

# Fair Housing Survey: Summary of Key Responses

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For the State of California Fair Housing Survey, 146 out of 165 jurisdictions eligible for State CDBG funding completed the survey as of August 1, 2011 (88% response rate). The following section summarizes all of the responses to *key* questions. The summary of survey responses to *all* questions is in the previous chapter. A list of the 19 jurisdictions who did not respond to the survey is in the Appendix to the previous chapter.

Seventy-seven percent of State CDBG-eligible jurisdictions are cities and 23% counties.<sup>1</sup> A total of 144 jurisdictions responded to this question on the survey.<sup>2</sup> The Appendix summarizes city and county breakdowns for HCD eligible jurisdictions, survey respondents, and jurisdictions that did not submit a survey.

## State CDBG and HOME Funding

Eighty-seven percent of survey respondents were aware of their eligibility to apply for CDBG funding; 80% were aware of their eligibility for HOME. A total of 144 jurisdictions responded to this CDBG question and 141 responded to this HOME question.

In the last five years (2005-2010), 78% of the jurisdictions considered applying for CDBG and 60% considered applying for HOME. For this CDBG question, a total of 135 jurisdictions responded, and for this HOME question, 134 jurisdictions responded.

Jurisdictions selected the three most common reasons that they have not applied for CDBG funds: not applicable (52), not enough staff to prepare application (30), and not enough staff to manage program (31).<sup>3</sup>

For the HOME program, the top reasons for not applying were: not applicable (45), not enough staff to prepare application (23), and not enough staff to manage program (35).<sup>4</sup>

## Affordable Housing Activities

Jurisdictions were asked about the affordable housing activities that they were currently funding or interested in funding in the future. Sixty-two were currently funding mortgage assistance programs, 9 homeowner new construction, 79 homeowner rehabilitation, 25 rental new construction, 24 rental rehabilitation, and 32 infrastructure improvement.

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<sup>1</sup> The county may consist of State CDBG or HOME eligible jurisdictions; however the county itself may not be eligible.

<sup>2</sup> Two cities left the question about jurisdiction type blank.

<sup>3</sup> Respondents may have selected "not applicable" because their jurisdiction had applied for State CDBG funding in the previous five years.

<sup>4</sup> Respondents may have selected "not applicable" because their jurisdiction had applied for State HOME funding in the previous five years.

## Economic Development Activities

Forty-three jurisdictions were currently funding small business development (e.g. microenterprise development), and 49 small business assistance (assistance to existing businesses).

## Fair Housing Impediments

Respondents evaluated the severity of impediments to fair housing facing persons seeking housing in their jurisdiction. The fair housing impediments were:

1. Discrimination against households due to racial or ethnic background
2. Discrimination against households due to national origin
3. Language barriers for persons with limited English proficiency
4. Discrimination against households due to religion
5. Discrimination against households due to gender
6. Discrimination against households due to familial status
7. Discrimination against families with children
8. Discrimination against persons with disability
9. Discrimination against elderly persons
10. Discrimination of Section 8/Housing Choice Voucher Program participants
11. Lack of knowledge or understanding regarding fair housing
12. Insufficient information and marketing about housing availability
13. Inadequate access to technology (e.g. telephone, internet, etc.)
14. Inadequate access to transportation
15. Inadequate access to public and social services
16. Inadequate access to employment opportunities

These responses were grouped as severe or not severe impediments. Respondents categorized severe impediments as either “Somewhat severe” or “Very Severe.” Respondents categorized impediments that were not severe as either “Not an impediment” or “Not very severe.”

The total number of jurisdictions who responded varied by each question and ranged from 123-127 jurisdictions. The three most common **severe impediments** were:

1. Inadequate access to employment opportunities (68 responses);
2. Inadequate access to transportation (35 responses); and
3. Language barriers for persons with limited English proficiency (22 responses).

