



COUNTY OF ALAMEDA

REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

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SECTION II

EXECUTIVE SUMMARY

This report reflects a countywide effort to increase fair housing choices for residents across the county. The County of Alameda, as lead agency, and multiple participating jurisdictions—the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City, and the housing authorities for County of Alameda, Alameda, Berkeley, Livermore, and Oakland—have formed a regional collaborative for the purpose of completing an Analysis of Impediments to Fair Housing Choice (Regional Analysis of Impediments) while meeting their goals and obligations under the fair housing rules to affirmatively further fair housing.

The US Department of Housing and Urban Development (HUD) requires that an analysis of impediments be conducted every five years as part of a five-year Consolidated Plan process, which regional members plan to complete by June 30, 2020.

This section summarizes the findings of the analysis and includes an overview of the public engagement process and fair housing findings, including the primary issues and contributing factors, and identification of future goals and priorities that address these findings. To support this summary, an explanation of the Assessment of Fair Housing requirements and prevalent definitions used in this Regional Analysis of Impediments are provided.

Definitions

Below are terms frequently used throughout this report:

The **Affirmatively Furthering Fair Housing (AFFH) Tool** is a web mapping tool prepared by HUD to assist participating jurisdictions in affirmatively furthering fair housing. It includes data tables that break down the demographics of each participating jurisdiction, such as race and ethnicity, national origin, poverty, and language proficiency. The tool also includes maps displaying the population densities of people of different races, the locations of publicly supported housing, and the level of access of each racial group to resources within a participating jurisdiction.

Alameda County includes all participating jurisdictions, which is the Consortium's geographic areas (as defined above) plus the cities of Berkeley and Oakland.

Consortium includes the geographic areas covered by HOME Consortium members, which are Urban County and Entitlement Cities, excluding Berkeley and Oakland. The Housing Authorities' service areas are covered by these geographies.

Entitlement Cities: Alameda, Berkeley, Fremont, Hayward, Livermore, Oakland, Pleasanton, San Leandro, and Union City.

Participating jurisdictions include all the entities in this regional collaboration: County of Alameda; the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City; and the Housing Authority of the County of Alameda, Housing Authority of the City of Alameda, Berkeley Housing Authority, Livermore Housing Authority, and Oakland Housing Authority. The term Alameda County may be used interchangeably.

Racially/Ethnically Concentrated Area of Poverty (R/ECAP) is a neighborhood (census tract) with a poverty rate of 40 percent or more and a racial or ethnic concentration (50 percent or more of the tract is composed of minority residents).

Region is the core base statistical area (CBSA) that is used in the comparative analysis. Counties in the Alameda County CBSA are Alameda, Contra Costa, San Francisco, and San Mateo.

Urban County: Albany, Dublin, Emeryville, Newark, Piedmont, and unincorporated county.

What is Affirmatively Furthering Fair Housing?

This Regional Analysis of Impediments is prepared for the purpose of implementing fair housing rules to affirmatively further fair housing. Affirmatively furthering fair housing means to take meaningful actions that address significant disparities in housing needs and access to opportunities and replacing segregated living patterns with integrated and balanced living patterns, transforming Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

In 2015, HUD required HUD program participants (participating jurisdictions) to comply with the new AFFH rule and to develop an Assessment of Fair Housing (AFH) pursuant to 24 CFR Section 5.154. An AFH includes robust community input, an analysis of housing data, and identification of fair housing issues and contributing factors to set fair housing priorities and goals. In 2018, HUD reversed the AFH requirement and in response, the California legislature passed Assembly Bill 686, which upholds the 2015 requirements for HUD program participants in California. As required by California Assembly Bill 686, this Regional Analysis of Impediments report follows the 2015 AFFH rule for completing an AFH.

Methodology

The previous Regional Analysis of Impediments was prepared in 2015 for the Alameda County HOME Consortium. The local housing authorities participated as stakeholders in

the previous analysis. The cities of Oakland and Berkeley individually prepared separate Analysis of Impediments reports.

