

**ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE
CONTRA COSTA CONSORTIUM**

DECEMBER 2001

**CONTRA COSTA COUNTY
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ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

CONTRA COSTA CONSORTIUM

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EXECUTIVE SUMMARY

WHAT IS FAIR HOUSING?

Equal access to housing is fundamental to each person in meeting essential needs and pursuing personal, educational, employment, or other goals. In recognition of equal housing access as a fundamental right, the federal and State of California governments have both established fair housing as a right protected by law.

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

PURPOSE OF THIS REPORT

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

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

This AI represents a coordinated effort among participating jurisdictions in the Contra Costa Consortium to address fair housing issues in the region.

GEOGRAPHIC AREAS COVERED

County unincorporated areas, as well as cities and towns with populations less than 50,000 can form an Urban County to participate in the Community Development Block Grant (CDBG) program as long as the combined population is over 200,000. The Contra Costa Urban County is comprised of the unincorporated areas, as well as the cities and towns of Brentwood, Clayton, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pleasant Hill, San Pablo, and San Ramon. The combined population for the Contra Costa Urban County was estimated at 516,200 according to the 2000 Census.

The cities of Antioch, Concord, Pittsburg, and Walnut Creek, and the Urban County form a consortium for purposes of participation in the federal HOME Investment Partnership Act Program to carry out affordable housing activities. This consortium had a combined

population of 849,600 in 2000. The goal of the consortium is to address regional housing issues with coordinated efforts and funding.

SUMMARY OF FINDINGS

The fair housing equation has two sides – access to fair housing and availability of a range of housing choices. This AI provides an overview of the demographic, income, and housing profiles in the Consortium, identifying the special needs groups and the existing availability of housing choices.¹ The AI further looks at the potential impediments that prevent or limit equal access to housing and issues relating to the provision of a range of housing choices.

Demographic Profile

Certain groups are more susceptible to housing discrimination. These include minority persons, particularly those earning lower incomes and/or are new immigrants with language barriers; families with children, particularly large families and/or female-headed families; and persons with disabilities. Communities with rising numbers of these special groups may face increasing incidence of fair housing issues.

The Contra Costa Consortium has become increasingly diverse, with 38 percent of the population consisting of minority persons. Specifically, Antioch, Concord, El Cerrito, Hercules, Pinole, Pittsburg, and San Pablo have particularly high concentrations of minority populations.

Some jurisdictions have high proportions of families with children. These include Antioch, Brentwood, Oakley, Pittsburg, and San Pablo. These communities may have a comparatively higher demand for adequately sized and affordable housing opportunities than communities where the populations are mature and established. Furthermore, families with children also tend to face more housing discrimination issues compared to households with no children. This is particularly true for female-headed families with children. Some landlords are unwilling to rent to families with children for fear of increased liability with regard to safety and repairs.

Housing discrimination against persons with disabilities has also increased in recent years, according to fair housing service providers. Some landlords are unwilling to make the necessary improvements to accommodate the accessibility needs of disabled persons. Others view that renting to disabled persons may increase the liability with regard to safety and repairs.

¹ Various data sources have been consulted for this analysis, including the 1990 and 2000 Census, Home Mortgage Disclosure Act data, State Department of Finance population and housing estimates, data from County and Pittsburg Housing Authorities, County Welfare-to-Work data, among others.

Income Profile

Lower income households tend to have limited housing choices. While economic factors that affect a household's housing choices are not fair housing issues per se, the relationship between household income, household type, race/ethnicity, and other factors can create misconceptions and biases that raise fair housing concerns.

Antioch, Brentwood, El Cerrito, San Pablo, Pittsburg, and the unincorporated County areas have higher proportions of households earning lower incomes (up to 80 percent of the County Median Family Income). These are also communities with high concentrations of minority populations. Given the historic correlation between low incomes and minority populations, and stereotypes associated with such correlation, these communities may face more fair housing issues than others.

In Antioch and Pittsburg, more than two-thirds of the elderly households and more than one-third of the large families have low incomes. As discussed before, large families tend to have more difficulty in finding adequate and affordable housing. This issue is further compounded if the families earn lower incomes. Elderly households also face similar issues. Limited incomes and poor health may deter some landlords from renting to elderly households.

Housing Profile

The housing stock varies significantly among the jurisdictions in the Contra Costa Consortium. Some communities are old and established, while others are new and fast growing. Some communities cater to an ownership market, while others are comprised of primarily renters. Housing in some communities is overcrowded and deteriorating, but in others is well-maintained and high quality. While housing costs and quality are directly related to affordability issues that are not fair housing concerns, each jurisdiction is required by State law to assume a "fair share" of regional housing needs for all income groups and to maintain and improve the housing condition. To provide a healthy, balanced and diverse housing stock in the region, the Consortium should work collaboratively to improve the housing condition and expand housing choices for all income groups.

Affordable Housing

In general, many minority and special needs households tend to earn lower incomes. These households are disproportionately affected by the lack of adequate and affordable housing. While affordability issues are not fair housing issues, expanding access to housing choices for these groups cannot ignore the affordability factor. Thus, insofar as affordable housing is concentrated in certain geographic locations, access to housing by lower income and minority groups is limited.

The Consortium has a large inventory of affordable housing units. However, most units are concentrated in Antioch, Concord, Martinez, Pittsburg, and unincorporated communities. A few communities offer only limited affordable housing opportunities. Thus, the Consortium should work collaboratively to provide affordable housing throughout the Consortium.

Special Needs Housing

Residential community care facilities offer an alternative housing option to persons with special housing needs. However, these facilities typically face NIMBY (Not-In-My-Backyard) issues as neighbors often view the residents as undesirable elements. This is particularly true if the facilities serve the disabled, especially the mentally disabled.

Licensed community care facilities serving the mentally disabled are extremely limited in the Contra Costa Consortium.

Transit Accessibility

Many minority persons, particularly those earning lower incomes, and persons with special needs are transit-dependent. A network of public transit must be available to link housing, employment centers, and community facilities in order to expand the choices of housing locations for transit-dependent persons.

In general, Contra Costa County is adequately served with a network of public transit. However, several community residential care facilities, particularly for seniors, are located outside of the transit zone.

Fair Housing Complaints and Tenant/Landlord Disputes

The current fair housing profile in the Consortium validates the concerns mentioned earlier. According to fair housing records maintained by service providers, housing discrimination against minority households, particularly new immigrants, families with children, and persons with disabilities has increased in recent years due to increased pressures in the housing market.

Access to Conventional Home Purchase Financing

Equal lending practice is a fair housing concern. Lending discrimination directly affects a household's access to housing. While HMDA data cannot be used to prove lending discrimination, it does point to areas of potential concerns.

Black applicants had the lowest loan approval rates for all income levels. Throughout the County, statistically significant differences are present in the approval and denial rates between White and Black applicants in all income levels.

Access to financing is slightly better for Hispanic applicants in comparison to Black applicants. In the West County, significant differences exist between White and Hispanic applicants in all income groups except those earning more than 120 percent of County MFI. In the Central County, statistically significant differences are present between White and Hispanic applicants in the income group of 50-80 percent of the County MFI and in the income group of above 120 percent of the County MFI. In the East County, White and Hispanic applicants had statistically significant differences among applicants earning between 50 and 80 percent of the County MFI and among applicants earning more than 120 percent of the County MFI.

Lending to low income tracts and minority concentration areas varies for different lenders. Bank of America and Norwest Mortgage had comparably high rates of loan approval in low income areas and minority concentrated areas as reported by the lenders for the entire County. Approval rates reported by Countrywide Home Mortgage are noticeably lower in low income areas and minority concentrated areas, compared to the lender's overall approval rate in the County. While the disparity in lending in low income areas versus in moderate and upper income areas is not a fair housing issue per se, it becomes a fair housing issue when minority households are disproportionately impacted due to their higher concentrations in the lower income areas.

Public Policies

Public policies of a jurisdiction significantly affect the range of housing choices in the community. Policies and actions that prevent or impede the development of a range of housing are fair housing concerns. Specifically, State laws mandate the provision of a range of housing choices. Most communities have adopted policies and zoning provisions to regulate the development of housing. However, some policies or provisions may be in conflict with State laws and other policies may be viewed by the development community as restrictive. In the Consortium, potential fair housing issues relating to public policies include:

- ◆ Growth management measures that regulate the rate of growth may impede a jurisdiction's ability in meeting its share of the regional housing needs depending on the adopted growth rates and allocated regional housing needs.
- ◆ Several communities permit only a limited range of residential densities and housing types, potentially limiting the range of housing choices in the communities. Seven of the 19 jurisdictions in the Consortium do not have an adopted Housing Element that is certified by the State Department of Housing and Community Development for compliance with State law.
- ◆ Many jurisdictions have zoning ordinances that contain a definition of a family that can be viewed by many as restrictive, offensive or obsolete.
- ◆ Licensed community care facilities that serve six or fewer persons must be treated as a residential use and permitted in all residential zones. Most jurisdictions do not provide a clear definition of licensed community care facilities, identify where such facilities can be located, nor specify the permitting requirements.
- ◆ The conditions for approving second units in several communities are more restrictive than State law.
- ◆ Most jurisdictions have not incorporated density bonus provisions into the zoning ordinances. A few jurisdictions have density bonus provisions that are stricter than State law.

- ◆ Parking and development fee requirements operate as a constraint to housing development, limiting the range of housing options in some communities.

RECOMMENDATIONS

The following recommendations will help address fair housing issues identified in this analysis.

1. Housing Element Compliance

Action 1.1 All participating jurisdictions in the Consortium are in the process of updating the Housing Element for the 2001-2006 period. Pursuant to State law, the Housing Element must contain programs and policies to mitigate constraints to housing development such as growth management measures, excessive development standards, and high development fees. The Housing Element must also demonstrate the availability of vacant/underutilized land at appropriate densities to facilitate the development of a range of housing types for all income groups. Participating jurisdictions are strongly recommended to work toward achieving substantial compliance with State law.

2. Consolidated Plan

Action 2.1 The five-year Consolidated Plan and one-year Action Plan govern the Consortium's use of CDBG, HOME, ESG, and HOPWA funds for addressing affordable housing and community development needs. Through these two plans, the Consortium should continue to allocate resources to encourage and facilitate the development of affordable housing throughout the entire Consortium. Also, adequate resources should continue to be allocated to provide fair housing education and outreach efforts.

3. Public Housing and Section 8 Assistance

Action 3.1 The Housing Authority of Contra Costa County (HACCC) and the Housing Authority of the City of Pittsburg should ensure adequate outreach to minority populations, including those for whom English is a second language, regarding the availability of public housing and Section 8 rental assistance. Program information should be provided in English, Spanish, and Asian languages (e.g. Chinese and Tagalog).

Action 3.2 The HACCC and the Housing Authority of the City of Pittsburg should continue to conduct outreach efforts to promote acceptance of the Section 8 program by property owners, particularly in areas outside of minority and poverty concentrations.

4. Deconcentration of Affordable Housing

Action 4.1 The County and cities should continue to collaborate to expand affordable housing in communities where such opportunities are limited.

Action 4.2 When allocating funding and administrative resources for affordable housing development, the Contra Costa jurisdictions should continue to assign a high priority to expand affordable housing in communities where such opportunities are limited.

5. Incentives for Affordable Housing Development

Action 5.1 Participating jurisdictions should consider offering additional regulatory and financial incentives to facilitate the development of affordable housing. In particular, parking requirements and high development fees are viewed by the development community as constraints to housing development. Jurisdictions may consider offering reduced parking requirements, flexible design standards, and/or development fee reduction as incentives to facilitate affordable housing development.

6. Coordination with Public Transit

Action 6.1 The Consortium is served by a network of public transit. Continued efforts to expand the transit zone and to coordinate employment opportunities and housing for transit-dependent persons along transit corridors should be encouraged.

7. Outreach and Education

Action 7.1 Fair housing service providers should continue to expand outreach to the community regarding fair housing rights. Outreach should also emphasize that the residency status of the clients (documented versus undocumented) is confidential information and will not be transferred to other agencies without the client's consent.

Action 7.2 Hate crimes are typically committed by members of the general public against persons in the protected classes. Education and outreach to prevent hate crimes must be conducted at the community level, beyond the typical venues for fair housing outreach. Participating jurisdictions and fair housing service providers should identify community events to promote diversity and tolerance.

8. Information on Fair Housing Services

Action 8.1 The Consortium should encourage the fair housing service providers to develop one brochure to describe fair housing services offered by the three service providers (Bay Area Legal Aid, Housing Rights, and Pacific Community Services), including geographic areas covered by the service providers and contact information.

Action 8.2 Participating jurisdictions should consider providing links on their official web sites to the web sites of the fair housing service providers.

9. Fair Housing Records

Action 9.1 Fair housing service providers should work collaboratively to develop a format for reporting fair housing services to allow compilation of data to assess trends and patterns.

10. Consultation Workshop with Lenders

Action 10.1 The Consortium and fair housing service providers should explore with lenders ways to improve access to financing for all.

Action 10.2 The Consortium should support credit counseling services to low and moderate income households, particularly minority households.

11. Lender Performance

Action 11.1 When selecting lenders for contracts or participation in local programs, jurisdictions should use CRA rating and HMDA data, in addition to other criteria, for evaluating lending performance in underserved areas and to underserved populations.

12. Amendments to the Zoning Ordinances

Action 12.1 California court rulings stated that defining a family in the zoning ordinance does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the city, and therefore violates rights of privacy under the California Constitution. Participating jurisdictions with a zoning ordinance that contains a definition of a family should consider removing the definition from the ordinance. An alternative is to revise the definition of a family, for zoning purposes, to be synonymous with that of a household (i.e., all persons who occupy a dwelling unit).

Action 12.2 As required by State law, state-licensed community residential care facilities for six or fewer persons should be included as permitted uses in all residential zones by right. Participating jurisdictions should review the zoning ordinance to ensure that a clear definition of community residential care facilities is provided. The location (zone district), conditions for approval, and permit procedures for facilities serving more than six persons should be clearly specified.

Action 12.3 State law requires local jurisdictions to either adopt ordinances that establish the conditions under which second units will be permitted or to follow the State law provisions governing such units. No jurisdiction can adopt an ordinance that precludes the development of second units or apply standards that exceed the State standards. Participating jurisdictions should consider adopting a second unit ordinance to clearly identify the location (zone district), conditions for approval, and permit procedures. The conditions and

standards specified in the second unit ordinance cannot exceed State requirements.

Action 12.4 State law requires that a local jurisdiction to either adopt an ordinance that specifies the conditions under which a density bonus may be granted or default to the State density bonus laws. No jurisdiction can adopt an ordinance that places stricter density bonus requirements than specified in state laws. Participating jurisdictions should consider incorporating the density bonus provisions into the zoning ordinance. The provisions should clarify the requirements in order to qualify for a density bonus and specify the types of regulatory incentives that may be offered. The State density bonus law intends to facilitate the development of affordable housing. Local density bonus ordinances cannot be more restrictive than State law.

13. Housing Task Force/Committees

Action 13.1 If and when establishing task forces/committees to address housing issues, participating jurisdictions should consider including members who represent the interests and needs of various segments of the population, such as very low and low income households, minorities, and persons with disabilities, families with children/female-headed families with children, and seniors.

Action 13.2 The Contra Costa Consortium jurisdictions will consult and coordinate with other public agencies and private organizations to expand fair housing choice.

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1. INTRODUCTION

WHAT IS FAIR HOUSING?



Equal access to housing is fundamental to each person in meeting essential needs and pursuing personal, educational, employment, or other goals. In recognition of equal housing access as a fundamental right, the federal and State of California governments have both established fair housing as a right protected by law.

The Federal fair housing laws prohibit discrimination in the sale, rental, lease or negotiation for real property based on: race, color, religion, sex, national origin, familial status, and disability. The California fair housing laws are built upon the federal laws and add marital status, ancestry, and “any arbitrary discrimination” as the protected categories under the laws.

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

WHAT IS AN IMPEDIMENT TO FAIR HOUSING CHOICE?

As defined by the HUD Fair Housing Planning Guide, impediments to fair housing choice are:

- ◆ *Any actions, omissions, or decisions taken because of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor which restrict housing choices or the availability of housing choices; or*
- ◆ *Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor.*

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

1.1 BACKGROUND OF REPORT

1.1.1 CONTRA COSTA CONSORTIUM CONSOLIDATED PLAN

The Contra Costa Consortium¹ Consolidated Plan (CP) outlines the priority needs, goals and objectives, and strategy for meeting its housing and community development needs using HUD entitlement grants from the following programs: 1) Community Development Block Grants (CDBG); 2) HOME Investment Partnership Act (HOME); 3) Emergency Shelter Grants (ESG); and 4) Housing Opportunities for Persons with AIDS (HOPWA). A major focus of the CP is the provision of affordable housing opportunities for very low and low-income households and persons with special needs, many of whom are targets of housing discrimination. As part of the CP, the Consortium must also certify that it actively furthers fair housing choice for all residents through:

- ◆ Conducting an analysis to identify impediments to fair housing choice;
- ◆ Taking appropriate actions to overcome the effects of any impediments identified through the analysis; and
- ◆ Maintaining records reflecting the analysis and actions taken.

This Analysis of Impediments (AI) to Fair Housing Choice constitutes the Consortium's effort in identifying impediments to fair housing. It also provides recommended actions to overcome the effects of identified impediments. Through the annual planning process, the CP will incorporate specific actions to be undertaken during a fiscal year to remove impediments and to further fair housing choice.

1.1.2 PURPOSE OF THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

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

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

¹ The Contra Costa Consortium is made up of all jurisdictions in the County except the City of Richmond.

Analysis of Impediments to Fair Housing Choice

This AI adheres to the recommended scope of analysis and format contained in the 1998 *Fair Housing Planning Guide* developed by the U.S. Department of Housing and Urban Development (HUD).

1.2 GEOGRAPHIC AREAS COVERED

Established in 1850, the County of Contra Costa is one of nine counties in the San Francisco Bay Area. The County covers 733 square miles and extends from the northeastern shore of San Francisco Bay easterly to San Joaquin County. The County is bordered on the south and west by Alameda County and on the north by Suisun and San Pablo Bays. The western and northern communities are highly industrialized, while the inland areas contain a variety of urban, suburban/residential, commercial, light industrial, and agricultural uses.

Contra Costa County is comprised of large unincorporated areas and the cities and towns of Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek. The unincorporated areas include the following communities: Alamo, Bayview-Montalvin Manor, Bay Point, Bethel Island, Blackhawk, Byron, Canyon, Crockett, Diablo, Discovery Bay, East Richmond Heights, El Sobrante, Kensington, Knightsen, Mountain View, North Richmond, Pacheco, Pleasant Hill BART, Rodeo, Rollingwood, Tara Hills, and Vine Hill. The incorporated cities and towns are separate political entities; the unincorporated areas are within the land use jurisdiction of the County government.

The County is large and diverse. It encompasses several housing sub-markets, which are determined by a combination of topography, historical development patterns, and social and economic phenomena. In general, the County can be divided into three primary subregions-- West, Central, and East. West County is urbanized with a developed industrial base. Central County is a rapidly urbanizing area with much new office and light industrial development. East County has historically been primarily agricultural but is now experiencing considerable residential development.

This Analysis of Impediments (AI) to Fair Housing Choice covers the geographic areas of the Contra Costa Consortium, comprising of the cities of Antioch, Concord, Pittsburg, and Walnut Creek, as well as the Urban County areas. The City of Richmond is not part of the Contra Costa Consortium. The City of Richmond is not a participant of this regional AI effort but instead, has prepared an independent AI. However, throughout this AI, housing and demographic discussions that involve county totals do include the City of Richmond.

WHAT IS THE CONTRA COSTA URBAN COUNTY?

Cities with populations over 50,000 are eligible to receive annual entitlement grants under the Community Development Block Grant (CDBG) program. Based on their populations, the cities of Antioch, Concord, Pittsburg, Richmond, and Walnut Creek are designated "entitlement jurisdictions" eligible to receive CDBG funds directly from HUD.

County unincorporated areas, as well as cities and towns with populations less than 50,000 can form an Urban County to participate in the CDBG program as long as the combined population is over 200,000. The Contra Costa Urban County is comprised of the

unincorporated areas, as well as the cities and towns of Brentwood, Clayton, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pleasant Hill, San Pablo, and San Ramon. The combined population for the Contra Costa Urban County was estimated at 516,200 according to the 2000 Census.

WHAT IS THE CONTRA COSTA CONSORTIUM?

The cities of Antioch, Concord, Pittsburg, and Walnut Creek, and the Urban County form a consortium for purposes of participation in the federal HOME Investment Partnership Act Program to carry out affordable housing activities. This consortium had a combined population of 849,600 in 2000. The goal of the consortium is to address regional housing issues with coordinated efforts and funding. Figure 1-1 illustrates the geographic areas covered by the Contra Costa Consortium.

Analysis of Impediments to Fair Housing Choice

Figure 1-1: Contra Costa Consortium
(11x17)

Figure 1-1: Contra Costa Consortium
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1.3 ORGANIZATION OF REPORT

The AI is divided into six sections as described below:

1. *Introduction* defines “fair housing” and explains the purpose of the report.
2. *Jurisdictional Background Data* presents the demographic, housing, and income characteristics in the Contra Costa Consortium. Major employers and transportation access to job centers are identified. The relationships among these variables are discussed.
3. *Evaluation of Current Fair Housing Profile* evaluates existing public and private programs, services, practices, and activities that assist in providing fair housing in the Consortium. This section also assesses the nature and extent of fair housing complaints and violations in the Consortium. Trends and patterns of impediments to fair housing, as identified by public and private agencies, are included.
4. *Review of Potential Impediments to Fair Housing Choice* analyzes public and private activities that may impede fair housing choice in the Consortium, including:
 - ◆ Housing financing assistance for dwellings; and
 - ◆ Public policies and actions affecting the provision of a range of housing choices.
5. *Conclusions and Recommendations* provides conclusions and recommendations about furthering fair housing in the Consortium.
6. *Signature Page* which includes the signature of the certifying officer, and a statement certifying that the AI represents the Consortium’s official conclusions regarding impediments to fair housing choice and the actions necessary to address identified impediments.

In addition to the AI, a Technical Supplement has been prepared under separate cover. The Technical Supplement contains detailed reviews of public policies and detailed tabulations of Home Mortgage Disclosure Act (HMDA) data for individual consortium and Urban County jurisdictions.

