



DRAFT

**CITY OF TEMPE ANALYSIS OF IMPEDIMENTS TO FAIR
HOUSING CHOICE, FY 2010-2014**

**1.21.10
CRYSTAL & COMPANY
SCOTTSDALE, ARIZONA
480.998.2790
480.998.7017 (F)
rich@crystco.com
www.crystco.com**

TABLE OF CONTENTS

Starts On Page

1.0 Executive Summary 1

- Summary of Tempe Impediments Identified
- Tempe Fair Housing Action Plan Abstract, FY 2010-2014

2.0 Study Purpose and Methodology 3

- Who Conducted The Study
- Participants & Methodology Employed
- Statistical Analysis
- Review of Previous Studies
- Regulation, Policy and Ordinance Review
- Fair Housing Enforcement and Complaint Assessment
- Targeted Resident Survey

3.0 Tempe Background Data 6

- Demographic Data
- Income Data
- Housing Profile
- Home Lending From HMDA

4.0 Evaluation of Tempe Current Fair Housing Legal Status 17

5.0 Identification of Impediments To Fair Housing Choice 20

6.0 Assessment of Current Public and Private Fair Housing Programs and Activities in Tempe 20

7.0 Conclusions, Recommendations and Tempe Fair Housing Action Plan 26

8.0 Signature Page by Chief Elected Official 29

1.0 Executive Summary

The City of Tempe secures an entitlement allocation of Community Development Block Grant (CDBG) funds each year. CDBG funding continues to assist a variety of services and agencies that serve low-income people in the community. A mandate on the receipt of CDBG resources is the requirement that Tempe have a current Consolidated Plan that incorporates citizen participation in establishing local priorities for spending CDBG funds as well as a current Analysis of Impediments to Fair Housing Choice (AI) Study. Required certifications in the Consolidated Plan indicate that Tempe will “affirmatively further fair housing which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.”

The HUD Office of Fair Housing and Equal Opportunity utilizes the AI as the basis for review of efforts by Tempe to affirmatively further fair housing. Tempe understands that:

- Every act of housing discrimination is harmful to the individual and to the community;
- It will endeavor to identify those areas where people in constitutionally protected classes have faced discrimination in housing in any number and at any level; and,
- It will continue to develop programs, processes or solutions to eliminate the discrimination.

Tempe’s AI is intended to assess problems associated with people’s ability to choose a place to live where the only condition on that choice is affordability. The AI seeks to identify legitimate problem areas experienced by people in constitutionally protected classes and establishes a prudent approach to foster opportunities in Tempe for fair housing choice. Impediments are defined in this process as any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restricts housing choices of these protected classes.

Summary of Tempe Impediments Identified

The following general impediments were identified and refer to detailed information in Section 6 of the report.

- Evidence of Housing Discrimination – A survey of Tempe residents reveals that housing discrimination does exist. Increased public support and awareness, along with more documented evidence is needed.
- Need for Community Education - The number and nature of the fair housing complaints being received from Tempe residents continues to remain low. Additionally, the results of the housing discrimination survey indicate that there is a need for more community education.
- Foreclosures and Predatory Lending - A high correlation exists when comparing foreclosure activity with minority concentrations. This includes a much higher incidence of predatory lending activity for Hispanic households compared to the rest of the population.
- Minority/Poverty Concentrations - Minority and poverty concentrations exist in the northern part of the city and Tempe’s minority population continues to grow.

- Foreclosures and Predatory Lending - A high correlation exists when comparing foreclosure activity with minority concentrations. This includes a much higher incidence of predatory lending activity for Hispanic households compared to the rest of the population.
- Disability Accessibility - In addition to race and poverty, disability access was raised as the other major type of discrimination that exists in Tempe according to residents surveyed on housing discrimination.
- Public Policies and Zoning - A review of the policies and practices of the City of Tempe Zoning and Planning Codes indicates that these Codes do not make specific reference to the accessibility requirements contained in the 1988 amendments to the Fair Housing Act. However, the city's building code does the city's building code does have guidelines for accessibility.

Tempe Fair Housing Action Plan Abstract, FY 2010-2014

Delineated in Section 7.0 of this report, general provisions of the Tempe Fair Housing Action Plan are highlighted below:

- ✓ Prepare and publish a series of proclamations, resolutions and public notices relating to aspects of fair housing in addition to the continuing participation with key organizations and sponsorship of events. Sustained usage of fair housing logos, referrals to key organizations, etc.
- ✓ Accelerate the level of community fair housing education through the distribution of flyers, in utility bills, city publications, transit advertisement, television media, training seminars and city internet facilities.
- ✓ Complete a Spanish fair housing brochure, focus education in targeted areas and sustain a Limited English Policy in the Housing Services Division.
- ✓ Generate an English and Spanish brochure on predatory lending and loan workouts and execute targeted testing. Collaborate with the SE Board of Realtors, Arizona Mortgage Lenders Association and Fair Housing Partnership to discourage discriminatory and predatory activities in the community. Continue to refer clients to appropriate non-profits, state and federal agencies for support.
- ✓ Partner with other, East Valley cities to facilitate community education regarding fair housing and how it pertains to disability issues, sustain the part-time Tempe ADA specialist and continue to work with the Tempe Development Services staff regarding citizen education associated with accessibility issues.
- ✓ Continue to offer fair housing training to other targeted Tempe staff continuing ordinance review to further federal and state fair housing statutes.

2.0 Study Purpose and Methodology

Who Conducted The Study?

The Tempe Analysis of Impediments, 2010 was prepared by the firm of Crystal & Company for the City of Tempe, Arizona. The firm is a specialist in planning and program development for affordable housing in the southwest. To date, the firm has prepared 60 Consolidated Plans and affordable housing strategies for states, entitlement jurisdictions, HOME Consortium, Participating Jurisdictions and nonprofit agencies. The firm has also designed a host of affordable housing programs for state and local governments that include state small cities CDBG and HOME programs, mortgage revenue bonds and mortgage credit certificates, housing trust fund programs, low income housing tax credit qualified plans, the creation of state and local public housing authorities and assisted housing programs, single- and multi- family project underwriting standards, neighborhood and downtown financing initiatives, homeless and supportive housing programs as well as specific residential, commercial and mixed-use project design, development and finance for affordable and market-rate projects. The firm also conducts Arizona real estate brokerage and is licensed in Arizona. Refer to www.cristco.com for further information on the firm.

Participants & Methodology Employed

To assess the state of fair housing in Tempe from 2005 (date of last Tempe AI) through 2010, the following assessments were conducted:

- 1) community attitudes;
- 2) collected information and data from fair housing advocates, city officials, non-profits and industry groups;
- 3) enforcement data from FHAP and FHIP agencies were analyzed;
- 4) analyzed statistical data from public reporting sources that included the American Community Survey (ACS) in 2008 from the US census, 2000 Tempe census tract data, 2007 HMDA data, Neighborhood Stabilization Program data from HUD covering 2006-2009), CHAS data used for HUD Consolidated Planning, etc;
- 5) analyzed previous AI and related studies/surveys undertaken in and for Tempe; and,
- 6) prepared a regulatory review through discussion with relevant City of Tempe public officials and the completion of a formal survey by the locality.

Statistical Analysis

A host of statistical analyses were undertaken from a wide variety of public reporting sources that included the American Community Survey (ACS) in 2008 from the US census, 2000 Tempe census tract data, 2007 HMDA data, Neighborhood Stabilization Program data from HUD covering 2006-2009), CHAS data used for HUD Consolidated Planning, etc. Information collected and analyzed from these sources included the following:

- The tabular and spatial distribution of population by race and ethnicity within the City of Tempe by census tract (2000 census) and the determination of minority concentrations for purposes of this report;

- The tabular distribution of mortgage applications, originations, denials, withdrawn/incomplete/failed applications by census tract in Tempe for 2007. Information was analyzed associated with FHA and conventional first mortgages, home improvement and re-financing activity.
- The tabular and/or spatial distribution of high cost and predatory lending in Tempe by census tract from 2004 to 2006 (peak of the bubble);
- The foreclosure and vacancy rate by census tract over the last two years in the City of Tempe;
- Demographic comparisons between the City of Tempe and Maricopa County and the State of Arizona in 2008 concerning the distribution of the population by age and sex as well as race and ethnicity.
- Demographic comparisons between the City of Tempe and Maricopa County and the State of Arizona in 2008 concerning inflation adjusted median income by race/ethnicity, household type and tenure and disability by age and sex.
- The analysis of housing needs (the incidence of cost burden, housing overcrowding or substandard housing) according to 2000 CHAS data for minority households versus all other households for Tempe as a whole.

