San Diego County

Regional Analysis of Impediments to Fair Housing Choice

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Lead Agency
San Diego Regional Alliance for Fair Housing
http://www.sdfairhousing.org/

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ES EXECUTIVE SUMMARY

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

San Diego County boasts an estimated population of over three million residents, making it the second most populous county in California, and fifth in the nation. Diversity among its residents, in terms of cultural backgrounds and socioeconomic characteristics, makes San Diego County a desirable area to live. To continue nurturing this diversity, civic leaders must ensure that an environment exists where equal access to housing opportunities is treated as a fundamental right.

Purpose of the Analysis of Impediments

The communities within San Diego County have established a commitment to providing equal housing opportunities for their existing and future residents. This report, the Analysis of Impediments to Fair Housing Choice (commonly known as the "AI"), presents a demographic profile of San Diego County, assesses the extent of housing needs among specific income groups, and evaluates the range of available housing choices for residents. The AI also analyzes the conditions in the private market and public sector that may limit the range of housing choices or impede a person's access to housing. More importantly, this AI identifies impediments that may prevent equal housing access and develops solutions to mitigate or remove such impediments.

Participating Jurisdictions

The AI covers the entirety of San Diego County, including the 18 incorporated cities and all unincorporated areas:

- City of Carlsbad
- City of Chula Vista
- City of Coronado
- City of Del Mar
- City of El Cajon
- City of Encinitas
- City of Escondido
- City of Imperial Beach
- City of La Mesa
- City of Lemon Grove
- City of National City
- City of Oceanside
- City of Poway
- City of San Diego
- City of San Marcos
- City of Santee
- City of Solana Beach
- City of Vista
- Unincorporated County

Community Outreach

The San Diego Regional Alliance for Fair Housing (SDRAFFH), comprised of representatives from the participating jurisdictions listed above, fair housing professionals, and housing advocates, helped coordinate the development of the AI, especially the outreach process.

Community Workshops

As part of the AI development process, six community workshops were conducted. The workshop agenda included a presentation of the project purpose and background, followed by a facilitated, large group discussion that included an educational quiz. Simultaneous translation of the proceedings from English to Spanish language was provided by a certified translator via electronic headsets, when needed. The dates and locations of the six workshops are listed below:

Northern Region Tuesday, January 20, 2015 Escondido City Hall Mitchell Room 201 North Broadway Escondido, 92025	**Southern Region** Tuesday, January 27, 2015 City of Chula Vista 276 Fourth Avenue Civic Center – Public Services North – Building C Conf. Rooms B-111 and B-112 Chula Vista, 91910
Central Region Wednesday, January 21, 2015 Jacobs Center for Neighborhood Innovation Joe & Vi Jacobs Center – Community Room 404 Euclid Avenue San Diego, 92114	**Eastern Region** Wednesday, January 28, 2015 City of El Cajon Police Department Community Room (#161) 100 Civic Center Way El Cajon, 92020
City of San Diego Wednesday, February 4, 2015 Belden Apartments Community Room 7777 Belden Street San Diego, 92111	**City of Encinitas** Tuesday, February 10, 2015 City Hall Poinsettia Room 505 S. Vulcan Avenue Encinitas, 92024

During the community workshops, several recurring comments were recorded:

- Outreach and educational activities should be continued and expanded for the general public; many tenants and landlords are unaware of fair housing laws. Specifically, most participants voiced a need to better understand, accommodate or address fair housing issues regarding:
    - Reasonable accommodation for persons with mental and physical disabilities;
    - Occupancy standards vs. overcrowding concerns, especially occupancy limit terms in leases vs. discrimination based on family size;
    - Unequal treatment of tenants based on immigration status (e.g.; delayed repairs, new and renewed leases);
    - Requirements for non-English languages in federally subsidized housing;
    - Source of income vs. Section 8 voucher concerns; and
    - Emerging and expanding contexts of fair housing issues, such as:

    - Emotional support and service animals (e.g., new requirements for property insurers; deposit requirements; animal certifications; species restrictions)
    - Medical directives and verification from international sources
    - Hoarding and the use of medical marijuana.
- Outreach activities should be multi-faceted, utilizing different forms of media and targeting a wide variety of audiences, such as: neighborhood groups, trade organizations, etc.
- Enforcement of fair housing laws should be pursued more rigorously. Fair housing service providers indicated that stronger enforcement would help deter housing discrimination. Additionally, publicizing the outcomes of fair housing lawsuits may help encourage victims to report housing discrimination and pursue litigation.

Stakeholder Interviews

One-on-one telephone interviews were conducted with housing and fair housing professionals, as well as agencies that serve and advocate for the needs of underserved groups (i.e. minorities, persons with disabilities, and other households with special needs). A total of eight interviews were conducted with representatives from the following agencies:

- CSA San Diego County
- Elder Help of San Diego
- Fair Housing Center of the Legal Aid Society of San Diego, Inc.
- La Maestra Community Health Centers
- North County Lifeline
- San Diego County Apartment Association
- San Diego Regional Center
- United Way of San Diego County

The following summary of findings reflects collective input from the interviewees:

- Challenges to building community awareness include:
    - Language barriers
    - Varying cultural norms and expectations
    - Confusing and conflicting laws and rules: federal, state and local
    - Engaging tenants and landlords before there is an issue
    - Lack of affordable housing
    - Tracking frequent changes to protected classes
- Common fair housing misconceptions and misunderstandings include:
    - Confusing disability and accommodation requirements
    - Allowing cultural stereotypes to affect how people are served
    - Understanding entitlements for ADA requirements/supports
    - Assuming they have more fair housing rights than is true (tenants)
    - Perceiving fair housing laws to be over-extended to their rights (landlords)

Fair Housing Survey

A Fair Housing Survey was made available throughout the County of San Diego from January 5, 2015 through February 13, 2015. The survey was available in English and Spanish online and in hard copy format. A total of 377 persons responded to the survey. Most of the surveys were completed online (360 surveys) and a total of 17 surveys were completed in Spanish. The majority of the respondents felt that housing discrimination was not an issue in their neighborhood. Approximately 72 percent indicated they had not experienced housing discrimination. Among those reporting a personal experience with housing discrimination, the basis for discrimination was reported to be race (33 percent), disability (29 percent), source of income (29 percent), familial status (25 percent), and age (22 percent).