1.4 PREPARERS OF REPORT AND DATA SOURCES

This report, prepared through a collaborative effort between Consortium staff and Cotton/Bridges/Associates under contract to the Contra Costa Consortium, is funded by Community Development Block Grant (CDBG) planning and administrative funds.

The following data sources were used to complete this AI. Sources of specific information are identified in the text, tables, and figures.

- ◆ 1990 and 2000 Census²
- ◆ 2000-2005 Contra Costa Consolidated Plan
- ◆ General Plans and Zoning Codes of Consortium jurisdictions
- ◆ Housing Authority of Contra Costa County
- ◆ Housing Authority of the City of Pittsburg
- ◆ California Department of Finance (DOF) Population & Housing Estimates
- ◆ Home Mortgage Disclosure Act (HMDA) data regarding lending patterns in 1999
- ◆ Contra Costa County Welfare-to-Work data
- ◆ Dataquick housing sales activity data
- ◆ Local Fair Housing service providers
- ◆ Local boards of realtors
- ◆ Local apartment associations

1.5 PUBLIC PARTICIPATION

On May 31, 2001, the Contra Costa Consortium held three simultaneous Fair Housing Workshops in three parts of the County. The purpose of these workshops was to solicit input from County residents and interested parties on fair housing issues. These comments would provide important feedback for the Analysis of Impediments update. A display advertisement was placed in the main news sections of three County newspapers (*Contra Costa Times*, *West County Times*, and *San Ramon Valley Times*). Over 500 notices were mailed to community, business, and housing groups. Appropriate comments from the three workshops have been incorporated throughout the AI report.

WEST COUNTY

The County hosted this meeting. In addition to County staff, representatives from the following agencies attended the meeting:

- ◆ Contra Costa Senior Legal Services
- ◆ El Sobrante Municipal Advisory Committee
- ◆ Advisory Council on Aging

² The complete set of 2000 Census data has not yet been released. The 2000 Census data was used when available; otherwise, 1990 Census, Department of Finance data, and other sources of information were used to supplement the analyses.

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EAST COUNTY

The City of Antioch hosted this meeting. In addition to City of Pittsburg staff, the following agencies/individuals attended the meeting:

- ◆ Pacific Community Services
- ◆ Housing Rights
- ◆ Brentwood property manager

CENTRAL COUNTY

The meeting in Central County was held in the City of Concord. City staff and one City Council member from Concord attended the meeting. In addition, the following agencies provided input on fair housing issues:

- ◆ Housing Rights
- ◆ Bay Area Legal Aid

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2. BACKGROUND DATA

This section of the AI analyzes the demographic profile, income distribution, housing stock characteristics, and access to public transportation in the County. The location of community facilities, such as group homes, in relation to very low and low income areas is also analyzed. By assessing this information, the development of housing patterns in relation to race, ethnicity, income, and other characteristics can be determined. This section details the various characteristics that may affect the ability of households with similar income levels, in the same housing market, to have a like range of housing choice.

2.1 DEMOGRAPHIC PROFILE

Examination of demographic characteristics provides some insight regarding the need for and extent of equal access to housing in a community. Factors such as population growth, age characteristics, and race/ethnicity all help determine housing needs and play a role in exploring potential impediments to fair housing choice.

2.1.1 POPULATION GROWTH

Over the past 20 years, the population of Contra Costa County had grown considerably. According to the Census, the County population increased by more than 22 percent from 1980 to 1990. Since 1990, the population has continued to increase. The 2000 Census identifies the population of Contra Costa County as 948,816, representing an increase of more than 18 percent since 1990. The population of the County and the individual jurisdictions is shown in Table 2-1. As the table shows, the Urban County and Consortium grew at virtually the same rate, increasing by 18.8 percent and 18.6 percent, respectively. However, population changes experienced by the individual cities vary significantly. Among the Urban County jurisdictions, the City of Brentwood experienced the largest percentage increase in population since 1990, at 208 percent, while El Cerrito experienced the smallest percentage increase at 1.3 percent.

The City of Antioch experienced the largest percentage increase in population among the entitlement jurisdictions, with a 45.6 percent increase, while the 6.2 percent increase in Walnut Creek was the smallest.

Over the next 20 years, the Association of Bay Area Governments (ABAG) projects the population of the County to increase by another 24 percent, with the cities of Antioch, Brentwood, and San Ramon among the fastest growing communities in the ABAG region.

**Table 2-1
Population Growth**

Jurisdiction	1990	2000	% Change 1990-2000
<i>Urban County</i>			
Brentwood	7,563	23,302	208.1%
Clayton	7,317	10,762	47.1%
Danville	31,306	41,715	33.2%
El Cerrito	22,869	23,171	1.3%
Hercules	16,829	19,488	15.8%
Lafayette	23,501	23,908	1.7%
Martinez	31,808	35,866	12.8%
Moraga	15,852	16,290	2.8%
Oakley	18,374	25,619	39.4%
Orinda	16,642	17,599	5.8%
Pinole	17,460	19,039	9.0%
Pleasant Hill	31,585	32,837	4.0%
San Pablo	25,158	30,215	20.1%
San Ramon	35,303	44,722	26.7%
Unincorporated County	133,064	151,690	14.0%
Urban County Total	434,631	516,223	18.8%
<i>Entitlement Jurisdictions</i>			
Antioch	62,195	90,532	45.6%
Concord	111,348	121,780	9.4%
Pittsburg	47,564	56,769	19.4%
Walnut Creek	60,569	64,296	6.2%
Consortium Total	716,307	849,600	18.6%
County Total	803,732	948,816	18.1%

Source: 1990 & 2000 Census

Note: County totals include the City of Richmond.

2.1.2 AGE DISTRIBUTION

Housing demand is affected by the age characteristics of a community. Typically, young adults occupy apartments, condominiums, and smaller single-family units that are affordable. Middle aged adults often prefer larger homes as they begin to raise families. However, as children leave home, seniors may trade in their larger single-family homes for smaller, moderate-cost condominiums and single-family units with less extensive maintenance needs.

Table 2-2 presents the age characteristics of Contra Costa County jurisdictions in 1990 and 2000. Over the past ten years, the percentage of persons over 18 decreased slightly in the County, though persons over 18 still account for nearly three-quarters of the population. Similar to the County as a whole, most Urban County jurisdictions experienced a slight decrease in the proportion of persons over 18, with the exception of Clayton, Hercules, and San Ramon, which had a slight increase in persons over 18, and El Cerrito, Pinole, and Pleasant Hill, where the distribution remained the same. In general, the entitlement jurisdictions had the same trend as the County, with persons under 18 increasing slightly.

Persons age 65 and over varied greatly among Urban County jurisdictions, from a high of 20 percent in El Cerrito to a low of 5 percent in Oakley. Among the entitlement jurisdictions, Walnut Creek had the highest percentage of persons over 65, with 25 percent of the population. Anitoch and Pittsburg had 7 percent and 8 percent of their population over 65, while Concord was the same as the County percentage of 11 percent.

Looking at the median age of these communities reveals that Oakley, Pittsburg and San Pablo have the youngest populations, whereas Orinda and Walnut Creek have the oldest populations in the Consortium. Communities with the younger populations tend to reflect strong demands for affordable family housing; whereas, communities with older populations may need senior housing and larger homes for families.

**Table 2-2
Age Characteristics**

Jurisdiction	1990		2000			
	Percent under 18	Percent over 18	Percent under 18	Percent over 18	Percent over 65	Median Age
Urban County						
Brentwood	32%	68%	33%	67%	10%	32.7
Clayton	29%	71%	26%	74%	9%	40.2
Danville	26%	74%	29%	71%	10%	39.9
El Cerrito	16%	84%	16%	84%	20%	42.7
Hercules	30%	70%	27%	73%	7%	36.7
Lafayette	23%	77%	26%	74%	14%	42.3
Martinez	23%	77%	23%	77%	10%	38.6
Moraga	21%	79%	23%	77%	16%	42.0
Oakley	33%	67%	35%	65%	5%	31.5
Orinda	22%	78%	26%	74%	18%	45.2
Pinole	25%	75%	25%	75%	13%	38.7
Pleasant Hill	21%	79%	21%	79%	13%	39.0
San Pablo	30%	70%	32%	68%	9%	29.5
San Ramon	27%	73%	26%	74%	6%	36.5
Unincorporated County	24%	76%	26%	74%	11%	NA
Urban County Total	25%	75%	26%	74%	11%	NA
Entitlement Jurisdictions						
Antioch	31%	69%	32%	68%	7%	32.3
Concord	25%	75%	25%	75%	11%	35.1
Pittsburg	31%	69%	31%	69%	8%	30.9
Walnut Creek	16%	84%	18%	82%	25%	45.1
Consortium Total	25%	75%	26%	74%	12%	NA
County Total	25%	75%	27%	73%	11%	36.4

Source: 1990 and 2000 Census

Note: County totals include the City of Richmond.

2.1.3 RACE AND ETHNICITY

Contra Costa County is predominately made up of White persons, who account for 58 percent of the total population, as shown in Table 2-3. However, the County has become increasingly diverse over the past decades. In 1990, nearly 70 percent of Contra Costa County residents were White, while only 9 percent of the residents were Hispanic and 9 percent were Asian. Hispanic and Asian residents now account for 18 percent and 11 percent of the total population, respectively. The population densities of minority residents are shown in Figures 2-1 and 2-2, which illustrate the 1990 and 2000 population density by race/ethnicity, respectively. As shown in these two figures, significant changes in the population densities of the different races have occurred over the past ten years. In particular, the population density of Asian persons has increased in the west region, while the density of Hispanic persons has increased throughout the County. Black persons have also become dispersed throughout the County, while the density of White persons is decreasing in all areas of the County. These changes in racial composition have the potential to create fair housing issues. As new racial groups arrive, other groups may not be comfortable with the changing demographics, which can lead to discrimination.

Figures 2-3, 2-4, and 2-5 further define the concentrations of Hispanic, Asian, and Black populations. A concentration is defined as a census tract with above County average of a particular group. A high concentration is defined as a census tract with at least twice the County of a particular group.

As shown in Figure 2-3, San Pablo, Pittsburg, and Brentwood show some high concentrations of Hispanic populations. Concentrations of Asian residents are found primarily in Hercules, El Cerrito, and parts of Pittsburg and Concord (see Figure 2-4). Concentrations of Black residents can be found in San Pablo, Hercules, and Pittsburg.

**Table 2-3
Race and Ethnicity**

Jurisdiction	White	Hispanic	Asian	Black	Other	Total
Urban County						
Brentwood	63%	28%	3%	2%	3%	100%
Clayton	84%	6%	5%	1%	4%	100%
Danville	83%	5%	9%	1%	2%	100%
El Cerrito	54%	8%	25%	8%	5%	100%
Hercules	24%	11%	43%	18%	4%	100%
Lafayette	84%	4%	8%	1%	3%	100%
Martinez	76%	10%	7%	3%	4%	100%
Moraga	78%	5%	12%	1%	3%	100%
Oakley	64%	25%	3%	3%	4%	100%
Orinda	84%	3%	9%	0%	3%	100%
Pinole	48%	14%	22%	11%	5%	100%
Pleasant Hill	77%	8%	10%	2%	4%	100%
San Pablo	16%	45%	17%	18%	5%	100%
San Ramon	72%	7%	15%	2%	4%	100%
Unincorporated County	63%	17%	9%	7%	4%	100%
Urban County Total	65%	14%	12%	5%	4%	100%
Entitlement Jurisdictions						
Antioch	56%	22%	8%	9%	5%	100%
Concord	61%	22%	10%	3%	5%	100%
Pittsburg	31%	32%	13%	18%	5%	100%
Walnut Creek	81%	6%	9%	1%	3%	100%
Consortium Total	62%	17%	11%	6%	4%	100%
County Total	58%	18%	11%	9%	4%	100%

Source: 2000 Census

Note: County totals include the City of Richmond

Figure 2-1
Population Distribution by Race/Ethnicity - 1990
(11x17)

Figure 2-1
Population Distribution by Race/Ethnicity - 1990
(Back of 11x17)

Figure 2-2
Population Distribution by Race/Ethnicity – 2000
(11x17)

Figure 2-2
Population Distribution by Race/Ethnicity - 2000
(Back of 11x17)

Figure 2-3
Hispanic/Latino Concentration Areas - 2000
(11x17)

Figure 2-3
Hispanic/Latino Concentration Areas - 2000
(Back of 11x17)

Figure 2-4
Asian Concentration Areas - 2000
(11x17)

Figure 2-4
Asian Concentration Areas - 2000
(Back of 11x17)

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Figure 2-5
Black/African-American Concentration Areas - 2000
(11x17)

Figure 2-5
Black/African-American Concentration Areas - 2000
(Back of 11x17)

2.2 HOUSEHOLD CHARACTERISTICS

Household type and size, income level, the presence of persons with special needs, and other household characteristics may affect access to housing. This section details the various household characteristics that may affect equal access to housing.

2.2.1 HOUSEHOLD COMPOSITION AND SIZE

Table 2-4 shows the breakdown of households into the various types, as reported in the 2000 Census. As shown in the table, families accounted for approximately 71 percent of all households Countywide, while single persons comprised 23 percent of all households and 7 percent were other households, including unrelated persons living together. The distribution of Urban County and Consortium households was similar to the Countywide distribution.

Among the Urban County jurisdictions, Clayton and Oakley had the highest percentage of families, at 83 percent of households, while El Cerrito had the lowest percentage, at 59 percent of households. Among the entitlement jurisdictions of the Consortium, Antioch had the highest percentage of families, at 79 percent of households, while 55 percent of Walnut Creek households were families, representing the lowest percentage among entitlement jurisdictions.

The average household size Countywide in 2000 was approximately 2.7 persons per household. All jurisdictions in the Urban County had a household size of more than 2.5 persons per household, with the exception of El Cerrito (2.25), Martinez (2.41), and Pleasant Hill (2.35). The cities of Brentwood (3.10), Hercules (3.03), Oakley (3.26), and San Pablo (3.29) all had an average household size of more than 3 persons per household in 2000.

The City of Pittsburg had the largest household size among entitlement jurisdictions in 2000, with 3.17 persons per household, while Walnut Creek had the smallest at with 2.09 persons per household.

**Table 2-4
Household Characteristics**

Jurisdiction	Families		Single Persons		Other		Total	Household Size
	#	%	#	%	#	%	#	
Urban County								
Brentwood	6,127	82%	1,079	14%	291	4%	7,497	3.10
Clayton	3,208	83%	506	13%	169	4%	3,883	2.76
Danville	11,865	80%	2,295	16%	656	4%	14,816	2.78
El Cerrito	5,970	59%	3,106	30%	1,132	11%	10,208	2.25
Hercules	5,000	78%	1,144	18%	279	4%	6,423	3.03
Lafayette	6,755	74%	1,841	20%	556	6%	9,152	2.60
Martinez	9,204	65%	3,922	27%	1,174	8%	14,300	2.41
Moraga	4,325	76%	1,089	19%	248	5%	5,662	2.59
Oakley	6,464	83%	1,017	13%	351	4%	7,832	3.26
Orinda	5,241	79%	1,096	17%	259	4%	6,596	2.66
Pinole	5,059	75%	1,359	20%	325	5%	6,743	2.79
Pleasant Hill	8,398	61%	4,004	29%	1,351	10%	13,753	2.35
San Pablo	6,490	72%	2,034	22%	527	6%	9,051	3.29
San Ramon	12,143	72%	3,575	21%	1,226	7%	16,944	2.63
Unincorporated County	35,899	73%	9,863	20%	3,269	7%	49,031	2.75
Urban County Total	39,417	71 %	12,017	22 %	3,810	7%	55,244	2.74
Entitlement Jurisdictions								
Antioch	23,173	79%	4,666	16%	1,499	5%	29,338	3.07
Concord	30,322	69%	10,228	23%	3,470	8%	44,020	2.74
Pittsburg	13,479	76%	3,189	18%	1,073	6%	17,741	3.17
Walnut Creek	16,551	55%	11,509	38%	2,241	7%	30,301	2.09
Consortium Total	219,191	71 %	69,676	23 %	20,637	7%	309,504	2.75
County Total	242,233	71 %	78,759	23 %	22,137	7%	344,129	2.72

Source: 2000 Census

Note: County totals include the City of Richmond.

Analysis of Impediments to Fair Housing Choice

The following discussion highlights particular characteristics that may affect individual household access to housing in the community.

Large Households

Large households are defined as having five or more members. These households are usually families with two or more children or families with extended family members such as in-laws or grandparents. Large households are a special needs group because the availability of adequately sized, affordable housing units is often limited. In order to save for necessities such as food, clothing and medical care, very low and low-income large households may reside in smaller units, resulting in overcrowding. Furthermore, families with children, especially those who are renters, may face discrimination or differential treatment in the housing market. For example, some landlords may charge large households a higher rent or security deposit, limit the number of children in a complex or confine them to a specific location, limit the time children can play outdoors, or choose not to rent to families with children altogether.

Table 2-5 shows the number of large households in Contra Costa County. As shown in the table, approximately 10 percent of households had five or more members Countywide. Numerically, a majority of large households were owners, though both 10 percent of renter- and owner-households were large households. Totals as well as the tenure breakdown for the Urban County and Consortium were similar to the County figures.

Some differences exist among the entitlement jurisdictions of the Consortium. The cities of Pittsburg and Antioch have a higher percentage of large households than the County, while Walnut Creek has a lower percentage than the County.

**Table 2-5
Large Households**

Jurisdiction	Total	Owners	Renters	% of Total	% of Owners	% of Renters
Urban County Total	15,951	12,029	3,922	10%	10%	9%
Entitlement Jurisdictions						
Antioch	2,799	1,840	959	13%	13%	13%
Concord	4,166	2,485	1,681	10%	10%	10%
Pittsburg	2,674	1,683	991	17%	18%	16%
Walnut Creek	1,282	996	286	5%	5%	3%
Consortium Total	26,872	19,033	7,839	10%	10%	10%
County Total	30,854	21,181	9,673	10%	10%	10%

Source: 1990 U.S. Census

Note: County totals include the City of Richmond.

Single-Parent Families

Single-parent families, particularly female-headed families, often require special consideration and assistance because of their greater need for affordable housing and accessible day care, health care, and other supportive services. Because of their relatively lower income and higher living expenses, female-headed families have more limited opportunities for finding affordable, decent, and safe housing. Female-headed families may also be discriminated against in the rental housing market, because some landlords are concerned about the ability of these households to make regular rent payments. Consequently, the landlords may require more stringent credit checks for women, which would be a violation of fair housing law.

Another vulnerable subgroup of single-parent families is “subfamilies” with children. Subfamilies with children include single parents or grandparents with children who are living with another family. Although income statistics are not available for this group, most are vulnerable to the point that they must double up to save income for other necessities. In some cases, subfamilies double up to share in child rearing responsibilities.

The 2000 Census identified more than 22,000 female-headed families with children Countywide, representing 7 percent of all households in the County. Jurisdictions in the Urban County had a slightly lower percentage of female-headed families with children, with 6 percent of the total households. Among entitlement jurisdictions, Antioch and Pittsburg had higher percentages of female-headed families with children than the County, while Walnut Creek had a lower percentage.

**Table 2-6
Female-Headed Families with Children**

Jurisdiction	Number	Percent of Total
Urban County Total	10,213	6%
<i>Entitlement Jurisdictions</i>		
Antioch	2,572	12%
Concord	3,008	7%
Pittsburg	1,787	11%
Walnut Creek	1,005	4%
Consortium Total	18,585	7%
County Total	22,363	7%

Source: 2000 Census

Note: County totals include the City of Richmond.

Persons with Disabilities

The County is home to a number of people with disabilities that prevent employment, restrict mobility, or make self-care difficult. Disabilities are defined as mental, physical or health conditions that last over six months. The 1990 Census tracked the following disabilities:

- ◆ **Work disability:** refers to a condition that restricts a person's choice of work and prevents that person from working full-time;
- ◆ **Mobility limitation:** refers to a physical or mental condition which makes it difficult to go outside the home alone; and
- ◆ **Self-care limitation:** refers to a physical or mental condition that makes it difficult to take care of one's personal needs.

Persons with disabilities may be discriminated against in the housing market because of their need for wheelchairs, home modifications to improve accessibility, or other forms of assistance. More common examples of discrimination against persons with physical and/or other limitations include refusing to rent to a person in a wheelchair for fear a unit might be damaged, or prohibiting service/guide dogs of disabled applicants because of a no-pet policy. Discussions with fair housing service providers indicate that discrimination against persons with physical and mental disabilities has increased in recent years.

The 1990 Census reported more than 77,000 persons with disabilities in the County, accounting for 13 percent of the population. Approximately 11 percent of the Urban County population and 12 percent of the Consortium population suffered from a disability. The City of Pittsburg had the highest percentage of persons with disabilities, with 16 percent of persons suffering from a disability.

**Table 2-7
Persons with Disabilities**

Jurisdiction	Number	% of Total
Urban County Total	36,796	11%
Antioch	6,180	14%
Concord	10,056	12%
Pittsburg	5,564	16%
Walnut Creek	5,840	11%
<i>Entitlement Jurisdictions</i>		
Consortium Total	64,436	12%
County Total	77,028	13%

Source: 1990 Census

Note: County totals include the City of Richmond.

Persons with HIV/AIDS

Persons with HIV/AIDS sometimes face biases and misunderstanding about their illness that affect their access to housing. In addition, persons with HIV/AIDS may also be targets for hate crimes, which include crimes committed because of a bias against sexual orientation.

Due to their disabilities, many are lower income in need of housing assistance. The National Commission on AIDS states that up to half of all Americans with AIDS are either homeless or in imminent risk of becoming homeless due to their illness, lack of income or other resources, and weak support network.

According to the Contra Costa County Department of Health Services, an estimated 776 residents in the County are living with AIDS. Among these residents living with AIDS, 52 percent are White, 34 percent are Black, and 11 percent are Hispanic. Geographically, approximately 20 percent are East County residents, 40 percent are Central County residents, with the remaining 40 percent being West County residents.

Homeless Persons

The 1990 Census documented 936 homeless persons Countywide. Based on current experience, these figures are clearly undercounts. The methodology used in the 1990 Census to count the number of homeless is widely acknowledged as ineffective, thereby resulting in substantial undercounting of the homeless population in many communities, especially larger cities.

