i> | |

In the decade between 2000 and 2012 over 5,800 housing units were built, 29.5 percent of the City's current total. It should be noted, however, that according to ACS data, construction after 2010 has been modest, only 202 units. In the decades between 1980 and 1999 7,584 units (38.5% of the total) were constructed with an additional 6,242 units (26.7% of the total) constructed in the 1960s and 1970s. Because of this surge in growth, the median construction date for housing units in Sierra Vista is approximately 1990.

Thus, even though the housing stock is young overall, a significant number of units are over thirty years old, and the need for maintenance and rehabilitation is increasing.

The condition of the housing stock in Sierra Vista is considered to be fair for the most part. As noted, almost one-half of the housing stock was built after 1980. Though housing problems are scattered throughout the City, the oldest part of the City, the West End, requires substantial efforts.

There are 177 units in the City that lack a complete kitchen, and 71 units lack complete plumbing. These units represent 1.4 percent of the City's occupied housing units.

Tenure

The tenure pattern in Sierra Vista varies from the national norm. In Sierra Vista, owner-occupied units constitute 56.0 percent of units while renter-occupied units comprise 44.0 percent of housing. Across the nation, the percentages are 65.5 percent owner-occupied and 34.5 percent renter-occupied. This may be in some measure a function of the fact that some military families, as well as some contractors, rent rather than buy, anticipating a transfer.

Housing Cost, Cost Burden, and Affordability

The median rent in Sierra Vista was \$917 in 2012, which was below the national median rent of \$889. Despite the apparent equality of rents, the impact of this level of expense is that 32.8 percent of households spent 35.0 percent or more of their income for rent, a figure that places them in the "severely cost burdened" category. In addition, another 7.7 percent of households pay between 30 and 35 percent of income for housing, which places them in the "cost burdened" category.

Homeownership appears to offer a financial advantage in Sierra Vista. While the median Sierra Vista home was worth \$191,900 in 2012 compared to \$181,400 for the United States, the median mortgage payment for a home in Sierra Vista was \$1,455 compared to \$1,559 for the nation, per the ACS data. These figures imply that a Sierra Vista homeowner is making a slightly lower mortgage payment than the national figure, but for a home valued at about \$10,000 more. Only 17.6 percent of Sierra Vista homeowners were paying 35.0 percent or more for housing, compared to 28.0 percent nationally.

The demand for housing in Sierra Vista followed the national trend and declined markedly after the housing "bust" in 2008, and sale prices have continued a general decline.

According to Trulia, a national home sales service, the median sales price for homes in Sierra Vista AZ for June, 2014 to September 2014 was \$140,000, which represents a decline of 3.4%, or \$5,000, compared to the prior quarter and a decrease of 10.3% compared to the prior year. Sales prices have depreciated 28.8% over the last 5 years in Sierra Vista, and the graph below demonstrates this trend. The number of sales has declined over 17 percent in the past year, according to Trulia.

Source: Trulia Market Trends, Sierra Vista



The average closing price for a home in September, 2014 (the most recent data) was \$140,000. Using the rule of thumb that a house should cost no more than two and one-half times one's income, a family would need an income of \$56,000 to afford a median priced home. The HUD median household income in Sierra Vista is \$56,433, meaning that a household at the median income level can afford the medina priced home. An analysis of the income ranges presented above reveals that approximately 44 percent of households in Sierra Vista have incomes below the \$56,000 figure.

These income figures mean that it is more difficult for many households to meet monthly expenses, especially when housing costs more than 30% of their income, more difficult to save for a down payment for a home, and more difficult to qualify for a mortgage to purchase home, especially in light the current tight lending market.

Figures from the National Low Income Housing Coalition indicate that the Fair Market Rent in Sierra Vista for a two-bedroom apartment is \$828 per month. According to the Coalition's figures, the monthly rent affordable to the mean renter wage (\$13.20 per hour) is \$687, which is \$141 more than the Fair Market Rent figure. Thus, the worker making the mean renter wage would need only 1.2 jobs at that rate to afford the apartment. However, a minimum wage worker would need 2.0 jobs to afford the apartment.