Community Profile

Population Growth

Examination of demographic characteristics provides some insight regarding the need and extent of equal access to housing in a community. Overall, San Diego County experienced a 10 percent increase in population from 2000 to 2010. During this period, the cities of San Marcos, Chula Vista, and Carlsbad had the largest growth while the cities of Del Mar, Imperial Beach, Poway, and Solana Beach experienced a drop in population. The median age in San Diego County is increasing steadily. Based on the 2010 Census, 11.4 percent of the population in San Diego County was age 65 or over (elderly), with another 10.6 percent in the 55 to 64 age group (future elderly).

Race/Ethnicity

San Diego County's residents have become increasingly diverse in their race and ethnic compositions since 1970. In 2000, Whites made up the majority of the population in the San Diego region but by 2010, minority residents made up a slight majority (51.5 percent). The largest racial/ethnic group in the County is Hispanic.

Racial Segregation and Linguistic Isolation

When looking at Hispanic/White segregation among the largest 200 cities in the country in 2010, San Diego ranked 12th most segregated. Language barriers can be an impediment to accessing housing of choice. In San Diego County, 16.3 percent of residents indicated they spoke English "less than very well" and can be considered linguistically isolated. The cities of National City, Vista, and Escondido have the highest percentage of total residents who spoke English "less than very well". Most of these residents were Spanish speakers.

Racially/Ethnically Concentrated Areas of Poverty (RECAPs)

In an effort to identify racially/ethnically concentrated areas of poverty (RECAPs), the U.S. Department of Housing and Urban Development (HUD) has identified census tracts with a majority non-White population (greater than 50 percent) and a poverty rate that exceeds 40 percent or exceeds 300% of the metro/micro tract average. Within San Diego County, there are RECAPs scattered in small sections of Oceanside, San Marcos, Escondido, El Cajon, La Mesa, Lemon Grove, National City, Chula Vista and Imperial Beach. Larger RECAP clusters can be seen in the central/southern portion of the City of San Diego. In 2010, there were 173,692 persons living in a RECAP in the County, or 5.6 percent of the County's total population.

Housing Age and Condition

Assessing housing conditions in the County can provide the basis for developing policies and programs to maintain and preserve the quality of the housing stock. Housing age can indicate general housing conditions within a community. The County's housing stock is older, with a majority of the housing units (61 percent) built before 1979. The highest percentages of pre-1980 housing units are generally found in the older, urbanized neighborhoods in the cities of La Mesa, Lemon Grove, El Cajon, San Diego, Coronado and National City. These cities are the most likely to have the largest proportion of housing units in need of rehabilitation. Home rehabilitation can be an obstacle for senior homeowners with fixed incomes and mobility issues.

Housing Cost and Affordability

The cost of homeownership varies within San Diego County depending on the community. In 2014, the median sales price for a home in San Diego County was $430,000, an increase of 3.6 percent from 2013. Home prices vary by area/jurisdiction, with very high median prices in coastal areas such as the cities of Coronado, Del Mar, Solana Beach, and the La Jolla area of the City of San Diego. National City had the lowest median sales price among the incorporated jurisdictions.

The San Diego County Apartment Association (SDCAA) publishes average rental rates biannually. The estimated average rental costs in San Diego County in the fall of 2014 were $812 for a studio, $1,066 for a one-bedroom, $1,463 for a two-bedroom, and $1,813 for a three-bedroom.

Adverse Community Factors

The California Office of Environmental Health Hazard Assessment (OEHHA) developed a screening methodology, called the California Communities Environmental Health Screening Tool (CalEnviroScreen), to help identify California communities that are disproportionately burdened by multiple sources of pollution. The CalEnviroScreen reveals that high scoring communities tend to be more burdened by pollution from multiple sources and most vulnerable to its effects, taking into account their socioeconomic characteristics and underlying health status. In San Diego County, the areas indicated as having higher EnviroScreen scores generally match the geographic distribution of minorities, low- and moderate-income persons, and poverty concentrations.

Lending Practices

Overall Lending Patterns

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the recent lending/credit crisis. In 2013, a total of 32,571 households applied for conventional loans to purchase homes in San Diego County, representing a decrease of approximately 18 percent from 2008. Despite this decrease, these 2013 figures represent an increase from the number of applications recorded in 2011 and 2012. This trend is indicative of a housing market that is slowly recovering from its peak in 2006-2007. The cities of San Diego, Chula Vista, and Oceanside recorded the most loan applications, while the cities of Del Mar, Coronado, and Solana Beach recorded the fewest due to the built out character of these small communities. Applications from the cities of Poway, La Mesa, Santee, and Encinitas generally exhibited higher approval rates (over 73 percent). By contrast, applications from the cities of National City, Lemon Grove, and Chula Vista had slightly lower approval

rates (ranging from 63 percent to 68 percent). Overall, approval rates were noticeably higher in 2013 than in 2008. Aside from income, another major impediment to securing a home loan is insufficient understanding of the homebuying and lending processes. About 14 percent of all applications countywide were withdrawn by the applicants or deemed incomplete by the financial institution in 2013.