This report is a combined update of the 2015 Alameda HOME Consortium, City of Berkeley, and City of Oakland Analyses of Impediments. The following steps were taken to update the report:

- Analyze current publicly available data regarding the Alameda County demographics and housing;
- Engage with community members and stakeholders via public meetings and correspondence;
- Identify impediments to fair housing choice for Alameda County residents; and
- Develop strategies and actions for removing impediments and affirmatively furthering fair housing choice.

Analysis of demographic and housing trends was completed using data from numerous sources, including the US Census Bureau's 1990, 2000, and 2010 Decennial Census data, American Community Survey (ACS) 2012–2017 data, the Urban Displacement Project 2015 report, and the HUD AFFH Tool.

The community engagement process involved three community meetings and three stakeholder meetings as well as a seven-page survey. The process is further discussed below and in Section III.

Impediments to fair housing choice were identified through an analysis of the collected data and community engagement findings. Regional goals were then developed to address these impediments, and sub-goals were adopted by each participating jurisdiction to further these regional goals.

Community Participation Process

Alameda County's community engagement process consisted of a seven-page survey, three community engagement meetings, and three stakeholders meetings. Engagement materials were distributed to service organizations who then distributed it to their served populations. The survey was available in Dari, English, Spanish, Tagalog, Traditional Chinese, and Vietnamese. Residents of the participating jurisdictions as well as specific populations were targeted for engagement, including: racial and ethnic minorities, people experiencing homelessness, people with disabilities, people residing in R/ECAPs, and people with limited English proficiency. Stakeholders from a variety of organizations were contacted as well, including housing organizations, homeless services, youth services, nonprofit social services, services for seniors, services for disabled persons, HIV/AIDS services, government, advocates, public and emergency resources, educational organizations, and economic development organizations

Summary of Findings

What are the primary fair housing issues in Alameda County?

Housing affordability and availability are the largest issues found to affect the residents participating in the community engagement process. This finding is supported by data provided by HUD through the AFFH Tool, the ACS, and from local resources, including Association of Bay Area Governments and local transit authorities, among others. See Section V, Fair Housing Analysis, of this Regional Analysis of Impediments for the in-depth analysis supporting the primary fair housing issues.

The fair housing issues found to affect many residents in the participating jurisdictions include:

Across all participating jurisdictions, white or Asian Pacific residents make up the majority of homeowners. The percentage of black homeownership and Hispanic homeownership does not exceed the percentage of white homeownership. See Table V-4 - Homeownership and Rental Rates by Race/Ethnicity, Jurisdictions and Region.

Segregation between white residents and minority residents has increased in the last decade. See Table V-5 - Racial/Ethnic Dissimilarity Trends, Jurisdictions and Region.

The County's black resident population has decreased by nearly 7 percent since 1990. Black residents are primarily located in Oakland and Berkeley, but the percentage of black residents in these areas has decreased by 19 percent and 10 percent, respectively, since 1990. See Table V-2 - Demographic Trends, Alameda County and Region, 1990, 2000, 2010, 2017.

Overall, minority residents are being displaced from areas with a traditionally large minority population. Some specific minority majority cities, however, are seeing increases in minority populations. See Figure V-20 - Displacement and Gentrification, 2015.

Areas with higher levels of minority residents have less access to proficient schools, jobs, and environmental health. See Table V-9 - Opportunity Indicators, by Race/Ethnicity, Alameda County and Region.

Median rents have risen an average of \$1,000 (unadjusted for inflation) since 2010, representing an increase of 55 percent in a 9-year period. See Figure V-64 - Alameda County Median Monthly Rental Price.

The average home sales prices have increased from approximately \$300,000 to nearly \$900,000 in less than 20 years (unadjusted for inflation). See Figure V-63 - Alameda County Median Home Sales Price.

The wage needed to rent an average housing unit in the County is \$44.79 an hour or \$93,000 a year.