Public Housing

The City of Sierra Vista does not have a housing authority and there are no low rent public housing authority units located in the City. There are two Place-based Section 8 complexes in the City: Mountain View Apartments (80 units of 2, 3, and 4 bedroom units) and Bonita Vista Apartment (99 one-bedroom units for seniors. The increasing number of elderly and younger disabled persons creates additional need for accessible units.

The Cochise County Housing Authority reports that there are 43 families on the Section 8 waiting list, 37 extremely low-income families and 6 very low-income families.

OBSERVATIONS

Several key points relevant to potential impediments to fair housing emerge from the preceding discussion. While not definitive indicators of impediments to fair housing choice in and of themselves, they point to conditions or situations that may create impediments. These points are:

- The population is relatively young and racially and ethnically diverse.
- Despite a solid economic base, over one-third of the population is in the low-income categories as defined by HUD. Affordability is a problem for one-third portion of the renter population.
- There is a need for housing rehabilitation in the older neighborhoods and an increasing need for maintenance and rehabilitation of both rental and owner units as many properties are now thirty years old or older.
- There is a relatively high percentage of households headed by single females with children.
- Though there are relatively fewer elderly persons, the City has a high percentage of senior persons living alone, thus a demand for smaller housing units.

4) FAIR HOUSING PRACTICES

This section provides an overview of the institutional structure of the housing industry in governing the fair housing practices of its members. The oversight, sources of information, and fair housing services available to residents in Sierra Vista are described and their roles explained.

OVERSIGHT ORGANIZATIONS & ENFORCEMENT PROCESSES

As described above, City residents are protected from housing discrimination by federal and state laws. These laws are enforced by agencies at each level and persons have a number of alternatives for seeking assistance if they feel they have been discriminated against. At the federal level, the Department of Housing and Urban Development and the Department of Justice have enforcement authority. Reports and complaints are filed with these agencies, and the Department of Justice may take legal action in some cases. Typically fair housing service providers work in partnership with HUD and state agencies to resolve problems. However, in some cases where litigation is necessary, the case may be 1) resolved via administrative filing with HUD or the state, 2) referred for consideration to the Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section; or 3) referred to a private attorney for possible litigation.

The Arizona Fair Housing Act (AFHA) of 1991 (ARS § 41.1491) provides the same protections as the Federal Fair Housing Act (FHA), but different procedures for administrative complaint processing. In addition, the AFHA brought the Arizona Landlord and Tenant Act into compliance with the State Fair Housing Statute.

The City of Sierra Vista does not currently have a fair housing ordinance.

As noted above, there are a number of avenues a Sierra Vista resident can take to file a complaint. Under the Federal Fair Housing Assistance Program (FHAP), the U.S. Department of Housing and Urban Development (HUD) contracts with the Arizona Attorney General's Civil Rights Division to investigate and rule on fair housing cases. These types of complaints include alleged violations under the Fair Housing Act (Title VIII) and other HUD programs (Section 504 of the Rehabilitation Act of 1973, American with Disabilities Act of 1990, etc.). **In addition, a citizen may contact the City of Sierra Vista Fair Housing Officer for information and referrals related to fair housing.**

Local government officials, in agreeing to accept CDBG funds, certify that they will "affirmatively further fair housing". While the law does not specify what type of action recipients must take, it is clear that local government recipients are obligated to take some sort of action to affirmatively further the national goal of fair housing. The City keeps records that reflect all recipients take one or more actions to affirmatively further fair housing.

COORDINATION & SUPERVISION IN THE HOMEOWNERSHIP MARKET

Many agencies are involved in overseeing real estate industry practices and the practices of the agents involved. A portion of this oversight involves ensuring that fair housing laws are understood and complied with. The following organizations have limited oversight within the lending market, the real estate market, and some of their policies, practices, and programs are described.

Federal Financial Institutions Examination Council (FFIEC)

The Federal Financial Institutions Examination Council (FFIEC) is a formal interagency body empowered to prescribe uniform principles, standards, and report forms for the federal examination of financial institutions by the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision, and to make recommendations to promote uniformity in the supervision of financial institutions. The FFIEC provides data on loan originations, loan denials, and other aspects of the home loan process, as well as preparing Community Reinvestment Act rating reports on financial institutions.