Lending by Race/Ethnicity

In an ideal environment, the applicant pool for mortgage lending should be reflective of the demographics of a community. When one racial/ethnic group is overrepresented or underrepresented in the total applicant pool, it could be an indicator of unequal access to housing opportunities. Throughout San Diego County, White applicants were noticeably overrepresented in the loan applicant pool, while Hispanics were severely underrepresented. The underrepresentation of Hispanics was most acute in the cities of Imperial Beach (-33 percent), Vista (-35 percent), and Escondido (-36 percent).

Top Lenders

In 2013, about 47 percent (79,185 applications) of all loan applications in San Diego County were submitted to one of the County's top ten lenders. The region's top three lenders have remained fairly consistent since 2008, with the only significant changes being the purchase of Countrywide Bank by Bank of America and Wells Fargo's acquisition of Wachovia Mortgage. Approval rates for the County's top lenders fluctuated substantially by institution and jurisdiction; however, as noted before, overall approval rates have increased markedly since 2008.

Subprime Lending

Subprime lending can both impede and extend fair housing choice. While Home Mortgage Disclosure Act (HMDA) data does not classify loans as subprime, it does track the interest rate spread on loans. In 2005, the Federal Reserve Board required lenders to report rate spreads for loans whose Annual Percentage Rate (APR) was above the U.S. Department of the Treasury benchmark. Loans with a reported spread are typically referred to as higher-priced or subprime loans. The number of subprime loans issued has decreased substantially over time. In 2008, about five percent of all loans issued could be considered subprime but, by 2013, less than two percent of loans issued were subprime loans. Black and Hispanic applicants seem to be significantly more likely to receive these higher-priced loans. In 2008, Blacks and Hispanics were twice as likely as Whites and Asians to receive a subprime loan. This discrepancy was less noticeable in 2013, but Black and Hispanic applicants continued to get higher-priced loans more frequently than White and Asian applicants.

Distribution of Affordable Housing and Residential Care Facilities

Based on the ratio of beds per 1,000 persons, licensed care facilities in San Diego County are most concentrated in Lemon Grove, Escondido, La Mesa, and El Cajon and are least concentrated in Imperial Beach.

The City of El Cajon has a high concentration of Housing Choice Voucher (HCV) use. El Cajon represents about three percent of the County population but more than nine percent of the HCV use. National City also has a relatively high concentration of HCV use. National City represents about two percent of the total population but more than four percent of the vouchers issued in San Diego County.

San Diego County has a large inventory of affordable housing units. The distribution of these units, however, is uneven throughout the region, with dense clusters of assisted housing located in central San Diego, National City, Chula Vista and Escondido. Almost three-quarters (73 percent) of the region's rent-restricted multi-family housing stock is concentrated in these four cities.

Foreclosures

As of February 2015, less than one percent of the County's housing stock was in one of the various stages of foreclosure. A foreclosure "hot spots" analysis using recent foreclosure data indicates that Chula Vista, National City, and East San Diego County have higher rates of foreclosure.

Public Policies

Housing Element Compliance

Public policies established at the regional and local levels can affect housing development and therefore, may have an impact on the range and location of housing choices available to residents. A Housing Element found by the State Department of Housing and Community Development (HCD) to be in compliance with State law is presumed to have adequately addressed its policy constraints. According to HCD, of the 19 participating jurisdictions (including the County), 17 Housing Elements were in compliance. The cities of Carlsbad and Encinitas have not yet adopted housing elements for the 2013-2021 planning period.

Zoning Amendments to Remove Impediments to Special Needs Housing

As part of the 2013-2021 Housing Element update, most jurisdictions have already addressed the provisions for special needs housing. However, some jurisdictions in the region have yet to address issues such as:

- Definition of family
- Density bonus
- Residential care facilities
- Emergency shelters
- Transitional/supportive housing
- Single-room occupancy housing
- Farmworker housing
- Employee housing
- Reasonable accommodation

Fair Housing Data

Four agencies provided fair housing services to San Diego County residents: CSA San Diego County (CSA), Legal Aid Society of San Diego (LASSD), Housing Opportunities Collaborative (HOC), and North County Lifeline (NCL).

CSA San Diego County (CSA): Between FY 2009-10 to FY 2013-14, CSA provided fair housing services to approximately 1,000 San Diego County residents per year—for a total of 5,923 clients over

the five-year period. The majority of all complaints filed pertained to allegations of discrimination due to disability (32 percent), race (31 percent) and national origin (11 percent).

Legal Aid Society of San Diego (LASSD): Between May 2012 and December 2014, LASSD provided housing services to approximately 10,000 San Diego County residents. These housing services include: landlord/tenant disputes, foreclosure and eviction avoidance, and fair housing services. LASSD reports having investigated a total of 304 fair housing cases between May 2012 and December 2014 – about three percent of all housing complaints made to LASSD during that time period. A majority of these cases (64 percent) were complaints based on discrimination due to a disability. Another 11 and 10 percent, respectively, were complaints based on disparate treatment due to race (33 cases) and national origin (29 cases).

Housing Opportunities Collaborative (HOC): In FY 2012-13 to FY 2013-14, HOC received 1,093 fair housing inquiries. As a result, 167 fair housing complaints were filed with the HOC and referred out for legal assistance. Over half (51 percent) of all complaints filed were related to disability.