The Contra Costa Continuum of Care Plan indicates that at least 14,700 people in Contra Costa County experience an episode of homelessness annually, with 4,000 people homeless on any given night. More than three-quarters of them are members of a family, including nearly 7,000 children. On any given night, homeless persons in the County are living on the streets or in temporary accommodations, such as an emergency shelter. Additionally, many others are at risk of becoming homeless, especially very low-income households who are overpaying for housing and struggling to make ends meet.

Three major types of facilities provide shelter for homeless individuals and families: emergency shelters, transitional housing, and permanent housing. These types of facilities are defined below:

- ◆ **Emergency Shelter:** A facility that provides overnight shelter and fulfills a client's basic needs (i.e. food, clothing, medical care) either on-site or through off-site services. The permitted length of stay can vary from one day at a time to three months. Approximately 490 emergency shelter beds are available in Contra Costa County, including those reserved for persons with special needs such as the mentally disabled, battered women and their children, recovering substance abusers, and persons with HIV/AIDS.

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- ◆ **Transitional Housing:** A residence that provides housing for up to two years. Residents of transitional housing are usually connected to supportive services designed to assist the homeless in achieving greater economic independence and a permanent, stable living situation. Services may include substance abuse treatment, mental and physical health care interventions, job training and employment services, individual and group counseling and life skills training. Approximately 400 transitional housing units are available in the County.
- ◆ **Permanent Housing:** Permanent housing that is affordable in the community or service-enriched permanent housing that is linked with on-going supportive services (on-site or off-site) and designed to allow formerly homeless clients to live at the facility on an indefinite basis. Approximately 160 permanent supportive housing units are located in Contra Costa County.

Homeless persons often have a much more difficult time finding housing once they have gone through a transitional housing or other assistance program. Not only is the availability of affordable housing an issue, but also some landlords may be unwilling to rent to someone who was formerly homeless due to their poor credit and rental history. These difficulties may be even greater for homeless families and single-parent families who need larger affordable units to accommodate children.

2.3 INCOME PROFILE

Household income is the most important factor affecting housing opportunity, determining a household's ability to balance housing costs with basic necessities of life. While economic factors that affect a household's housing choices are not fair housing issues per se, the relationship between household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

Consistent with the Consolidated Plan, the following income categories based on the County Median Family Income (MFI) are used throughout this AI:

- υ Extremely Low Income: Up to 30 percent of County MFI
- υ Very Low Income: Up to 50 percent of County MFI
- υ Low Income: Up to 80 percent of County MFI
- υ Moderate Income: Up to 120 percent of County MFI
- υ Above Moderate Income: More than 120 percent of County MFI

Figure 2-6 illustrates the lower income areas based on 1990 census tract level income data. A lower income area is typically defined as a census tract or block group with more than 51 percent of the population earning less than 80 percent of the County MFI. However, some communities in the Consortium are considered exception jurisdictions. The thresholds for these exception communities are set at below 51 percent.

Figure 2-6 confirms the income profile presented in Table 2-8, which indicates that Antioch, Brentwood, Concord, El Cerrito, San Pablo, Pittsburg, and the unincorporated County areas have generally higher proportions of households earning lower incomes (up to 80 percent of the County MFI).

**Table 2-8
Household Income Profile**

Jurisdiction	Income Level			
	Very Low (Up to 50% MFI)	Low (Up to 80% MFI)	Moderate (Up to 120% MFI)	Above Moderate (> 120% MFI)
<i>Urban County</i>				
Brentwood	22.3%	11.7%	23.5%	42.5%
Clayton	12.4%	7.5%	18.8%	61.3%
Danville	12.6%	7.9%	19.5%	60.0%
El Cerrito	20.1%	12.4%	26.0%	41.6%
Hercules	12.7%	7.9%	24.6%	54.8%
Lafayette	15.5%	8.8%	21.7%	54.0%
Martinez	18.5%	10.4%	25.5%	45.7%
Moraga	14.8%	8.0%	21.2%	56.1%
Oakley	17.3%	10.3%	26.5%	45.8%
Orinda	14.1%	8.0%	19.4%	58.5%
Pinole	16.7%	12.2%	25.6%	45.5%
Pleasant Hill	18.1%	11.1%	24.5%	46.3%
San Pablo	29.7%	14.0%	24.8%	31.4%
San Ramon	13.5%	8.4%	22.1%	56.0%
Unincorporated Areas	20.3%	11.8%	25.8%	42.2%
<i>Entitlement Jurisdictions</i>				
Antioch	20.7%	11.4%	25.9%	42.0%
Concord	19.5%	11.8%	26.1%	42.5%
Pittsburg	21.2%	11.8%	27.7%	39.3%
Walnut Creek	17.5%	11.8%	25.3%	45.5%
County Total	18.5%	10.9%	24.8%	45.9%

Source: Association of Bay Area Governments (ABAG), 2000

Note: County totals include the City of Richmond.

2.3.1 INCOME BY HOUSEHOLD TYPE

Table 2-9 presents the percentage of lower-income households by household type. Countywide, 29 percent of households were lower-income. Regardless of jurisdiction, elderly households had a higher percentage of lower-income households than any household type. In the cities of Antioch and Pittsburg, more than two-thirds of the elderly households were lower income while the City of Walnut Creek had only 35 percent of elderly households as lower-income. Countywide, 50 percent of elderly households were lower income.

In general, the Urban County and Walnut Creek had a lower percentage of lower-income households than the County as a whole, while Antioch, Concord, and Pittsburg had a higher percentage.

**Table 2-9
Percent Low and Very Low Income by Household Type**

Jurisdiction	Elderly	Small Family	Large Family	Other	Total
Urban County	47%	15%	25%	27%	24%
<i>Entitlement Jurisdictions</i>					
Antioch	66%	27%	33%	36%	35%
Concord	55%	23%	25%	34%	31%
Pittsburg	68%	30%	38%	32%	38%
Walnut Creek	35%	12%	15%	26%	21%
Total County	50%	20%	29%	30%	29%

Source: Comprehensive Housing Affordability Strategy (CHAS) data by the Census Bureau for HUD in 1993.
Note: County totals include the City of Richmond.

Figure 2-6
Low and Very Income Areas - 1990
(11x17)

Figure 2-6
Low and Very Low Income Areas - 1990
(Back of 11x 17)

2.4 HOUSING PROFILE

A discussion of fair housing choice must be preceded by an assessment of the housing market in question. This section provides an overview of the characteristics of the local and regional housing markets.

A housing unit is defined as a house, an apartment, or a single room occupied as a separate living quarter or, if vacant, intended for occupancy as a separate living quarter. Separate living quarters are those in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall. The housing stock consists of all housing units located within a community.

2.4.1 HOUSING GROWTH

Since 1990, the number of housing units in the County has increased by 12 percent, from 318,000 to nearly 356,000, according to the Census. Nearly 66 percent of this growth has occurred in the Urban County area. The number of units in Brentwood almost tripled between 1990 to 2000, and the City of Clayton experienced a 45 percent increase in the number of units. The cities of Danville and San Ramon both saw increases of more than 25 percent in the housing stock.

Among the entitlement jurisdictions, the City of Antioch had the largest increase in housing units with a 31 percent increase, which accounted for 64 percent of the growth among the four entitlement jurisdictions. The City of Pittsburg had a 10 percent increase in units from 1990 to 2000, while the cities of Concord and Walnut Creek grew at a much slower pace, with a 3 percent and 5 percent increase in units, respectively.

**Table 2-10
Housing Growth**

Jurisdiction	1990	2000	% Change
<i>Urban County</i>			
Brentwood	2,628	7,497	185%
Clayton	2,631	3,883	48%
Danville	11,466	15,130	32%
El Cerrito	10,311	10,462	1%
Hercules	5,652	6,546	16%
Lafayette	9,270	9,334	1%
Martinez	12,970	14,597	13%
Moraga	5,687	5,760	1%
Oakley	6,143	7,946	29%
Orinda	6,475	6,744	4%
Pinole	6,496	6,828	5%
Pleasant Hill	13,563	14,034	3%
San Pablo	9,147	9,340	2%
San Ramon	13,531	17,552	30%
Unincorporated County	54,293	57,956	7%
Urban County Total	170,263	193,609	14%
<i>Entitlement Jurisdictions</i>			
Antioch	22,973	30,116	31%
Concord	43,715	45,083	3%
Pittsburg	16,709	18,300	10%
Walnut Creek	29,968	31,425	5%
Consortium Total	283,628	318,533	12%
County Total	318,160	354,577	11%

Source: 1990 & 2000 Census

Note: County totals include the City of Richmond.

2.4.2 TENURE AND HOUSING TYPE

The tenure distribution (owner versus renter) of a community's housing stock influences several aspects of the local housing market. Residential mobility is influenced by tenure, with ownership housing evidencing a much lower turnover rate than rental housing. Housing cost burden is generally more prevalent among renters than among owners. Tenure preferences are primarily related to household income, composition, and age of the householder.

Table 2-11 shows the tenure distribution for jurisdictions in Contra Costa County in 2000. Countywide, more than two-thirds of the households were owners. Jurisdictions in the Urban County had a slightly higher percentage of owners than the County, with nearly three-quarters of households as owners. The cities of Clayton (94 percent) and Orinda (92 percent) had the highest homeownership rate, while San Pablo (49 percent) had lowest homeownership rate. All of the entitlement jurisdictions had more than 60 percent of households as owners, with Antioch (71 percent) having the highest percentage, and Concord and Pittsburg (63 percent) the lowest percentage.

The breakdown of housing unit types among the jurisdictions is shown in Table 2-12. As the table illustrates, nearly three quarters of housing units in the County are single-family homes, with approximately 80 percent of housing units in the Urban County jurisdictions consisting of single-family homes.

Typically, a community's housing stock correlates strongly with the tenure distribution of the occupied housing units. As shown in Tables 2-12 and 2-13, the City of San Pablo has the highest proportion of multi-family housing and proportion of renter-households. In comparison, Clayton, Danville, and Orinda have limited number of multi-family units and few households in these cities are renters.

**Table 2-11
Tenure Distribution**

Jurisdiction	Owner		Renter		Total
	#	%	#	%	
<i>Urban County</i>					
Brentwood	6,053	81%	1,444	19%	7,497
Clayton	3,667	94%	216	6%	3,883
Danville	13,198	89%	1,618	11%	14,816
El Cerrito	6,228	61%	3,980	39%	10,208
Hercules	5,419	84%	1,004	16%	6,423
Lafayette	7,024	77%	2,128	23%	9,152
Martinez	9,837	69%	4,463	31%	14,300
Moraga	4,764	84%	898	16%	5,662
Oakley	6,662	85%	1,170	15%	7,832
Orinda	6,042	92%	554	8%	6,596
Pinole	5,040	75%	1,703	25%	6,743
Pleasant Hill	8,727	64%	5,026	36%	13,753
San Pablo	4,442	49%	4,609	51%	9,051
San Ramon	12,088	71%	4,856	29%	16,944
Unincorporated County	40,579	73%	14,665	27%	55,244
Urban County Total	139,770	73%	48,334	27%	188,104
<i>Entitlement Jurisdictions</i>					
Antioch	20,817	71%	8,521	29%	29,338
Concord	27,542	63%	16,748	37%	44,020
Pittsburg	11,149	63%	6,592	37%	17,741
Walnut Creek	20,708	68%	9,593	32%	30,301
Consortium Total	219,986	71%	89,518	29%	309,504
County Total	238,449	69%	105,680	31%	344,129

Source: 2000 Census

Note: County totals include the City of Richmond.

**Table 2-12
Housing Unit Type**

Jurisdiction	Single Family		Multifamily		Mobile homes	
	#	%	#	%	#	%
Urban County						
Brentwood	6,323	83.3%	1,040	13.7%	231	3.0%
Clayton	3,801	99.9%	3	0.1%	1	0.0%
Danville	13,749	94.5%	800	5.5%	7	0.0%
El Cerrito	7,675	72.9%	2,773	26.4%	74	0.7%
Hercules	5,747	87.4%	825	12.5%	7	0.1%
Lafayette	7,886	83.2%	1,586	16.7%	5	0.1%
Martinez	11,356	77.8%	3,220	22.1%	19	0.1%
Moraga	4,895	83.4%	965	16.5%	6	0.1%
Orinda	6,408	96.0%	263	3.9%	5	0.1%
Pinole	5,543	80.8%	1,071	15.6%	249	3.6%
Pleasant Hill	9,766	69.2%	4,290	30.4%	58	0.4%
San Pablo	4,990	51.9%	3,841	39.9%	791	8.2%
San Ramon	12,752	74.5%	4,357	25.5%	8	0.0%
Unincorporated County	52,813*	80.4%*	9,288*	14.1%*	3,607*	5.5%*
Urban County Total	153,704	79.6%	34,322	17.8%	5,068	2.6%
Entitlement Jurisdictions						
Antioch	23,967	79.2%	5,928	19.6%	372	1.2%
Concord	29,285	65.2%	14,215	31.6%	1,435	3.2%
Pittsburg	12,891	70.3%	4,805	26.2%	641	3.5%
Walnut Creek	16,563	53.0%	14,672	46.9%	16	0.1%
Consortium Total	236,410	74.4%	73,942	23.3%	7,532	2.4%
County Total	259,279	73.2%	87,115	24.6%	7,589	2.1%

Source: California State Department of Finance, January 2000

Notes:

1. * Includes Oakley
2. County totals include the City of Richmond.

Overcrowding

Overcrowding occurs when housing costs are so high relative to income that families have to reside in small units or double up to devote income to other basic needs such as food and medical care. Overcrowding also may result in increased traffic within a neighborhood, deterioration of homes, and a shortage of on-site parking. Maintaining a reasonable level of occupancy and alleviating overcrowding is an important contributor to quality of life.

The prevalence of overcrowding varies significantly by income, type, and size of household. Generally, very low and low-income households and large families are disproportionately affected by overcrowding.

According to the 1990 Census, the level of overcrowding was relatively low in the County, with less than 5 percent of households living in overcrowded conditions. Overcrowding was higher among renters than among owners, with 9 percent of renters and 3 percent of owners living in overcrowded conditions.

The Urban County jurisdictions had a lower prevalence of overcrowding than the County as a whole, with less than 4 percent of all households living in overcrowded conditions, including 3 percent of owners and 6 percent of renters. The City of San Pablo had the highest overcrowding among the Urban County jurisdictions, with more than 18 percent of all households and more than 20 percent of renters being overcrowded. The City of Brentwood (10.9%) was the only other Urban County jurisdiction with more than 10 percent of households overcrowded, which included more than 21 percent of renter households.

Among the entitlement jurisdictions, Pittsburg had the highest level of overcrowding at more than 11 percent of all households, while Walnut Creek had the lowest level of overcrowding at less than 2 percent of all households.

**Table 2-13
Household Overcrowding**

Jurisdiction	Total	Owners	Renters
<i>Urban County</i>			
Brentwood	10.9%	5.9%	21.6%
Clayton	0.8%	0.7%	1.8%
Danville	0.8%	0.6%	2.4%
El Cerrito	3.5%	2.1%	5.8%
Hercules	7.9%	7.8%	8.3%
Lafayette	1.1%	0.5%	3.0%
Martinez	2.6%	1.4%	5.2%
Moraga	0.6%	0.5%	1.6%
Oakley	5.9%	4.2%	13.6%
Orinda	0.3%	0.3%	1.1%
Pinole	5.3%	4.1%	9.4%
Pleasant Hill	2.3%	1.4%	3.9%
San Pablo	18.2%	15.3%	20.8%
San Ramon	1.7%	0.9%	3.4%
Unincorporated County	2.8%	3.0%	2.2%
Urban County Total	3.6%	2.7%	6.1%
<i>Entitlement Jurisdictions</i>			
Antioch	4.9%	2.2%	9.9%
Concord	5.2%	2.3%	9.7%
Pittsburg	11.1%	7.4%	16.9%
Walnut Creek	1.6%	0.6%	3.9%
Consortium Total	4.2%	2.6%	7.7%
County Total	4.8%	2.9%	8.7%

Source: 1990 Census

Note: County totals include the City of Richmond.

2.4.3 HOUSING COST AND AFFORDABILITY

Housing problems are directly related to the cost of housing in a community. If housing costs are relatively high in comparison to household income, a correspondingly high prevalence of housing cost burden and overcrowding occurs. This section evaluates the affordability of the housing stock in Contra Costa County to very low and low income households. An emphasis must be made though, that housing affordability alone is not a fair housing issue. Fair housing concerns arise only when housing affordability issues interact with other factors covered under the fair housing laws.

Owner-Occupied Housing

During 2000, 7,402 single-family homes and 2,421 condominiums were sold within the Consortium (see Table 2-14). The median price of single-family homes was \$260,000, while condominiums had a median sales price of \$230,000. Housing prices varied greatly among the different jurisdictions in the Consortium. The cities of Oakley, Pinole, and San Pablo had the most affordable sales prices in the Urban County, with median prices ranging from \$178,000 to \$236,000 for single-family homes, and \$70,000 to \$140,000 for condominium units. The cities of Danville, Lafayette, Moraga, and Orinda had the highest sales prices in the County, with median single-family home prices in excess of \$600,000 and condominium prices ranging from \$224,000 to \$335,000.

**Table 2-14
Home Sales Prices – 2000**

Jurisdiction	Single Family Homes		Condominium Units	
	Median Price	Units sold	Median Price	Units Sold
Urban County				
Brentwood	\$274,000	329	\$93,000	1
Clayton	\$435,000	165	\$279,500	49
Danville	\$615,000	293	\$335,000	231
El Cerrito	\$360,000	282	\$245,000	9
Hercules	--	0	--	0
Lafayette	\$622,000	286	\$328,000	14
Martinez	\$312,000	225	\$191,250	162
Moraga	\$670,000	25	\$224,000	25
Oakley	\$203,250	494	\$70,000	3
Orinda	\$659,000	3	--	0
Pinole	\$236,000	15	--	0
Pleasant Hill	\$325,000	409	\$245,000	154
San Pablo	\$178,500	76	\$140,000	47
San Ramon	\$444,500	366	\$305,977	272
Unincorporated County	\$317,500	1,391	\$170,000	229
Total Urban County	\$340,000	4,359	\$250,000	1,197
Entitlement Jurisdictions				
Antioch	\$213,500	1,592	\$91,000	163
Concord	\$255,500	1,312	\$140,000	307
Pittsburg	\$180,000	740	\$181,500	74
Walnut Creek	\$480,000	404	\$280,000	680
Total Consortium	\$260,000	7,402	\$230,000	2,421

Source: Dataquick Sales Data

Notes:

1. While Dataquick is one of the most comprehensive data sources for home sales activities, it does not claim 100% accuracy. Review of newspapers indicated some homes/condominiums were advertised for sale.
2. County totals do not include the City of Richmond.

In general, the entitlement jurisdictions had lower home prices than Urban County jurisdictions. The cities of Antioch, Concord, and Pittsburg all had lower median single-family and condominium prices than the County, while Walnut Creek had higher median prices for both single-family and condominium units.

Figures 2-7 and 2-8 map the condominium and single-family home sales in 2000, respectively. The figures provide a clear picture of geographic differences in the Consortium's housing market. Condominium sales are the strongest in Walnut Creek, San Ramon, and Pleasant Hill. High price single-family homes are concentrated in the Central County in Walnut Creek, Lafayette, and Danville.

Renter-Occupied Housing

According to 2000 rental data compiled by RealData, Inc., apartment rental rates are relatively high and continue to rise in Contra Costa County. The average gross monthly unfurnished rent (excluding utility costs) in the County was \$1,297 in December 2000, representing an increase of 25 percent since December 1999. Table 2-15 shows the rents in the County by bedroom size for the three regions. In general, the Central region had the highest rents, with most areas exceeding the Countywide average rent, while rents were lowest in the East region. Among the different communities, Lafayette (\$1,606) and San Ramon (1,556) had the highest average rent, while Bay Point (\$859) and Antioch (\$913) had the lowest.

As of December 2000, the vacancy rate for apartment units in Contra Costa County was 2.87 percent, as compared to 4.06 percent for the Bay Area as a whole. The relatively low vacancy rate in the County reflects a generally high demand for apartment units. Apartment units are especially popular in relatively high cost housing markets like Contra Costa County, where it is expensive to own a home in many communities.

Figure 2-7
Condominium Sales - 2000
(11x17)

Figure 2-7
Condominium Sales - 2000
(Back of 11x17)

Figure 2-8
Single-Family Home Sales - 2000
(11x17)

Figure 2-8
Single-Family Home Sales - 2000
(Back of 11x17)

**Table 2-15
Apartment Rents (December 2000)**

Place/ Community	Type: Bedroom (BR) / Bath (BA)					Overall Average Rent
	Studio	1 BR/ 1 BA	2 BR/ 1 BA	2 BR/ 1+ BA	3 BR/ 1+BA	
East						
Antioch	—	\$832	\$856	\$999	\$1,185	\$913
Bay Point	—	\$720	—	\$862	\$990	\$859
Pittsburg	\$675	\$915	\$1,053	\$1,156	\$1,376	\$1,045
Central						
Concord	\$890	\$1,041	\$1,194	\$1,379	\$1,193	\$1,209
Lafayette	—	\$1,365	\$1,500	\$1,650	\$1,997	\$1,606
Martinez	\$930	\$1,058	\$1,045	\$1,264	—	\$1,100
Pleasant Hill	\$958	\$1,048	\$1,181	\$1,690	\$1,854	\$1,290
San Ramon	\$982	\$1,360	\$1,642	\$1,738	\$2,240	\$1,556
Walnut Creek	\$1,175	\$1,377	\$1,585	\$1,708	\$1,950	\$1,476
West						
El Cerrito	—	\$1,171	\$1,500	\$1,435	—	\$1,353
El Sobrante	—	\$1,159	—	\$1,477	—	\$1,381
Pinole	—	—	\$1,000	\$1,050	\$1,300	\$1,051
Richmond	\$910	\$1,206	\$1,451	\$1,616	—	\$1,330
San Pablo	\$895	\$973	\$1,149	\$1,339	—	\$1,048
Countywide Average	\$994	\$1,173	\$1,282	\$1,479	\$1,432	\$1,297

Source: RealData, Inc., 2000.