## Local Impediments

Respondents evaluated the severity of local impediments to fair housing facing persons seeking housing in their jurisdiction. The local housing impediments were:

1. The lack of comprehensive fair housing planning
2. Current mechanisms for identifying discrimination are predominately reactive rather than proactive
3. Insufficient monitoring and oversight of fair housing activities
4. Inadequate enforcement of fair housing laws
5. Inadequate representation of diverse interests (e.g. racial, ethnic, religious and disabled segments) on housing advisory boards, commissions, and committees)
6. NIMBYism (Not in My Backyard)/neighborhood opposition to affordable housing
7. Local land use controls and zoning prohibiting higher density, multifamily housing
8. Development standards, building codes, or permits inhibit the development of affordable housing
9. Environmental contamination or health hazards (e.g. lead-based paint or mold) limits the availability of land or readily-usable existing housing stock

These responses were grouped as severe or not severe impediments. Respondents categorized severe impediments as either “Somewhat severe” or “Very Severe.” Respondents categorized impediments that were not severe as either “Not an impediment” or “Not very severe.”

The total number of jurisdictions who responded varied by each question and ranged from 123-127 jurisdictions. **Jurisdictions’ three most common severe local impediments were:**

1. NIMBYism (Not in My Backyard)/neighborhood opposition to affordable housing (41 responses);
2. Development standards, building codes, or permits inhibit the development of affordable housing (13 responses); and
3. Current mechanisms for identifying discrimination are predominately reactive rather than proactive (11 responses) and inadequate representation of diverse interests (e.g. racial, ethnic, religious and disabled segments) on housing advisory boards, commissions, and committees) (11 responses).

## Economic Impediments

Respondents evaluated the severity of economic impediments to fair housing facing persons seeking housing in their jurisdiction. Jurisdictions rated eight different economic impediments. The economic impediments were:

1. Inability to secure enough public subsidies to develop affordable housing
2. Activities causing housing displacement (e.g. revitalization of neighborhoods, property tax increases, demolition, etc.)

3. Developers with capacity to develop affordable housing is needed
4. High costs of construction
5. High cost of land suitable for affordable housing development
6. Unethical real estate processes (e.g. steering, blockbusting, etc.)
7. Shortage of mortgage financing available to low-income households
8. Unfair lending practices (e.g. excessive promotion of subprime mortgages or predatory lending)

These responses were grouped as severe or not severe impediments. Respondents categorized severe impediments as either “Somewhat severe” or “Very Severe.” Respondents categorized impediments that were not severe as either “Not an impediment” or “Not very severe.”

The total number of jurisdictions who responded varied by each question and ranged from 111-118 jurisdictions. **Jurisdictions’ three most common severe economic impediments were:**

1. High costs of construction (74 responses);
2. Inability to secure enough public subsidies to develop affordable housing, and shortage of mortgage financing available to low-income households (72 responses); and
3. Shortage of mortgage financing available to low-income households (71 responses).

### **Enforcement Practices**

Respondents evaluated the frequency of implementing fair housing enforcement practices in their jurisdiction. Eighteen different enforcement practices were rated:

1. Coordinating between local and regional housing agencies (e.g. housing authorities, local housing departments, and nonprofit organizations, etc.)
2. Coordinating between enforcement agencies (e.g. building inspectors, law enforcement, legal department, etc.)
3. Collecting and analyzing fair housing data
4. Assessing land use controls and zoning laws
5. Assessing development standards, building codes, and permits
6. Adopting a formal process for persons with disabilities to request reasonable accommodation
7. Adopting Universal Design elements into the local building code
8. Identifying suitable land sites for affordable housing development
9. Developing housing for large households (e.g. various units sizes)
10. Increasing housing choice for Section 8/Housing Choice Voucher Program participants (e.g. quality, siting, participation, etc.)
11. Siting affordable housing near access to transportation
12. Siting affordable housing near access to public and social services
13. Siting affordable housing near access to employment opportunities