Review of Previous Studies

A host of studies were reviewed by the consultant in preparing the City of Tempe AI, FY 2010-'14. They included the reports itemized below:

- ✓ City of Tempe Analysis of Impediments, 2005
- ✓ City of Tempe Analysis of Impediments, 2007
- ✓ City of Tempe Consolidated Plan, FY 2005 – 2009
- ✓ City of Tempe Consolidated Plan, FY 2010-'14 (under preparation)
- ✓ City of Phoenix Analysis of Impediments, FY 2002
- ✓ Maricopa County Analysis of Impediments, 2005
- ✓ Maricopa HOME Consortium FY 2010-'14 Consolidated Plan)
- ✓ City of Tempe Affordable Housing Strategy

Regulation, Policy and Ordinance Review

A component of the Tempe AI focused on regulations, policies and ordinances with potential impact on fair housing in Tempe. The assessment and analysis was done by completing a municipal survey with municipal staff in both the Development Services, Planning and Housing Services functions within Tempe municipal government. The survey instrument was secured from HUD (refer to Section 5.0 of this report) and completed by city staff. The consultant provided technical support to city staff as needed.

Fair Housing Enforcement and Complaint Assessment

The City of Tempe Fair Housing Coordinator, US Department of HUD, Attorney General's Office and SW Fair Housing Council were contacted concerning fair housing enforcement and complaint data evident in Tempe from the period 2005 to date. All of this information was analyzed to establish any applicable trends and salient issues that appear to be surfacing in the community.

Targeted Resident Survey

A survey of personal experience in the search for housing was developed and disseminated in October and November of 2009. The survey was not intended to be scientific or statistically valid. It was intended to see if anecdotal experience would shed light on issues identified in the areas of inquiry and to give people an opportunity to identify other problems that limited choice in securing a place to live in Tempe. The survey is enclosed in Section 4.0 of this report. The survey was also translated and made available in Spanish. Copies of the surveys were made available to the families on the Housing Choice Voucher program and the wait list and to applicants and clients of the City's homebuyer assistance programs at the Housing Services Division. The survey asked for demographic information but not for name or address. It did ask people to target their comments to their experience in Tempe.

3.0 Tempe Background Data

Demographic Data

A host of demographic data was compiled and analyzed for this report from the US Census. Given data availability limitations, analyses at the census tract level were restricted to the 2000 Census while 2008 information (Census) was collected to assess conditions in Tempe compared with Maricopa County and the State of Arizona.

Race and ethnicity analyzed at the census tract level offer insights into concentrations of minorities within Tempe. Those census tracts with minority populations exceeding the Tempe citywide average of 30% are highlighted in red in the information below. Hispanics constitute the highest percentage of any single minority group in Tempe at 18% of total population in 2000. In 2008, it is estimated that Hispanics constitute 24% of the total population and minorities in their entirety comprise 37%, up from 30% in 2000.

Tempe Census Tract (2000 Census)	Total Population	Total Minority	Percent Minority	Tracts More Than Minorities Than The Tempe Average	Anglo	Hispanic	Black	Native American	Asian	Native Hawaiian and Other Pacific Islander	Other Race	Two or More Races
Census Tract 3184	4,377	1,656	37.8%	Yes	2,721	1,359	69	66	110	0	0	52
Census Tract 3185.01	3,289	652	19.8%	No	2,637	449	29	11	135	0	0	28
Census Tract 3185.02	2,138	541	25.3%	No	1,597	431	30	0	32	0	0	48
Census Tract 3187	2,739	426	15.6%	No	2,313	130	113	16	146	0	0	21
Census Tract 3188	6,239	2,869	46.0%	Yes	3,370	1,858	299	147	341	0	56	168
Census Tract 3189	6,753	1,970	29.2%	No	4,783	1,341	224	155	167	0	8	75
Census Tract 3190	3,823	675	17.7%	No	3,148	303	59	55	207	0	0	51
Census Tract 3191.01	3,152	1,920	60.9%	Yes	1,232	450	220	71	1,051	0	0	128
Census Tract 3191.02	10,084	4,134	41.0%	Yes	5,950	2,199	296	163	1,133	12	0	331
Census Tract 3192	9,357	4,960	53.0%	Yes	4,397	3,817	246	325	310	0	7	255
Census Tract 3193	1,903	1,150	60.4%	Yes	753	999	11	39	93	0	0	8
Census Tract 3194.01	5,621	1,333	23.7%	No	4,288	615	328	106	122	22	10	130
Census Tract 3194.02	4,325	853	19.7%	No	3,472	470	159	35	166	0	0	23
Census Tract 3194.03	5,009	1,321	26.4%	No	3,688	758	123	80	187	0	7	166
Census Tract 3194.04	3,472	507	14.6%	No	2,965	321	82	49	0	0	0	55
Census Tract 3195	5,584	1,059	19.0%	No	4,525	599	31	39	234	6	0	150
Census Tract 3196	5,652	1,464	25.9%	No	4,188	1,030	180	55	104	14	0	81
Census Tract 3197.02	8,382	3,535	42.2%	Yes	4,847	2,105	438	364	348	0	73	207
Census Tract 3197.03	4,094	1,297	31.7%	Yes	2,797	788	169	63	103	0	27	147
Census Tract 3197.04	1,199	591	49.3%	Yes	608	406	41	61	44	0	0	39
Census Tract 3198	7,057	2,389	33.9%	Yes	4,668	1,454	420	160	266	10	11	68
Census Tract 3199.02	2,720	676	24.9%	No	2,044	472	123	17	36	0	0	28
Census Tract 3199.03	6,048	1,052	17.4%	No	4,996	530	130	0	235	0	0	157
Census Tract 3199.04	5,387	1,103	20.5%	No	4,284	645	147	49	93	0	0	169
Census Tract 3199.05	5,382	1,151	21.4%	No	4,231	617	200	26	237	7	13	51
Census Tract 3199.06	3,032	517	17.1%	No	2,515	248	80	32	123	0	0	34
Census Tract 3199.07	2,504	230	9.2%	No	2,274	85	71	7	34	0	0	33
Census Tract 3199.08	2,311	607	26.3%	No	1,704	309	70	6	136	0	0	86
Census Tract 3199.09	2,501	339	13.6%	No	2,162	227	32	0	58	0	0	22
Census Tract 3199.10	3,894	889	22.8%	No	3,005	243	103	0	464	0	17	62
Census Tract 3200.01	5,948	2,247	37.8%	Yes	3,701	1,140	568	55	273	11	0	200
Census Tract 3200.07	5,950	2,468	41.5%	Yes	3,482	1,338	305	190	246	135	12	242
Census Tract 5227.09	1,586	374	23.6%	No	1,212	145	0	26	188	0	0	15
Census Tract 5227.11	42	7	16.7%	No	35	7	0	0	0	0	0	0
Census Tract 5227.20	6,872	1,031	15.0%	No	5,841	414	118	18	439	0	0	42
Tempe Total	158,426	47,993	30.3%		110,433	28,302	5,514	2,486	7,861	217	241	3,372
Percent of Tempe Total		30.3%			69.7%	17.9%	3.5%	1.6%	5.0%	0.1%	0.2%	2.1%

Source: US Census.

Compared with Arizona and Maricopa County in 2008, Tempe's population tended to be younger as a result of ASU and contained about 10% less minorities.

Demographic Item	Arizona	%	Maricopa County	%	Tempe	%
Total Population	6,500,180	100.0%	3,954,598	100.0%	165,593	100.0%
Male	3,258,694	50.1%	1,992,984	50.4%	87,582	52.9%
Female	3,241,486	49.9%	1,961,614	49.6%	78,011	47.1%
Under 5	515,321	7.9%	332,316	8.4%	8,890	5.4%
5 to 9	464,106	7.1%	299,866	7.6%	7,584	4.6%
10 to 14	455,446	7.0%	284,261	7.2%	8,928	5.4%
15 to 19	446,690	6.9%	265,980	6.7%	15,658	9.5%
20 to 24	426,070	6.6%	247,892	6.3%	22,655	13.7%
25 to 34	929,418	14.3%	595,171	15.1%	33,466	20.2%
35 to 44	873,435	13.4%	568,948	14.4%	17,324	10.5%
45 to 54	849,309	13.1%	516,610	13.1%	21,887	13.2%
55 to 59	363,528	5.6%	213,568	5.4%	10,344	6.2%
60 to 64	312,765	4.8%	179,276	4.5%	6,445	3.9%
65 to 74	446,195	6.9%	235,292	5.9%	6,597	4.0%
75 to 84	306,706	4.7%	154,341	3.9%	4,331	2.6%
85 and up	111,191	1.7%	61,077	1.5%	1,484	0.9%
Median Age	35	na	34	na	30	na
Male	34	na	33	na	30	na
Female	37	na	35	na	30	na
Race	6,500,180	100.0%	3,954,598	100.0%	165,593	100.0%
White	5,203,987	80.1%	3,251,355	82.2%	136,943	82.7%
Black	235,758	3.6%	170,460	4.3%	7,181	4.3%
Native American	286,749	4.4%	73,474	1.9%	5,276	3.2%
Asian	154,416	2.4%	114,414	2.9%	7,460	4.5%
Native Hawaii/Pac. Islander	9,340	0.1%	7,152	0.2%	647	0.4%
Other	442,577	6.8%	243,095	6.1%	4,397	2.7%
Two or More	167,353	2.6%	94,648	2.4%	3,689	2.2%
Total Hispanic or Latino	1,959,197	30.1%	1,224,005	31.0%	39,199	23.7%
Total Not Hispanic or Latino	4,540,983	69.9%	2,730,593	69.0%	126,394	76.3%
White Alone, Not Hispanic or Latino	3,781,993	58.2%	2,320,159	58.7%	103,797	62.7%
Total Minority Population	2,718,187	41.8%	1,634,439	41.3%	61,796	37.3%

Source: American Community Survey, 2008

Further demographic information from 2008 regarding household type, housing tenure by race/ethnicity and household type reflected the higher incidence of students in Tempe. When compared with the State of Arizona and Maricopa County, Tempe included a substantially higher proportion of renters, 2 person household renters and a lower incidence of families with children. In terms of familial status, Tempe held a somewhat smaller proportion of single, female households with children at 3.8%. The comparison of demographic distribution in the State, Maricopa County and Tempe showed a relatively wide disparity in the percentage of populations of three groups protected under the Fair Housing Act. These groups were Black/African American, Hispanic and female heads of household with children (familial status).