* Rental rates for larger apartment complexes (with 100 or more units). Larger apartment complexes typically have higher rental rates than smaller ones due to higher levels of maintenance and other related factors.

Housing Affordability

Housing affordability can be calculated by comparing the cost of renting or owning a home with the maximum affordable housing costs to households at different income levels. Taken together, this information can generally indicate the size and type of housing available to each income group, and can estimate which households are most susceptible to overcrowding and overpayment.

The federal Department of Housing and Urban Development (HUD) conducts annual household income surveys nationwide, including Contra Costa County, to determine the maximum affordable housing payments of different households and their eligibility for federal housing assistance. In evaluating affordability, the maximum affordable price refers to the maximum amount that could be afforded by households in the upper range of their respective income category. Households in the lower end of each category can afford less in comparison. Table 2-16 shows the annual income for very low and low-income households by household size and the maximum affordable housing payment based on the State and federal standards of 30 percent of household income. Cost assumptions for utilities, taxes, and property insurance are also shown.

**Table 2-16
Housing Affordability – 2001**

Income Group	Income Levels		Housing Costs		Maximum Affordable Price	
	Annual Income	Affordable Payment	Utilities	Taxes & Insurance	Ownership	Rental
Very Low Income (50% MFI)						
One Person	\$25,050	\$626	\$50	\$200	\$56,974	\$576
Small Family	\$32,200	\$805	\$100	\$250	\$68,899	\$705
Large Family	\$38,650	\$965	\$150	\$300	\$78,174	\$816
Low Income (51-80% MFI)						
One Person	\$37,700	\$943	\$50	\$200	\$104,863	\$893
Small Family	\$48,450	\$1,211	\$100	\$250	\$130,416	\$1,111
Large Family	\$58,150	\$1,454	\$150	\$300	\$151,994	\$1,304
Moderate Income and Above (>80% MFI)						
One Person	\$60,150	\$1,504	\$50	\$200	\$189,850	\$1,454
Small Family	\$77,300	\$1,933	\$100	\$250	\$239,632	\$1,833
Large Family	\$92,750	\$2,319	\$150	\$300	\$282,978	\$2,169

Notations:

1. Small Family = 3 persons; Large Families = 5 or more persons
2. Monthly affordable rent based upon payments of no more than 30% of household income
3. Property Taxes and Insurance based on averages for the region.
4. Affordable home price is based on down payment of 10%, annual interest of 8%, a 30-year mortgage and monthly payment of 30% of gross household income.

Analysis of Impediments to Fair Housing Choice

Very Low-Income: Very low-income households earn 50 percent or less of the County median family income. Given the relatively high costs of single-family homes and condominiums in the County, very low-income households are limited to the rental housing market.

Average apartment rents in the County are as follows: \$994 for a studio, \$1,173 for a one-bedroom unit, \$1,282 for a two-bedroom unit (with one bath), and \$1,432 for a three-bedroom apartment. After deductions for utilities, a very low-income household can only afford to pay between \$576 and \$816 in rent per month, depending on the household size. In practical terms, this means that a one-person household cannot afford an average priced studio without overpaying or doubling up. Even a one-bedroom unit is out of reach for a small family (2 to 4 persons). The problem is exacerbated for larger families (5+ persons).

Low-Income: Low-income households earn 80 percent or less of the County's median family income. The maximum affordable home price for a low-income household ranges from \$104,863 for one-person to \$151,994 for a five-person family, effectively eliminating low-income households from the single-family ownership market. Large households may be able to afford some lower-priced condominiums in the County, but the unit is not likely to be of adequate size. Therefore, low-income households are most likely limited to the rental market.

After deductions for utilities, a low-income household can afford to pay between \$893 and \$1,304 in rent each month, depending on household size. A one-person household can afford a studio in some communities, although the supply of such units may be limited. Small families would likely overpay for an adequately sized (two or more bedrooms) apartment. Large families can afford some two-bedroom units. However, such families will likely overpay and/or double up to afford housing.

Moderate and Above Moderate Income: For analysis purposes, households with moderate income earn between 81 and 120 percent of the County's median family income. Households with above moderate income earn above 120 percent of the County's median family income. The maximum affordable home price for moderate and upper income households range from \$189,850 for a one-person household to \$282,978 for a five-person family. One-person households and small families can theoretically afford over half of the lower-priced condominium units available on the market. However, the down payment and closing costs may prevent these households from becoming homeowners. Large families can afford some three-bedroom homes, but face the same problems with respect to down payment and closing costs. With a maximum affordable rent payment of between \$1,454 and \$2,169 per month, these income households can afford many of the apartment units listed for rent.

2.4.4 HOUSING OVERPAYMENT

State and federal standards establish that a household is overpaying for housing if it spends more than 30 percent of its gross income on housing. This situation is typically referred to as housing overpayment. Housing overpayment by very low and low-income households occurs when housing costs increase faster than income. Overcrowding is prevalent among the County jurisdictions, according to Comprehensive Housing Affordability Strategy (CHAS) data developed by the Census Bureau for HUD (see Table 2-17).

**Table 2-17
Household Overpayment**

Jurisdiction	% of Renters	% of Owners	% of Total
Urban County			
Brentwood	47%	28%	35%
Clayton	60%	32%	34%
Danville	41%	36%	36%
El Cerrito	43%	18%	28%
Hercules	37%	40%	40%
Lafayette	41%	28%	31%
Martinez	42%	26%	31%
Moraga	45%	29%	32%
Orinda	47%	28%	30%
Pinole	43%	28%	32%
Pleasant Hill	40%	33%	35%
San Pablo	54%	28%	42%
San Ramon	37%	43%	41%
Unincorporated County	42%	33%	35%
Entitlement Jurisdictions			
Antioch	49%	31%	37%
Concord	46%	31%	37%
Pittsburg	42%	30%	34%
Walnut Creek	43%	29%	33%
Total County	44%	31%	35%

Source: CHAS Data, 1993.

Note: County totals include the City of Richmond.

Analysis of Impediments to Fair Housing Choice

As shown in Table 2-17, more than one-third of County households overpay for housing, including 44 percent of renters and 31 percent of owners. Both Clayton (60%) and San Pablo (54%) had more than half of all renters overpaying for housing. Among renters, Hercules (40%) and San Ramon (43%) had overpayment of 40 percent or more, while El Cerrito (18%) was the only jurisdiction with less than 25 percent of households overpaying.

The prevalence of overpayment among the entitlement jurisdictions of the Consortium was nearly the same as the County as a whole. Antioch (49%) and Concord (46%) had a slightly higher percentage of renters overpaying than the County, while Pittsburg (30%) and Walnut Creek (29%) had a slightly lower percentage of owners overpaying.

2.4.5 HOUSING CONDITION

Housing age is an important indicator of housing condition within a community. Like any other tangible asset, housing is subject to gradual deterioration over time. Deteriorating housing can depress neighboring property values, discourage reinvestment, and eventually impact the quality of life in a neighborhood. Thus maintaining the quality of housing is an important goal for the County.

Table 2-18 shows the number and percentage of units over 30 years of age, using data from the U.S. Census and the State Department of Finance. Approximately 46 percent of all housing units in the County are more than 30 years of age. Among Urban County jurisdictions, 43 percent of units were built more than 30 years ago. El Cerrito has the highest percentage of units over 30 years of age, with 82 percent, while nearly three-quarters of units in Lafayette and Orinda are more than 30 years of age. Only one percent of units in Hercules are 30 years of age or more, representing the lowest percentage among the Urban County jurisdictions.

Among the entitlement jurisdictions, Concord has the highest percentage of units over 30 years of age, with 56 percent, while Antioch has the lowest percentage, at 28 percent. Pittsburg and Walnut Creek have 30 percent and 47 percent of units over 30 years of age respectively.

Overall, the Consortium has pockets of neighborhoods where housing condition has deteriorated. The County offers a number of rehabilitation programs to help improve housing conditions throughout the Consortium. Through assistance in acquisition/rehabilitation efforts, the County facilitated the improvement of almost 1,700 housing units throughout the Consortium over the last ten years, including about 250 ownership units and 1,450 rental units. During the same period, the Rental Rehabilitation Program administered by the Housing Authority of Contra Costa County rehabilitated close to 300 rental units throughout the Urban County. The Neighborhood Preservation Program offered by the County provides rehabilitation assistance to very low income homeowners; more than 300 homeowners throughout the Urban County have benefited from this program over the last ten years.

The Housing Authority of Contra Costa County has also identified rehabilitation needs among its 14 public housing developments. Discussions of the public housing inventory are included in Section 2.5, Public and Assisted Housing.

**Table 2-18
Housing Units Over 30 Years of Age**

Jurisdiction	Number of Units	Percent of Total
<i>Urban County</i>		
Brentwood	851	11%
Clayton	542	16%
Danville	3,180	22%
El Cerrito	8,665	82%
Hercules	70	1%
Lafayette	7,055	74%
Martinez	5,824	40%
Moraga	2,814	48%
Oakley	1,531*	25%*
Orinda	5,075	76%
Pinole	3,777	55%
Pleasant Hill	7,158	50%
San Pablo	6,092	62%
San Ramon	1,961	11%
Unincorporated County	29,347	44%
Urban County Total	83,942	43%
<i>Entitlement Jurisdictions</i>		
Antioch	8,546	28%
Concord	24,981	56%
Pittsburg	5,588	30%
Walnut Creek	14,651	47%
Consortium Total	137,708	43%
County Total	162,509	46%

Source: 1990 U.S. Census, California State Department of Finance, 2000.

Notes:

1. * 1990 Census only
2. County totals include the City of Richmond.

2.5 PUBLIC AND ASSISTED HOUSING

In general, development of housing affordable to very low and low-income housing requires some form of public assistance. In some cases, a public entity, most likely the Housing Authority, serves both as the developer and owner of a housing project, which is typically referred to as a public housing project. However in most cases, affordable housing is developed by private for-profit and non-profit developers with some form of public assistance, such as direct subsidies in the costs for site acquisition, site improvements, construction, and/or ongoing rent subsidies, and development incentives such as increased densities or reduced parking requirements. In exchange, the developers reserve all or a portion of the units at affordable costs to very low and low-income households. These units are typically referred to as publicly assisted units. In some communities, affordable housing is also achieved through inclusionary housing policies, which require the developer to provide a portion of the units as affordable housing.

The availability and location of public and assisted housing is a fair housing concern. If such housing is concentrated in one area of a community, residents' access to affordable housing may be limited geographically. In addition, public/assisted housing and Section 8 assistance should be accessible to income-qualified households regardless of race/ethnicity, disability, or other special need.

2.5.1 PUBLIC HOUSING

The Housing Authority of Contra Costa County (HACCC) operates 14 conventional public housing developments, totaling 1,275 units. Table 2-19 provides a list of the public housing projects by location. Four public housing projects are dedicated for seniors, with a total capacity of accommodating 240 senior households.

Waiting List

Very low vacancies exist in all projects. The average vacancy rate is usually less than 3 percent, meaning that those on the waiting list must wait for a long period of time before a unit is available. The average wait is approximately four years. HACCC currently has a waiting list of 4,363 households. The majority (94%) of applicants on the list are families with children, with the remaining 4 percent being elderly households. Also, 13 percent of the households on the list have members with disabilities. Among households on the waiting list, 47 percent are Black, 32 percent are White, 14 percent are Hispanic, and 7 percent are Asian.

**Table 2-19
Public Housing Developments**

Location	Development	Number of Units	Type
Antioch	Bridgemont	36	Family
	Elder Winds	100	Senior
Bay Point	Casa de Serena	50	Senior
	Los Medanos Pueblo	86	Family
Brentwood	Los Nogales	44	Family
Martinez	Alhambra Terrace	50	Family
	Hacienda	50	Senior
North Richmond	Las Deltas	224	Family
Oakley	Casa de Menana	40	Senior
	Los Arboles	30	Family
Pittsburg	El Pueblo	176	Family
Rodeo	Bayo Vista	248	Family
San Pablo	Kidd Manor	41	Family
	Vista Del Camino	100	Family
Total		1,275	

Source: Housing Authority of Contra Costa County.

Distressed Public Housing

The 2000 Public Housing Agency Plan (PHAP) prepared by HACCC identified the 224-unit Las Deltas development in North Richmond as extremely distressed and stated that Las Deltas has passed the point of being a useful housing resource due to physical deterioration, obsolescence, and social distress in the neighborhood. Action is needed to revitalize Las Deltas. HACCC submitted an application for HOPE VI grant funds in order to replace the Las Deltas development with a mix of apartments affordable to very low and low-income households, townhomes affordable to moderate income households, and single-family homes affordable to low and moderate income households. The PHAP also identified short-term recommendations for Bayo Vista and El Pueblo housing developments to be studied for the potential for future HOPE VI applications.

Preferences

For admission into public housing units, HACCC uses the following preferences:

- ◆ Victims of domestic violence
- ◆ Residents who live and/or work in the jurisdiction
- ◆ Veterans and veterans' families
- ◆ Victims of reprisals or hate crimes
- ◆ Persons who are terminally ill
- ◆ Persons in victim/witness protection programs

Deconcentration and Income Mixing

HACCC has increased efforts to promote the deconcentration of poverty in public housing units, including:

- ◆ Safeguard policies for correction of possible future imbalances¹
- ◆ Affirmative actions to attract higher income households
- ◆ Improving the marketability of developments
- ◆ Adopting rent incentives to encourage deconcentration and income mixing
- ◆ Adopting reasonable flat rents in a rental market with escalating rents.

2.5.2 PROJECT-BASED HOUSING ASSISTANCE

As described before, apartment projects can receive housing assistance from a variety of sources in order to ensure that rents are affordable to very low and low-income households. In exchange for public assistance, project owners are required to reserve a portion of the units for very low and low-income households, with the length of use restrictions dependent upon the funding program. Contra Costa County has many apartment complexes that have project-based assistance for very low and low-income households. In addition, some communities have inclusionary housing policies, which require a portion of the project units be set-aside as affordable housing.

A total of 120 housing projects in the Consortium offer more than 10,600 rental units, with almost 5,892 units reserved for lower income households (Table 2-20). Among the assisted units, 44 percent serve the senior and disabled populations, and the remaining 56 percent serve primarily families with children.

The 5,892 assisted units in the County are generally dispersed throughout the three regions, as the West County contains about 1,300 assisted units, the Central County has about 2,600 assisted units, and the East County has about 1,900 assisted units. Within the regions, the assisted housing units are concentrated in the cities of San Pablo and Pinole in the West County, Concord in the Central County, and Antioch and Pittsburg in the East County (see Figure 2-9).

¹ The HACCC has established policies to monitor and correct the over-concentration of tenants living below the poverty level in a particular public housing project.

Analysis of Impediments to Fair Housing Choice

**Table 2-20
Publicly Assisted Housing**

Jurisdiction	Projects	Total Project Units	Assisted Units		
			Total Units	Senior/ Disabled	Family/ Others
Urban County					
Brentwood	2	68	68	40	28
Clayton	1	20	19	19	
Danville	1	10	3	3	
El Cerrito	4	328	149	149	
Hercules	2	140	139	139	
Lafayette	3	147	81	65	16
Martinez	6	635	309	225	84
Moraga	0	0			
Oakley	4	144	143	103	40
Orinda	1	150	150	150	
Pinole	1	70	70	70	
Pleasant Hill	4	350	252	181	142
San Pablo	7	378	376	216	160
San Ramon	2	313	63		63
Unincorporated County	16	2,174	1,111	190	921
Urban County Total	54	4,927	2,933	1,550	1,383
Entitlement Jurisdictions					
Antioch	13	1,637	734	359	375
Concord	34	2,289	1,236	277	959
Pittsburg	10	1,058	712	250	462
Walnut Creek	9	732	277	180	97
Consortium Total	120	10,643	5,892	2,616	3,276

Source: Inventory of publicly assisted and inclusionary housing provided by individual participating jurisdictions, 2001.

Note: The inventory was compiled by information submitted by participating jurisdictions. As such, there may be slight differences in the definition of publicly assisted housing used. For example, one jurisdiction may consider affordable housing developed as a result of inclusionary housing policies as publicly assisted housing while another jurisdiction may not, since no direct subsidy was provided. A few communities have also included assisted living facilities as affordable housing. Nevertheless, the table and the accompanying figure illustrate the general distribution of affordable housing in the Consortium.

Figure 2-9
Public and Assisted Housing Projects
(11x17)

Figure 2-9
Public and Assisted Housing Projects
(Back of 11x17)

2.5.3 SECTION 8 TENANT-BASED RENTAL ASSISTANCE

Public and assisted housing provides project-based assistance to income-qualified households. That is, the assistance is tied to the project, and the tenants are assisted with rent subsidies as long as they remain in the project. Another type of rental assistance is tenant-based, usually in the form of vouchers. Under a tenant-based rental assistance program, an income-qualified tenant receives a voucher for rent subsidies and the voucher can be used at different locations subject to some rent restrictions and housing quality standards. The most commonly used tenant-based rental assistance is the Section 8 program offered by HUD.

HACCC administers the Section 8 Rental Assistance program for most parts of the Consortium and the Housing Authority of the City of Pittsburg administers the Section 8 Rental Assistance program for residents in Pittsburg. The Section 8 program provides rental subsidies to very low income households that spend more than 30 percent of their gross household income on housing costs. The Section 8 program pays the difference between the federally approved Fair Market Rent (FMR) and 30 percent of the recipient's monthly income.

Currently, 6,282 households receive Section 8 assistance in Contra Costa County. Among Section 8 recipients, 50 percent are White, 29 percent are Black, 11 percent are Asian, 9 percent are Hispanic, and 1 percent are Native American. Relative to their proportion of the County population, Black recipients are disproportionately high, while Hispanics are disproportionately low with regard to Section 8 assistance.

Table 2-21 shows the distribution of Section 8 vouchers by the size of unit occupied. As the table shows, Section 8 recipients most commonly occupy 2-bedroom units, followed by 3-bedroom and 1-bedroom units.

Waiting List

HACCC has a waiting list of 675 applicants. Almost all applicants are families with children. The racial/ethnic mix of these applicants is not available. The City of Pittsburg Housing Authority currently has a waiting list of 605 households. Approximately 54 percent of waiting list households are Black, 29 percent are White, 12 percent are Hispanic, and 5 percent are Asian.

Preferences

HACCC uses the following preferences for Section 8 assistance:

- ◆ Victims of domestic violence
- ◆ Veterans and veterans' families
- ◆ Residents who live/work in the jurisdiction
- ◆ Victims of reprisals or hate crimes
- ◆ Persons who are terminally ill
- ◆ Persons in victim/witness protection programs

Analysis of Impediments to Fair Housing Choice

- ◆ Lottery selections

The City of Pittsburg Housing authority uses the following preferences for Section 8 assistance:

- ◆ Elderly persons
- ◆ Residents who live/work within the jurisdiction
- ◆ Veterans and veterans' families

**Table 2-21
Section 8 Vouchers**

Jurisdiction	Number of Bedrooms					Total
	0	1	2	3	4+	
<i>Urban County</i>						
Brentwood	0	41	53	49	25	168
Clayton	0	1	3	1	1	6
Danville	0	5	3	3	0	11
El Cerrito	0	15	30	12	6	63
Hercules	0	3	15	23	4	45
Lafayette	0	16	8	0	0	24
Martinez	0	135	80	123	87	425
Moraga	0	2	0	0	0	2
Orinda	0	0	0	0	0	0
Pinole	0	8	28	19	6	61
Pleasant Hill	0	185	71	30	5	291
San Pablo	0	83	289	179	67	418
San Ramon	0	4	4	6	3	17
Unincorporated County	0	114	301	341	139	895
Urban County Total	0	612	885	786	343	2,626
<i>Entitlement Jurisdictions</i>						
Antioch	3	368	794	424	124	1,713
Concord	8	485	387	281	42	1,203
Pittsburg	1	136	225	237	46	645
Walnut Creek	0	60	21	12	2	95
Consortium Total	12	1,661	2,312	1,740	557	6,282

Source: Housing Authority of Contra Costa County, July 2001.

2.6 LICENSED COMMUNITY CARE FACILITIES

Persons with special needs such as the elderly and those with disabilities must also have access to housing in a community. Residential community care facilities provide a supportive housing environment to persons with special needs in a group situation. Restrictions that prevent this type of housing represent a fair housing concern since lack of such housing impedes special needs groups from access to adequate housing.

Table 2-22 shows the number and capacity of licensed community care facilities in Contra Costa County. The location of these facilities is depicted in Figure 2-10. As shown, more than 400 facilities are located within the Consortium jurisdictions, and can provide accommodation to nearly 5,500 persons. Concord, Danville, Pleasant Hill, Walnut Creek, and the unincorporated areas have the highest concentration of licensed care facilities by the number of beds.

**Table 2-22
Licensed Community Care Facilities**

Jurisdiction	Facilities	Total Capacity
<i>Urban County</i>		
Brentwood	3	30
Clayton	4	24
Danville	23	567
El Cerrito	8	229
Hercules	10	57
Lafayette	9	54
Martinez	7	51
Moraga	2	282
Oakley	7	36
Orinda	3	18
Pinole	9	58
Pleasant Hill	19	652
San Pablo	5	41
San Ramon	8	109
Unincorporated County	114	893
Urban County Total	231	3101
<i>Entitlement Jurisdictions</i>		
Antioch	31	413
Concord	66	883
Pittsburg	34	201
Walnut Creek	44	889
Consortium Total	406	5,487

Source: California Department of Social Services, 2000.

Many licensed community care facilities serve specific clients. Many senior residential facilities in the Contra Costa Consortium have the ability to care for seniors with dementia and/or seniors with mobility limitations. Some adult residential care facilities serve primarily persons with developmental disabilities. Persons with mental disabilities typically have the most difficult time in finding accommodation (Table 2-23). In general, many residents view these facilities as an undesirable land use based on general biases against persons with disabilities, particularly those with mental disabilities.

**Table 2-23
Licensed Community Care Facilities by Type**

Analysis of Impediments to Fair Housing Choice

Facility Type	Number of Facilities	Total Capacity	Target Clients			
			Dementia	Developmentally Disabled	Mentally Disabled	Non-Ambulatory Capacity
Adult Residential	85	540		127	14	36
Group Home	35	239		6		14
Residential-Elderly	273	4,646	619			4,153
Small Family Home	13	62		17		42
Total	406	5,487	619	150	14	4,245

Note: Capacities for target clients can sum up to more than total capacity. One facility can serve more than one target group.