National Association of Realtors (NAR)

The National Association of Realtors (NAR) is a consortium of realtors, which represent the real estate industry at the local, state, and national level. As a trade association, members receive a range of membership benefits. However, to become a member, NAR members must subscribe to its Code of Ethics and a Model Affirmative Fair Housing Marketing Plan developed by HUD. The term “Realtor” thus identifies a licensed real estate professional who pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. “Realtors” subscribe to the NAR’s Code of Ethics, which imposes obligations upon realtors regarding their active support for equal housing opportunity.

The NAR has created a diversity certification, “At Home with Diversity: One America”, to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR “At Home with Diversity” course. The certification signals to customers that the real estate professional has been trained on working with the diversity of today’s real estate markets.

Arizona Association of Realtors (AAR)

The Arizona Association of Realtors is a trade association of realtors statewide. As members of the Association, realtors follow a strict code of ethics. The Association provides fair housing information on its website, offers Fair Housing classes, education on ethics, professionalism, and professional standards, as well as the diversity course mentioned above. The Association also maintains a roster of instructors on key topics including fair housing and legal issues.

Arizona Department of Real Estate Commission

The Arizona Department of Real Estate is the licensing authority for real estate brokers and salespersons. The Department has adopted education requirements that include courses in ethics and fair housing. To renew a real estate license, each licensee is required to complete continuing education, including ethics and fair housing issues.

Southeast Arizona Association of Realtors

Founded in 1971, the Southeast Arizona Association of REALTORS® Inc. represents approximately 220 REALTORS® in the Southeast Arizona area, including Sierra Vista, Bisbee, and Douglas. As members of the National Association of Realtors and licensed real estate agents, members abide by the NAR Code of Ethics, and have received training and continuing education on fair housing topics.

COORDINATION & SUPERVISION IN THE RENTAL MARKET

A number of agencies are involved with the apartment rental process and related practices. This oversight includes ensuring that fair housing laws are understood. The following organizations have limited oversight within the rental housing market.

The National Apartment Association (NAA) serves the interests of multifamily housing owners, managers, developers and suppliers. As a federation of more than 170 state and local affiliates, NAA is comprised of over 63,000 members representing more than 7 million apartment homes throughout the United States and Canada. The organization offers a range of courses and information on fair housing issues, including domestic violence, housing design standards and the elderly. In addition, the organization provides a Fair Housing Library for its members.

The Arizona Apartment Association Inc. is a non-profit statewide trade association affiliated with the National Apartment Association and local associations. The group represents rental housing providers in legislative, legal and regulatory matters, and provides services, products, educational programs and networking opportunities to its members.

National Association of Residential Property Managers (NARPM) is an association of real estate professionals who are experienced in managing single-family and small residential properties. NARPM promotes the standards of property management, business ethics, professionalism, and fair housing practices within the residential property management field. NARPM certifies members in the standards and practices of the residential property management industry and promotes continuing professional education. NARPM offers designations to qualified property managers and management firms, and these certifications require educational courses in fair housing practices.

Other Entities

There are other organizations that are involved in fair housing activities, though not as supervisory organizations, but rather as advocacy organizations.

The Arizona Center for Disability Law is a federally-designated Protection and Advocacy System for the State of Arizona. Protection and Advocacy Systems (P&As) throughout the United States assure that the human and civil rights of persons with disabilities are protected. In creating Protection and Advocacy Systems, Congress gave them unique authorities and responsibilities, including the power to investigate reports of abuse and neglect and violations of the rights of persons with disabilities. The Center is authorized to pursue appropriate legal and administrative remedies on behalf of persons with disabilities to insure the enforcement of their constitutional and statutory rights, including fair housing issues.

The Arizona Fair Housing Center (AFHC) is a private not-for-profit civil rights advocacy organization whose mission is to eliminate housing discrimination. The Center engages in a range of outreach and education efforts on fair housing. The Center also investigates some complaints, makes referrals to attorneys and government agencies, and provides technical assistance to government agencies, housing providers, and social service agencies.

The Southwest Fair Housing Council

The Southwest Fair Housing Council (SWFHC), based in Tucson, Arizona, is a non-profit agency funded by memberships, donations, HUD, the Arizona Department of Housing and CDBG funding. The SWFHC also receives funding through HUD's Fair Housing Initiatives Program (FHIP) to assist people who believe they have been victims of housing discrimination. The SWFHC will use its FHIP grant to conduct an array of enforcement and education and outreach activities, and other fair housing assistance throughout the state. The SWFHC works to affirmatively further fair housing and overcome identified impediments to fair housing choice for protected classes throughout the state, and collaborates with two Fair Housing Assistance Program (FHAP) agencies: the Arizona State Attorney General's Office and the City of Phoenix's Department of Equal Opportunity to address Arizona's fair housing needs.