Item	Arizona	%	Maricopa County	%	Tempe	%
Total Population						
In households	6,381,018	100.0%	3,915,990	100.0%	161,340	100.0%
In Families	1,489,192	23.3%	878,874	22.4%	31,258	19.4%
Own Children Under 18	1,492,321	23.4%	961,337	24.5%	27,140	16.8%
Female householder, no husband present	350,074	5.5%	208,151	5.3%	6,081	3.8%
In other families	462,059	7.2%	282,329	7.2%	8,521	5.3%
In group quarters	119,162	1.9%	38,608	1.0%	4,253	2.6%
Occupied Housing Units	2,273,842	100.0%	1,344,597	100.0%	60,147	100.0%
Owner Occupied	1,548,890	68.1%	914,774	68.0%	31,766	52.8%
Renter Occupied	724,952	31.9%	429,823	32.0%	28,381	47.2%
Renter Occupied Units By Race	724,952	100.0%	429,823	100.0%	28,381	100.0%
White	569,753	78.6%	342,190	79.6%	22,035	77.6%
Black	42,958	5.9%	32,163	7.5%	1,636	5.8%
Native American	32,762	4.5%	11,885	2.8%	1,625	5.7%
Asian	18,100	2.5%	12,311	2.9%	1,428	5.0%
All Other	61,379	8.5%	31,274	7.3%	1,657	5.8%
Owner Occupied Units By Race	1,548,890	100.0%	914,774	100.0%	31,766	100.0%
White	1,354,472	87.4%	815,109	89.1%	28,914	91.0%
Black	32,873	2.1%	22,137	2.4%	480	1.5%
Native American	40,818	2.6%	7,683	0.8%	196	0.6%
Asian	30,282	2.0%	22,010	2.4%	893	2.8%
All Other	90,445	5.8%	47,835	5.2%	1,283	4.0%
Owner Occupied Units By Household Size	1,548,890	100.0%	914,774	100.0%	31,766	100.0%
1 Person	370,462	23.9%	216,918	23.7%	9,026	28.4%
2 Person	604,536	39.0%	339,135	37.1%	12,875	40.5%
3 Person	216,996	14.0%	132,170	14.4%	3,912	12.3%
4 Person	191,791	12.4%	119,949	13.1%	2,967	9.3%
5 Person	97,039	6.3%	63,317	6.9%	2,042	6.4%
6 Person	39,379	2.5%	25,098	2.7%	641	2.0%
7 Person	28,687	1.9%	18,187	2.0%	303	1.0%
Renter Occupied Units By Household Size	724,952	100.0%	429,823	100.0%	28,381	100.0%
1 Person	259,986	35.9%	152,268	35.4%	10,353	36.5%
2 Person	187,465	25.9%	111,658	26.0%	8,992	31.7%
3 Person	104,795	14.5%	61,509	14.3%	4,216	14.9%
4 Person	84,765	11.7%	49,518	11.5%	2,683	9.5%
5 Person	47,865	6.6%	29,272	6.8%	962	3.4%
6 Person	23,475	3.2%	14,700	3.4%	621	2.2%
7 Person	16,601	2.3%	10,898	2.5%	554	2.0%

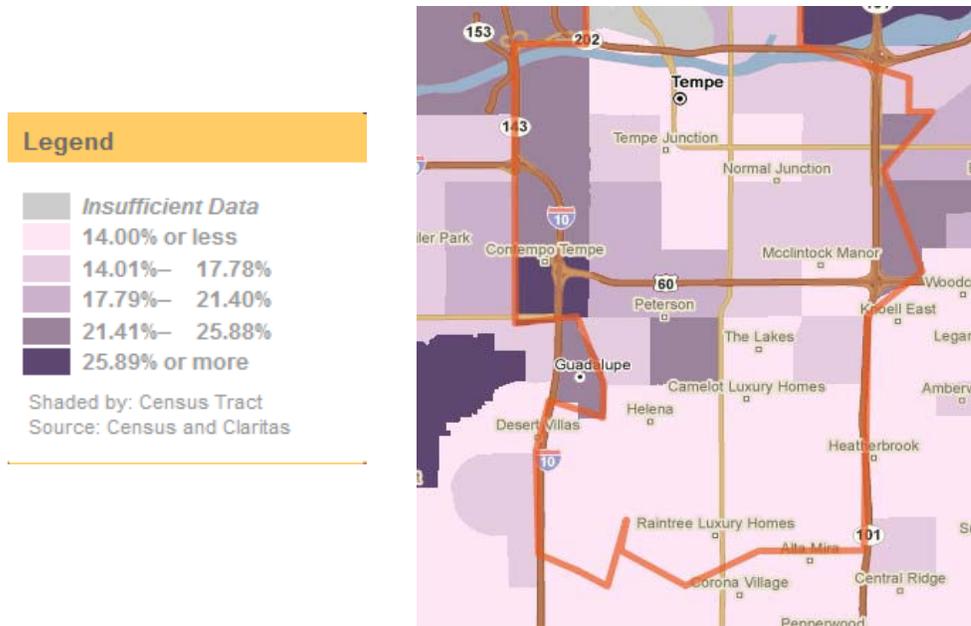
Source: American Community Survey, 2008.

In terms of persons with a disability and not institutionalized, the incidence of such in Tempe was substantially less than Arizona and Maricopa County in 2008, however it was more prevalent among younger age groups for both men and women.

Item	Arizona	%	Maricopa County	%	Tempe	%
Total Population	6,500,180		3,954,598		165,593	
Percent of Population With A Disability & Not Institutionalized	11.9%	n/a	10.5%	n/a	7.9%	n/a
Total Non-Institutionalized Persons With A Disability	772,963	n/a	415,951	n/a	13,003	n/a
Non-Institutionalized Males With A Disability	375,754	100.0%	205,525	100.0%	6,567	100.0%
Under Age 5	2,022	0.5%	1,459	0.7%	0	0.0%
Age 5 to 17	33,940	9.0%	20,546	10.0%	326	5.0%
Age 18 to 34	47,691	12.7%	28,793	14.0%	1,209	18.4%
Age 35 to 64	154,807	41.2%	87,014	42.3%	2,965	45.1%
Age 65 to 74	52,520	14.0%	26,019	12.7%	496	7.6%
Over 75	84,774	22.6%	41,694	20.3%	1,571	23.9%
Non-Institutionalized Females With A Disability	397,209	100.0%	210,426	100.0%	6,436	100.0%
Under Age 5	1,967	0.5%	1,248	0.6%	0	0.0%
Age 5 to 17	23,633	5.9%	15,501	7.4%	956	14.9%
Age 18 to 34	40,322	10.2%	21,793	10.4%	976	15.2%
Age 35 to 64	159,517	40.2%	85,650	40.7%	2,473	38.4%
Age 65 to 74	53,936	13.6%	27,712	13.2%	929	14.4%
Over 75	117,834	29.7%	58,522	27.8%	1,102	17.1%

Source: American Community Survey, 2008.