Homelessness has increased by 42 percent since 2017. See Table V-12 - 2019 Point-

In-Time Counts by City.

Minority households, especially black and Hispanic households, have the highest rate of disproportionate housing needs, which includes having incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and households with a cost burden greater than 30 percent. See Table V-13 - Demographics of Households with Disproportionate Housing Needs.

Overall, the rate of mortgage approvals has gone up in the last seven years, but the disparities in the rate of approval across race and ethnicity has stayed relatively the same. Black applicants continue to have the lowest approval rate at 59.1 percent and Hispanic applicants the second lowest at 61.5 percent compared to white applicants at 70 percent. See Table V-15 - Mortgage Approvals by Race/Ethnicity, 2011–2017.

Based on community feedback, Housing Choice Voucher holders and those with disabilities often find it difficult to find an appropriate housing unit.

Disability, race, and familial status are the most common bases of housing discrimination complaints forwarded to the California Department of Fair Employment and Housing and the Office of Fair Housing and Equal Opportunity. See Table V-26 - Fair Housing Complaints Forwarded to Fair Housing and Equal Opportunity, 2015–2016 and Table V-27- Fair Housing Complaints Forwarded to Department of Fair Employment and Housing, 2015–2019.

Contributing Factors to Primary Fair Housing Issues

In accordance with the AFFH rule, this Regional Analysis of Impediments has identified contributing factors from the HUD-provided list in the AFFH Rule Guidebook that create, perpetuate, or increase the severity of one or more fair housing issues. Participating jurisdictions identified additional contributing factors, which are *italicized* below.

Contributing factors affecting segregation

- Displacement of residents due to economic pressures
- Location and type of affordable housing
- Historical discrimination against people of color
- Limited supply of affordable housing within neighborhoods*

Contributing factors affecting R/ECAPs

- Displacement of residents due to economic pressures
- Lack of private investments in specific neighborhoods
- Lack of public investment in specific neighborhoods, including services or amenities
- Location and type of affordable housing
- Lack of local taxation to support social services and affordable housing*
- Limited supply of affordable housing within neighborhoods*

Contributing factors affecting access to opportunity

Access to financial services

Lack of private investments in specific neighborhoods

Location of employers

Location of proficient schools and school assignment policies

Location and type of affordable housing

Lack of local taxation to support social services and affordable housing

Limited supply of affordable housing in areas with access to opportunity

Contributing factors affecting disproportionate housing needs

The availability of affordable units in a range of sizes

Displacement of residents due to economic pressures

Lack of private investments in specific neighborhoods

Land use and zoning laws

Lending discrimination

High cost of developing affordable housing

Limited supply of affordable housing within neighborhoods

Contributing factors affecting publicly supported housing

Land use and zoning laws

Community opposition

Source of income discrimination

Contributing factors affecting disability and access

Access to publicly supported housing for persons with disabilities

Lack of affordable housing for individuals who need supportive services

Lack of assistance for housing accessibility modifications

Location of accessible housing

Limited supply of affordable housing within neighborhoods

Contributing factors affecting fair housing

Lack of local private (nonprofit) fair housing outreach and enforcement

Lack of local public (local, state, federal) fair housing enforcement

Lack of resources for fair housing agencies and organizations

Lack of federal, state, and local funding to support affordable housing

Goals and Strategies

In response to the fair housing needs identified in Section V of this Regional Analysis of Impediments, along with community and stakeholder feedback, the participating jurisdictions committed to nine regional policies and developed supporting activities for

each policy that specifically address fair housing needs. These policies and activities maintain and expand on existing programs and activities and introduce new actions to address fair housing needs in the region. A review of the previous 2015 Regional Analysis of Impediments goals resulted in continuing to work on those goals and incorporating them into these new policies and activities. These policies and activities will be incorporated into the jurisdictions' five-year consolidated plans, annual plans, and additional plans, such as housing elements, that relate to these activities. Detailed descriptions of each policy and activity, including the contributing factors, responsible party(s), metrics and milestones, and time frame for achievement, are provided in Section VI.