14. Allocating local funds for affordable housing
15. Applying for other sources of funding for affordable housing (e.g. state, federal, or private sector)
16. Identifying affordable housing developers and assisting to increase their capacity
17. Identifying cost-effective affordable housing construction companies and builders
18. Assessing property insurance and tax policies

These responses were grouped as frequent or infrequent practices. Frequent practices are those that were implemented biannually, quarterly, monthly or weekly. Infrequent practices were never implemented or implemented annually. Each practice differs and some would logically be conducted more frequently than others; however, infrequent practices are highlighted because these indicate the areas in which jurisdictions may need to provide additional fair housing assistance for their residents.

The total number of jurisdictions who responded varied by each question and ranged from 99-113 jurisdictions. **Jurisdictions' top three infrequent enforcement practices were:**

1. Assessing property insurance and tax policies (101 responses);
2. Siting affordable housing near access to public and social services (99 responses); and
3. Siting affordable housing near access to transportation (98 responses) and applying for other sources of funding for affordable housing (e.g. state, federal, or private sector) (98 responses).

### **Outreach Practices**

Respondents evaluated the frequency of implementing fair housing outreach practices in their jurisdiction. Nine different outreach practices were rated:

1. Market available housing throughout the community via ethnic newspapers
2. Market available housing throughout the community via internet in multiple languages
3. Market available housing throughout the community at in-person meetings at convenient, accessible locations and times
4. Market available housing using techniques to assist the disabled (e.g. visually-impaired, hearing-impaired, physically disabled, etc.)
5. Partner with nonprofit organizations assisting protected groups (e.g. racial minorities, disabled, elderly, etc.) for outreach
6. Education, training, and counseling for tenants and prospective homebuyers
7. Education and training for landlords (e.g. on fair housing marketing/advertising, tenant selection, reasonable accommodation, etc.)
8. Education and technical training for real estate and mortgage industry professionals
9. Education and training for the public/community at-large

These responses were grouped as frequent or infrequent practices. Frequent practices are those that were implemented biannually, quarterly, monthly or weekly. Infrequent practices were never implemented or implemented annually. Each practice differs and some would logically be conducted more frequently than others; however, infrequent practices are highlighted because these indicate the areas in which jurisdictions may need to provide additional fair housing assistance for their residents.

The total number of jurisdictions who responded varied by each question and ranged from 105-110 jurisdictions. **Jurisdictions' top three infrequent outreach practices were:**

1. Education and technical training for real estate and mortgage industry professionals (98 responses);
2. Education and training for landlords (e.g. on fair housing marketing/advertising, tenant selection, reasonable accommodation, etc.) (97 responses); and
3. Market available housing throughout the community via ethnic newspapers (95 responses).

To further analyze the key questions in the survey, the 165 jurisdictions were ranked by the following variables:

1. Number of Households – according to 2010 U.S. Census Data
2. Percent of Minority<sup>5</sup> Households - according to 2010 U.S. Census Data
3. Percent of Families with Very Low Income – according to 2005-2009 5-year American Community Survey (ACS) data estimate
4. Number of Fair Housing Complaints – according to 2005-2010 aggregate data from U.S. Department of Housing and Urban Development and State of California Department of Fair Employment and Housing
5. Number of Severe Impediments - according to the 2011 State of California Fair Housing Survey
6. Number of Infrequent Practices – according to the 2011 State of California Fair Housing Survey

“Families with Very Low Income” was tabulated with 2005-2009 5-year American Community Survey (ACS) data estimates by census tract for the U.S. Department of Housing and Urban Development (HUD) 4-person median family income (MFI) limits for each county. See the Appendix of the Minority & Lower-Income Concentration chapter for detailed methodology and important limitations.

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<sup>5</sup> Head of households who did not categorize themselves as Non-Hispanic White

For the above mentioned six variables, jurisdictions were grouped by the top 25%, middle 50%, and bottom 25%. However, this summary focuses on the top 25% and bottom 25%.