SWFHC provides a variety of services directed toward education and enforcement of fair housing laws, including: investigating individual complaints of housing discrimination; obtaining evidence to support enforcement action by public agencies conducting legal or administrative actions; initiating complaints and litigation to serve fair housing goals; making presentations at community meetings and special events; conducting conferences, training programs, and seminars to inform housing professionals about housing laws; and providing information and referrals for persons and families with housing needs.

Arizona Fair Housing Partnership.

The Arizona Fair Housing Partnership is a statewide coalition of government agencies, housing industry representatives, nonprofit organizations, social service agencies and

housing advocates who support and promote equal fair housing opportunities.

5) LENDING AND COMPLAINT DATA; ADVERTISING

This section of the AI evaluates lending practices in Sierra Vista, using information from banking oversight agencies, and complaint data from local, state, and federal organizations and agencies, as well as an assessment of advertising practices.

HOME LOAN ACTIVITY

Background

A key aspect of fair housing choice is equal access to financing for the purchase or improvement of a home. In 1977, the Community Reinvestment Act (CRA) was enacted to encourage regulated financial institutions to help meet the credit needs of entire communities, including low and moderate-income persons and neighborhoods. The Home Mortgage Disclosure Act (HMDA) requires financial institutions with assets exceeding ten million dollars to submit detailed information on the disposition of home loans. HMDA data were evaluated in this AI with respect to lending patterns.

The FFIEC does not provide data on Sierra Vista and Cochise County. The City and County are considered rural and, as with several other counties in Arizona, the organization does not provide any data on the website. In 2010 the State prepared an Analysis of Impediments and addressed the rural areas of the state, including Cochise County with Graham, Greenlee, & Santa Cruz. The results are thus difficult to apply to Cochise county or Sierra Vista in particular. Key points from that analysis are provided below and shown in italics.

The 2010 State AI did reveal that White non-Hispanic borrowers made up about 60% of the households in these counties and received approximately 51.8% of all prime single-family loans and 33.97% of all subprime loans. Comparatively, Hispanics, which comprised 32.6% of the households in this area, received a little over 30% of all prime loans and 49.6% of all subprime loans. Whites received a portion of prime loans that was 17.87 percentage points greater than subprime loans, while Hispanics received a share of subprime loans that was 19.55 percentage points greater than their portion of prime loans.

Further, Hispanic borrowers received almost 40% of all subprime loans while only receiving 17.3% of all prime loans, a difference of 22.7 percentage points. Cochise, Graham, Greenlee, and Santa Cruz counties also performed poorly on this indicator, as Hispanic borrowers received 49.6% of all subprime loans and only a little over 30% of all prime loans, a difference of almost 19.4 percentage points.

In Cochise, Graham, Greenlee, and Santa Cruz counties, white borrowers were denied a loan about 25% of the time in 2007. In comparison, Hispanics were denied a loan over 39% of the time and the respective number for Native Americans was 43.8%. Thus, when applying for a loan, Hispanics were 1.57 times more likely and Native Americans were

1.74 times more likely to be denied a loan, as compared to white borrowers.

This data is now over four years old and, as noted, includes data for a four county region. For these reasons, the findings should be viewed with some reservation.

Furthermore, HMDA data provides some insight into the lending patterns that exist in a community. However, HMDA data is only an indicator of potential problems; the data cannot be used to conclude definite redlining or discrimination practices. HMDA data lacks the detailed information on loan terms or specific reasons for denial to make conclusive statements.

FAIR HOUSING COMPLAINT DATA

As described earlier, there are a number of organizations and agencies with oversight in the area of fair housing and discrimination in housing. This section of the Analysis of Impediments will review and assess information about housing discrimination complaints and reports on housing opportunity in Sierra Vista.

In the past five years there were two Title VIII cases in the Federal Court’s Arizona District, but none of these complaints involved entities in Sierra Vista.