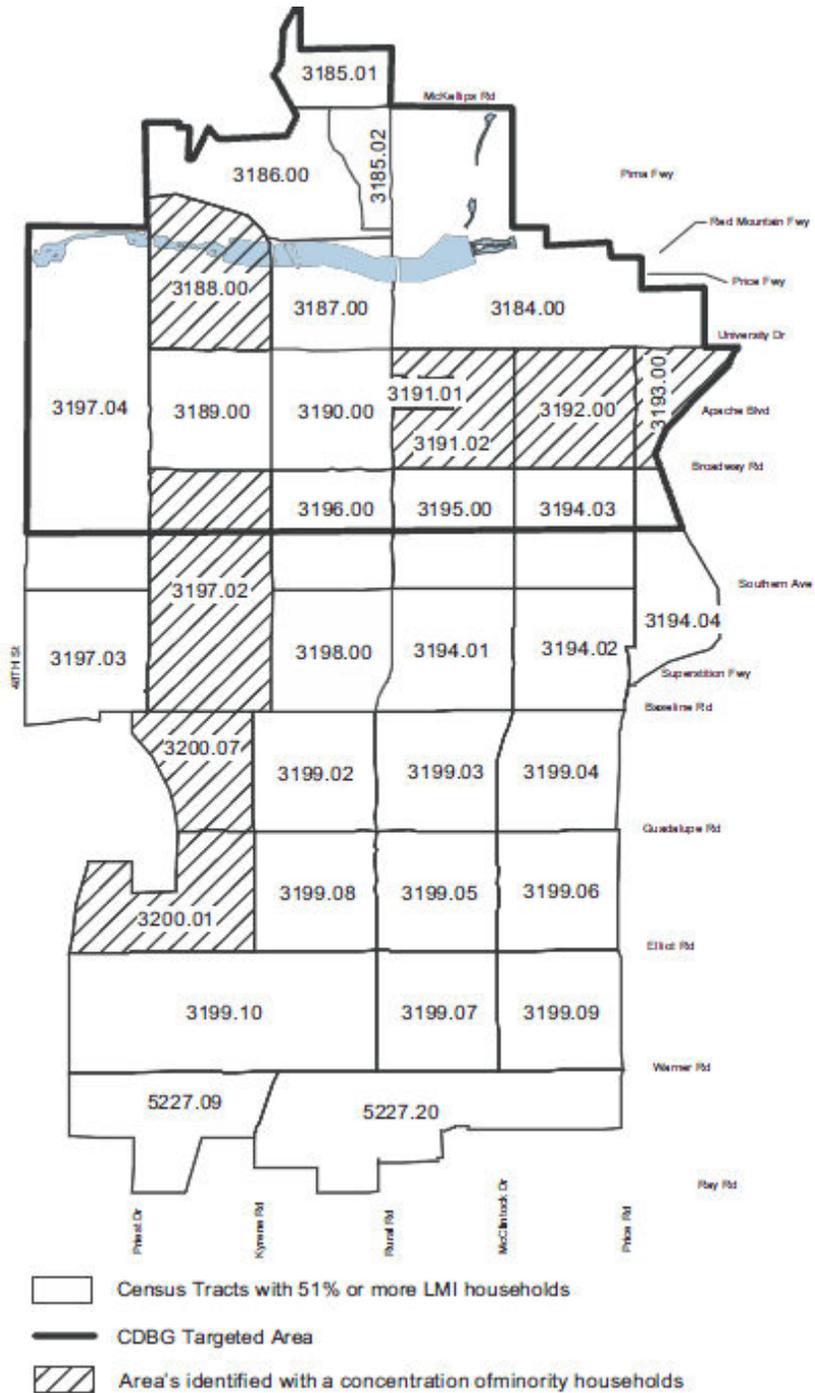
In 2000, the distribution of population over the age of 5 with a disability that were not institutionalized are depicted below, with the northwest quadrant indicating the highest concentrations.



Income Data

Census tracts eligible under CDBG area-wide benefit where over 51% of households are deemed to be low- and/or moderate- income and earning no greater than 80% of the

area median income in 2000 (adjusted for household size) are presented below. This information identifies concentrations of lower income households in Tempe in 2000 with the Tempe target area and concentrations of minority households discussed earlier.



The geographic distribution of income is based on the following 2000 household income data by census tract.

Census Tract	Total Household s	Median household income	Less than \$10,000	\$10,000 to \$14,999	\$15,000 to \$19,999	\$20,000 to \$24,999	\$25,000 to \$29,999	\$30,000 to \$34,999	\$35,000 to \$39,999	\$40,000 to \$44,999	\$45,000 to \$49,999
3184.00	1,720	37,248	144	126	120	116	121	117	182	113	102
3185.01	1,509	32,457	109	115	163	110	172	125	106	90	74
3185.02	999	46,023	46	61	74	51	47	93	85	38	24
3186.00	0	0	0	0	0	0	0	0	0	0	0
3187.00	331	14,427	123	48	38	15	37	0	21	0	8
3188.00	3,004	28,231	439	264	285	296	322	295	228	233	162
3189.00	2,723	38,735	162	188	195	219	241	175	225	164	140
3190.00	994	38,750	147	58	84	59	55	62	46	65	19
3191.01	1,285	16,063	460	157	145	96	94	46	46	43	41
3191.02	4,630	20,364	1,150	601	520	521	312	329	255	219	108
3192.00	3,905	27,419	685	282	401	421	353	335	386	219	204
3193.00	651	38,094	47	65	22	38	51	53	80	47	61
3194.01	2,225	49,125	180	104	127	129	78	148	99	94	185
3194.02	1,602	65,357	28	18	24	60	75	78	95	58	54
3194.03	1,950	50,402	90	66	59	106	104	155	131	137	118
3194.04	1,551	50,316	78	77	25	102	56	94	88	156	88
3195.00	2,321	47,205	141	82	74	105	231	135	131	153	179
3196.00	2,406	41,432	175	110	200	125	178	215	137	158	142
3197.02	3,409	41,440	275	131	209	183	162	292	354	291	215
3197.03	2,013	32,173	164	189	152	199	206	181	101	110	102
3197.04	416	41,985	22	22	16	38	25	39	19	46	45
3198.00	2,985	35,656	283	179	145	216	277	361	195	174	131
3199.02	1,011	47,371	43	43	69	46	35	39	108	95	49
3199.03	2,566	58,345	105	60	132	99	130	76	105	200	71
3199.04	1,952	61,200	49	40	35	62	61	77	144	124	78
3199.05	2,085	62,415	68	32	47	94	121	117	109	100	102
3199.06	1,086	100,000	28	0	38	17	34	22	17	26	20
3199.07	871	96,548	8	11	0	32	44	33	0	20	27
3199.08	963	54,728	49	27	17	30	72	56	51	104	30
3199.09	897	73,344	18	0	0	17	35	31	53	35	60
3199.10	1,282	97,725	28	0	33	20	18	28	8	25	46
3200.01	2,755	41,370	202	171	127	110	196	241	262	178	126
3200.07	2,565	41,318	136	152	164	192	107	214	220	240	230
5227.09	538	83,231	0	0	0	10	9	28	0	5	10
5227.20	2,351	90,368	65	0	53	20	41	98	31	56	41
Total	63,551	42,361	5,747	3,479	3,793	3,954	4,100	4,388	4,118	3,816	3,092

In 2008, the likely incidence of ASU and the student population is reflected in inflation-adjusted median income estimates. However, African American households earn significantly less income in Tempe versus Arizona and Maricopa County as well as other races.

2008 Inflation Adjusted Median Income By Race/Ethnicity	Arizona	Maricopa County	Tempe
Total	\$50,958	\$56,499	\$52,157
White	\$52,329	\$57,646	\$52,867
Black	\$42,620	\$42,524	\$35,836
Native American	\$34,617	\$40,915	\$42,484
Asian	\$67,470	\$76,778	\$51,278
Hawaiin & Pacific Islander	\$43,033	\$43,555	n/a
White, Not Hispanic	\$56,017	\$61,825	\$52,409
Hispanic	\$39,976	\$42,659	\$53,502

The distribution of households in poverty in Tempe in 2000 is depicted below and appears to be concentrated in the northern section of the community consistent with the CDBG target area and concentrated efforts by the community for housing rehabilitation.

Legend

- Insufficient Data*
- 4.45% or less
- 4.46% – 7.95%
- 7.96% – 12.77%
- 12.78%– 21.25%
- 21.26% or more

Shaded by: Census Tract
Source: Census and Claritas



Presently, the incidence of families in poverty in Tempe in 2008 is less than Arizona and Maricopa County but higher for the population as a whole. This is likely from the impact of the student population.

Item	Arizona	%	Maricopa County	%	Tempe	%
Total Families	1,489,192	n/a	878,874	n/a	31,258	n/a
Families In Poverty	153,967	n/a	79,574	n/a	3,310	n/a
% Families In Poverty	10.3%	n/a	9.1%	n/a	10.6%	n/a
Married Couples in Poverty	62,919	40.9%	33,899	42.6%	1,257	38.0%
Married With Own Children In Poverty	40,237	26.1%	23,714	29.8%	711	21.5%
Females With No Husband Present In Poverty	74,788	48.6%	36,250	45.6%	1,252	37.8%
Females With Kids < 18 With No Husband Present In Poverty	68,317	44.4%	33,102	41.6%	893	27.0%
Total Population	6,500,180	n/a	3,954,598	n/a	165,593	n/a
Population In Poverty	729,469	100.0%	380,500	100.0%	22,551	100.0%
% Population In Poverty	11.2%	n/a	9.6%	n/a	13.6%	n/a
Foreign Born Population In Poverty	209,455	28.7%	143,960	37.8%	6,028	26.7%
Foreign Born Population Naturalized In Poverty	32,545	4.5%	18,677	4.9%	819	3.6%
Foreign Born Population Not A Citizen In Poverty	176,910	24.3%	125,283	32.9%	5,209	23.1%

Source: 2008 American Community Survey.

The comparison of demographic distribution in the State, Maricopa County and Tempe showed a relatively wide disparity in the percentage of populations of three groups protected under the Fair Housing Act. These groups were Black/African American, Hispanic and female heads of household with children (familial status).

Housing Profile

Special HUD 2000 census runs (CHAS data) required in the use of Consolidated Plan preparation was compiled for the city of Tempe and compared among differing racial groups and households with a self-care limitation. Analyses were done by lower income categories (0-30%, 31-50% and 51-80% MFI) for each group and the incidence of households 'with problems' was assessed. A household with a problem could be cost burdened (paying more than 30% of their income for housing), residing in over-crowded conditions (more than 1.01 persons per room) and/or living in substandard housing (defined by the incidence of inadequate plumbing).