For all survey responses, the majority of jurisdictions were cities (77%).

The majority of all the top jurisdictions were cities (between 100-67%). The exception was top jurisdictions by Jurisdiction Size (Number of Households) of which 41% were cities.

The majority of all the bottom jurisdictions were cities (between 100-61%).

Most jurisdictions were aware of their eligibility for CDBG (87%) and HOME (80%).

Between 97-73% of all the top jurisdictions were aware of their eligibility of the CDBG program, and between 86-65% were aware of their eligibility of the HOME program.

Between 86-68% all the bottom jurisdictions were aware of their eligibility of the CDBG, and between 81-59% were aware of their eligibility of the HOME program.

In the past five years, most jurisdictions considered applying for the CDBG (78%) and HOME program (60%).

Between 89-73% of all the top jurisdictions considered applying for the CDBG program, and between 76-38% considered applying for the HOME program.

Between 75-52% of all the bottom jurisdictions considered applying for the CDBG program and between 70-23% considered applying for the HOME program.

The two most common affordable housing activities funded by jurisdictions were: homeowner rehabilitation (79) and mortgage assistance (62).

The two most common affordable housing activities funded by all top jurisdictions were: homeowner rehabilitation (between 28-15) and mortgage assistance (between 22-11).

Similarly, the two most common affordable housing activities funded by all bottom jurisdictions were: homeowner rehabilitation (23-11) and mortgage assistance (19-9).

The two exceptions were bottom jurisdictions by Jurisdiction Size (Number of Households) and by Infrequent Practices. These had infrastructure improvement for the second most common affordable housing activity.

For bottom jurisdictions by Minority Households, rental rehabilitation tied with mortgage assistance as the second most common affordable housing activity.

Among the jurisdictions, 43 were currently funding small business development (e.g. microenterprise development) and 49 small business assistance (assistance to existing businesses).

Among all of the top jurisdictions, between 18-8 were funding small business development and between 18-8 were funding small business assistance.

Regarding all of the bottom jurisdictions, between 11-5 were funding small business development and between 11-6 were funding small business assistance.

For fair housing impediments, jurisdictions selected these as the top severe impediments:

1. Inadequate access to employment opportunities;
2. Inadequate access to transportation; and
3. Language barriers for persons with limited English proficiency.

The most frequently selected top three severe impediments by all the top jurisdictions were:

1. Inadequate access to transportation and inadequate access to employment opportunities;
2. Inadequate access to technology (e.g. telephone, internet, etc.); and
3. Language barriers for persons with limited English proficiency; and lack of knowledge or understanding regarding fair housing.

The most frequently selected top three severe impediments by all the bottom jurisdictions were:

1. Inadequate access to employment opportunities;
2. Inadequate access to transportation; and
3. Language barriers for persons with limited English proficiency and inadequate access to public and social services.

For local impediments, jurisdictions selected these as the top severe local impediments:

1. NIMBYism (Not in My Backyard)/neighborhood opposition to affordable housing;
  2. Local land use controls and zoning prohibiting higher density, multifamily housing;
- and



3. Current mechanisms for identifying discrimination are predominately reactive rather than proactive and inadequate representation of diverse interests (e.g. racial, ethnic, religious and disabled segments) on housing advisory boards, commissions, and committees).

For all of the top jurisdictions, the most frequently selected top three severe local impediments were:

1. NIMBYism (Not in My Backyard)/neighborhood opposition to affordable housing;
2. Inadequate representation of diverse interests (e.g. racial, ethnic, religious and disabled segments) on housing advisory boards, commissions, and committees); and
3. Current mechanisms for identifying discrimination are predominately reactive rather than proactive and development standards, building codes, or permits inhibit the development of affordable housing.