Source: California Department of Social Services, 2000.

Figure 2-10
Licensed Community Care Facilities
(11x17)

Figure 2-10
Licensed Community Care Facilities
(Back of 11x17)

2.7 ACCESSIBILITY OF PUBLIC TRANSIT

Public transit plays an important role in analyzing impediments to fair housing. Public transit should link lower income households, who are often transit dependent, to major employers where job opportunities may exist and where many lower income persons may work. Without an integral relationship between public transit, major employers, and affordable housing, fair housing choice may be impeded because persons who depend on public transit will be limited in the choice of where they can live.

In addition, many elderly and disabled persons rely heavily upon public transit. Specifically, many rely on public transit to visit doctors, go shopping, or attend activities offered at the community centers. Housing for the elderly and disabled should be located near transit routes, or alternative transit should be made available for persons with special needs. This section discusses the accessibility of public transit to major employers, as well as medical and community facilities from areas where very low-income persons reside and from housing for persons with special needs.

2.7.1 PUBLIC TRANSIT

Contra Costa County is served by five different transit systems: WestCAT Transit, AC Transit, Tri-Delta Transit, County Connection, and Bay Area Rapid Transit (BART). The system maps and their relationship to major employers, participants of the Welfare-to-Work program, community care facilities, and community facilities are shown in Figures 2-11, 2-12, and 2-13.

WestCAT Transit

WestCAT Transit provides bus service in the cities of Hercules and Pinole, and to the surrounding unincorporated areas. WestCAT provides connections to AC Transit, which also serves the western portion of the County. Dial-A-Ride service is available to seniors and persons with disabilities, and reduced fares are provided for senior and disabled bus passengers.

AC Transit

AC Transit provides bus service in Alameda County and Western Contra Costa County, as well as service to the San Francisco Transbay Terminal. AC Transit provides reduced fees to senior and disabled riders.

Tri-Delta Transit

Tri-Delta Transit provides bus service in the cities of Antioch, Brentwood, Oakley, and Pittsburg, as well as the surrounding unincorporated areas. Tri-Delta Transit offers Dial-A-Ride service, reduced fares for seniors and disabled persons, and free transfers to other Tri-Delta buses. In addition, free transfers to Central Contra Costa Transit buses are provided at shared bus stops.

County Connection

County Connection provides bus service in central Contra Costa County, serving the cities of Clayton, Concord, Danville, Lafayette, Martinez, Moraga, Orinda, Pleasant Hill, San Ramon, and Walnut Creek, and unincorporated areas of the central County. The County Connection provides free service to seniors and disabled riders during the hours of 10:00 a.m. to 2:00 p.m. All other hours, senior and disabled passengers receive discounted fares. County Connection provides free transfers to Tri-Delta Transit riders at shared bus stops.

County Connection also provides paratransit Dial-A-Ride service through the County Connection LINK. This service operates in the same area as the County Connection fixed-route service, and has similar hours of operation. LINK passengers must be eligible for paratransit services under ADA, and must register with County Connection LINK.

Bay Area Rapid Transit (BART)

BART provides rail service in San Francisco, San Mateo, Alameda, and Contra Costa counties. BART provides service in Contra Costa County from San Francisco through West County to Richmond and through Central County to the East County community of Bay Point. BART provides free shuttles to local employers, and discounted fares for seniors and disabled persons.

2.7.2 MAJOR EMPLOYERS

Contra Costa County has one of the fastest growing work forces among Bay Area counties, with growth in its employment base driven primarily by the need to provide services to an increasing local population. The number of white-collar jobs has also increased in the County due to the decentralization of office-related employment to the County from other parts of the region, particularly San Francisco.

Major industries in the County include petroleum refining, telecommunications, retail and financial services, steel manufacturing, prefabricated metals, chemicals, electronic equipment, paper products and food processing. Table 2-24 shows major employers in Contra Costa County with more than 1,000 employees. As shown in the table, 23 companies employ between 1,000 and 5,000 persons.

Figure 2-11 shows the location of all companies in the County employing 100 or more persons in relation to the transit service provided. Over 400 employers in the County have 100 or more employees. As shown, most major employers are within one-quarter mile of a transit route, indicating that the employers are well served by transit service in the County. Only a few major employers are located outside of the transit zone.

Figure 2-12 illustrates the proximity of Calworks households to transit locations and major employers. As the figure shows, the areas where the highest concentrations of Calworks households are located within transit zones and near major employers. Relatively few areas with significant numbers of Calworks households are located outside of transit zones. Approximately 84 percent of Calworks households live within a transit zone.

Analysis of Impediments to Fair Housing Choice

**Table 2-24
Major Employers**

Employer	Address	City	Number of Employees
Tri Valley Growers	12667 Alcosta Blvd	San Ramon	10,000+
SBC	117 Woodcrest Drive	San Ramon	10,000+
U.S. Postal Service	Various Locations	Countywide	10,000+
Westaff Inc	301 Lennon Ln	Walnut Creek	10,000+
Bank of America	Various Locations	Countywide	5,000-9,999
Chevron Companies	Various Locations	Countywide	5,000-9,999
Contra Costa County	651 Pine Street	Martinez	5,000-9,999
Albertson's	Various Locations	Countywide	1,000-4,999
AT&T	Various Locations	Countywide	1,000-4,999
Basic American Foods	2999 Oak Rd	Walnut Creek	1,000-4,999
Bio-Rad Laboratories Inc	4000 Alfred Nobel Dr	Hercules	1,000-4,999
Central Garden & Pet Co	3697 Mt Diablo Blvd #310	Lafayette	1,000-4,999
Color Spot Nurseries Inc	3478 Buskirk Ave #260	Pleasant Hill	1,000-4,999
Commerce One Inc	4440 Rosewood Dr Bldg. 4	Walnut Creek	1,000-4,999
Contra Costa Electric Inc	825 Howe Rd	Martinez	1,000-4,999
Contra Costa Times	2640 Shadelands Dr	Walnut Creek	1,000-4,999
CPI Prints Plus	2500 Bisso Ln #200	Concord	1,000-4,999
Doctor's Medical Ctr	2000 Vale Rd	San Pablo	1,000-4,999
Homestake Mining Co	1600 Riviera Ave #200	Walnut Creek	1,000-4,999
Jacuzzi Whirlpool Bath	2121 N California Blvd #475	Walnut Creek	1,000-4,999
John Muir Medical Ctr	1601 Ygnacio Valley Rd Fl 1	Walnut Creek	1,000-4,999
Kaiser Foundation Hospital	200 Muir Rd	Martinez	1,000-4,999
Kaiser Permanente Medical Ctr	1425 S Main St	Walnut Creek	1,000-4,999
Mt Diablo Medical Ctr	2540 East St	Concord	1,000-4,999
Pacific Gas & Electric	Various Locations	Countywide	1,000-4,999
QRS Corp	1400 Marina Way S	Richmond	1,000-4,999
Richmond City Hall	2600 Barrett Ave	Richmond	1,000-4,999
Robertson-CECO Corp	5000 Executive Pkwy #425	San Ramon	1,000-4,999
Safeway	Various Locations	Countywide	1,000-4,999
St Mary's College-California	1928 Saint Mary's Rd	Moraga	1,000-4,999
Straw Hat Cooperative	18 Crow Canyon Ct #150	San Ramon	1,000-4,999
USS-POSCO Industries	900 Loveridge Rd	Pittsburg	1,000-4,999
Verizon Wireless	2999 Oak Rd	Walnut Creek	1,000-4,999
Wells Fargo	Various Locations	Countywide	1,000-4,999

Source: California Employment Development Department and InfoUSA.

Centers for Job Growth

ABAG anticipates that Contra Costa County will add approximately 69,400 new jobs between 2000 and 2010. About half (51%) of this growth will be in the services sector, which will add 35,330 jobs (an increase of 27%) during the ten-year period. Other sectors that will grow noticeably over the ten-year period are the high technology, and transportation, communication, and utilities sectors. Specifically, the number of jobs in the high technology industry is projected to increase by 43%, from 6,370 to 9,130. The number of jobs in the transportation, communication, and utilities will grow by 30%, from 25,180 to 32,730.

Geographically, the largest job growth will occur in San Ramon, Concord, and Richmond during 2000-2010 period. Among these three areas, Richmond will experience the greatest job growth in manufacturing, while San Ramon will add the most jobs in the services and other categories. Tremendous job growth (in terms of percentage) is expected for Oakley, Brentwood, and Rural East Contra Costa County because of the small job base that currently exists in these communities.

Over the 2000-2020 period, the top three job growth centers in Contra Costa County will continue to be San Ramon, Concord, and Richmond. Most manufacturing and wholesale trade jobs will be captured by Oakley, Richmond, and Pittsburg. Antioch, San Ramon, and Brentwood will experience the highest growth in retail employment. Growth in service jobs will be concentrated in San Ramon, Concord, and Richmond.

Transportation planning must be coordinated with economic development efforts, as well as efforts to foster affordable housing opportunities in order to maintain integral relationship between public transit, employment opportunities, and affordable housing.

2.7.3 COMMUNITY FACILITIES

Many lower income, elderly, and disabled persons depend on public transit to reach community facilities, such as hospitals/clinics, community centers, public libraries, and shopping centers. Figure 2-13 shows the location of the community facilities, along with the location of transit routes and residential care facilities serving groups with special needs. As the figure shows, a majority of the community facilities, with the exception of some regional parks, are located in close proximity to public transit routes. However, quite a few residential care facilities, particularly for seniors, are located outside of the transit zone.

Figure 2-11
Public Transit and Employment Centers
(11x17)

Figure 2-11
Public Transit and Employment Centers
(Back of 11x17)

Figure 2-12
Public Transit and Participants in Welfare-to-Work
(11x17)

Figure 2-12
Public Transit and Participants in Welfare-to-Work
(Back of 11x17)

Figure 2-13
Public Transit and Community Facilities
(11x17)

Figure 2-13
Public Transit and Community Facilities
(Back of 11x17)

3. EVALUATION OF CURRENT FAIR HOUSING PROFILE

This section provides an overview of the current fair housing profile in Contra Costa County. Recent fair housing complaints, violations, and suits are evaluated to determine trends or patterns of impediments to fair housing in the County.

3.1 FAIR HOUSING PRACTICES OF REALTORS AND OTHER HOUSING ASSOCIATIONS

3.1.1 REAL ESTATE ASSOCIATIONS

National Association of Realtors (NAR)

On December 6, 1996, the U.S. Department of Housing and Urban Development (HUD) and the National Association of Realtors (NAR) entered into a Fair Housing Partnership. The partnership requires HUD and NAR to develop a Model Affirmative Fair Housing Action Plan for use by members of NAR to satisfy HUD's Affirmative Fair Housing Marketing regulations.

The NAR has developed a Fair Housing Program to provide resources and guidance to Realtors in ensuring equal professional services for all people. The term Realtor identifies a licensed professional in real estate who is a member of the NAR. Not all licensed real estate brokers and salespersons are members of the NAR.

Code of Ethics

Article 10 of the NAR Code of Ethics provides that "Realtors shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, or national origin. Realtors shall not be a party to any plan or agreement to discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, or national origin."

A Realtor pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. Article 10 imposes obligations upon Realtors and is also a firm statement of support for equal opportunity in housing. A Realtor who suspects discrimination is instructed to call the local Board of Realtors. Local Boards of Realtors will accept complaints alleging violations of the Code of Ethics filed by a home seeker who alleges discriminatory treatment in the availability, purchase or rental of housing. Local Boards of Realtors have a responsibility to enforce the Code of Ethics through professional standards procedures and corrective action in cases where a violation of the Code of Ethics is proven to have occurred.

Realtor Fair Housing Declaration

In accordance with the Code of Ethics, each Realtor signs the following pledge, developed in 1996 as a result of the HUD-NAR agreement.

I agree to:

- ◆ *Provide equal professional service without regard to race, color, religion, sex, handicap, familial status, or national origin of any prospective client, customer, or of the residents of any community.*
- ◆ *Keep informed about fair housing law and practices, improving my clients' and customers' opportunities and my business.*
- ◆ *Develop advertising that indicates that everyone is welcome, no one is excluded, expanding my client's, and customer's opportunities to see, buy, or lease property.*
- ◆ *Inform my clients and customers about their rights and responsibilities under the fair housing laws by providing brochures and other information.*
- ◆ *Document my efforts to provide professional service, which will assist me in becoming a more responsive and successful Realtor.*
- ◆ *Refuse to tolerate non-compliance.*
- ◆ *Learn about those who are different from me, and celebrate those differences.*
- ◆ *Take a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law.*
- ◆ *Develop and implement fair housing practices for my firm to carry out the spirit of this declaration.*

Diversity Certification

The NAR has created a diversity certification, "At Home with Diversity: One America" to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR "At Home with Diversity" course. The certification will signal to customers that the real estate professional has been trained on working with diversity in today's real estate markets. The coursework provides valuable business planning tools to assist real estate professionals in reaching out and marketing to a diverse housing market. The NAR course focuses on diversity awareness, building cross-cultural skills, and developing a business diversity plan.

In July 1999, the NAR Diversity Program received the HUD "Best Practices" award.

California Association of Realtors (CAR)

The CAR has recently created the position, Equal Opportunity/Cultural Diversity Coordinator. In addition, the CAR conducted a survey of Realtors regarding cultural diversity issues and concerns. CAR has three meetings per year and these meetings include sessions on fair housing issues. Current outreach efforts in the area are directed to underserved communities, and state-licensed brokers and sales persons who are not members of the CAR.

Local Association of Realtors

Contra Costa County is served by several local associations of realtors including the Contra Costa Association of Realtors (CCAR), West Contra Costa Association of Realtors (WCCAR), and Delta Association of Realtors (DAR).

CCAR is an association of professional realtors whose offices are located primarily in central Contra Costa County, but who serve most of the San Francisco Bay Area. CCAR members have agreed to adhere to a strict Code of Ethics and Professional Standards. They must also be members of the California Association of Realtors and the National Association of Realtors.

The West Contra Costa Association of Realtors (WCCAR) serves primarily the West Contra Costa County region, while the Delta Association of Realtors serves the East County region. Both WCCAR and DAR members must also be members of the California Association of Realtors and the National Association of Realtors.

CCAR, WCCAR, and DAR provide continuing education to members including courses on the topics of real estate law, including fair housing. Realtors with fair housing questions, or who are in need of additional information, are usually referred to the California Association of Realtors.

3.1.2 CALIFORNIA APARTMENT ASSOCIATION OF CONTRA COSTA, NAPA AND SOLANO COUNTIES

The California Apartment Association (CAA) is the country's largest statewide trade association for rental property owners and managers. The CAA incorporated in 1941 to serve rental property owners and managers throughout California. CAA represents rental housing owners and professionals who together manage more than 1.5 million rental units.

The CAA supports the spirit and intent of all local, state, and federal fair housing laws for all residents without regard to color, race, religion, sex, marital status, mental or physical disability, age, familial status, sexual orientation, or national origin. Members of the California Apartment Association agree to abide by the following provisions of their Code for Equal Housing Opportunity:

- ◆ We agree that in the rental, lease, sale, purchase, or exchange of real property, owners and their employees have the responsibility to offer housing accommodations to all persons on an equal basis;

- ◆ We agree to set and implement fair and reasonable rental housing rules and guidelines and will provide equal and consistent services throughout our resident's tenancy
- ◆ We agree that we have no right or responsibility to volunteer information regarding the racial, creed, or ethnic composition of any neighborhood, and we do not engage in any behavior or action that would result in steering; and
- ◆ We agree not to print, display, or circulate any statement or advertisement that indicates any preference, limitations, or discrimination in the rental or sale of housing.

The CAA offers a Certificate in Residential Management (CRM), which includes a course on Fair Housing Law. In addition, the CAA website provides links to the Fair Housing Institute and Fair Housing Network.

3.2 COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs)

In the past Covenants, Conditions, and Restrictions (CC&Rs) were used to exclude certain groups such as minorities from equal access to housing in a community. Today, the California Department of Real Estate reviews CC&Rs for all subdivisions of five or more lots, or condominiums of five or more units. This review is authorized by the Subdivided Lands Act and mandated by the Business Professions Code, Section 11000. The review includes a wide range of issues, including compliance with fair housing law.

The review must be completed and approved before the Department of Real Estate will issue a final subdivision public report. This report is required before a real estate broker can sell the units, and each prospective buyer must be issued a copy of the report. If the CC&Rs are not approved, the Department of Real Estate will issue a "deficiency notice," requiring the real estate broker to revise the CC&Rs.

3.3 FAIR HOUSING SERVICES

Typical fair housing services include investigating and resolving housing discrimination complaints, discrimination auditing and testing, education, and outreach such as disseminating fair housing information through written material, workshops, and seminars. Landlord/Tenant counseling services involve informing landlords and tenants of their rights and responsibilities under Fair Housing Law, and mediating disputes between landlords and tenants. This section reviews the fair housing services available in the County, the nature and extent of fair housing complaints, and results of fair housing testing/audits.

3.3.1 FAIR HOUSING SERVICE PROVIDERS

Three organizations currently provide fair housing services to Contra Costa County: Bay Area Legal Aid, Housing Rights, Inc., and Pacific Community Services, Inc. The services provided by the organizations are discussed in detail in the following sections.

Prior to July 1, 2001, Shelter, Inc., a nonprofit homeless service provider, was the primary fair housing service provider for Antioch, Concord, Walnut Creek, and the Urban County jurisdictions. As of July 1, 2001, Shelter, Inc. has decided to refocus efforts to providing homeless services. Fair housing services for Antioch, Concord, Walnut Creek, and the Urban County jurisdictions are now provided by Housing Rights, Inc.

Bay Area Legal Aid

Bay Area Legal Aid (BALA) is a legal service agency providing legal representation and advice to very low-income residents in seven of the nine Bay Area counties. The County contracts with BALA to provide fair housing services in the Urban County that include representing tenants facing evictions, investigating fair housing complaints, and requesting for reasonable accommodations for persons with disabilities, among other services.

As needed, BALA utilizes fair housing surveys to assess the extent and nature of housing discrimination faced by Urban County residents who seek assistance from BALA. BALA also serves as legal support for fair housing counseling agencies, such as Shelter, Inc. and Pacific Community Services, by providing legal advice to the counselors and clients, and taking referrals when appropriate.

Bay Area Legal Aid has a goal of providing fair housing services to 100 Urban County households annually. BALA worked on 92 cases in FY 1999/00 and more than 100 cases in FY 2000/01. Among the cases handled by BALA, the most common alleged discriminations are against persons with disabilities, based on race or national origin, and based on familial status.

Housing Rights, Inc.

Housing Rights, Inc. is a non-profit corporation established in 1979. Housing Rights provides various fair housing services including general housing counseling, information, referral, and fair housing investigation, as well as tenant/landlord mediation and eviction prevention. Since July 1, 2001, Housing Rights has expanded its service area from Concord to cover also Antioch, Walnut Creek, and the Urban County jurisdictions.

According to Housing Rights, the tight housing market has made random fair housing testing difficult. To assess landlord practices, Fair Housing Rights conducts tenant surveys. In 2000, 600 tenant surveys were conducted.

On an annual basis, Housing Rights serves about 500 clients. Most clients served by Housing Rights are Whites (more than 60 percent), followed by Hispanics (20 percent). Black and Asian persons seeking assistance constitute only about 10 percent of the calls received. Most of the calls relate to tenant/landlord mediation (95 percent), with the remaining 5 percent of the calls relating to fair housing issues.

Pacific Community Services, Inc.

Pacific Community Services (PCSI) provides fair housing services in the City of Pittsburg. Services provided include fair housing testing, counseling, and mediation of tenant/landlord disputes. PCSI provides fair housing counseling to approximately 50 persons on an annual basis, and assist in tenant/landlord mediation on more than 2,000 complaints.

Under the fair housing program, PCSI received a declining number of fair housing complaints over a three-year period. Most complaints are filed by White residents and typically about half of the complainants are female heads of household. In 1998 and 1999, most fair housing complaints were related to discrimination based on race or national origin. In recent years, discrimination against persons with disabilities has increased.

Most tenant/landlord disputes are over evictions, requests for repairs, and rent increases. The number of calls for tenant/landlord counseling services has been declining in recent years. However, complaints regarding rent increases have increased. While decreasing in number and proportion, White residents make up the majority of PCSI's clients (over 50 percent), followed by Black residents (26 percent), and Hispanic residents (15 percent).

Shelter, Inc.

Shelter, Inc. is a nonprofit corporation created to alleviate homelessness. In addition to the programs for the homeless, Shelter, Inc. operated a fair housing program consisting of outreach, referral, and tenant/landlord counseling. Services were provided to the cities of Antioch, Walnut Creek, and Urban County jurisdictions. Shelter, Inc. recently conducted a fair housing audit with Bay Area Legal Aid, to determine the prevalence of discrimination based on mental disabilities (see Section 3.3.4). Shelter, Inc. also conducted an audit test in the City of Walnut Creek regarding racial discrimination.

Analysis of Impediments to Fair Housing Choice

On an annual basis, Shelter, Inc. served over 100 households with fair housing complaints in its service area. The majority of the cases came from residents of the Urban County jurisdictions. The racial/ethnic composition of clients served was 51 percent White, 30 percent Black, 15 percent Hispanic, and 4 percent others.

The agency has discontinued its fair housing programs as of July 1, 2001 in order to focus on its core mission of providing services to the homeless.

3.3.2 NATURE OF FAIR HOUSING COMPLAINTS

Particular trends or patterns of impediments in a jurisdiction or within a region can be useful in terms of identifying issues of concern that may need to be addressed by the Consortium or the action of local or regional fair housing organizations. The three main areas of fair housing complaints are based on race/ethnicity/national origin, disability status, and familial status. Each type of discrimination is described in greater detail below.

Race/Ethnicity/National Origin

Discrimination based on race, ethnicity, or national origin remains the most common fair housing complaint received by service providers in the County. A study conducted by Bay Area Legal Aid and Shelter, Inc. found differential treatment for minority households renting apartments in the County (see 3.3.4).