Creating new affordable housing units has typically been a difficult goal for participating jurisdictions because of increasing need for and limited amount of public dollars to support these activities. However, recent California legislation, such as the Building Homes and Jobs Act (SB 2), Housing for a Health California program (AB 74), and other housing funding laws, plus HUD's recent increase of HEAP funds and the No Place Like Home for permanent supportive housing funds, is creating new potential opportunities for funding that could be allocated toward fair housing challenges in each community. As set forth in Goal 9.b, participating jurisdictions are committed to vetting those opportunities.

To address issues with fair housing, participating jurisdictions will strive to do the following:

Regional Policy 1: Promote fair housing enforcement and outreach.

Activity 1.a: The participating jurisdictions will continue to contract with fair housing service providers to educate home seekers, landlords, property managers, real estate agents, and lenders regarding fair housing law and recommended practices, including the importance of reasonable accommodation under ADA; to mediate conflicts between home seekers, landlords, property managers, real estate agents, and lenders; and to continue fair housing testing and audits.

Activity 1.b: Participating jurisdictions will seek ways to increase resident access to fair housing services, such as improved marketing of services, improved landlord education, and improved tenant screening services to avoid owner bias.

Activity 1.c: Participating jurisdictions will advocate for local federal/state laws that would improve fair housing protections for those experiencing barriers to accessing housing.

Activity 1.d: Participating jurisdictions will continue to fund housing placement services for people with disabilities to assist them in finding accessible housing (i.e. CRIL, DCARA, County's online application/website).

Activity 1.e: Participating jurisdictions will provide financial assistance to clinics that provide free or reduced-costs legal services for low-income rental households facing barriers to affordable housing.

Regional Policy 2: Maintain, improve, and implement local policy that supports affordable housing and fair housing.

Activity 2.a: Participating jurisdictions with an existing rental stabilization program will take actions to continue to maintain the program and make improvements, as needed.

Activity 2.b: Participating jurisdictions will promote new fair housing laws, including AB 1482, upon adoption, and to the extent required by the new laws.

Activity 2.c: Participating jurisdictions will periodically review their existing inclusionary housing in-lieu fees and/or housing impact fees and jobs-housing linkage fee programs if applicable, to maximize number of units in a manner consistent with current housing market conditions and applicable law.

Activity 2.d: The participating jurisdictions will continue to pursue modifications of current zoning and other local policies regulating housing development that pose a direct or indirect constraint on the production of affordable housing.

Activity 2.e: Participating jurisdictions will continue to aim to implement the programs described in their Housing Elements within the current Housing Element planning period.

Activity 2.f: Participating jurisdictions will continue to incorporate these Regional AI goals into their 5 -Year Consolidated and Annual Action Plans.

Activity 2.g: The participating jurisdictions will continue to prepare a Consolidated Annual Performance and Evaluation Report (CAPER) that evaluates the progress towards these Regional AI goals.

Activity 2.h: As needed, participating jurisdictions will work together to continue to commission market-based surveys of current market-rate rents in the Oakland-Fremont HUD FMR Area (Alameda and Contra Costa Counties) in an effort to seek adjustment to HUD FMR standards for the area; and will advocate to HUD for the revision of FMR calculations/methodology.

Activity 2.i: [To be completed]

Activity 2.j: Other Goals

Regional Policy 3: Promote and implement new fair housing laws that protect recipients of rental subsidies from discrimination by landlords.

Activity 3.a: Educate tenants and landlords on new fair housing laws.

Activity 3.b: Participating jurisdictions will explore creating incentives for landlords to rent to Section 8 voucher holders, such as a leasing bonus, damage claim reimbursement, security deposit and utility assistance.

Activity 3.c: Other Goals - Create a prosecution division within the City Attorney's Office to enforce the city ordinance regarding source of income protections and other fair housing violations. Maintain data on education activities.