This CHAS data compiled for Tempe produced the following general findings:

- ✓ Regardless of ethnicity, over 80% of households earning less than 50% of the area median were characterized by housing distress (problems);
- ✓ Black and Native American lower income households appeared to have a meaningful higher incidence of housing distress than their counterparts;
- ✓ Hispanics indicated a higher incidence of distress at the 51 to 80% MFI income category;
- ✓ Asian households generally had lower distress; and,
- ✓ Those households with a self-care limitation held distress consistent with the population as a whole for the city.

Item	All Households	White (Not Hispanic)	Hispanic	Black (Not Hispanic)	Native American (Not Hispanic)	Asian (Not Hispanic)	Hawaiian & Pacific Islander (Not Hispanic)	Self Care Limitation
Total Households	62,992	48,144	8,094	2,100	823	2,846	45	6,980
Earning Less Than 30 MFI With Problems	7,361 79.0%	4,880 82.0%	1,209 83.0%	259 85.0%	148 93.0%	666 50.0%	25 60.0%	795 78.0%
Earning 31-50% MFI With Problems	6,206 84.0%	4,180 82.0%	1,232 86.0%	207 91.0%	153 91.0%	393 86.0%	n/a n/a	926 73.0%
Earning 51-80% MFI With Problems	10,712 57.0%	7,684 55.0%	1,815 61.0%	566 67.0%	143 63.0%	324 51.0%	n/a n/a	1,445 51.0%

Source: 2000 CHAS data.

Home Lending From HMDA

Information derived from HMDA and HUD Neighborhood Stabilization (NSP) data was analyzed relative to lending patterns evident in Tempe of late and during the bubble period from 2004 through 2007. All lending information by census tract was compared with the incidence of minority concentration (by tract) discussed earlier. Noted below is the incidence of HMDA loan origination, denials, withdrawals and incomplete applications evident in 2007. The ratio of loan origination to loan failure was calculated

by tract and correlated with minority tracts in 2000. A correlation was apparent in six census tracts suggesting a reasonable association.

Tempe Census Tract, 2000	Loans Originated	Applications Denied	Applications Withdrawn	Applications Closed For Incompleteness	Total Failed Attempts	Ratio Of Origination To Failure	Tracts Where The Ratio of Origination To Failure Is Greater Than The City Average	Tracts With More Minorities Than The City Average	Minority Tracts With A Ratio Correlation
Census Tract 3184	352	128	52	15	195	0.554	No	Yes	
Census Tract 3185.01	103	67	21	16	104	1.010	Yes	No	
Census Tract 3185.02	84	33	12	12	57	0.679	No	No	
Census Tract 3187	47	12	8	2	22	0.468	No	No	
Census Tract 3188	299	89	39	15	143	0.478	No	Yes	
Census Tract 3189	251	78	40	14	132	0.526	No	No	
Census Tract 3190	55	34	9	3	46	0.836	Yes	No	
Census Tract 3191.01	11	4	3	0	7	0.636	No	Yes	
Census Tract 3191.02	72	30	19	7	56	0.778	Yes	Yes	Yes
Census Tract 3192	164	99	36	16	151	0.921	Yes	Yes	Yes
Census Tract 3193	151	63	35	13	111	0.735	Yes	Yes	Yes
Census Tract 3194.01	264	141	43	23	207	0.784	Yes	No	
Census Tract 3194.02	190	67	28	17	112	0.589	No	No	
Census Tract 3194.03	187	76	38	4	118	0.631	No	No	
Census Tract 3194.04	139	54	28	7	89	0.640	No	No	
Census Tract 3195	258	90	48	12	150	0.581	No	No	
Census Tract 3196	264	108	66	15	189	0.716	Yes	No	
Census Tract 3197.02	221	145	48	15	208	0.941	Yes	Yes	Yes
Census Tract 3197.03	116	98	22	14	134	1.155	Yes	Yes	Yes
Census Tract 3197.04	60	24	13	3	40	0.667	No	Yes	
Census Tract 3198	126	65	34	16	115	0.913	Yes	Yes	Yes
Census Tract 3199.02	126	60	28	8	96	0.762	Yes	No	
Census Tract 3199.03	202	81	22	20	123	0.609	No	No	
Census Tract 3199.04	149	137	55	20	212	1.423	Yes	No	
Census Tract 3199.05	256	99	54	19	172	0.672	No	No	
Census Tract 3199.06	128	45	16	3	64	0.500	No	No	
Census Tract 3199.07	97	31	12	9	52	0.536	No	No	
Census Tract 3199.08	86	48	25	7	80	0.930	Yes	No	
Census Tract 3199.09	107	37	19	5	61	0.570	No	No	
Census Tract 3199.10	178	61	42	11	114	0.640	No	No	
Census Tract 3200.01	147	41	27	5	73	0.497	No	Yes	
Census Tract 3200.07	220	110	53	15	178	0.809	Yes	Yes	Yes
Census Tract 5227.09	92	22	12	1	35	0.380	No	No	
Census Tract 5227.11	305	111	55	14	180	0.590	No	No	
Census Tract 5227.20	269	78	35	16	129	0.480	No	No	
Tempe Total	5,776	2,466	1,097	392	3,955	0.685			

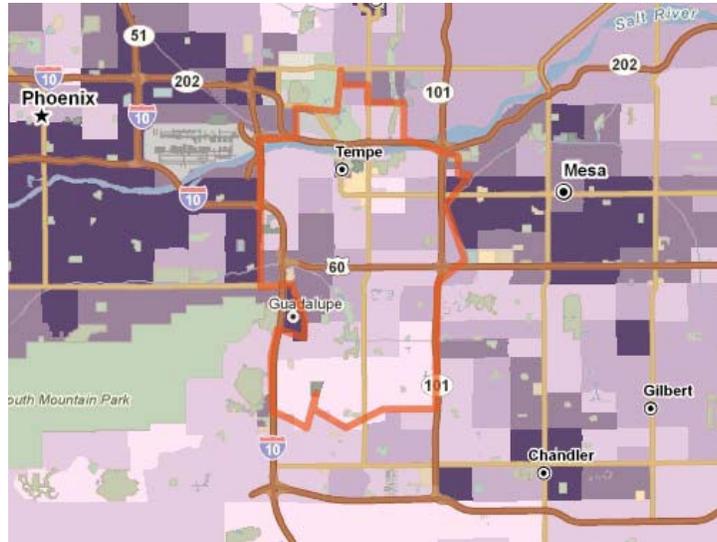
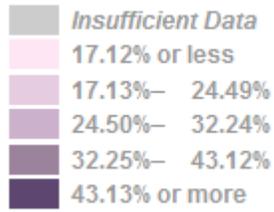
Sources: HMDA, US Census.

Information associated with the incidence of foreclosure and low-cost/high leverage HMDA loans derived from the HUD NSP program were analyzed for a potential correlation with minority census tracts. A high correlation exists with the percent of mortgages to start foreclosure within the last two years and a medium correlation with low-cost/high leverage loans originated from 2004 – '07 (the peak of the housing bubble).