Example Scenario: *A black person called a property manager regarding a newspaper advertisement for an apartment and was told the unit was available. He visited the complex on the same day and was told the unit had been rented. Further investigation showed that the apartment was still available and the ad was still in the newspaper.*

Disability Status

Persons with disabilities oftentimes encounter differential treatment in acquiring housing, as they may require special access provisions such as ramps, widened doorways, and special bathroom designs. Landlords may not provide these improvements and thus will not rent housing to persons with disabilities. Over the past three years, the fair housing providers in the County have seen an increase in the number of complaints regarding disability status.

Example Scenario: *A female with a mental disability found an apartment to rent. Before she moved in, the landlord learned of the disability and decided not to rent to her, saying he did not want to rent to someone with mental problems. Bay Area Legal Aid was contacted for assistance. A complaint of discrimination was filed, and the landlord settled the complaint for \$6,000, and is required to attend fair housing training. The female with a mental disability has since found a new home.*

Familial Status

The most common fair housing complaint regarding familial status is the number of children in the family. Many landlords are reluctant to rent to large families, fearing excessive wear and tear on the units, as well as noise from the children.

Example Scenario: *A single mother with six children was renting a private home using Section 8 assistance. The home was sold, and the new landlord began harassing the tenant regarding the number of children she had in the unit, and demanded additional rent “under the table”, in addition to the Section 8 assistance. When the tenant stopped paying the additional money, the landlord attempted to evict her. However, the eviction case filed by the landlord was eventually dismissed and the tenant was allowed to remain in the home.*

3.3.3 DISCRIMINATION SUITS

Fair housing service providers have on occasions, referred fair housing complaints to the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Justice (DOJ), and/or the State Department of Fair Employment and Housing (DFEH).

According to the fair housing service providers in the County, the Secretary of HUD has issued no charge of discrimination for any complaint filed in the County, nor has the Department of Justice filed any discrimination suit.

3.3.4 FAIR HOUSING TESTING

Using CDBG funds provided by the County, Shelter, Inc. conducted a number of fair housing audit tests recently, assessing the extent of housing discrimination in the County. Tests were conducted for potential discrimination based on race, familial status, against persons with mental disabilities, and against persons with physical disabilities. Bay Area Legal Aid analyzed the test results. The following summarizes the results of the audits.

Race/Ethnicity

The race audit used one Black tester and one White tester. The race audit tested 18 apartment complexes and found that 10 cases (56 percent) demonstrated some type of differential practice toward the minority, Black tester. In two cases, the minority tester was not permitted to view an apartment, whereas the White majority tester was shown a unit. In other cases, a pattern of differential treatment was evident towards the Black tester, including showing fewer or less desirable units, or being told different dates of availability.

Familial Status

The familial status audit had one tester present a profile of a married couple with one seven-year old son, and the other present a profile of a married couple and mother-in-law. The audit on familial status tested 36 units. Differential treatment was found in 20 (56

percent) of the tests. The tester family with a child was never directly denied housing but more subtle forms of potential discrimination occurred. The tester was steered to particular units or areas of the complex, given different terms for renting (higher rents, deposits, or complex rules), shown fewer units, and given later availability dates.

Persons with Physical Disabilities

In the audit for physical disabilities, one tester presented a profile of a married couple, with the husband using a wheelchair, and the other tester presented a profile of a married couple without any disabilities. Of the 23 units tested for discrimination against persons with physical disabilities, 18 (78 percent) indicated differential unfavorable treatment. The differences were primarily related to the terms of rent for the unit, such as the option of providing a deposit to hold the unit or the availability date of the unit. Most landlords (86 percent) would permit modifications be made to the unit, either at the tenant's or the landlord's expense. However, common areas are usually not accessible or ramps are not installed to allow persons on wheelchair to access the building.

Persons with Mental Disabilities

In 1999, Bay Area Legal Aid in collaboration with Shelter, Inc. conducted a fair housing audit test in the County based on applicants with mental disabilities. The tester profile used was a two-person team seeking a rental unit for herself and her mother, who has a mental disability. The "control" team also consists of a female and her mother with no mental disability.

The test was conducted on 23 apartment complexes in the County. In 18 of the cases, no differential treatment was found. Differential treatment was found in five cases, involving discouraging treatment and misinformation provided to the tester with mental disability. In some cases, the race/ethnicity of the testers also made a difference. Bay Area Legal Aid recommended additional education for landlords regarding discrimination against persons with mental disabilities.

3.3.5 TENANT/LANDLORD DISPUTES

In addition to the fair housing services provided, the three agencies serving the County provide tenant/landlord mediation services. The most common complaint referred to agencies conducting tenant/landlord mediation involved evictions. Oftentimes, these evictions are based on race/ethnicity, familial status, and disabilities. Other common tenant/landlord disputes involved needed repairs and rent increases. Over the past three years, the number of complaints regarding evictions has decreased, while complaints regarding rent increases have increased.

3.3.6 OBSERVATIONS BY PUBLIC AND PRIVATE AGENCIES

On May 31, 2001, the Contra Costa Consortium held Fair Housing Workshops in three parts of the County. The purpose of the workshops was to solicit input from County residents regarding fair housing issues. Notices were mailed to more than 500 housing, business, and community groups. Representatives from the following entities attended the meetings:

- ◆ Advisory Council on Aging
- ◆ Bay Area Legal Aid
- ◆ El Sobrante Municipal Advisory Committee
- ◆ Housing Rights, Inc.
- ◆ Pacific Community Services, Inc.

Comments received from the representatives are categorized and summarized below. Where appropriate, the comments are incorporated into the findings and recommendations.

Housing Affordability

- ◆ Several meeting attendees raised concerns regarding housing affordability and the supply of affordable housing, including:
 - Housing advocates are telling clients that they may have to leave the County to find affordable housing.
 - Section 8 FMRs are not high enough, and Section 8 does not cover property damage. This may keep landlords from accepting Section 8.
 - Supply of affordable housing is below the need.
 - Housing, building, and occupancy standards are either inconsistent or restrictive, making development of housing difficult.
 - Very low-income seniors need assistance with utility payments.

Reverse Mortgages

- ◆ There have been reports of unusually low appraisals on reverse mortgages, giving the homeowner less money in reverse mortgage payments.
- ◆ There have been reports of balloon payment requirements with reverse mortgages. Very low-income seniors are often not able to make this payment and may lose their home.

Additional Areas of Concern

- ◆ A comment was made that individuals are buying mobile homes with cash at below-market prices, taking advantage of very low-income households who are desperate for cash.
- ◆ A representative from Bay Area Legal Aid noted that a major issue in Contra Costa County is discrimination based on the cases that agency receives. The main groups discriminated against include persons with disabilities, minorities, immigrants, and families with children.
- ◆ Based on the complaints filed with Pacific Community Services, the Agency representative indicated a need for additional fair housing education for realtors and property managers.
- ◆ A representative from Pacific Community Services indicated a need for positive, proactive approaches to resolving fair housing issues, including the formation of an enforcement authority or hearing board.

3.4 HATE CRIMES

Hate crimes are crimes that are committed because of a bias against race, religion, disability, ethnicity, or sexual orientation. In an attempt to determine the scope and nature of hate crimes, the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program collects statistics on these incidents. According to the Uniform Crime Report, hate crimes have decreased in the County over the past three reporting periods, from 54 in 1997 to 37 in 1999. The most common hate crime is committed based on the race of the victim, followed by the sexual orientation and ethnicity of the victim. Due to its size, the City of Concord has reported the highest number of hate crimes. Antioch, Martinez, Pleasant Hill, and Walnut Creek have all had some reported hate crimes over the same three-year period.

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4. IDENTIFICATION OF POTENTIAL IMPEDIMENTS TO FAIR HOUSING CHOICE

Lending practices in the private sector and local and regional policies in the public sector may impact a household's access to housing. This section summarizes the lending practices and public policies that affect fair access to housing in the Contra Costa Consortium. Detailed tabulations of Home Mortgage Disclosure Act (HMDA) data and *Chi-Square*¹ tests for statistical significant differences of HMDA data, as well as a detailed review of public policies by jurisdiction are provided in the Technical Supplement of this AI, bound under separate cover.

4.1 MORTGAGE LENDING PRACTICES

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home. In the past, fair lending practices were not always employed by financial institutions. Credit market distortions and other activities such as redlining prevented some groups from equal access to credit. The passage of the Community Reinvestment Act (CRA) in 1977 was designed to improve access to credit for all members of the community. This section reviews the lending practices of financial institutions and the access to financing for all households, particularly minority households and those of very low and low incomes.

Community Reinvestment Act

The Community Reinvestment Act (CRA) is intended to encourage regulated financial institutions to help meet the credit needs of entire communities, including very low and low-income neighborhoods. Depending on the type of institution and total assets, a lender may be examined by different supervising agencies for its CRA performance. CRA ratings are provided by the Federal Reserve Board (FRB), Federal Financial Institutions Examination Council (FFIEC), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC). CRA ratings for top lenders active in Contra Costa County are provided in Section 4.1.6.

Home Mortgage Disclosure Act

In tandem with the CRA, the Home Mortgage Disclosure Act (HMDA) requires lending institutions to make annual public disclosures of their home mortgage lending activity.

¹ *Chi-Square* (X^2) analysis is a statistical method of testing differences between a subset of the population and the population as a whole. *Chi-Square* tests the hypothesis that two population distributions are identical by computing the differences between the expected distribution and the actual observed distribution. The threshold of significance is determined by a number of statistical factors, including the level of confidence and degree of freedom.

Under HMDA, lenders are required to disclose information on the disposition of home loan applications and on the race or national origin, gender, and annual income of loan applicants.

Detailed 1999 HMDA data for conventional and government-backed home purchase and home improvement loans in Contra Costa Consortium were examined. HMDA data provides some insight into the lending patterns that exist in a community. However, the HMDA data is only an indicator of potential problems; it cannot be used to conclude definite redlining or discrimination.

Conventional versus Government-Backed Financing

Conventional financing is market-rate loans provided by private lending institutions such as banks, mortgage companies, savings and loans, and thrift shops. To assist very low and low-income households that may have difficulty in obtaining home mortgage financing in the private market due to income and equity issues, several government agencies offer loan products that have below market interest rates and are insured (“backed”) by the agencies. Sources of government-backed financing include loans insured by the Federal Housing Administration, the Department of Veterans Affairs, and the Rural Housing Services/Farm Service Agency (RHA/FSA). Often, government-backed loans are offered to the consumers through private lending institutions.

4.1.1 LENDING BY JURISDICTION

Contra Costa County has an active housing market, as evidenced by the vast number of home mortgage loan applications. Not only do new homes come on line daily, the resale market is also bustling. In 1999, almost 50,000 loan applications for conventional home mortgage financing were filed in the Contra Costa Consortium (Table 4-1). Overall, 77 percent of the loans were approved.² Most loan applications were filed for homes in the Central County, with the cities of Concord, Danville, San Ramon, and Walnut Creek and the unincorporated areas leading in sales.³

Consistent with the income distribution, loan approvals vary by region, with cities in the Central County having the highest approval rates. In comparison, cities in the East and West County regions have lower approval rates. Among the individual cities, Clayton had

² Approved loans include both originated loans and loans approved by the lenders but not accepted by the applicants. Originated loans are those approved by the lenders and purchased by the applicants.

³ HMDA data are aggregated at the census tract level only. HMDA data do not provide jurisdictional level data or split tract data based on jurisdictional boundaries. To compile HMDA data by jurisdiction, the census tracts that generally comprise the jurisdiction are used as proxy. A census tract is included in the tabulation for a jurisdiction if the majority of the tract falls within that jurisdiction.

Analysis of Impediments to Fair Housing Choice

the highest approval rate at 85 percent, while San Pablo had the lowest approval rate at 64 percent. Nearly all cities in the Central County region had approval rates of more than 80 percent. For denial rates, the City of San Pablo had the highest rate at 19 percent of applications, while several cities had denial rates of only 7 percent.

**Table 4-1
Disposition of Conventional Home Purchase Loans
in Contra Costa County by Jurisdiction**

Jurisdiction/ Region	Conventional Home Purchase Loans							
	Approvals		Denials		Other ¹		Total	
	#	%	#	%	#	%	#	%
West	4,065	71%	829	15%	795	14%	5,689	100%
El Cerrito	646	79%	73	9%	97	12%	816	100%
Hercules	733	72%	160	16%	128	13%	1,021	100%
Pinole	1,036	72%	207	14%	189	13%	1,432	100%
San Pablo	332	64%	101	19%	89	17%	522	100%
Unincorporated	1,318	69%	288	15%	292	15%	1,898	100%
Central	25,975	80%	2,797	9%	3,553	11%	32,325	100%
Clayton	744	85%	61	7%	74	8%	879	100%
Concord	3,152	77%	469	11%	474	12%	4,095	100%
Danville	2,827	82%	267	8%	373	11%	3,467	100%
Lafayette	1,317	83%	116	7%	163	10%	1,596	100%
Martinez	1,689	79%	207	10%	248	12%	2,144	100%
Moraga	562	81%	63	9%	65	9%	690	100%
Orinda	736	80%	86	9%	100	11%	922	100%
Pleasant Hill	1,324	83%	127	8%	150	9%	1,601	100%
San Ramon	2,266	82%	212	8%	297	11%	2,775	100%
Walnut Creek	2,336	82%	213	7%	316	11%	2,865	100%
Unincorporated	9,022	80%	976	9%	1,293	11%	11,291	100%
East	7,966	70%	1,614	14%	1,730	15%	11,310	100%
Antioch	2,055	71%	405	14%	423	15%	2,883	100%
Brentwood	1,312	74%	189	11%	269	15%	1,770	100%
Oakley	784	69%	159	14%	198	17%	1,141	100%
Pittsburg	969	67%	253	17%	235	16%	1,457	100%
Unincorporated	2,846	70%	608	15%	605	15%	4,059	100%
Total²	38,006	77%	5,240	11%	6,078	12%	49,324	100%

Note:

1. Other includes applications withdrawn by applicant or incomplete applications.

2. County numbers and percentages do not represent the sum of all the individual cities and unincorporated areas due to the fact that areas may share census tracts.

Source: Home Mortgage Disclosure Act (HMDA), 1999.

4.1.2 DISPOSITION OF CONVENTIONAL HOME PURCHASE LOAN APPLICATIONS BY RACE OF APPLICANT

The approval rates of loan applications by race of the applicant for the three County regions are presented in Table 4-2. Across all regions, White persons submitted the most home loan applications with 58 percent of all applications, followed by Asians with 9 percent, Hispanics with 7 percent, and Blacks with 5 percent.

In the Contra Costa Consortium, Whites are the largest racial/ethnic group with 58 percent of the population, followed by Hispanics with 18 percent, Asians with 11 percent, and Blacks with 9 percent. Comparing the racial/ethnic distribution of the loan applicants with that of the general population, Hispanics, Asians, and Blacks appeared to be underrepresented in the homebuyer market. Particularly, 69% of the Asian households in the Consortium earned moderate and above income, higher than the proportion of White households in the same income level. However, a portion of the applications were filed by joint applicants of inter-racial households or by applicants who indicated "Other" as their race, which may explain some of the under-representation of the ethnic minorities in the loan applicants.

Approval rates vary across racial groups and by region. In the West County, 70 percent of all conventional home purchase loan applications were approved. Joint applicants of inter-racial households had the highest approval rate, with 84 percent of all loans approved. White (74%), Asian (72%), and Hispanic (71 %) applicants all had approval rates of more than 70 percent, while the approval rate for Black applicants was only 60 percent.

The Central County had the largest number of applications (16,000) and had the highest approval rate (80 percent). White and Native American applicants had the highest approval rates, with 82 percent of all loan applications approved. However, the number of Native American applicants is limited. Approval rates for Asian and Hispanic applicants were 76 percent and 73 percent, respectively, while Black applicants had the lowest approval rate at 63 percent.

In the East County, 71 percent of all loan applications were approved. Applications by households of Joint races had the highest approval rate, with 78 percent of the applications approved. White applicants (76%) were the only other group with more than 70 percent of the applications approved, while Blacks again had the lowest approval rate at 61 percent.

In order to determine the significance of the disparity in approval rates, a *Chi-Square* analysis is used. The analysis indicates that a statistically significant difference exists between the approval rates of Whites and other racial groups in all three regions. Many factors can affect approval and denial rates, including income, income-to-debt ratio, credit rating, employment history, and general knowledge of the homebuyer process. The *Chi-Square* analysis cannot identify a concrete source of, or reason for, the discrepancy.

**Table 4-2
Disposition of Conventional Home Purchase Applications by Race of Applicant**

Race of Applicant	Region					
	West		Central		East	
	Total Apps.	% Approved	Total Apps.	% Approved	Total Apps.	% Approved
Native Am.	31	58%	57	82%	48	63%
Asian	931	72%	1,299	76%	729	66%
Black	740	60%	217	63%	494	61%
Hispanic	713	71%	637	73%	805	68%
White	1,791	77%	10,647	82%	4,834	76%
Joint	183	84%	658	81%	381	78%
Other	98	65%	326	74%	209	66%
N/A	679	57%	2,248	73%	1,275	62%
Total	5,166	70%	16,089	80%	8,775	71%

Source: Home Mortgage Disclosure Act (HMDA), 1999

4.1.3 DISPOSITION OF CONVENTIONAL HOME PURCHASE LOAN APPLICATIONS BY APPLICANT INCOME

Table 4-3 shows the disposition of conventional home purchase loan applications by applicant income for the three County regions. As can be expected, the approval rate increases as applicant income increases, and the denial rate decreases as applicant income increases. Applicants in the Central County generally had higher approval rates than applicants in the West and East County, with denial rates slightly higher in the East County.

The *Chi-Square* analysis indicates that a statistically significant difference exists in the denial rates among the income groups. However, income and income-to-debt ratio are factors relating to loan approval. This being the case, approval rates are always likely to be lower for lower income households. However, a fair housing issue arises when persons of the same income level do not have equal access to housing. The following analysis will examine differences among racial groups of the same income level.

**Table 4-3
Disposition of Conventional Home Purchase Loans
by Applicant Income**

Region	Loan Approvals by Income			
	Lower (0-80% MFI)	Moderate (81-120% MFI)	Above Moderate (>120% MFI)	Total
West	66%	75%	75%	70%
Central	72%	80%	83%	80%
East	66%	73%	76%	71%
Total	68%	76%	80%	76%
Region	Loan Denials by Income			
West	18%	13%	12%	15%
Central	15%	10%	8%	9%
East	20%	13%	11%	14%
Total	18%	12%	9%	12%
Region	Other: Incomplete/Withdrawn Applications by Income			
West	15%	12%	13%	15%
Central	13%	11%	9%	12%
East	15%	14%	13%	15%
Total	14%	12%	11%	12%

Source: Home Mortgage Disclosure Act (HMDA), 1999.

Race Differences by Income

Many statistically significant differences in approval and denial rates are not revealed through analysis of loan applications on an aggregate level. For this reason, analyzing the race detail by income is important in revealing differences among applicants of different races but in the same income level. While this analysis provides a more in-depth look at lending patterns, it still cannot provide a concrete source or reason for any discrepancy. The analysis is intended to identify potential areas of concern to assist the County in targeting assistance, outreach, and education programs, and to identify potential areas that require monitoring.

Table 4-4 shows the approval rates by income and ethnicity for each region in the County. As illustrated in the table, approval rates vary widely among the ethnic groups of the same income levels. Black applicants generally have the lowest approval rate, while White applicants generally have the highest. The following paragraphs describe the results of a *Chi-square* analysis to determine the statistical significance of the variation in approval rates.

West County

In the West County, statistically significant differences are present in the approval and denial rates between Black and White applicants in all income levels. In addition, significant differences exist between White and Hispanic applicants in all income groups except applicants earning more than 120 percent of the County MFI. No other statistically significant difference exists among racial groups in the West County.

Central County

In the Central County, statistically significant differences are found in the approval and denial rates between Black and White applicants in all income levels. Between White and Hispanic applicants, significant differences are present among applicants earning between 50 and 80 percent of the County MFI, and among applicants earning more than 120 percent of the County MFI. No other statistically significant difference exists among racial groups in the Central County.

East County

The East County exhibited statistically significant differences in denial and approval rates between White and Black applicants in all income levels. White and Hispanic applicants had significant differences among applicants earning less than 50 percent of the County MFI, and among applicants earning more than 120 percent of the County MFI. No other statistically significant difference among racial groups was present in the East County.

**Table 4-4
Approval Rates of Conventional Home Purchase Loans by
Applicant Race and Income**

Region	Ethnicity	Approval Rate by Income		
		Lower <80% MFI	Moderate (80-120% MFI)	Above Moderate (>120% MFI)
West	Asian	63%	76%	78%
	Black	64%	69%	71%
	Hispanic	71%	69%	78%
	White	70%	82%	79%
Central	Asian	71%	75%	79%
	Black	55%	67%	70%
	Hispanic	68%	78%	76%
	White	76%	82%	84%
East	Asian	64%	66%	70%
	Black	45%	66%	69%
	Hispanic	63%	75%	68%
	White	70%	78%	78%

Source: Home Mortgage Disclosure Act (HMDA), 1999.

4.1.4 DISPOSITION OF GOVERNMENT-BACKED HOME PURCHASE LOAN APPLICATIONS

Government-backed loans offer an alternative to conventional financing. Table 4-5 shows the disposition of government-backed home purchase loan applications. Relative to conventional financing, government-backed lending had higher approval rates, particularly in the East County, where the approval rate was 13 percentage points higher than conventional loan applications. Very low and low-income households (up to 80 percent County MFI) benefited greatly from government-backed loans, as their approval rates were much higher than for conventional loans. In the Central County, lower income households had a higher approval rate than upper income households.

Along with the higher approval rates, the government-backed financing also had lower denial rates and fewer withdrawn or closed loan applications than conventional lending. This was especially true among very low and low-income applicants. Among conventional loans, very low and low-income applicants generally had a higher percentage of loan applications withdrawn or closed than other applicants. With government backed financing, the disparity is less pronounced.

**Table 4-5
Disposition of Government-Backed Home Purchase Loans
By Applicant Income**

Region	Loan Approvals			
	Lower (0-80% MFI)	Moderate (81-120% MFI)	Above Moderate (>120% MFI)	Total
Western	79%	82%	80%	79%
Central	84%	88%	80%	84%
Eastern	82%	86%	87%	84%
Total	82%	86%	84%	82%
Region	Loan Denials			
Western	11%	10%	10%	11%
Central	8%	6%	10%	8%
Eastern	9%	8%	6%	8%
Total	10%	7%	8%	9%
Region	Other: Incomplete/Withdrawn Applications			
Western	10%	7%	10%	10%
Central	7%	6%	10%	8%
Eastern	8%	7%	7%	8%
Total	8%	7%	8%	9%

Note: Applicant Income - Lower (0-80% MFI); Moderate (81-120% MFI); Upper (120%+ MFI)

Source: Home Mortgage Disclosure Act (HMDA), 1999.