North County Lifeline (NCL): [Awaiting data from NCL]

In addition, fair housing complaints were filed with HUD and with the State Department of Fair Employment and Housing (DFEH) for investigation and enforcement:

> **DFEH:** Since 2009, a total of 440 fair housing complaints in the San Diego County have been filed with DFEH. The majority of complaints alleged housing discrimination based on: physical disabilities (143 instances), familial/marital status (69 instances), or race/color (58 instances). The greatest numbers of complaints were filed in the cities of San Diego, Oceanside and Chula Vista.
>
> A single complaint can involve multiple acts of discrimination. A total of 512 acts of discrimination have been recorded in San Diego County since 2009, with the cities of San Diego (228 acts), Chula Vista (35 acts) and El Cajon (33 acts) having the most number of reported incidents. "Unequal access to facilities/denied reasonable accommodation" was the most often cited act of discrimination (125 instances); but "harassment" (95 instances) and "eviction" (82 instances) were also commonly reported.
>
> **HUD:** From January 1, 2008 to December 31, 2014, 442 fair housing cases in San Diego County were filed with HUD, with 177 of those cases filed by residents in the City of San Diego. Overall, disability-related cases were the most common—comprising 47 percent of all cases. Cases concerning race (14 percent) familial/marital status and retaliation (12 percent each), and national origin (10 percent) were also regularly reported.
>
> According to the fair housing survey conducted as part of this AI, race, disability, and source of income were identified by respondents as the leading bases for discrimination. The survey also indicated that housing discrimination in the County was severely underreported. Only 18 (25 percent) of the 90 people who experienced housing discrimination reported the incident, according to the survey results.

Fair Housing Impediments

Based on the analysis conducted for this AI, the following is a preliminary list of fair housing impediments identified in San Diego County:

- **Outreach and Education:** Fair housing education is identified as one of the most important strategies for furthering fair housing. However, traditional outreach methods of publishing notices and press releases in newspapers and posting information on websites are not adequate to reach the general public with diverse needs and interests. Outreach methods should be expanded to include other media of communications, and also utilize networks of neighborhood groups and organizations.
- **Enforcement:** Rigorous enforcement of fair housing laws is most effective in deterring housing discrimination. However, not enough enforcement activities are pursued. Fair housing service providers should encourage victims to pursue litigation and refer victims to agencies and organizations with the capacity to handle litigation. Also, favorable outcomes in litigation should be publicized to encourage other victims to come forward.
- **Linguistic Isolation:** A significant proportion of San Diego County residents indicated they spoke English "less than very well" and can be considered linguistically isolated. Entitlement jurisdictions should periodically update their Limited English Proficiency (LEP) plans to ensure language assistance reflects the changing demographics of the communities.
- **Segregation:** In 2010, about 5.6 percent of the County's total population lived in a RECAP (racially/ethnically concentrated areas of poverty). These areas are also more impacted by adverse environmental factors such as hazardous materials. Local housing policies should work to promote the distribution of affordable housing throughout the community and offer a range of housing choices.
- **Lending:** Throughout San Diego County, White applicants were noticeably overrepresented in the loan applicant pool, while Hispanics were severely underrepresented. Black and Hispanic applicants also seem to be significantly more likely to receive subprime loans. The SDRAFFH and jurisdictions should meet with the lending community to discuss ways to expand access to financing for all but especially for minority households.
- **Public Policies:** Several jurisdictions within the County have yet to update their zoning ordinances to address special needs housing. Jurisdictions should implement their Housing Element program commitments to amend the zoning ordinances in a timely manner.
- **Discrimination:** Housing discrimination persists throughout the County, which is supported by general literature, statistical data from fair housing service providers, cases filed with DFEH and HUD, and recent testing conducted in the region. Specifically, discriminatory practices based on disability, race, and familial status were among the top categories. Jurisdictions should continue to allocate adequate resources for fair housing outreach and education, testing, and enforcement.
- **Fair Housing Reporting:** The reporting of fair housing statistics in the County by the various fair housing service providers is inconsistent and difficult to aggregate to allow comparison for trends and patterns. SDRAFFH should develop a format for reporting fair housing data for use by all service providers.

CHAPTER 1 INTRODUCTION

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

San Diego County, one of the most populous counties in the nation, is home to over 3 million residents and an increasingly diverse demographic. The County encompasses 19 incorporated cities and more than 25 rural and urban unincorporated neighborhoods and communities.

Diversity among its residents, in terms of cultural backgrounds and socioeconomic characteristics, makes San Diego County a highly interesting and desirable area to live. To continue nurturing this diversity, civic leaders must ensure that an environment exists where equal access to housing opportunities is treated as a fundamental right.

A. Purpose of Report

The communities within San Diego County have established a commitment to providing equal housing opportunities for their existing and future residents. Through the federally funded Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs, among other state and local programs, the jurisdictions of San Diego County work to provide a decent living environment for all.

Pursuant to CDBG regulations [24 CFR Subtitle A §91.225(a)(1)], to receive CDBG funds, a jurisdiction must certify that it "actively furthers fair housing choice" through the following:

- Completion of an Analysis of Impediments to Fair Housing Choice (AI);
- Actions to eliminate identified impediments; and
- Maintenance of fair housing records.

This report, the Analysis of Impediments to Fair Housing Choice (commonly known as the "AI"), presents a demographic profile of the County of San Diego, assesses the extent of fair housing issues among specific groups, and evaluates the availability of a range of housing choices for all residents. This report also analyzes the conditions in the private market and public sector that may limit the range of housing choices or impede a person's access to housing.