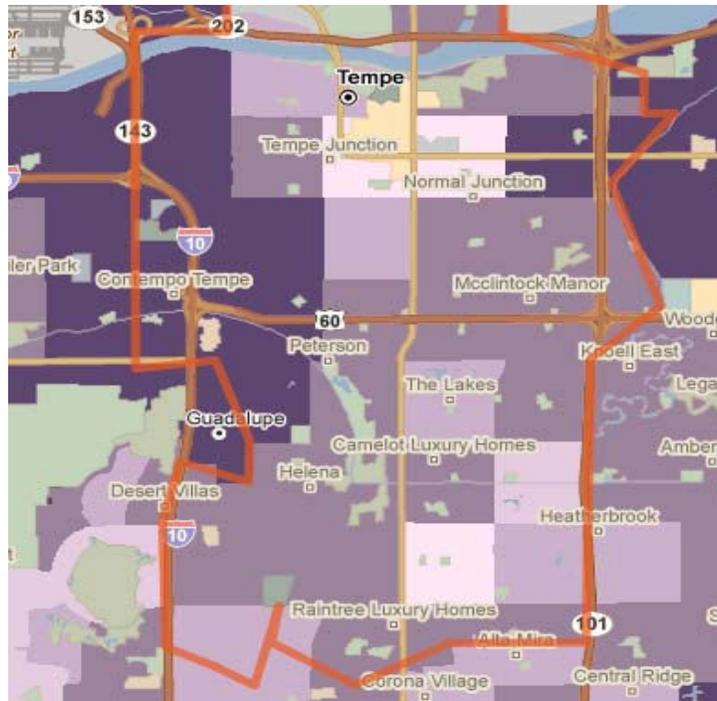
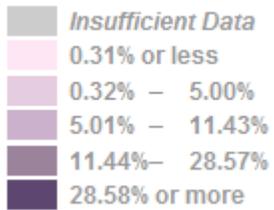
2000 Census Tract	Foreclosure Risk Score	Vacancy & Foreclosure Risk Score	No. Of Mortgages To Start Foreclosure In Last 2 Years	Percent Of Mortgage To Start Foreclosure In Last 2 Years	Vacancy Rate 90 Days & Greater	No. Of Mortgage Originated From '04 - '07 Per HMDA	Percent of HMDA Mortgages In 2004 - 2007 Low-Cost and High-Leverage	Percent of HMDA Mortgages In 2004 - 2007 High-Cost and Low-Leverage	Percent of HMDA Mortgages In 2004 - 2007 High-Cost and High-Leverage	Tracts With More Minorities Than The City Average	Minority Tracts With Foreclosure Rate Correlation	Minority Tracts With Low Cost, High Leverage '04-'07 Correlation
318400	18	17	140	13.7%	5.3%	1,027	14.9%	9.9%	8.3%	Yes	Yes	Yes
318501	16	19	80	15.2%	8.6%	525	18.0%	9.4%	13.9%	No		
318502	14	18	55	12.4%	8.2%	443	11.2%	8.1%	4.9%	No		
318700	14	13	22	12.2%	2.4%	180	12.5%	10.7%	3.0%	No		
318800	16	19	99	12.8%	11.0%	769	8.5%	11.5%	2.7%	Yes		
318900	18	18	153	13.1%	7.1%	1,174	13.1%	8.0%	7.3%	No		
319000	11	14	32	10.5%	3.9%	301	12.3%	4.3%	2.4%	No		
319101	16	19	10	14.2%	9.0%	71	3.6%	16.1%	1.8%	Yes	Yes	
319102	15	19	46	13.8%	12.7%	334	8.1%	8.8%	7.1%	Yes	Yes	
319200	18	19	156	14.4%	8.9%	1,082	7.8%	10.3%	7.7%	Yes	Yes	
319300	18	18	73	17.9%	6.7%	408	13.5%	17.1%	14.8%	Yes	Yes	Yes
319401	18	18	156	12.7%	7.0%	1,232	13.1%	7.3%	6.7%	No		
319402	18	15	139	13.5%	3.1%	1,030	15.3%	7.0%	10.0%	No		
319403	17	18	118	13.8%	6.5%	858	13.3%	7.6%	9.6%	No		
319404	17	17	121	14.7%	5.8%	824	12.3%	9.0%	10.9%	No		
319500	18	16	136	12.8%	4.2%	1,068	12.0%	5.9%	7.5%	No		
319600	17	15	114	11.8%	3.1%	966	10.0%	5.4%	4.6%	No		
319702	19	19	174	15.3%	7.8%	1,141	13.8%	9.6%	12.7%	Yes	Yes	Yes
319703	18	19	111	17.9%	7.9%	622	11.5%	16.6%	14.4%	Yes	Yes	
319704	16	17	44	15.2%	5.6%	291	16.1%	9.4%	13.5%	Yes	Yes	Yes
319800	16	18	99	14.4%	6.2%	684	11.2%	7.8%	10.5%	Yes	Yes	No
319902	15	14	90	14.0%	3.1%	644	14.1%	9.9%	9.0%	No		
319903	18	18	142	12.8%	6.3%	1,115	12.1%	6.5%	7.2%	No		
319904	19	16	189	13.4%	3.3%	1,403	16.9%	8.4%	9.4%	No		
319905	19	15	194	12.9%	3.0%	1,505	14.0%	8.4%	6.9%	No		
319906	16	13	94	11.7%	2.3%	807	11.2%	4.8%	5.1%	No		
319907	11	11	59	9.3%	2.0%	633	19.4%	1.9%	3.3%	No		
319908	15	15	60	13.6%	3.9%	444	12.8%	9.1%	8.0%	No		
319909	14	13	83	11.0%	2.7%	757	16.1%	4.6%	5.0%	No		
319910	17	12	113	10.4%	1.4%	1,079	17.9%	3.8%	4.7%	No		
320001	14	19	72	12.6%	10.3%	570	15.3%	5.8%	8.4%	Yes		Yes
320007	19	18	167	15.4%	5.7%	1,085	15.8%	8.5%	14.5%	Yes	Yes	Yes
522709	11	1	46	10.5%	0.0%	438	17.2%	4.2%	4.4%	No		
522711	19	16	209	12.3%	3.4%	1,698	14.2%	5.7%	7.2%	No		
522720	19	11	211	10.9%	0.9%	1,948	15.5%	2.8%	5.6%	No		
Tempe Total	n/a	n/a	3,807	13.2%	n/a	29,156	13.3%	n/a	n/a	n/a	n/a	n/a

Also consider the following two maps comparing the incidence of sub-prime loans originated in Tempe in 2006 (peak of the bubble) versus the incidence of subprime originated for Hispanic persons derived from HMDA data. The information clearly indicates a much greater origination of subprime for Hispanics, suggesting an obviously higher incidence of predatory activity for such households.

Sub-Prime For All Households In '06



Sub-Prime For Hispanic Households In '06



4.0 Evaluation of Tempe's Current Fair Housing Legal Status

Contact was made with the Civil Rights Division of the Arizona Attorney General's Office, City of Tempe Fair Housing Coordinator, Arizona Fair Housing Council and Region IX HUD to collect information on the number, type and disposition of fair housing complaints evident in Tempe since the date of the last Consolidated Plan ('05). The US Department of Housing and Urban Development provided the most insight into complaints and their resolution as the Attorney General's Office indicated approximately 180 cases were normally filed in Arizona to date but no further information was provided.

In Tempe, an annual average of approximately 9 complaints are filed with HUD for the following reasons. No trends of any consequence appear evident from the data.

- ✓ Disability at 33% of the total;
- ✓ Race at 22%;
- ✓ Color at 22%; and,
- ✓ Religion, familial status and retaliation each at 11%.

HUD Title VIII FAIR HOUSING COMPLAINTS FILED, CY 2005 - 10/09

Year	Complaints Filed With HUD	Complaints Filed With FHAP	Total Filed	Race	Color	National Origin	Sex	Disability	Religion	Familial Status	Retaliation
2005	0	6	6	2	1	0	0	3	0	0	1
2006	1	11	12	3	0	3	0	5	1	2	1
2007	0	11	11	2	1	3	1	2	0	2	1
2008	0	9	9	2	0	5	1	2	2	1	1
2009	0	5	5	1	0	0	0	4	0	0	0
Average/Yr	0	8	9	2	0	2	0	3	1	1	1

Source: US Dept. of Housing & Urban Development, Region IX HUD Office.

Relative to Title VIII complaints closed in Tempe, on average 9 occurred per annum since 2005. On a combined basis, national origin, disability and race appeared to comprise about 80% of closures, with the balance comprised of religion, familial status and retaliation. On average, 78% of complaints closed were based on 'no cause' while 11% were 'administratively' closed or via conciliation or resolved with an average dollar amount of \$12,000/case.

HUD FAIR HOUSING (Title VIII) COMPLAINTS CLOSED, CY 2005 - 10/09

Year	Closed by HUD	Closed by FHAP	Total Closed	Basis of Closed Complaint								How Complaints Were Closed					Compensation For Cause/Resol of Complaints
				Race	Color	National Origin	Sex	Disability	Religion	Familial Status	Retaliation	Admin. Closure	Conciliated or Resolved	No Cause	Cause	Referred & Closed By DOJ	
2005	0	11	11	3	1	5	0	3	0	0	1	1	2	8	0	0	
2006	1	6	7	2	0	1	0	2	0	2	0	1	1	5	0	0	\$45,000
2007	0	13	13	2	0	4	0	5	1	2	2	2	1	9	1	0	\$5,000
2008	0	11	11	3	1	5	2	2	1	1	1	0	0	10	1	0	\$13,091
2009	0	4	4	1	0	1	0	2	1	0	0	1	1	2	0	0	
Average/Yr	0	9	9	2	0	3	0	3	1	1	1	1	1	7	0	0	\$12,618

Source: US Dept. of Housing & Urban Development, Region IX HUD Office.

It appeared that no suits in Tempe were filed by the Department of Justice or by a private plaintiffs. Since 2005, there have been no fair housing complaints or compliance reviews where the Secretary has issued a charge of or made a finding of discrimination.

Survey To Ascertain Incidence Of Fair Housing Complaints/Violations

A survey was conducted by the City of Tempe Housing Services Division in October and November of 2009 to collect further information about the incidence and type of fair housing violations occurring with the community. The survey was mailed to over 1,500 Tempe residents and landlords. The survey was not intended to be scientific or statistically valid. It was intended to see if anecdotal experience would shed light on issues identified in the areas of inquiry and to give people an opportunity to identify other problems that limited choice in securing a place to live in Tempe. The survey was also translated and made available in Spanish. Copies of the surveys were mailed along with self-addressed, stamped envelopes to the families on the Housing Choice Voucher program and the wait list and to applicants and clients of the City's homebuyer assistance programs. The survey asked for demographic information but not for name or address. It did ask people to target their comments to their experience in Tempe. The following results were evident:

Illegal housing discrimination includes – but is not limited to - the following when the discrimination is based on a person's race, national origin (e.g. Hispanic), color, religion, sex, or if they have children or a disability:

- a. Refusing, discouraging or charging more to rent an apartment or buy a home.
- b. Discouraging a person from living where they want to live. Steering them to another apartment, complex or neighborhood.
- c. Refusing, discouraging, making it more difficult or charging more or providing less favorable terms on a home loan to buy, refinance, fix up or use the equity in a home.
- d. Refusing, discouraging or charging more for home insurance.
- e. Refusing to make a reasonable accommodation or allowing a modification to make an apartment more accessible for person with a disability
- f. Predatory lending: Unfair, misleading and deceptive loan practices

Have you ever encountered any of these forms of discrimination or known someone who has?