The Arizona Attorney General’s Office is responsible for the administration of fair housing complaints in Arizona. Since the Attorney General is the administrator for fair housing issues, the data obtained from the HUD Fair Housing Equal opportunity website is the accurate and current data.

The FHEO data is available only at the County level and thus the figures presented here reflect Cochise County, not simply the City. The data cover the period January 2008 to December 31, 2013, and are the most recent and complete available.

| Fair Housing Complaints Filed, Cochise County, 2008-2013 | | | | | | | | | |
|---|--------------------|-------------------|--------------------|------------------------------|-------------------------|------------------------------|-----------------------|------------------|--------------------------|
| | Filed Cases | Race Basis | Color Basis | National Origin Basis | Disability Basis | Familial Status Basis | Religion Basis | Sex Basis | Retaliation Basis |
| Filing Date | | | | | | | | | |
| 02/05/08 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 06/09/08 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 06/18/09 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| 06/09/10 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 06/24/10 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| 07/08/10 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 09/17/10 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 10/20/10 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 |
| 11/18/10 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 03/15/11 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 05/18/11 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 10/24/13 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| TOTAL | 12 | 0 | 0 | 2 | 9 | 0 | 0 | 0 | 4 |

Source: HUD, Office of Fair Housing and Employment Opportunity

Over the six year period 12 complaints were filed. The table below shows those complaints by year and by basis for the complaint.

A complaint may be filed on multiple grounds, so the number of complaints often exceeds the number of cases filed. The number of cases filed peaked in 2010 with one-half of the total filings coming in that year. The following year, however, saw only two filings and there were no filings in 2012.

The largest number of filings was on the basis of Disability. The number of Disability Basis cases was even across the period, roughly one per year. There were no Race Basis cases files and only Two National Origin Basis cases. There were four Retaliation Basis cases, all files in 2010.

The City is not aware of any fair housing complaints in the past two years. Any complaints registered with the City would be forwarded to the Southwest Fair Housing Council for action.

These data do not capture the totality of fair housing conditions in Sierra Vista. Not all fair housing problems are recorded or come to light as fair housing complaints. Many persons do not lodge a complaint, because, as a fair housing advocate in Oregon observed, *“All they [persons seeking housing] want is a house, not a Federal case.”*

REAL ESTATE ADVERTISING

This assessment of fair housing practices in Sierra Vista included a review of a number of sources containing advertisements for housing, both for sale and rental. Overall, there does not appear to be any attempt to exclude or discriminate against any of the protected classes.

Four real estate publications were found outside restaurants and shopping areas. These were “The Real Estate Press of Cochise County,” “Picture Your Home,” The Apartment Finder for Greater Tucson and Sierra Vista,” and For Rent.com for Southern Arizona.” An examination of all four showed that the fair housing logo or fair housing language was present in each.

A review of the listings for Sierra Vista in the online edition of the Sierra Vista Herald showed that most property ads did not feature the fair housing logo, and none of the ads reviewed made any specific reference to fair housing policies or practices. It should be noted that upon going to the real estate broker’s site (as opposed to the individual property listing) the fair housing logo was often present, usually at the bottom of the page. In reviewing ads for homes for sale and for apartments, the reviewer noted that few of the sites, such as Realtors.com or homes.com contained a fair housing logo or language. As is to be expected a number of other listing services, such as Craig’s List, did not have any fair housing language or make use of the logo.

OBSERVATIONS

1. The number of FHEO complaints for the period under review was modest.
2. There was no clear sign of discrimination in the language or illustrations of housing advertising in the area's real estate on line sites.

6) PUBLIC POLICIES AND PRACTICES

LAND USE PLAN - HOUSING

Public policies established at the local level can affect housing development and therefore, may have an impact on the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment and active community participation. An assessment of public policies and practices enacted by the City can help determine potential impediments to fair housing opportunity. To identify potential impediments to fair housing choice and affordable housing development, housing-related documents (e.g., zoning code materials, previous fair housing assessments) were reviewed, and interviews with fair housing advocates and practitioners were conducted in preparing this AI. This section of the Analysis focuses on public policies that may impede fair housing choice in Sierra Vista.