1. Geographic Area Covered

The AI covers the entirety of San Diego County, including the 18 incorporated cities and all unincorporated areas:

- City of Carlsbad
- City of Chula Vista
- City of Coronado
- City of Del Mar
- City of El Cajon
- City of Encinitas
- City of Escondido
- City of Imperial Beach
- City of La Mesa
- City of Lemon Grove
- City of National City
- City of Oceanside
- City of Poway
- City of San Diego
- City of San Marcos
- City of Santee
- City of Solana Beach
- City of Vista
- Unincorporated County

B. Fair Housing Legal Framework

Fair housing is a right protected by both Federal and State of California laws. Among these laws, virtually every housing unit in California is subject to fair housing practices.

1. Federal Laws

The Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 (42 U.S. Code §§ 3601-3619, 3631) are federal fair housing laws that prohibit discrimination in all aspects of housing, including the sale, rental, lease, or negotiation for real property. The Fair Housing Act prohibits discrimination based on the following protected classes:

- Race or color
- Religion
- Sex
- Familial status
- National origin
- Disability (mental or physical)

Specifically, it is unlawful to:

- Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, disability, familial status, or national origin.
- Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, disability, familial status, or national origin.

- Make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, disability, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.
- Represent to any person because of race, color, religion, sex, disability, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
- For profit, induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, disability, familial status, or national origin.

Reasonable Accommodations and Accessibility

The Fair Housing Amendments Act requires owners of housing facilities to make "reasonable accommodations" (exceptions) in their rules, policies, and operations to give people with disabilities equal housing opportunities. For example, a landlord with a "no pets" policy may be required to grant an exception to this rule and allow an individual who is blind to keep a guide dog in the residence. The Fair Housing Act also requires landlords to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces, at the tenant's own expense. Finally, the Act requires that new multi-family housing with four or more units be designed and built to allow access for persons with disabilities. This includes accessible common use areas, doors that are wide enough for wheelchairs, kitchens and bathrooms that allow a person using a wheelchair to maneuver, and other adaptable features within the units.

HUD Final Rule on Equal Access to Housing in HUD Programs

On March 5, 2012, the U.S. Department of Housing and Urban Development (HUD) published the Final Rule on "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity." It applies to all McKinney-Vento-funded homeless programs, as well as to permanent housing assisted or insured by HUD. The rule creates a new regulatory provision that generally prohibits considering a person's marital status, sexual orientation, or gender identity (a person's internal sense of being male or female) in making homeless housing assistance available.

2. California Laws

The State Department of Fair Employment and Housing (DFEH) enforces California laws that provide protection and monetary relief to victims of unlawful housing practices. The **Fair Employment and Housing Act** (FEHA) (Government Code Section 12955 et seq.) prohibits discrimination and harassment in housing practices, including:

- Advertising
- Application and selection process
- Unlawful evictions

- Terms and conditions of tenancy
- Privileges of occupancy
- Mortgage loans and insurance
- Public and private land use practices (zoning)
- Unlawful restrictive covenants

The following categories are protected by FEHA:

- Race or color
- Ancestry or national origin
- Sex
- Marital status
- Source of income
- Sexual orientation
- Familial status (households with children under 18 years of age)
- Religion
- Mental/physical disability
- Medical condition
- Age

In addition, the FEHA contains similar reasonable accommodations and accessibility provisions as the federal Fair Housing Amendments Act.

The **Unruh Civil Rights Act** provides protection from discrimination by all business establishments in California, including housing and accommodations, because of age, ancestry, color, disability, national origin, race, religion, sex, and sexual orientation. While the Unruh Civil Rights Act specifically lists "sex, race, color, religion, ancestry, national origin, disability, and medical condition" as protected classes, the California Supreme Court has held that protections under the Unruh Act are not necessarily restricted to these characteristics.

Furthermore, the **Ralph Civil Rights Act** (California Civil Code Section 51.7) forbids acts of violence or threats of violence because of a person's race, color, religion, ancestry, national origin, age, disability, sex, sexual orientation, political affiliation, or position in a labor dispute. Hate violence can be: verbal or written threats; physical assault or attempted assault; and graffiti, vandalism, or property damage.

The **Bane Civil Rights Act** (California Civil Code Section 52.1) provides another layer of protection for fair housing choice by protecting all people in California from interference by force or threat of force with an individual's constitutional or statutory rights, including a right to equal access to housing. The Bane Act also includes criminal penalties for hate crimes; however, convictions under the Act are not allowed for speech alone unless that speech itself threatened violence.

And, finally, **California Civil Code Section 1940.3** prohibits landlords from questioning potential residents about their immigration or citizenship status. Landlords in most states are free to inquire about a potential tenant's immigration status and to reject applicants who are in the United States

illegally.[1] In addition, this law forbids local jurisdictions from passing laws that direct landlords to make inquiries about a person's citizenship or immigration status.

In addition to these acts, **Government Code Sections 11135, 65008, and 65580-65589.8** prohibit discrimination in programs funded by the State and in any land use decisions. Specifically, recent changes to Sections 65580-65589.8 require local jurisdictions to address the provision of housing options for special needs groups, including:

- Housing for persons with disabilities (SB 520)
- Housing for homeless persons, including emergency shelters, transitional housing, and supportive housing (SB 2)
- Housing for extremely low income households, including single-room occupancy units (AB 2634)
- Housing for persons with developmental disabilities (SB 812)

C. Fair Housing Defined

In light of the various pieces of fair housing legislation passed at the Federal and State levels, fair housing throughout this report is defined as follows:

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 their characteristics as protected under State and Federal laws.