- ✓ Yes (8)
- ✓ I think I may have (1)
- ✓ No (29)
- ✓ Don't know (5)

If you believe or think that you or someone you know encountered illegal discrimination, what type was it.

Steering and charging extra rent were indicated. Most respondents left this blank.

Do you feel you are well informed on Housing Discrimination?

- ✓ Yes (29)

- ✓ Somewhat (5)
- ✓ Not enough (3)
- ✓ No (6)

What would you do if you encountered housing discrimination?

- ✓ Ignore it and go somewhere else (2)
- ✓ Tell the person that you believe they are discriminating (9)
- ✓ Report it (30)
- ✓ Would not know what to do (2)

If you were to report housing discrimination to whom would you report it?

1 said HUD, 1 said AG, 1 didn't know.

Do you believe Housing Discrimination occurs in Tempe?

- ✓ Yes (11)
- ✓ Likely (7)
- ✓ Unlikely (9)
- ✓ No (13)

If you think housing discrimination is occurring, what types of discrimination do you think are the largest problems?

Race, color, disability access, poor people were the most frequent answers.

What can be done to help prevent housing discrimination

7 stated report it, 1 state communication, 32 stated education, 3 stated 'don't know, 1 stated legal action and 1 stated 'more inspections'

Please check those that apply to you: (Characteristics of respondents)

Race/Ethnicity

White/Anglo (17)
 Hispanic (7)
 African American (13)
 Native American (4)

Sex

Female (32)
 Male (8)
 Transgender

Familial Status

Have children (26)
 No Children (15)

Disability

Yes (22)
 No (18)

Housing

I own a home
 I rent (43)

Employment Status

I work for a non-profit (3)
 I am self employed (2)
 I am not self employed (30)

Est. Household Income

\$6,000-\$22,000/yr

Occupation

I work in the housing industry
 I work for a non-profit (3)

Number in Households (1-6)

With most reporting (1)

5.0 Identification of Impediments to Fair Housing Choice

A variety of efforts were undertaken to assess the public sector in the City of Tempe. With respect to zoning and site selection, note that no new zoning has been implemented by the City of Tempe since the date of the last AI. Consistent with FHEO suggestions, the following HUD adopted survey was provided to officials of the City of Temple Planning and Development Services functions regarding zoning, building codes and accessibility issues. Note the following results.

FAIR HOUSING IMPEDIMENT STUDY Review of Public Policies and Practices (Zoning and Planning Codes)

Name of Jurisdiction: City of Tempe, Arizona
Reviewing Agency: City of Tempe Housing Services Division
Reviewer: Theresa James, Rich Crystal (Consultant)
Date: October 27, 2009

The Fair Housing Impediments Study reviews the Zoning and Planning Code and identifies land use and zoning regulations, practices and procedures that act as barriers to the development, the site and the use of housing for individuals with disabilities. The Study analyzes the Code and other documents related to land use and zoning decision-making provided by the participating jurisdiction. Additional information should be provided through interviews with Planning and Building and Safety Department staff and non-profit developers of special needs housing. In identifying impediments to housing for individuals with disabilities, the Study should distinguish between regulatory impediments based on specific Code provisions and practice impediments, which describe practices by the jurisdiction.

- Zoning Regulation Impediment: Does the Code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement? Yes ____ No x
- Zoning Regulation Impediment: Does the Code definition of “disability” the same as the Fair Housing Act.? Yes x No ____
- Practice Impediment: Are personal characteristics of the residents considered? Yes ____ No x
- Practice Impediment: Does the zoning ordinance restrict housing opportunities for individuals with disabilities and mischaracterize such housing as a “boarding or rooming house” or “hotel”? Yes ____ No x
- Practice Impediment: Does the zoning ordinance deny housing opportunities for disability individuals with on site housing supporting services? Yes ____ No x
- Does the jurisdiction policy allow any number of unrelated persons to reside together, but restrict such occupancy, if the residents are disabled? Yes ____ No x

- Does the jurisdiction policy not allow disabled persons to make reasonable modifications or provide reasonable accommodation for disabled people who live in municipal-supplied or managed residential housing? Yes ____ No x
- Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for disabled applicants and is the hearing only for disabled applicants rather than for all applicants? Yes ____ No x
- Does the zoning ordinance address mixed uses? Yes x No ____
 - a. How are the residential land uses discussed? **single-family, multi-family and mixed-use (residential and commercial)**
 - b. What standards apply? **Density, development, ADA and building codes.**
- Does the zoning ordinance describe any areas in this jurisdiction as exclusive? Yes ____ No x Are there exclusions or discussions of limiting housing to any of the following groups? No ____ If yes, check all of the following that apply:
 Race ____ Color ____ Sex ____ Religion ____ Age ____ Disability ____
 Marital or Familial Status ____ Creed of National Origin ____
- Are there any restrictions for Senior Housing in the zoning ordinance? Yes ____ No x If yes, do the restrictions comply with Federal law on housing for older persons (i.e., solely occupied by persons 62 years of age or older or at least one person 55 years of age and has significant facilities or services to meet the physical or social needs of older people)? Yes ____ No ____ If No, explain:
- Does the zoning ordinance contain any special provisions for making housing accessible to persons with disabilities? Yes ____ No x
- Does the zoning ordinance establish occupancy standards or maximum occupancy limits? Yes ____ No x Do the restrictions exceed those imposed by state law? Yes ____ No x N/A ____
- Does the zoning ordinance include a discussion of fair housing? Yes ____ No x If yes, how does the jurisdiction propose to further fair housing? **The building codes have guidelines for accessibility.**
- Describe the minimum standards and amenities required by the ordinance for a multiple family project with respect to handicap parking. **Required by Building Codes; for the first 100 spaces: 1 handicap parking space per 25.**
- Does the zoning code distinguishes senior citizen housing from other single family residential and multifamily residential uses by the application of a conditional use permit (cup).? Yes ____ No x

- Does the zoning code distinguishes handicapped housing from other single family residential and multifamily residential uses by the application of a conditional use permit (cup).? Yes ____ No
- How are “special group residential housing” defined in the jurisdiction zoning code? **It is defined as group homes for adult care, persons with disabilities, and child shelter.**
- Does the jurisdiction’s planning and building codes presently make specific reference to the accessibility requirements contained in the 1988 amendment to the Fair Housing Act? Yes ____ No . Is there any provision for monitoring compliance? Yes ____ No

There has not been any determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by HUD under Title VI of the Civil Rights Act of 1964 or Section 504 of the Rehabilitation Act of 1973, and that the Secretary (of HUD) has not issued a charge under the Fair Housing Act regarding assisted housing within Tempe’s jurisdiction where an analysis of the actions which could be taken by the recipient to help remedy the discriminatory condition, including actions involving the expenditure of funds by Tempe.

6.0 Assessment of Current Public and Private Fair Housing Programs And Activities in Tempe

Findings on Impediments to Fair Housing Choice

Evidence of Housing Discrimination

- ✓ Almost one-half of those residents surveyed on housing discrimination believe that discrimination occurs in Tempe.
- ✓ One-third of those residents surveyed on housing discrimination feel they have been discriminated against and/or not sure.

Need for Community Education

- ✓ The community needs to be more informed. Only 9 fair housing complaints are filed with HUD annually on average in Tempe. Most involve national origin, race and disabilities.
- ✓ One-third of those residents surveyed on housing discrimination feel they could be better informed.
- ✓ Attention should also be paid to landlord/tenant issues since Tempe has a substantially higher proportion of renters than the State and Maricopa County.

Minority/Poverty Concentrations

- ✓ Tempe's minority population continues to grow. In 2008, it is estimated that minorities in their entirety comprise 37%, up from 30% in 2000. Hispanics constitute the highest percentage of any single minority group - 24%.
- ✓ Minority concentrations exist in the northern and western parts of the city. One-third of Tempe's 35 census tracts have minority populations exceeding the citywide average of 30%.
- ✓ In 2008, the poverty rate of 13.6% in Tempe is higher than State and Maricopa County.
- ✓ In 2000, the distribution of households in poverty in Tempe appears to be concentrated in the northern section of the community.

Foreclosures and Predatory Lending

- ✓ In 2007, close to 70 percent of home loans failed to close compared to all home loans originated in Tempe. A correlation of loan origination to loan failures in areas with minority concentrations was apparent in six census tracts of Tempe.
- ✓ In 2007, there were 3,807 mortgages to start foreclosure in the last two years. A high correlation also exists when comparing foreclosure activity in areas of Tempe with minority concentrations.
- ✓ When examining all sub-prime lending activity in 2006, the information clearly indicates a much higher incidence of predatory lending activity for Hispanic households in Tempe compared to the rest of the population.