4.1.5 LENDING BY TRACT INCOME

To identify potential geographic differences in mortgage lending activities, an analysis of the HMDA data was conducted by census tract and tract income. Based on 1990 Census, HMDA defines a tract based on the following income levels⁴:

- ◆ Low Income Tract – Tract median income < 50 percent County MFI
- ◆ Moderate Income Tract – Tract median income between 51 and 80 percent County MFI
- ◆ Middle Income Tract – Tract income between 81 and 120 percent County MFI
- ◆ Upper Income Tract – Tract income > 120 percent County MFI

The approval rates for conventional home purchase loans by tract income are shown in Table 4-6. As shown, approval rates vary both by tract income and by region. Among lower income tracts, the West County had the highest approval rate of 52 percent. No application was received from a low income tract in the East County. This is noteworthy given that many low income areas are present in the East County (see Figure 2-7) and such areas tend to overlap with areas with Hispanic concentrations (Figure 2-3). This pattern may suggest the Hispanics in the East County had comparatively limited access to home purchase financing. Among middle to upper income tracts, the Central County had the highest approval rates. The *Chi-square* analysis identifies statistically significant differences in approval rates among the tract incomes for all three regions.

Table 4-6
Approval Rates of Conventional Home Purchase Loans
by Tract Income

Tract Income	Region		
	West	Central	East
Lower	52%	41%	0%*
Moderate	66%	70%	69%
Middle	73%	77%	71%
Upper	76%	81%	76%

Source: Home Mortgage Disclosure Act (HMDA), 1999.

* No application submitted

⁴ These income definitions are slightly different than the general income definitions used throughout this report. However, in order to maintain consistency with the HMDA tabulations contained in the Technical Supplement, these income definitions have not been adjusted.

4.1.6 DISPOSITION OF CONVENTIONAL HOME LOAN APPLICATIONS BY LENDER

As shown in Table 4-7, the top ten lenders accounted for 47 percent of all loan applications Countywide. These lenders approved approximately 80 percent of the applications received. Among the different lenders, Norwest Mortgage, Washington Mutual, First Nationwide Mortgage, and Bank of America had high approval rates, while Provident Funding Associates, World Savings Bank, Greenpoint Mortgage, and First Franklin Financial had the lowest approval rates. Further analysis was conducted to evaluate these lenders' performance in lending to lower and moderate income households and minority households, as well as in low and moderate income areas and minority neighborhoods.

**Table 4-7
Disposition of Conventional Home Purchase Loans
by Lending Institution**

Lender Name	Total Apps	% of total	Approved		Denied		Withdrawn or Closed	
			#	%	#	%	#	%
World Savings Bank	2,862	9.5%	2,103	73%	194	7%	565	20%
Bank of America	2,083	6.9%	1,792	86%	144	7%	147	7%
Countrywide Home Loans	1,960	6.5%	1,459	74%	160	8%	341	17%
Washington Mutual	1,856	6.1%	1,644	89%	133	7%	79	4%
Norwest Mortgage	1,370	4.5%	1,229	90%	92	7%	49	3%
First Nationwide Mortgage	1,130	3.7%	982	87%	132	12%	16	1%
Greenpoint Mortgage	831	2.7%	609	73%	86	10%	136	17%
Provident Funding Associates	799	2.6%	577	72%	57	7%	165	21%
Chase Manhattan Bank	754	2.5%	615	82%	73	10%	18	8%
First Franklin Financial	731	2.4%	532	73%	81	11%	220	16%
Total	14,376	47%	11,542	80%	1152	8%	1736	12%

Source: Home Mortgage Disclosure Act (HMDA), 1999.

Four institutions had denial rates of more than 10 percent, with First Nationwide Mortgage recording the highest at 12 percent. Two institutions, World Savings Bank and Provident Funding Associates, had more than 20 percent of applications withdrawn or closed. Both of these institutions also had lower approval rates than others. Additional homebuyer education programs may be necessary to assist potential buyers in effectively completing the application process.

CRA Rating

CRA performance reviews of financial institutions are conducted by the Federal Reserve Board (FRB), Federal Financial Institutions Examination Council (FFIEC), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC). CRA ratings are provided for the main or regional headquarters for the financial institutions. Only two top lenders – World Savings Bank and Bank of America -- have been reviewed for CRA performance recently in the Bay Area; both lenders received an Outstanding rating. However, further analysis in lending practices is required to review the specific performance in Contra Costa County, particularly in lower and moderate income areas and minority neighborhoods.

Lending Practices

HMDA data may be used to supplement the CRA rating in order to measure individual lenders' efforts in lending in low and moderate income neighborhoods, in minority concentrated areas, or to low and moderate income and minority applicants. Detailed HMDA data are presented in Table 4-8 for the top six lenders in Contra Costa County (with more than 1,000 applications in 1999).

As shown, Bank of America and Norwest Mortgage had consistently high rates of loan approvals for minority and low and moderate income applicants. Lending in minority concentrated and low and moderate income neighborhoods also received similarly high approval rates offered by these two lenders for all applications across the County. Also, for these two lenders, the loan approval rates for very low and low income minority applicants were higher than for very low and low income applicants. The other four top lenders all had loan approval rates that were higher for very low and low income applicants in general than for minority applicants of the same income levels. However, for Norwest Mortgage, minority applicants who earned low and moderate incomes constituted only 18 percent of all minority applicants.

Approval rates demonstrated by Countrywide Home Mortgage are noticeably lower in minority concentrated and low and moderate income neighborhoods, and to low and moderate income applicants, compared to the lender's approval rates for all applications in the County. Furthermore, lending by Countrywide Home Mortgage to minority applicants who are low and moderate income was limited, with a low approval rate of 56 percent. As for Washington Mutual, lending in minority neighborhoods exhibited a significantly lower approval rate (78 percent) than the Countywide average approval rate (89 percent). While Washington Mutual's approval rate for minority applicants (85 percent) mirrored that for all applicants (89 percent), the approval rate for minority applicants who are low and moderate income (74 percent) was significantly lower. Average approval rate for low and moderate income applicants by Washington Mutual was 82 percent.

This analysis points to the need for improvement by several lenders in the area of lending to minority households, particularly those earn low and moderate incomes, as well as lending in minority neighborhoods. Outreach efforts to expand access to financing to these underserved groups, as well as review of underwriting criteria are needed.

**Table 4-8
Lending Practices by Lending Institution**

Lender	Total Applications		Minority Applicants		Very Low and Low Income Applicants (Up to 80% MFI)	
			Very Low and Low Income Minority Applicants			
	Total #	% Approved	Total #	% Approved	Total #	% Approved
World Savings	2,862	73%	883	69%	509	73%
			227	71%		
Bank of America	2,063	86%	579	84%	416	83%
			204	87%		
Countrywide	1,960	74%	398	72%	342	60%
			98	56%		
Washington Mutual	1,856	89%	395	85%	261	82%
			87	74%		
Norwest Mortgage	1,370	90%	300	90%	180	85%
			54	91%		
First Nationwide	1,130	87%	241	83%	261	82%
			109	78%		
Lender	Total Applications		Minority Neighborhoods		Low/Mod Areas (Up to 80% MFI)	
	Total #	% Approved	Total #	% Approved	Total #	% Approved
World Savings	2,862	73%	244	68%	386	64%
Bank of America	2,063	86%	231	82%	292	82%
Countrywide	1,960	74%	173	65%	162	59%
Washington Mutual	1,856	89%	106	78%	156	83%
Norwest Mortgage	1,370	90%	100	91%	128	89%
First Nationwide	1,130	87%	83	83%	98	82%

Note: A minority neighborhood is defined as a census tract with more than 50% minority population and a low/mod area is defined as a census tract with median income less than 80% of the County MFI.

Source: Home Mortgage Disclosure Act (HMDA), 1999.

4.2 PUBLIC POLICIES AND PROGRAMS AFFECTING HOUSING DEVELOPMENT

Public policies established at the regional and local levels can affect housing development and therefore, may have an impact on the range of housing choices available to residents. This section discusses the public policies enacted by jurisdictions in the Consortium and their potential impacts on housing development.

The General Plan, Zoning Ordinance, and housing and related policies adopted by each participating jurisdiction in the Contra Costa Consortium have been reviewed in detail.

4.2.1 MORATORIUMS /GROWTH MANAGEMENT

Growth management programs facilitate well-planned development and ensure that the necessary services and facilities for residents are provided. Furthermore, the planning and land use decisions associated with growth management intend to enhance housing opportunities by concentrating housing in urban areas close to jobs and services, rather than in sprawling developments that may threaten agricultural land and open space. However, a growth management program may act as a constraint if it prevents a jurisdiction from addressing its housing needs.

In 1988, Contra Costa County residents approved Measure C, which increased sales tax by one half cent to fund transportation projects. In response to growing concerns about traffic impacts of new development and the lack of necessary funding for infrastructure development and improvements, the measure also included a growth management component. Measure C-1988 requires each jurisdiction to adopt a Growth Management Element as part of its General Plan.

In 1990, Contra Costa residents expressed their concerns regarding new development threats to the environment by approving Measure C-1990. This measure applies to the unincorporated County and restricts urban development to 35% of the land in the County. The remaining 65% of the land is preserved for agriculture and open space.

Growth Management Element – Measure C 1988

As part of the 1990-2010 General Plan, the County developed the Growth Management Element to address the requirements of Measure C-1988. The Element includes adopted level of service (LOS) standards for traffic for particular types of land uses and performance standards to be maintained through capital projects for fire protection, police, parks, sanitary facilities, water, and flood control. These performance standards are designed to ensure that new developments provide their fair share of the cost of infrastructure, public facilities, and services. As a result, new developments must demonstrate that the level of service and performance standards identified in the Element will be met.

65/35 Land Preservation Plan and Urban Limit Line – Measure C 1990

The 65/35 Land Preservation Plan and the Urban Limit Line (ULL), adopted in 1990, was intended to concentrate development in areas most suitable for urban development. As mentioned above, urban uses are permitted on 35% of the land in the County. Certain types of land are identified in the Measure as not being appropriate for urban development such as prime agricultural land, open space, wetlands, or other areas unsuitable for urban development because of environmental or other physical constraints.

The ULL established a boundary setting apart land that is suitable for urban development from that which is not. The purpose of the ULL is to limit potential urban encroachment by prohibiting the County from designating any land located outside the ULL for an urban land use.

Implementation of Measure C 1988 and 1990 has not prevented the County from meeting its housing obligations. Instead, the Growth Management Program has led to a coordinated planning effort that has provided a mechanism to support and enhance housing development throughout the County. This has been achieved through pro-rata fees and the concentration of development, which has enabled the County to provide the needed services, facilities, and infrastructure at a lower cost to residents and developers than could be achieved through unmanaged and sprawling development.

Local Growth Management Measures

In addition to the Growth Management Element required by Measure C-1988, two jurisdictions –Antioch and Walnut Creek – have adopted additional growth limits or moratoriums that affect residential development.

State housing law mandates a jurisdiction to facilitate the development of a variety of housing to meet the jurisdiction's fair share of regional housing needs. Any growth management measure that would compromise a jurisdiction's ability in meeting its regional housing needs is considered a constraint to housing development. The cities of Antioch and Walnut Creek must evaluate the impact of the growth management measure in meeting the city's share of regional housing needs (see also Section 4.2.2, General Plan).

Antioch

Measure U is an advisory ballot measure approved by Antioch residents that instructs the City Council to prevent new residential developments from adversely impacting infrastructure and schools. In July 2000, the City adopted an ordinance that limits the number of single-family residential building permits issued per year to 500. Multi-family developments, defined as three or more units on a single parcel, are not counted toward the 500-permit limit. Each multi-family development is reviewed on a case by case basis. This review involves such key factors as vacancy rates of other multi-family projects and the City's adopted affordable housing requirements.

Walnut Creek

While the Growth Limitation Sub-element of the Walnut Creek General Plan conforms to Measure C, the Growth Limitation Sub-element and its Implementation Regulations provide addition limits on development in the City. Similar to the other growth management elements in Contra Costa County, the Walnut Creek Element contains Level of Service (LOS) standards for traffic and other performance standards. The City has established an allocation system that limits the amount and rate of residential and commercial development over the next ten years. The allocation system is performed on a “first come-first served basis” and projects are evaluated based on specific performance criteria. Exemptions from the standards may be applied to affordable housing, replacement housing, and housing in close proximity to BART (and having been granted a density bonus).

4.2.2 GENERAL PLAN

In accordance with State law, each jurisdiction in the Contra Costa Consortium has adopted a General Plan that allows managed growth and provides for a variety of land uses. The General Plan has seven mandated elements:

- υ Land Use
- υ Circulation
- υ Housing
- υ Conservation
- υ Open Space
- υ Noise
- υ Safety

Two elements – Land Use and Housing – have the most direct impact on the availability of a range of housing choices.

Land Use Element

The Land Use Element of a General Plan designates the proposed general distribution and general location and extent of the uses of land for housing, business, industry, open space, education, and public facilities (Government Code, Sections 65300-65403).

For housing, the Land Use Element establishes a range of residential land use categories, specifies densities (typically expressed as units per acre), and suggests the types of housing appropriate in a community. Residential development is implemented through the zoning districts and development standards specified in the Zoning Ordinance (see Section 4.2.3, Zoning Ordinance). By law, the Zoning Ordinance must be consistent with the General Plan.

A review of the Land Use Elements of all participating jurisdictions in the Consortium was conducted as part of the Analysis of Impediments. Results of the review indicate that several communities, particularly in the Central County, permit only a limited range of residential densities and housing types, which could constrain the development of housing affordability to lower income households.

Housing Element

The Housing Element is the only General Plan Element that has specific statutory requirements and must be reviewed by the State Department of Housing and Community Development (HCD) for compliance with State laws (Government Code, Sections 65580-65589). The Housing Element must contain programs and policies to:

- u Identify adequate sites which will be made available through appropriate zoning and development standards and with services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels.
- u Assist in the development of adequate housing to meet the needs of very low and low income households.
- u Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.
- u Conserve and improve the condition of the existing affordable housing stock.
- u Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color.

Almost all communities in the Contra Costa Consortium have adopted a range of housing policies that advocate the goals identified above. However, due to a variety of factors, such as community desire to maintain existing character, environmental and infrastructure constraints, limited financial resources, and limited remaining vacant or underutilized land, some communities have not committed adequate financial and land resources to implement these policies.

The most significant criteria the State HCD uses to measure compliance with State laws is the availability of vacant and/or underutilized residential sites at appropriate densities to accommodate a community's fair share of regional housing needs for all income groups. Without an "adequate residential sites inventory", a community's Housing Element is likely to be deemed out of compliance with State laws. Among the 19 jurisdictions in the Consortium, 7 jurisdictions do not have an adopted Housing Element that complies with State law.

Jurisdictions in the Consortium are all currently working on their Housing Element updates for the 2001-2006 planning period, mandated to be completed by December 31, 2001. Jurisdictions should consider addressing the housing and land use policy issues and work toward achieving substantial compliance with State law.

4.2.3 ZONING ORDINANCE

The Zoning Ordinance implements the General Plan by establishing zone districts that correspond with the General Plan land use designations. Development standards and permitted uses in each zone district are specified to govern the density, type, and design of different uses for the protection of public health, safety, and welfare (Government Code, Sections 65800-65863).

The following discussions focus on several aspects of the Zoning Ordinance that may affect a person's access to housing or the availability of a range of housing choices.

Definition of a Family

A community's Zoning Ordinance can potentially restrict access to housing for relations failing to qualify as a "family" by the definition specified in the Zoning Ordinance. For instance, a landlord may refuse to rent to a nontraditional family based on the Zoning definition of a family. A landlord may also use the definition of a family as an excuse for refusing to rent to a household based on other hidden reasons, such as household size. Even if the code provides a broad definition, deciding what constitutes a "family" should be avoided by cities to prevent confusion or give the impression of restrictiveness.

California court cases⁵ have ruled that an ordinance that defines a "family" as (a) an individual, (b) two or more persons related by blood, marriage or adoption, or (c) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings stated that defining a family does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the city, and therefore violates rights of privacy under the California Constitution. A zoning ordinance also cannot regulate residency by discrimination between biologically related and unrelated persons.

Many jurisdictions in the Consortium have not updated the Zoning Ordinances for more than a decade. The existing Zoning Ordinances often include a definition of a family that may be viewed by many as restrictive, offensive, or obsolete. Particularly, when Zoning Ordinances often use terms such as "single-family" homes or two-family dwellings, defining family in too detailed conditions may be viewed by some as restricting access to housing for certain segments of the population.

Community Care Facilities

The Lanterman Developmental Disabilities Services Act (Sections 5115 and 5116) of the California Welfare and Institutions Code declares that mentally and physically disabled persons are entitled to live in normal residential surroundings. The use of property for the care of six or fewer disabled persons is a residential use for the purpose of zoning. A State-authorized, certified or licensed family care home, foster home, or group home serving six

⁵ City of Santa Barbara v. Adamson (1980), City of Chula Vista v. Pagard (1981), among others.

or fewer disabled persons or dependent and neglected children on a 24-hour-a-day basis is considered a residential use that is permitted in all residential zones for single-family dwellings. No local agency can impose stricter zoning or building and safety standards on these homes.

As shown in Figure 2-10, licensed care community facilities are located throughout the Consortium, in every jurisdiction. Some jurisdictions clearly specify in their Zoning Ordinances the siting and permitting requirements for facilities serving six or fewer persons and those serving more than six persons. However, most jurisdictions do not provide a clear definition of such facilities, identify where such facilities can be located, nor specify the permitting requirements. A few jurisdictions require a use permit for residential care facilities regardless of size, which may conflict with the provisions of the Lanterman Act.

Second Units

Second units are attached or detached dwelling units that provide complete independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking and sanitation. Second units may be an alternative source of affordable housing for very low-income households, particularly for seniors.

State law requires local jurisdictions to either adopt ordinances that establish the conditions under which second units will be permitted or to follow the State law provisions governing second units (Government Code, Section 65852.2). No local jurisdiction can adopt an ordinance that totally precludes the development of second units unless the ordinance contains findings acknowledging that allowing second units may limit housing opportunities of the region and result in adverse impacts on public health, safety, and welfare.

The State law establishes maximum standards that local jurisdictions should use to evaluate proposed second units on lots zoned for residential use. No additional standards can be applied, except that the jurisdiction may require the applicant of a second unit permit be an owner-occupant on the property.

In compliance with State law, most jurisdictions in the Contra Costa Consortium permit second units by right in single-family zones. A conditional use or similar permit is typically required. However, one jurisdiction, as a condition for permit approval, requires the applicant to obtain written consent from adjoining property owners. Another jurisdiction limits the number of occupants of a second unit to no more than two persons. These conditions may be viewed as more restrictive than State law. A land use or zoning decision of a community should be made based strictly on the administrative or discretionary procedures of the community. Also, occupancy standards must comply with the Uniform Housing Code and State Department of Housing and Community guidelines, which set forth occupancy standards based upon room size.⁶

⁶ *Briseno v. City of Santa Ana* (1992). In general, two persons per bedroom plus one additional person is used as the occupancy standard by both the State of California and U.S. Department of Housing and Urban Development.

Density Bonus

The California Government Code Section 65915 requires that a local government grant a density bonus of at least 25 percent and an additional incentive, or financially equivalent incentive(s) to a housing developer who agrees to construct at least:

- υ 20 percent of the units for low income households (50-80 percent MFI);
- υ 10 percent of the units for very low income households (0-50 percent MFI); or
- υ 50 percent of the units for senior citizens.

The density bonus can be an important tool to encourage a diversity of housing types, particularly affordable housing for families and seniors.

Similar to second unit provisions, a jurisdiction can adopt an ordinance specifying the requirements for a housing development to receive a density bonus. The ordinance should also specify the type of regulatory incentives offered by the jurisdiction. If an ordinance is not adopted, the jurisdiction must comply with the State density bonus provisions. A jurisdiction can adopt density bonus provisions that offer additional incentives but cannot adopt provisions that are more stringent than State law.

By default, a local jurisdiction must offer a density bonus to a housing development if the developer meets the minimum requirements specified by State law. All jurisdictions offer density bonuses, but most jurisdictions have not incorporated density bonus provisions in the Zoning Ordinances. Several jurisdictions offer incentives above and beyond state requirements, which help facilitate the development of affordable housing for seniors and very low-income households. However, one jurisdiction specifies the zone districts where a density bonus can apply and require at least 25 percent of the units in a project be affordable to very low-income households in order to qualify for a density bonus. These requirements may be in conflict with State law.

Parking Requirements

Communities that require an especially high number of parking spaces per unit can deter homebuilders by increasing development costs (and thus restrict the range of housing types constructed in a community). Typically, the concern for high parking requirements relates only to multi-family housing.

Most jurisdictions in the Consortium have comparable parking requirements. However, several jurisdictions have established relatively high parking requirements for multi-family development, often requiring at least two parking spaces per dwelling unit, even for studio apartments.

4.2.4 DEVELOPMENT FEES

Until 1978, property taxes were an important revenue source for financing the construction of infrastructure and improvements to support new residential development. The passage of Proposition 13 in 1978 has limited a local jurisdiction's ability to raise property taxes, therefore increasing reliance on other funding sources to finance the needed infrastructure, improvements, and services. A typical source is development impact fees, which are collected for a variety of improvements including water and sewer facilities, schools, parks, and transportation improvements.

To enact an impact fee, State law requires that the local jurisdiction demonstrate the "nexus" between the type of development in question and the impact being mitigated by the proposed fee. Also, the amount of the fee must be proportional to the impact caused by the development. Nevertheless, development impact fees today have become a significant cost factor in housing development.

The Public Policy Institute of California (PPIC) conducted a study on the effect of development impact fees in Contra Costa County in 1997.⁷ The study examined development impact fees for constructing single-family homes in the cities of Antioch, Brentwood, Clayton, Danville, Oakley, and San Ramon, as well as the unincorporated community of Bay Point. The PPIC study found that development impact fees typically ranged between \$20,000 to \$30,000 per unit in 1997, depending on location. In some communities, the study found that development fees constituted a significant portion of the sales price of a home, at as high as 19 percent.