1. Housing Issues, Affordability, and Fair Housing

HUD's Office of Fair Housing and Equal Opportunity (FHEO) draws a distinction between housing affordability and fair housing. Economic factors that affect a household's housing choices are not fair housing issues per se. Only when the relationship between household income, household type, race/ethnicity, and other factors create misconceptions, biases, and differential treatments would fair housing concerns arise.

Tenant/landlord disputes are also typically not related to fair housing. Most disputes between tenants and landlords result from a lack of understanding by either or both parties on their rights and responsibilities. Tenant/landlord disputes and housing discrimination cross paths when the disputes are based on factors protected by fair housing laws and result in differential treatment.

[1] HTTP://WWW.NOLO.COM/LEGAL-UPDATE/CALIFORNIA-LANDLORDS-ASK-IMMIGRATION-CITIZENSHIP-29214.HTML

2. Fair Housing Impediments

Within the legal framework of Federal and State laws, and based on the guidance provided by HUD's *Fair Housing Planning Guide*, impediments to fair housing choice can be defined as:

- Any actions, omissions, or decisions taken because of the characteristics protected under State and Federal laws, 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 characteristics protected under State and Federal laws.

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

D. Organization of Report

This report is divided into seven chapters:

Chapter 1: Introduction defines "fair housing" and explains the purpose of this report.

Chapter 2: Community Participation describes the community outreach program and summarizes comments from residents and various agencies on fair housing issues such as discrimination, housing impediments, and housing trends.

Chapter 3: Community Profile presents the demographic, housing, and income characteristics in San Diego County. Major employers and transportation access to job centers are identified. The relationships among these variables are discussed. In addition, this section evaluates whether community care facilities, public and assisted housing projects, as well as Section 8 recipients in the County are unduly concentrated in Low and Moderate Income areas. Also, the degree of housing segregation based on race is discussed.

Chapter 4: Mortgage Lending Practices assesses the access to financing for different groups. Predatory and subprime lending issues are discussed.

Chapter 5: Public Policies analyzes various public policies and actions that may impede fair housing within the County and the participating cities.

Chapter 6: Current Fair Housing Profile evaluates existing public and private programs, services, practices, and activities that assist in providing fair housing in the County. This chapter also assesses the nature and extent of fair housing complaints and violations in different areas of the County. Trends and patterns of impediments to fair housing, as identified by public and private agencies, are included.

Chapter 7: Impediments and Recommendations summarizes the findings regarding fair housing issues in San Diego County and provides recommendations for furthering fair housing practices.

At the beginning of this report are Signature Pages that include the signatures of the Chief Elected Officials, together with a statement certifying that the Analysis of Impediments represents the jurisdictions' official conclusions regarding impediments to fair housing choice and the actions necessary to address identified impediments.

1. Data Sources

According to the *Fair Housing Planning Guide*, HUD does not require the jurisdictions to commence a data collection effort to complete the AI. Existing data can be used to review the nature and extent of potential issues. Various data and existing documents were reviewed to complete this AI, including:

- 1990, 2000, and 2010 U.S. Census
- American Community Surveys[2]
- 2014 State Department of Finance Population and Housing Estimates
- 1985 Fair Housing Assessment for the City of San Diego
- 1988 Fair Housing Assessment for the City of San Diego
- 1992-2000 Fair Housing Assessment for the Urban County and City of San Marcos
- 1996 San Diego Regional AI
- 1996 City of Vista AI
- 2000 Urban County AI
- 2000 San Diego Regional Area AI
- 2005 San Diego Regional AI
- 2010 San Diego Regional AI
- Zoning ordinances, various plans, and resolutions of participating jurisdictions
- California Department of Social Services Community Care Licensing Division
- 2014 Employment Development Department employment and wage data
- 2008 and 2013 Home Mortgage Disclosure Act (HMDA) data on lending activities from LendingPatterns™
- Current market data for rental rates, home prices, and foreclosure activities
- Fair housing records from the Housing Rights Center
- Housing Choice Voucher (Section 8) data from local Housing Authorities
- California Department of Education

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

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[2] The 2010 Census no longer provides detailed demographic or housing data through the "long form". Instead, the Census Bureau conducts a series of American Community Surveys (ACS) to collect detailed data. The ACS surveys different variables at different schedules (e.g. every year, every three years, or every five years) depending on the size of the community. Multiple sets of ACS data are required to compile the data for San Diego County in this report.

CHAPTER 2

COMMUNITY OUTREACH

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

This ***Analysis of Impediments (AI)*** report has been developed to provide an overview of laws, regulations, conditions, or other possible obstacles that may affect an individual's or a household's access to housing. As part of this effort, the report incorporates the issues and concerns of residents, housing professionals, and service providers. To assure the report responds to community needs, a community outreach program consisting of community workshops, targeted stakeholder interviews, and a fair housing survey was conducted in the development of this report. This chapter describes the community outreach program conducted to involve the community.

A. Outreach to the Community

To reach the various segments of the community, several methods were used to obtain community input:

- Six community workshops
- Targeted stakeholder interviews to service providers and local organizations
- Fair housing survey

Appendix A contains further background on the outreach strategy, copies of workshop flyers, surveys, and summary of meeting notes.