Disability Accessibility

- ✓ In addition to race and poverty, disability access was raised as the other major type of discrimination that exists in Tempe according to residents surveyed on housing discrimination.
- ✓ In 2008, eight percent of Tempe's population has a disability (not institutionalized). This is less than the State and Maricopa County average, however it was more prevalent among younger age groups.

- ✓ The highest concentrations of persons with a disability are located in the northwest part of Tempe.

Public Policies and Zoning

- ✓ The City of Tempe Zoning and Planning Codes do not make specific reference to the accessibility requirements contained in the 1988 amendments to the Fair Housing Act.
- ✓ While the City of Tempe zoning ordinance does not contain any special provisions for making housing accessible to persons with disabilities, the city's building code does have guidelines for accessibility.

Assessment of Current Public and Private Fair Housing Programs and Activities in Tempe

The City of Tempe has done a good job completing a variety of activities aimed at furthering fair housing from its last two Analysis of Impediments to Fair Housing plan. Key accomplishments include:

- ✓ Adopted a resolution supporting the right to fair housing choice within Tempe.
- ✓ Adopted a proclamation declaring April to be observed as fair housing Month.
- ✓ Secured fair housing training for city staff.
- ✓ Maintained a fair housing page on the city's web page.
- ✓ Maintained a direct link from the city's web page to the HUD fair housing website.
- ✓ Maintained a call log for fair housing complaints and referrals.
- ✓ Made fair housing referrals to the Arizona Attorney Generals Office and the Arizona Fair Housing Center.
- ✓ Engaged the professional housing community in discussion of fair housing issues.
- ✓ Reviewed local ordinances for compliance with the Fair Housing Act and ADA.
- ✓ Displayed fair housing posters in public buildings.
- ✓ Purchased and distributed fair housing marketing materials.
- ✓ Have the Fair housing Logo on business cards, local brochures and program marketing information.
- ✓ Monitor subrecipients for compliance with fair housing and affirmative marketing requirements.

More recently, the City of Tempe's fair housing web page has been updated to include web links to the Arizona Residential Landlord and Tenant Act hotline web page along with providing information on other resources available. In addition, quotes to translate fair housing brochures and information in Spanish are being obtained. Upon completion, Spanish fair housing brochures will be distributed throughout public locations in the city including the public library.

The City of Tempe's Fair Housing Coordinator continues to participate in the Arizona Fair Housing Partnership and educate the public by attending community events. Other community outreach efforts and public meetings sponsored and attended by City of Tempe staff include: the Tempe Tardedeo, City of Tempe DARE Night Out, the One-Year Action Plan Public Meetings and the annual fair housing Month conference in Arizona. The City of Tempe has also collaborated with other cities to promote fair housing. For example, it has partnered with the City of Mesa to promote fair housing

services by displaying a fair housing notice in 143 inter-city buses that serve the two cities.

The city's Fair Housing Coordinator and the ADA Accessibility Specialist have met with Development Services staff about providing ongoing education to housing facility property owners and neighborhood associations on the importance of integrating people with disabilities into the entire community. The Fair Housing Coordinator and the ADA Accessibility Specialist have worked on a completing a survey of all Tempe apartment complexes to determine the number of accessible units in the city and will strategically use the results to address and remove the barrier. The ADA Accessibility Specialist has also provided training to Development Services staff about accessibility and the need for increased accessible units in the City of Tempe.

The City of Tempe is also fortunate to have a locally based non-profit organization – Newtown Community Development Corporation. In addition to furthering affordable housing opportunities, Newtown provides critical education in homeownership and foreclosure prevention. Their services have helped many Tempe individuals and families with issues raised in this Analysis to Impediments.

7.0 Conclusions, Recommendations and Tempe Fair Housing Action Plan

Issue #1: Evidence of Housing Discrimination – A survey of Tempe residents reveals that housing discrimination does exist. Increased public support and awareness, along with more documented evidence is needed.

Objective #1: Each April, adopt a proclamation declaring April to be observed as Fair Housing Month.

Objective #2: By October 2010, adopt a resolution supporting the right to fair housing choice in Tempe.

Objective #3: By February 2011, publish public notices in local papers about the right to fair housing.

Objective #4: Through April 2014, continue participating in the Arizona Fair Housing Partnership and co-sponsor a fair housing awareness event in April of that same year.

Objective #5: Continue to ensure that the fair housing Logo is on business cards, local brochures and program marketing information.

Objective #6: Continue to maintain a call log for all fair housing complaints and referrals.

Objective #7: Continue to make fair housing referrals to the Arizona Attorney General's Office and the Arizona Fair Housing Center.

Issue #2: Need for Community Education - The number and nature of the fair housing complaints being received from Tempe residents continues to remain low. Additionally, the results of the housing discrimination survey indicate that there is a need for more community education.

Objective #8: Each April, distribute a flyer about April as Fair Housing Month for distribution with the City of Tempe water bill that is sent to all Tempe residents.

Objective #9: By October 2010, place an ad in "Tempe Opportunities" winter publication that goes out to all Tempe households regarding the fair housing services provided by the City of Tempe Housing Services Division.

Objective #10: By October 2010, explore the possibility of putting fair housing flyers on all of Orbit neighborhood circulators that travel throughout Tempe.

Objective #11: By April 2011, sponsor or put on fair housing training for Tempe residents. Specific information will also be provided on landlord/tenant issues.

Objective #12: Continue to maintain a fair housing page on the City of Tempe's web page. This includes a direct link to the HUD fair housing website.

Objective #13: Continue to display fair housing posters and make fair housing materials available in City of Tempe public facilities.

Issue #3: Minority/Poverty Concentrations - Minority and poverty concentrations exist in the northern part of the city and Tempe's minority population continues to grow.

Objective #14: By October 2010, complete a Spanish brochure specifically for the residents of Tempe.

Objective #15: By March 2011, undertake targeted efforts to have Spanish fair housing brochures distributed to specific areas with concentrations of minority populations.

Objective #16: Through April 2014, work with Tempe's Diversity Coordinator on implementing the City's Diversity Action Plan, particularly with opportunities to share fair housing information in targeted areas.

Objective #17: Continue to implement a Limited English Policy for the City of Tempe's Housing Services Division.

Objective #18: Continue to provide education on fair housing to a large number of individuals/families for whom English is not their first language who come into the City of Tempe's Housing Services office for assistance.

Objective #19: Continue to encourage minorities and lower-income families to seek housing counseling (through Newtown CDC and other non-profits) that will help find housing outside areas of concentration.

Issue #4: Foreclosures and Predatory Lending - A high correlation exists when comparing foreclosure activity with minority concentrations. This includes a much higher incidence of predatory lending activity for Hispanic households compared to the rest of the population.

Objective #20: By March 2011, undertake targeted efforts to have Spanish fair housing brochures that include information on predatory lending distributed to specific areas with concentrations of minority populations.

Objective #21: By October 2011, explore the feasibility of a "testing program" to help determine if discriminatory practices are occurring within the City of Tempe. If tests show this to be occurring, results can be shared to discourage future practices and encourage community support.

Objective #22: Continue to work with the Arizona Fair Housing Partnership and the Arizona Mortgage Lenders Association to discourage predatory lending practices within the City of Tempe.

Objective #23: Continue to encourage and refer residents to attend classes on homebuyer education and foreclosure prevention held by Newtown CDC and other non-profits.

Issue #5: Disability Accessibility - In addition to race and poverty, disability access was raised as the other major type of discrimination that exists in Tempe according to residents surveyed on housing discrimination.

Objective #24: By October 2010, partner with other East Valley cities and Community Legal Services to sponsor and facilitate a community education event about fair housing and how it pertains to disability issues.

Objective #25: Continue to provide a part-time ADA Accessibility Specialist through the City of Tempe.

Objective #26: Continue to work with the City of Tempe's Development Services staff on providing ongoing education to housing facility property owners and neighborhood associations on the importance of integrating people with disabilities into the entire community.

Objective #27: The ADA Accessibility Specialist will continue to provide training to the City of Tempe's Development Services staff about accessibility and the need for increased accessible units.

Objective #28: Continue to encourage the development of handicapped accessible or adaptable housing on all projects receiving federal funds.

Issue #6: Public Policies and Zoning - A review of the policies and practices of the City of Tempe Zoning and Planning Codes indicates that these Codes do not make specific reference to the accessibility requirements contained in the 1988 amendments to the Fair Housing Act.

Objective #29: By December 2010, work with the City of Tempe Development Services to determine the feasibility including specific reference to the accessibility requirements contained in the 1988 amendments to the Fair Housing Act in the City of Tempe Zoning and Planning Codes.

Objective #30: By February 2011, provide fair housing training to interested City of Tempe staff, particularly targeting Development Services staff.

Objective #31: By February 2012, work with the City of Tempe Development Services on a review of Zoning and Planning Codes to determine if there are any guidelines that may discourage affordable housing.

8.0 Signature Page by Chief Elected Official