Arizona law requires municipalities to prepare General Plans, including a Housing Element. This element establishes a goal of ensuring that all residents have access to adequate and affordable housing. The General Plan may also include a housing opportunities objective to provide quality housing and a range of housing size, cost, and density that should be provided in each community, to make it possible for all who work in the community to also live in the community. In these Plans local governments evaluate the composition and quality of the community's housing stock, the age and condition of housing, the cost of housing, the needs of households that are cost burdened, the relationship of local housing costs and availability to the socioeconomic characteristics of these households and special housing needs in the community (e.g., housing needs of residents who are elderly; homeless; persons with mental, physical, or developmental disabilities; and persons with HIV/AIDS).

The City's new General Plan, approved by the City Council voters in June of 2014 and ratified by the voters in November of 2014, contains a chapter on housing. The housing goals note in particular the need to promote a range of available, accessible and affordable housing, to provide quality housing, and to revitalize existing neighborhoods. The Plan is notable for its focus on providing housing meeting visitability standards, locating housing for citizens with special needs near transportation services, and for addressing the need to find or create housing for the "hard to house," including ex-offender and the homeless.

BUILDING AND ZONING CODES

The City also has a Building Code and a Zoning Code, which serve to protect the public interest and create safe and sanitary living conditions. However, both can affect fair housing choice. Inspection costs, permit fees, and higher quality construction requirements tend to drive up the cost of housing. Requirements for various kinds of building permits also increase the cost of a housing unit. Similarly zoning requirements

that define or exclude certain types of housing can reduce the opportunity to develop a range of housing choices for individuals across the community.

The fair housing equation is balanced on one end with equal access and on the other end with a range of housing choice. To ensure fair housing choice in a community, a zoning ordinance should provide for a range of housing types, including single-family, multi family, second dwelling units, mobile homes, licensed community care facilities, employee housing for seasonal or migrant workers, assisting living facilities, emergency shelters, and transitional housing. Single and multi-family housing types include detached and attached single-family homes, duplexes, townhomes, condominiums, and rental apartments, as well as accessory units.

The Building Code for the City is based upon the 2012 edition of the International Building Code, amended to meet the specific needs of the City. As such, it incorporates policies, procedures and standards that are widely accepted and do not adversely affect housing choice.

The Development Code for Sierra Vista permits this range of development and permits a range of housing in a range of areas within the City. Manufactured housing is permitted, as are accessory units and group living arrangements. The standards do not restrict accessibility in particular. The current zoning code does address a number of terms, such as “disabled” and “family,” and in doing so avoids issues that could possibly impact housing choice. It should be noted that the Code does not mention visitability or universal design.

TRANSPORTATION

Transportation from housing to work, to services, and to shopping is an essential part of fair housing. Persons without automobiles, persons with disabilities, the elderly, and many others need access to reliable and convenient transportation.

Sierra Vista has a public mass transit system called Vista Transit, which is a division of the City’s Department of Public Works. Vista Transit complies with Title VI of the Civil Rights Act of 1964 and service will be provided without regard to race, color, national origin, age, sex or disability. The service has seven routes that run between 7:00 AM and 5:30PM, connecting residential areas to employment centers, amenities, and shopping.

Curbside pick-up services are available for customers with disabilities. Vista Transit travels within City Limits (Monday-Friday) for curb-to-curb services and special needs customers. All buses are wheelchair accessible. Reservations must be called in 24 hours in advance, Monday - Friday between the hours of 7:00 am. - 4:00 pm.

OBSERVATIONS

1. The City’s new General Plan emphasizes the development of a range of

housing opportunities for all residents with an emphasis upon addressing the needs of persons with a disability and the “hard to house.”

2. The City’s Building and Development Codes do not limit fair housing.
3. The City’s public transit system addresses public transportation needs as well as the needs of the disabled and appears to provide adequate service.

7) FOCUS GROUP AND PUBLIC MEETINGS

FOCUS GROUP DISCUSSIONS

When asked about fair housing and housing discrimination in Sierra Vista, the group did not identify any problems or issues, except that in a few instances members of the group has heard that landlords had put what they thought were discriminatory clauses in leases. It was also noted that service animals often seemed to have more rights with respect to housing than persons. The most important point the group raised was that the public needed more education about and awareness of housing discrimination.

The group did not feel that fair housing or housing discrimination were issues in Sierra Vista, though it was noted that something should be done to help convicted felons who cannot get a job or housing through HUD-funded programs.

The consensus among the participants in all sessions was that housing discrimination is not an issue.