For all of the bottom jurisdictions, the most frequently selected top three severe local impediments were:

1. NIMBYism (Not in My Backyard)/neighborhood opposition to affordable housing;
2. Local land use controls and zoning prohibiting higher density, multifamily housing and development standards, building codes, or permits inhibit the development of affordable housing; and
3. Environmental contamination or health hazards (e.g. lead-based paint or mold) limits the availability of land or readily-usable existing housing stock.

For economic impediments, jurisdictions selected these as the top severe economic impediments:

1. High costs of construction;
2. Inability to secure enough public subsidies to develop affordable housing, and shortage of mortgage financing available to low-income households; and
3. Shortage of mortgage financing available to low-income households.

The most frequently selected top three severe economic impediments by all top jurisdictions were:

1. Inability to secure enough public subsidies to develop affordable housing; activities causing housing displacement (e.g. revitalization of neighborhoods, property tax increases, demolition, etc.); high costs of construction; and shortage of mortgage financing available to low-income households;
2. High cost of land suitable for affordable housing development; and
3. Developers with capacity to develop affordable housing are needed.

The most frequently selected top three severe economic impediments by all bottom jurisdictions:

1. Inability to secure enough public subsidies to develop affordable housing and high cost of land suitable for affordable housing development;
2. High costs of construction and shortage of mortgage financing available to low-income households; and
3. Developers with capacity to develop affordable housing are needed.

For enforcement practices, jurisdictions selected these as the top infrequent enforcement practices:

1. Assessing property insurance and tax policies;
2. Siting affordable housing near access to public and social services; and
3. Siting affordable housing near access to transportation and applying for other sources of funding for affordable housing (e.g. state, federal, or private sector).

For all of the top jurisdictions, the most commonly selected top three infrequent enforcement practices were:

1. Applying for other sources of funding for affordable housing (e.g. state, federal, or private sector);
2. Siting affordable housing near access to transportation, siting affordable housing near access to public and social services, and allocating local funds for affordable housing
3. Developing housing for large households (e.g. various unit sizes) and siting affordable housing near access to employment opportunities.

For all of the bottom jurisdictions, the most commonly selected top three infrequent economic impediments were:

1. Collecting and analyzing fair housing data, identifying suitable land sites for affordable housing development, siting affordable housing near access to transportation, and siting affordable housing near access to public and social services;
2. Assessing development standards, building codes, and permits; developing housing for large households (e.g. various units sizes), and applying for other sources of funding for affordable housing (e.g. state, federal, or private sector);
3. Siting affordable housing near access to employment opportunities; allocating local funds for affordable housing; identifying affordable housing developers and assist to increase their capacity; and identifying cost-effective affordable housing construction companies and builders.

For outreach practices, jurisdictions selected these as the top infrequent outreach practices:

1. Education and technical training for real estate and mortgage industry professionals;
2. Education and training for landlords (e.g. on fair housing marketing/advertising, tenant selection, reasonable accommodation, etc.); and
3. Market available housing throughout the community via ethnic newspapers.

The most commonly selected top three infrequent outreach practices by all top jurisdictions were:

1. Education and training for landlords (e.g. on fair housing marketing/advertising, tenant selection, reasonable accommodation, etc.) and education and technical training for real estate and mortgage industry professionals;
2. Education and training for the public/community at-large;
3. Market available housing throughout the community via ethnic newspapers and market available housing throughout the community via internet in multiple languages.

The most commonly selected top three infrequent outreach practices by all bottom jurisdictions were:

1. Market available housing throughout the community via ethnic newspapers and education and technical training for real estate and mortgage industry professionals;
2. Education and training for landlords (e.g. on fair housing marketing/advertising, tenant selection, reasonable accommodation, etc.); and
3. Market available housing throughout the community via internet in multiple languages; market available housing using techniques to assist the disabled (e.g. visually-impaired, hearing-impaired, physically disabled, etc.); partner with nonprofit organizations assisting protected groups (e.g. racial minorities, disabled, elderly, etc.) for outreach; and education and training for the public/community at-large.