The developer's ability to pass on fees to homebuyers varied depending on the local housing market within the County. In the high-demand, high-cost housing market of south Central County, the PPIC study found that developers passed on the full cost of the fees to the homebuyers. In the low-cost housing market of the East County, developers absorbed about 75 percent of the development fees.

Interviews conducted with developers as part of this AI indicated the fee variations by region and within regions have persisted.⁸ The East County has tremendous variations, with Antioch and Brentwood currently charging the highest fees. The West County economy relies on industrial uses, is densely populated, and has little remaining vacant land for new development. Little variation in development fees exists in the West County. The Central County tends to be a high-end housing market and fees in Alamo, Danville, San Ramon, and Walnut Creek tend to be high. Development fees in the unincorporated areas by comparison are lower.

⁷ Marla Dresch and Steve Sheffrin, *Who Pays for Development Fees and Exactions?*, Public Policy Institute of California, June 1997.

⁸ Representatives from the development community interviewed include: Guy Bjerke, Home Builders Association of Northern California; Peter Helman, Owner, Paramount Builders; Martin Martino, Legal Administrator, Delco Builders; Rick Rosenbaum, Director of Finance and Sales, Kiper Development; and Marshall Torre, Land Acquisitions, Braddock and Logan.

This fee pattern determines to some extent, the types of housing to be constructed in different parts of the County. The higher the housing, the higher the profit margin, the greater ability for the developer to pass on the fees to the consumer.

The significant development fees are especially burdensome to nonprofit affordable housing developers, particularly when developing housing for the special needs populations that tend to earn extremely low (up to 30 percent of County MFI) to very low (up to 50 percent of County MFI) incomes. Often, to facilitate the development of affordable housing, local jurisdictions must offer subsidies or fee waivers or reductions.

4.2.5 COMMUNITY REPRESENTATION

Adequate community involvement and representation are key to overcoming and identifying impediments to fair housing or other factors that may restrict access to housing. This section discusses the avenues for public participation.

Decisions regarding housing development in a community are typically made by the City Council or Board of Supervisors, and Planning Commission. The Council members are elected officials and answer to the constituents. Planning Commissioners are residents appointed by the Council and often serve an advisory role to the Council.

In addition to the City Council, Board of Supervisors, and Planning Commission, most jurisdictions have appointed commissions, committees, and task forces to address specific issues. Seniors commissions are most typical; however, few jurisdictions have commissions that address the needs of the disabled or families with children, or have a housing task force that oversees housing-related matters.

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5. FINDINGS AND RECOMMENDATIONS

The earlier sections of this Analysis of Impediments (AI) identify common problems and barriers to fair housing in the Contra Costa Consortium. This section builds upon the previous analysis, outlines findings, and provides recommendations for the Consortium to address the identified impediments to the fair housing choice.

5.1 FINDINGS

Demographic Profile

Because of their characteristics, minority persons, particularly those earning very low and low incomes and/or are new immigrants with language barriers; families with children, particularly large families and/or female-headed families; and persons with disabilities are often impacted by discrimination. Communities with rising numbers of these special groups may face increasing prevalence of fair housing issues.

- u The County has become increasingly diverse over the past decades. The population has shifted from 70 percent White in 1990 to 58 percent White in 2000. Within the Consortium, minority groups constituted 38 percent of the total population. High concentrations of Hispanic persons are found in San Pablo, Pittsburg, and Brentwood. Concentrations of Asian residents are found primarily in El Cerrito, Hercules, and parts of Pittsburg and Concord. Concentrations of Black residents are found in San Pablo, Hercules, and Pittsburg.
- u Based on the age and household characteristics, some jurisdictions have high proportions of families with children. These include Antioch, Brentwood, Oakley, Pittsburg, and San Pablo. These communities may have a comparatively higher demand for adequately sized and affordable housing opportunities than communities where the populations are mature and established.
- u Single-parent households, particularly female-headed families, tend to be lower income and more vulnerable to changes in the housing market. The cities of Antioch and Pittsburg have especially high proportions of female-headed households.
- u Persons with disabilities comprised about 13 percent of the County population. Housing discrimination against persons with mental or both physical/mental disabilities is a major concern of fair housing service providers.

Income Profile

Very low and low-income households tend to have limited housing choices. While economic factors that affect a household's housing choices are not fair housing issues per se, the relationship between household income, household type, race/ethnicity, and other factors can create misconceptions and biases that raise fair housing concerns.

- Antioch, Brentwood, El Cerrito, San Pablo, Pittsburg, and the unincorporated County areas have higher proportions of households earning very low and low incomes (up to 80 percent of the County Median Family Income). These are also communities with high concentrations of minority populations. Given the typical correlation between low incomes and minority populations, and stereotypes associated with such correlation, these communities may face more fair housing issues than others.
- In Antioch and Pittsburg, more than two-thirds of the elderly households and more than one-third of the large families have very low and low incomes. As discussed before, large families tend to have more difficulty in finding adequate and affordable housing. This issue is further compounded if the families earn very low and low incomes. Elderly households also face similar issues. Limited incomes and poor health may deter some landlords from renting to elderly households.

Housing Profile

The housing stock varies significantly among the jurisdictions in the Contra Costa Consortium. Some communities are old and established, while others are new and fast growing. Some communities cater to an ownership market, while others are comprised of primarily renters. Some communities contain primarily high-end housing and others are unable to attract quality development. Housing in some communities is overcrowded and deteriorating, but in others is well-maintained and high quality. While housing costs and quality are directly related to affordability issues that are not fair concerns, each jurisdiction is required by State law to assume a "fair share" of regional housing needs for all income groups and to maintain and improve the housing condition. To provide a healthy, balanced and diverse housing stock in the region, the Consortium should continue to work collaboratively to improve the housing condition and expand housing choices for all income groups.

- ◆ Brentwood, San Pablo, and Pittsburg had the highest level of overcrowding, particularly among renters. El Cerrito, Lafayette, and Orinda have the older housing stock, with more than 75 percent of housing units older than 30 years of age.
- ◆ Oakley, Pinole, and San Pablo had the most affordable ownership housing in the Consortium. Danville, Lafayette, Moraga, and Orinda had the most expensive ownership housing.

Analysis of Impediments to Fair Housing Choice

- ◆ In general, the Central region has the highest rents. Among the different communities, Lafayette and San Ramon had the highest average rent, while Bay Point and Antioch had the lowest rent.
- ◆ Very low-income (50 percent MFI) households are limited to the rental housing market. Low-income (80 percent MFI) households may be able to afford some small condominiums. Moderate income households with incomes not exceeding 120 percent MFI can afford most condominiums and some single-family homes.
- ◆ More than half of the renters in Clayton and San Pablo paid more than 30 percent of their incomes on housing.

Affordable Housing

Many minority and special needs households tend to earn very low and low incomes. These households are disproportionately affected by the lack of adequate and affordable housing. While affordability issues are not fair housing issues, expanding access to housing choices for these groups cannot ignore the affordability factor. Thus, insofar as affordable housing is concentrated in certain geographic locations, access to housing by very low and low income and minority groups is limited.

- ◆ Most public housing units are located in the unincorporated areas. Vacancy rate is low, and most applicants on the waiting list have to wait at least a couple years of for a vacant unit to become available.
- ◆ The Las Deltas public housing development is in extremely distressed condition due to physical deterioration, obsolescence, and social distress in the neighborhood. Revitalization is greatly needed.
- ◆ Given the racial/ethnic distribution in the Consortium, as well as household income characteristics, very low-income Hispanic residents are underrepresented in the public housing tenants and Section 8 recipients.
- ◆ The Consortium has a large inventory of affordable housing units. Most units are concentrated in Antioch, Concord, Martinez, Pittsburg, and unincorporated communities. A few communities offer only limited affordable housing opportunities.

Special Needs Housing

Residential community care facilities offer an alternative housing option to persons with special housing needs. However, these facilities typically face NIMBY (Not-In-My-Backyard) issues as neighbors often view the residents as undesirable elements. This is particularly true if the facilities serve the disabled, especially the mentally disabled.

- ◆ Licensed community care facilities are generally available throughout the County. Danville, Pleasant Hill, Concord, Walnut Creek, and the unincorporated areas have the largest capacities based on number of beds.

- ◆ Most licensed community care facilities serve the elderly and have the capacity to accommodate elderly persons with dementia or who are non-ambulatory.
- ◆ Licensed community care facilities serving the mentally disabled are extremely limited.

Transit Accessibility

Many minority persons, particularly those earning very low and low incomes, and persons with special needs are transit-dependent. A network of public transit must be available to link housing, employment centers, and community facilities in order to expand the choices of housing locations for transit-dependent persons.

- ◆ Contra Costa County is served with a network of public transit. In general, most major employers are located within the transit zone.
- ◆ Approximately 84 percent of the Calworks households live within the transit zone.
- ◆ Most community facilities, except for regional parks, are located within the transit zone.
- ◆ Several community residential care facilities, particularly for seniors, are located outside of the transit zone.

Fair Housing Complaints and Tenant/Landlord Disputes

The current fair housing profile in the Consortium validates the concerns mentioned earlier. According to fair housing records maintained by service providers, housing discrimination against minority households, particularly new immigrants, families with children, and persons with disabilities has increased in recent years.

- ◆ Most commonly alleged discriminations are against persons with mental or both physical/mental disabilities, based on race or national origin, and based on familial status.
- ◆ Among the racial discrimination complaints filed, alleged discrimination against Black residents is most common.
- ◆ Most tenant/landlord disputes relate to evictions, rent increases, and repairs. While tenant/landlord disputes are generally not fair housing issues, some disputes may be based on arbitrary factors that can be viewed as fair housing issues.
- ◆ Given the number of Hispanic persons in the Consortium and the proportion of Hispanic households being renters and of lower incomes, the fair housing complaints and tenant/landlord disputes filed by Hispanic residents seem

relatively low. This may be an indicator of significant under-reporting from this group.

- ◆ Concord reported the highest number of hate crimes between 1997 and 1999. Antioch, Martinez, Pleasant Hill, and Walnut Creek have also reported some hate crimes during the same period.
- ◆ A lack of consistent reporting from the various service providers makes the assessment of the nature, extent, and trends of fair housing complaints in the Consortium difficult.

Access to Conventional Home Purchase Financing

Equal lending practice is a fair housing concern. Households facing lending discrimination directly affect their equal access to housing. While HMDA data cannot be used to prove lending discrimination, it does point to areas of potential concerns.

- ◆ Jurisdictions in the Central County had the highest loan approval rates. Among individual cities, Clayton had the highest approval rate (85 percent), whereas San Pablo had the lowest rate (64 percent).
- ◆ Black applicants had the lowest loan approval rates throughout the Consortium for all income levels.
- ◆ A statistically significant difference exists between the loan approval rates of White and other racial groups in all three regions.
- ◆ In the West County, statistically significant differences are present in the approval and denial rates between White and Black applicants in all income levels. Significant differences exist between White and Hispanic applicants in all income groups except those earning more than 120 percent of County MFI.
- ◆ In the Central County, statistically significant differences are found in the approval and denial rates between White and Black applicants in all income levels. Between White and Hispanic applicants, statistically significant differences are present among applicants earning between 50 and 80 percent of the County MFI and among applicants earning more than 120 percent of the County MFI.
- ◆ In the East County, statistically significant differences exist in the denial and approval rates between White and Black applicants in all income levels. White and Hispanic applicants had statistically significant differences among applicants earning between 50 and 80 percent of the County MFI and among applicants earning more than 120 percent of the County MFI.
- ◆ Very low and low-income tracts had lower approval rates than moderate and upper income tracts. The disparities in approval rates are statistically significant.

- ◆ Bank of America and Norwest Mortgage had comparably high rates of loan approval in very low and low-income areas and minority concentrated areas as reported by the lenders for the entire County. Approval rates reported by Countrywide Home Mortgage are noticeably lower in very low and low-income areas and minority concentrated areas, compared to the lender's overall approval rate in the County.

Public Policies

Public policies of a jurisdiction significantly affect the range of housing choices in the community. Policies and actions that prevent or impede the development of a range of housing are fair housing concerns. Specifically, State laws mandate the provision of a range of housing choices. Most communities have adopted policies and zoning provisions to regulate the development of housing. However, some policies or provisions may be in conflict with State laws and other policies may be viewed by the development community as restrictive. In the Consortium, potential fair housing issues relating to public policies include:

- ◆ Growth management measures that regulate the rate of growth may impede a jurisdiction's ability in meeting its share of the regional housing needs.
- ◆ Several communities permit only a limited range of residential densities and housing types. Seven of the 19 jurisdictions in the Consortium do not have an adopted Housing Element that is certified by the State Department of Housing and Community Development for compliance with State law.
- ◆ Many jurisdictions have zoning ordinances that contain a definition of a family that may be viewed by many as restrictive, offensive or obsolete.
- ◆ Most jurisdictions do not provide a clear definition of licensed community care facilities, identify where such facilities can be located, nor specify the permitting requirements.
- ◆ The conditions for approving second units in several communities may be more restrictive than State law.
- ◆ Most jurisdictions have not incorporated density bonus provisions into the zoning ordinances. A few jurisdictions may have density bonus provisions that are stricter than State law.
- ◆ Parking and development fee requirements may be viewed as a constraint to housing development in several communities, limiting the range of housing options.
- ◆ Seniors are typically well represented in the local decision-making process in larger jurisdictions through senior commissions. Few jurisdictions have committees established to represent the needs of persons with disabilities or families with children.

5.2 RECOMMENDATIONS

The following recommendations will help address fair housing issues identified in this analysis. Recommendations are divided by type and responsible agencies are identified.

Expanding Affordable Housing Opportunities

There are two sides to the fair housing equation – access to fair housing and availability of a range of housing choices. Housing choices are more limited for very low and low-income households than for households of upper incomes. Expanding affordable housing opportunities helps improve the fair housing situation.

1. Housing Element Compliance

Action 1.1 All participating jurisdictions in the Consortium are in the process of updating the Housing Element for the 2001-2006 period. Pursuant to State law, the Housing Element must contain programs and policies to mitigate constraints to housing development such as growth management measures, excessive development standards, and high development fees. The Housing Element must also demonstrate the availability of vacant/underutilized land at appropriate densities to facilitate the development of a range of housing types for all income groups. Participating jurisdictions are strongly recommended to work toward achieving substantial compliance with State law.

Time Frame: Adoption of Housing Element by December 31, 2001.

2. Consolidated Plan

Action 2.1 The five-year Consolidated Plan and one-year Action Plan govern the Consortium's use of CDBG, HOME, ESG, and HOPWA funds for addressing affordable housing and community development needs. Through these two plans, the Consortium should continue to allocate resources to encourage and facilitate the development of affordable housing throughout the entire Consortium. Also, adequate resources should continue to be allocated to provide fair housing education and outreach efforts.

Time Frame: Allocate resources on an annual basis through the Action Plan process.

3. Public Housing and Section 8 Assistance

Action 3.1 The Housing Authority of Contra Costa County (HACCC) and the Housing Authority of the City of Pittsburg should ensure adequate outreach to minority populations, including those for whom English is a second language, regarding the availability of public housing and Section 8 rental assistance. Program information should be provided in English, Spanish, and Asian languages (e.g. Chinese and Tagalog).

Time Frame: Ongoing.

Action 3.2 The HACCC and the Housing Authority of the City of Pittsburg should continue to conduct outreach efforts to promote acceptance of the Section 8 program by property owners, particularly in areas outside of minority and poverty concentrations.

Time Frame: Ongoing.

4. Deconcentration of Affordable Housing

Action 4.1 The County and cities continue to collaborate to expand affordable housing in communities where such opportunities are limited.

Time Frame: Ongoing.

Action 4.2 When allocating funding and administrative resources for affordable housing development, the Contra Costa jurisdictions should continue to assign a high priority to expand affordable housing in communities where such opportunities are limited.

Time Frame: Ongoing.

5. Incentives for Affordable Housing Development

Action 5.1 Participating jurisdictions should consider offering additional regulatory and financial incentives to facilitate the development of affordable housing. In particular, parking requirements and high development fees are viewed by the development community as constraints to housing development. Jurisdictions may consider offering reduced parking requirements, flexible design standards, and/or development fee reduction as incentives to facilitate affordable housing development.

Time Frame: Ongoing.

Transit Accessibility

Certain groups are transit dependent, including seniors, persons with disabilities, and very low and low-income persons. Continued efforts to improve an integral relationship among affordable housing, employment opportunities, and public transportation should be encouraged.

6. Coordination with Public Transit

Action 6.1 The Consortium is served by a network of public transit. Continued efforts to expand the transit zone and to coordinate employment opportunities and housing for transit-dependent persons along transit corridors should be encouraged.

Time Frame: Ongoing coordination with WestCAT Transit, AC Transit, Tri-Delta Transit, County Connection, and Bay Area Rapid Transit.

Fair Housing Services

Fair housing services are provided by three different service providers; coordination of services is necessary. Also, expand education and outreach efforts to reach hard-to-reach groups (e.g., mono-lingual residents) and to prevent hate crimes.¹

7. Outreach and Education

Action 7.1 Fair housing service providers should continue to expand outreach to the community regarding fair housing rights. Outreach should also emphasize that the residency status of the clients (documented versus undocumented) is confidential information and will not be transferred to other agencies without the client's consent.

Time Frame: Ongoing.

Action 7.2 Hate crimes are typically committed by members of the general public against persons in the protected classes. Education and outreach to prevent hate crimes must be conducted at the community level, beyond the typical venues for fair housing outreach. Participating jurisdictions and fair housing service providers should identify community events to promote diversity and tolerance.

Time Frame: Ongoing.

¹ Hate crimes are crimes that are committed because of a bias against race, religion, disability, ethnicity, or sexual orientation.

8. Information on Fair Housing Services

Action 8.1 The Consortium should encourage the fair housing service providers to develop one brochure to describe fair housing services offered by the three service providers (Bay Area Legal Aid, Housing Rights, and Pacific Community Services), including geographic areas covered by the service providers and contact information.

Time Frame: Develop brochure by the end of 2002.

Action 8.2 Participating jurisdictions should consider providing links on their official web sites to the web sites of the fair housing service providers.

Time Frame: Provide web links by the end of 2002.

9. Fair Housing Records

Action 9.1 Fair housing service providers should work collaboratively to develop a format for reporting fair housing services that can allow compilation of data to assess trends and patterns.

Time Frame: Develop reporting format by the end of 2002.

Outreach to Lenders

Assessment of the Home Mortgage Disclosure Act (HMDA) data indicated that Black and Hispanic households have difficulty in obtaining home purchase financing. HMDA data also indicated that the availability of financing in very low and low income areas is significantly different than in moderate and upper income areas. Outreach efforts to lenders are necessary.

10. Consultation Workshop with Lenders

Action 10.1 The Consortium and fair housing service providers should consult with lenders to explore ways to improve access to financing for all.

Time Frame: Ongoing.

Action 10.2 The Consortium should support credit counseling services to very low and low income, particularly minority households.

Time Frame: Ongoing.

11. Lender Performance

Action 11.1 When selecting lenders for contracts or participation in local programs, jurisdictions should use CRA rating and HMDA data, in addition to other criteria, for evaluating lending performance in underserved areas and to underserved populations.

Time Frame: Ongoing.

Public Policies and Programs Affecting Housing Development

The zoning ordinance is an important local tool for implementing land use and housing policies. Development standards and permitted uses in each zone district are specified to govern the density, type, and design of different uses for the protection of public health, safety, and welfare. However, there are instances where standards set to protect health and safety may serve as constraints to housing development or even impediments to equal access to housing.

12. Amendments to the Zoning Ordinances

Action 12.1 California court rulings stated that defining a family in the zoning ordinance does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the city, and therefore violates rights of privacy under the California Constitution. Participating jurisdictions with a zoning ordinance that contains a definition of a family should consider removing the definition from the ordinance. An alternative is to revise the definition of a family, for zoning purposes, to be synonymous with that of a household (i.e., all persons who occupy a dwelling unit).

Time Frame: As deemed necessary and appropriate by individual jurisdictions.

Action 12.2 As required by State law, state-licensed community residential care facilities for six or fewer persons should be included as permitted uses in all residential zones by right. Participating jurisdictions should review the zoning ordinance to ensure that a clear definition of community residential care facilities is provided. The location (zone district), conditions for approval, and permit procedures for facilities serving more than six persons should be clearly specified.

Time Frame: As deemed necessary and appropriate by individual jurisdictions.

Action 12.3 State law requires local jurisdictions to either adopt ordinances that establish the conditions under which second units will be permitted or to follow the State law provisions governing such units. No jurisdiction can adopt an ordinance that precludes the development of second units or apply standards that exceed the State standards. Participating jurisdictions should consider adopting a second unit ordinance to clearly identify the location (zone district), conditions for approval, and permit procedures. The conditions and standards specified in the second unit ordinance cannot exceed State requirements.

Time Frame: As deemed necessary and appropriate by individual jurisdictions.

Action 12.4 State law requires that a local jurisdiction to either adopt an ordinance that specifies the conditions under which a density bonus may be granted or default to the State density bonus laws. No jurisdiction can adopt an ordinance that places stricter density bonus requirements than specified in state laws. Participating jurisdictions should consider incorporating the density bonus provisions into the zoning ordinance. The provisions should clarify the requirements in order to qualify for a density bonus and specify the types of regulatory incentives that may be offered. The State density bonus law intends to facilitate the development of affordable housing. Local density bonus ordinances cannot be more restrictive than State law.

Time Frame: As deemed necessary and appropriate by individual jurisdictions.

Community Representation

Groups with special housing needs are not always represented in the local decision making process. Efforts are needed to expand community representation when addressing housing issues.

13. Housing Task Force/Committees

Action 13.1 If and when establishing task forces/committees to address housing issues, participating jurisdictions should consider including members who represent the interests and needs of various segments of the population, such as very low and low income households, minorities, and persons with disabilities, families with children/female-headed families with children, and seniors.

Time Frame: Ongoing.

Action 13.2 The Contra Costa Consortium jurisdictions will consult and coordinate with other public agencies and private organizations to expand fair housing choice.

Time Frame: Ongoing.