OBSERVATIONS

The key point that emerges from the preceding discussion is that the residents involved in these discussions do not see housing discrimination as a major issue in Sierra Vista, though there are some issues that should be explored.

8) FAIR HOUSING ACCOMPLISHMENTS

The Action Plan for 2015 for Sierra Vista includes initiatives to further fair housing choices and increase access to housing and housing programs and services.

The City of Sierra Vista is required to affirmatively further fair housing as mandated by Section 808(e)(5) of the Fair Housing Act. HUD requires that the City conduct an analysis of impediments to fair housing choice and to take appropriate actions to overcome the effects of any impediments identified through the analysis. This is the City's first Analysis of Impediments to Fair Housing Choice, and, pre regulations, includes 1) a demographic, income, housing, employment, education, and public transportation profile of the community, 2) an assessment of fair housing law, municipal policies, and complaint analysis, 3) results of focus group sessions and community engagement, and 4) a review of home mortgage disclosure and fair housing complaint data.

All City housing programs are marketed to the Spanish speaking residents of Sierra Vista to the greatest extent feasible, using Spanish language brochures, City of Sierra Vista community outreach, and interpretation when necessary at all public hearings.

The City sees that appropriate posters and notices concerning fair housing are displayed at City Hall, and literature about fair housing is available at a kiosk in City Hall. The City conducts a fair housing presentation at a televised City Council meeting in April at which time the Council passes a Fair Housing Resolution. The Department of Community Development reports on fair housing issues to the Arizona Department of Housing and will include fair housing issues in its Comprehensive Annual Performance and Evaluation Reports, though the City has had nothing to report in recent years.

The City works with the Southwest Fair Housing Council in Tucson to publicize (and attend when possible) fair housing outreach and educational events, which in 2014 included a Continuing Education class for Realtors in May, a resource fair for veterans in August, and attendance at the ADOH annual fair housing meeting. To educate citizens on fair housing issues, educational materials are distributed at housing events sponsored by the City, including the brochure published by the Department of Housing and Urban Development, "*Fair Housing-Equal Opportunity for All*."

9) IDENTIFIED IMPEDIMENTS, RECOMMENDATIONS AND ACTIONS

Background

This section summarizes the key findings of the AI document, and makes recommendations for actions to eliminate impediments to fair housing choice in Sierra Vista. This information is as comprehensive as possible, and there likely remain a number of additional remedies to these and other problems faced by home seekers.

Housing discrimination continues to occur, and manifests itself in different ways among different segments of the population. Since it continues to be the goal of the City to eliminate any existing discrimination and prevent future housing discrimination and other impediments to equal housing opportunity, the recommendations provided below provide a guide to ensure fair access to housing for all City residents.

This 2014 AI analyzes recent data, identifies the private and public sector conditions that foster housing discrimination, and provides recommendations for dealing with the fair housing issues identified. Based upon research in statistical materials, a review of HMDA and complaint data, and interviews and focus group discussion, the following is a list of key potential impediments identified in Sierra Vista. Each impediment below is followed by recommendations to address and eliminate that impediment.

Several of these topics are closely related and linkages among them are noted.

It should be noted that in some instances, it is necessary to strike a balance among issues. Land use policies and requirements and development standards, although sometimes adding costs to construction or rehabilitation, are necessary for the safety and health of residents

It should also be noted that Sierra Vista appears to have a low incidence of housing discrimination. The issue brought only minimal response when raised at meetings or in interviews.

Impediments, Recommendations, and Actions

IMPEDIMENT ONE – NEED FOR INCREASED AWARENESS, OUTREACH AND EDUCATION

Sierra Vista has an active fair housing program. However, discussions indicate a lack of knowledge about fair housing law, policies, and practices. The need for on-going education, awareness, and outreach remains, especially among lower income households and minorities.