Regional Policy 4: Preserve and rehabilitate existing affordable housing stock.

Activity 4.a: Participating jurisdictions will explore a low-cost loan program for landlords unable to make needed repairs or accessibility modifications in order to avoid displacement of lower-income tenants in substandard units.

Activity 4.b: Participating jurisdictions will research establishing citywide code inspection program of all rental units or continue to maintain existing program.

Activity 4.c: Participating jurisdictions will provide rehabilitation assistance loans for lower-income units.

Activity 4.d: The participating jurisdictions will continue to financially support programs that rehabilitate existing units for accessibility.

Activity 4.e: The City of Emeryville work proactively to retain existing subsidized affordable housing units that are at risk of converting to market rate.

Regional Policy 5: Increase the number of affordable housing units.

Activity 5.a: Participating jurisdictions will prioritize the production of affordable housing units in sizes appropriate for the population and based on family size.

Activity 5.b: The participating jurisdictions will continue all existing programs to support development of local affordable housing units through a variety of strategies such as applications for state and federal funding, entitlement assistance, outreach to the community and other stakeholders, direct financial support, and site identification and acquisition assistance. This support will include development of units that serves specialized populations as defined by the funding source, Housing Element, Consolidated Plan, or AI, such as transitional and supportive housing, and housing for seniors, persons with disabilities, persons experiencing homelessness, and persons living with HIV/AIDS or severe mental illness.

Activity 5.c: Participating jurisdictions will explore revisions to building codes or processes that reduce the costs and/or allow greater number of accessory dwelling units, tiny homes, or smaller houses.

Activity 5.d: Jurisdictions within the Alameda Urban County will cooperate with developers to facilitate construction of additional affordable housing.

Regional Policy 6: Increase homeownership among low- and moderate-income households.

Activity 6.a: Participating jurisdictions will create a shared list of lenders countywide that can help buyers access below-market-rate loans (homes) and locally sponsored down payment and mortgage assistance programs; promote this list of lenders to interested residents.

Activity 6.b: As resources are available, the participating jurisdictions will allocate funds for homeownership programs that support low- and moderate-income households, including but not limited to down payment assistance, first time home buyer, Mortgage Credit Certificate, below market rate (BMR) homeownership programs, and financial literacy and homebuyer education classes; and will promote any existing programs through marketing efforts.

Activity 6.c: The Housing Authority of the County of Alameda (HACA) will continue to support and/or publicize organizations that provide financial literacy and homebuyer education classes

Regional Policy 7: Maintain and expand supportive services for lower-income households.

Activity 7.a: Participating jurisdictions will continue to support or will explore new programs that provide financial support for job training programs to lower-income individuals.

Activity 7.b: Participating jurisdictions will continue to provide financial support for homeless services.

Activity 7.c: Participating jurisdictions will continue to support access to resources (such as for those with disabilities, language barriers, cultural barriers).

Regional Policy 8: Maintain and expand awareness of affordable housing opportunities and services through marketing efforts.

Activity 8.a: Participating jurisdictions will continue to assist in advertising the availability of subsidized rental units via the jurisdictions' websites and or apps, the 2-1-1 information and referral phone service, and other media outlets.

Activity 8.b: The participating jurisdictions will explore the creation of a countywide affordable housing database.

Activity 8.c: The participating jurisdictions will continue promoting 211's affordable housing database with current information.

Activity 8.d: Increase marketing efforts of affordable housing units to people that typically face barriers and discrimination in fair housing choice, such as persons with disabilities, people of color, low-income families, seniors, new immigrants, people experiencing homelessness.

Activity 8.e: Participating jurisdictions will continue to provide program materials in multiple languages.

Regional Goal 9: Continue to find ways to finance affordable housing, community development, and economic development activities.

Activity 9.a: Participating jurisdictions will explore financially supporting economic development activities and initiatives in Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs).

Activity 9.b: Participating jurisdictions will pursue local, state, and federal funding sources as they become available (i.e. Program 811).