Recommendations:

- 1) Continue and expand efforts by City agencies, housing advocacy groups, and service organizations to inform renters and homebuyers of their rights and means of recourse if they feel they have been discriminated against.
- 2) Conduct City-led training sessions and information campaigns especially among rental property owners and managers, as well as apartment owner associations, and management companies.
- 3) Convene focus groups of advocacy groups, community based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess fair housing issues. These groups should identify discriminatory practices, trends, or changes in these practices, focal points of discriminatory practice, and the means or methods to address them.
- 4) Update Fair Housing information regularly and adjust strategies and actions accordingly. In particular, the groups mentioned above should continue to meet yearly (or perhaps twice yearly), for example at the Housing Summit.
- 5) Expand awareness efforts through school programs (e.g., poster contests, essay contests) coordinated with Fair Housing Month programs, and devote a Housing Summit session specifically to fair housing law and practice.
- 6) Work with housing advocacy and not-for-profit organizations to develop homeownership and home maintenance educational programs for first-time homebuyers to better prepare them for the responsibilities of ownership and home maintenance.
- 7) Continue and, if possible, expand existing programs to educate households and housing related organizations by disseminating Fair Housing law literature, conducting Fair Housing law seminars and training, and focusing public awareness campaigns about Fair Housing law in ethnic and minority neighborhoods, and among civic, social, religious, and special interest groups.
- 8) Provide Fair Housing materials and educational programs in Spanish, especially in neighborhoods and communities with high percentages of Spanish-speaking persons.

IMPEDIMENT TWO – LIMITED SUPPLY OF AFFORDABLE HOUSING

As discussed earlier, affordability is an indirect aspect of housing discrimination and it is difficult to talk about addressing impediments to fair housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing.

Earlier sections of this Analysis addressed the issue of affordability. Suffice to say that even moderate-income households face challenges in purchasing a home in Sierra Vista, and low-income families face a significant cost burden for rental housing. Incentives for the creation of affordable housing should be structured so that they are stringent enough to produce the desired units, but palatable to the developer as well.

Recommendations and Actions

- 1) Continue to use all available federal and state funding resources and programs to address high priority housing needs for rehabilitation, preservation, and development of affordable units.
- 2) Continue to work with community based organizations, affordable housing developers, and housing advocacy groups to increase the supply of disability accessible housing units, leveraging resources to the extent possible.
- 3) Continue and, if possible, expand housing rehabilitation programs to maintain the City's base of affordable units, both owner-occupied and rental.
- 4) Research other affordable housing programs for additional ideas and practices.
- 5) Continue to seek incentives to promote developers constructing a wide range of housing types at a number of price points, considering transportation, employment centers and the availability of services and shopping in their planning
- 6) Housing for special needs populations and minorities should be scattered throughout the City.

IMPEDIMENT THREE – GOVERNMENT POLICIES

This impediment deals with issues relating to the development of land including housing that is available to a wide range of persons and income levels in disparate locations. This goal is affected by a wide range of factors, some of which are beyond the ability of the City to change. However, the City can address some issues, as noted below.

Recommendations

- 1) Ensure that reasonable accommodation and disabled access issues are properly addressed in municipal zoning and construction codes, especially noting the definitional issues raised earlier.
- 2) Do as much as possible to reduce review and approval process times for both new construction and home modification applications.
- 3) Encourage the use of universal design principles in new housing developments.
- 4) Ensure that local zoning ordinances and building codes properly address issues of concern with respect to higher density housing, persons with disabilities, and group homes/congregate living/community care.
- 5) Seek new or additional incentives, as noted in Impediment Two, to get

developers to undertake affordable projects or to include affordable units in market rate projects.

IMPEDIMENT FOUR – AWARENESS OF POTENTIAL DISCRIMINATION

The review of demographic information does not provide a clear indicator of housing discrimination among persons in the protected classes. However, statistical data can assist in identifying potential problems and topics of concern,

In the current economy and given the structure of the City’s housing stock, the incidences of discrimination may focus on rental housing, and the focus of efforts in the immediate future should be upon aspects of discrimination in the rental market, and upon some groups within the protected classes.

In particular, potential discrimination affecting one protected class should be noted.

- Disabled persons may face discrimination or difficulties in finding appropriate units because of the small number of small units and the costs of building or adapting units.

Recommendations

- 1) Increase housing choice alternatives for the disabled and families with children by encouraging the construction of affordable, and especially rental, housing.
- 2) Convene focus groups of advocacy groups, community based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess fair housing issues. These groups should identify discriminatory practices, trends, or changes in these practices, focal points of discriminatory practice, and the means or methods to address them
- 3) The City could create, or participate in, a Fair Housing testing and auditing program, focusing upon rental properties at this time.