1. Community Workshops

Six community workshops were held in communities throughout the County in January and February 2015 to gather input regarding fair housing issues in the region. The locations and dates of the meetings were as follows:

Table 1: Community Meeting Locations

Area	Location	Date
North County	Escondido City Hall, Escondido, CA	January 20, 2015
Central County	Jacobs Center for Neighborhood Innovation, San Diego, CA	January 21, 2015
South County	City of Chula Vista—Civic Center, Chula Vista, CA	January 27, 2015
East County	City of El Cajon—Police Department Community Room, El Cajon, CA	January 28, 2015
City of San Diego	Belden Apartments Community Room, San Diego, CA	February 4, 2015
City of Encinitas	City of Encinitas City Hall, Poinsettia Room, Encinitas, CA	February 10, 2015

To encourage attendance and participation, the workshops were publicized through the following methods:

- Flyers publicizing the four community workshops in English and Spanish were mailed to nearly 1,000 agencies and organizations and interested individuals throughout the County, including a wide range of housing service providers and community organizations such as community planning groups, housing development corporations, service providers, housing industry professionals, civic organizations, housing authorities, housing groups, business organizations, religious organizations, schools, and local elected officials' offices.
- Flyers in English and Spanish were posted on the websites of the participating cities and the County.
- Flyers in English and Spanish were placed at public counters such as city halls, libraries, and community centers.
- Email-based ("e-blast") notifications through the participating agencies' email networks.
- Content for participating agencies' and stakeholders' communication channels such as newsletters, public service announcements, websites, and cable television channels.
- Social media: posts, tweets, and notices.
- Press releases.

2. Workshop Participants

A total of 81 individuals attended the community meetings. Aside from interested individuals and staff from the various cities and the County, several service providers and housing professionals participated in the fair housing workshops. These included:

- Community Housing Works
- CSA San Diego County - Fair Housing
- Housing Navigators Homeless
- Housing Opportunities Collaborative

- Legal Aid Society San Diego
- MAAC Project, Kimball
- San Diego Housing Commission
- Solutions for Change
- Tirey & St. John LLP
- San Dieguito Alliance
- Community Resource Center – North Coast Community

3. Key Issues Identified

In reviewing the comments received at these workshops, several key issues are noted:

- There is need to understand and meet disability accommodation needs in emerging or expanding contexts and conditions. Issues of concern include mental health, emotional support, and addressing unique or niche disability areas (i.e. hoarding). More education of both landlords and tenants regarding accommodation procedures, requirements, and financial responsibilities are needed.
- Residents of specific races or national origins have disproportionate or growing housing needs. Throughout the County these resident group commonly include Hispanic/Latino, African, Somali, or Middle Eastern persons.
- The immigration status and English speaking ability of residents often leads to unfair accommodation policies and overall unequal treatment by landlords.
- Improvements in the equal enforcement of property requirements, occupancy standards, and expectations as related to familial status are needed.
- Education for both landlords and tenants about housing discrimination issues based on income is insufficient.
- Tenants generally lack awareness how Home Owners Association (HOA) requirements and roles related to fair housing.
- Home Owners' Associations (HOAs) can be overly restrictive and need to understand their limitations in enforcing policies. Fair housing education should be expanded to reach HOAs and training in fair housing regulations should be provided.
- Specific communities and housing types (i.e. affordable, multi-family, rental) experience more fair housing issues.
- Enforcement activities (i.e. investigations and testing) based on prevailing levels of discrimination cases are insufficient.
- Discrimination issues are prevalent in the application process (i.e. criminal activities versus background checks).
- Many non-fair housing issues, including landlord-tenant issues, are misidentified as fair housing issues. For example: occupancy limits and control over lease terms, property rules, renter tenant

influence on HOAs, domestic and family violence, Housing Choice Voucher requirements, and the protection of existing mobile home parks/organizations.

- There is a need for more fair housing workshops that reach out to landlords. Landlords need to know their rights/limitations in selecting new tenants and removing problem tenants. Landlords need to be aware that fair housing services are also accessible to them.
- There is a need for more fair housing education and advocacy for victims of domestic violence. Fair housing training should be used as a tool to help stabilize these individuals in their environment and teach them how to be aggressive renters in the market. It's necessary to provide support for those on the verge of homelessness.
- Areas of fair housing that need strengthening in San Diego County:
  - Community outreach and understanding of fair housing practices and requirements.
  - Expand and enhance training, professional development and education, especially for landlord.
  - Expand the level of enforcement.
  - Simplify, streamline, and clarify processes for receiving fair housing support, particularly related to accommodation.
  - Reduce the costs for accessing support and participating in the legal process.

The comments received during these community workshops have been incorporated into this AI as appropriate and documented in Appendix A.

B. Targeted Stakeholder Interviews

In addition to the input given by representatives from local organizations in attendance at the community workshops, key stakeholders were contacted for one-on-one interviews about the AI. Participants represented organizations that provide fair housing services and/or complementary and related support services. A representative from each of the following organizations participated in a telephone interview:

- Affordable Housing Advocates
- CSA San Diego County
- Elder Help of San Diego
- Fair Housing Center of the Legal Aid Society of San Diego, Inc.
- La Maestra Community Health Centers
- North County Lifeline
- San Diego County Apartment Association

- San Diego Regional Center
- United Way of San Diego County

1. Key Issues Identified

In reviewing the comments received at these interviews, several key issues are noted:

- There are a variety of challenges to building community awareness about fair housing:
  - Residents lack general knowledge of the Fair Housing Act and laws at various levels (federal, state, and local) make it even more difficult to engage.
  - Difficult to engage and educate a broad range of cultures, especially given a lack of education and outreach resources.
  - Difficult to engage and educate new landlords and prevent issues from occurring.
- Misconceptions and misunderstandings as to what constitutes fair housing issues are pervasive throughout the County:
  - Barriers such as immigration status, English speaking ability, disability status, create challenges in understanding exactly what rights are protected.
  - Landlord assumptions of ownership rights often over extend fair housing laws.
  - Lacking community empathy for community members with fair housing, section 8, and affordable housing needs adds to the as to when residents should seek assistance.
- County agencies face numerous challenges that inhibit their abilities to provide residents with services:
  - Limited resources make it difficult to meet demand for services, performance testing, and research and enforcement.
  - Overall education efforts to promote awareness to residents about who they should contact through workshops and outreach to housing complexes are not enough.
  - Accommodating the housing needs of persons with disabilities is difficult due to confusion with laws and requirements.
  - A lack of knowledge of rights is making it difficult to service the increasing number of residents with mental health issues.
  - Difficult to separate access and affordability from fair housing needs.
- Service levels by protected classes vary throughout the County:
  - Persons with disabilities, especially the County's aging population, face growing confusion in obtaining services.
  - Detection capability of residents with issues related to race, national origin, and language accessibility needs improvement.
  - Lack of focus on addressing growth in Middle Eastern cultural groups.

  - Additional household groups that need assistance include those who face familial status, sex and gender identity, religious, and non-violent criminal re-entry housing issues.
- Need to partner with complementary service providers to leverage existing community assets:
  - Strengthen training commitments and expand opportunities.
  - Engage businesses, philanthropy sector, and grassroots organizations to communicate how fair housing issues affect them and why their support is needed.
  - Work with community leaders who are relevant to protected classes in need.
- Expand inter-agency collaboration opportunities:
  - Strengthen successes of the SDRAFFH.
  - Increase support from municipalities' resources.
  - Better utilize public and corporate partners' outreach channels and strengthen connections to the network of advocacy and referral organizations.
  - Explore how to better leverage FHA funded agencies and partnership opportunities with partners such as San Diego Association of Governments.
  - Refine collective approach to serve those most in need based on demographic and community changes.
- Need to address growing levels of segregation in communities and neighborhoods on a regional scale, which may be inadvertently creating disparate impacts.
- Continue analyzing the AI and regional planning to sharpen focus and engage regional planning about fair housing more frequently than five years.
- Explore a more integrates, best practice model of service integration and collaboration.

The comments received during these interviews have been incorporated into this AI as appropriate and documented in Appendix A.

C. Fair Housing Survey

The Fair Housing Survey sought to gain knowledge about the nature and extent of fair housing issues experienced and also to gauge the perception of fair housing needs and concerns of County residents. The survey was made available in both English and Spanish on the websites of the County and all participating jurisdictions. Hard copies of the survey were also provided to a number of local agencies for distribution to their clients. Mailing of the community workshop flyer, including links to the online survey, was also sent to over 1,000 housing and service providers encouraging them to provide their unique perspective by participating in the Community Needs Survey.

Because responses to the survey were not controlled[3], results of the survey are used only to provide some insight regarding fair housing issues, but cannot be treated as a statistically valid survey. Furthermore, the survey asked for respondents of their perception in housing discrimination. A person responding having been discriminated does not necessarily mean discrimination has actually taken place.

1. Who Responded to the Survey?

A total of 377 persons responded to the Housing Discrimination Survey. The majority of survey respondents felt that housing discrimination was not an issue in their neighborhoods. A total of 366 respondents answered questions related to fair housing (excluding responses from non-County residents). Of the 366 responses, approximately 72 percent (265 persons) had not experienced housing discrimination. A copy of the survey is included as Appendix A.

2. Who Do You Believe Discriminated Against You? 4

Among the persons indicating that they had experienced housing discrimination, 72 percent (70 persons) indicated that a landlord or property manager had discriminated against them, while 10 percent (10 persons) of respondents identified a Government staff person as the source of discrimination. Responses for the fair housing survey are not mutually exclusive; respondents had the option of listing multiple perpetrators of discrimination.

Table 2: Perpetrators of Alleged Discrimination

	Number	Percent
Landlord/Property Manager	70	72%
Government Staff Person	10	10%
Mortgage Lender	7	7%
Real Estate Agent	3	3%
Insurance Broker/Company	0	0%
Total Respondents	**97**	**--**

Notes:
1. Categories are not mutually exclusive.
2. Survey respondents were not required to provide answers for every question; therefore, total responses will vary by question.

[3] A survey with a "controlled" sample would, through various techniques, "control" the socioeconomic characteristics of the respondents to ensure that the respondents are representative of the general population. This type of survey would provide results that are statistically valid but is much more costly to administer.

[4] Because respondents could indicate multiple answers on a single questions, the percentages on these multiple choice questions do not add up to 100 percent nor do the total number answers add up to the total number of respondents.

3. Where Did the Act of Discrimination Occur?

Among the persons indicating that they had experienced housing discrimination, 46 percent (45 persons) indicated that the discrimination occurred in an apartment complex. About 27 percent (26 persons) indicated that the discrimination occurred in a single-family neighborhood, 15 percent (15 persons) indicated that it took place in a public/subsidized housing project, 15 percent (14 persons) indicated that it took place at a condo/townhome development, and another 15 percent (14 persons) indicated that it took place when applying for City/County programs.. Another four percent (four persons) indicated that the act of discrimination occurred in a mobilehome park.

Table 3: Location of Alleged Discrimination

Location	Number	Percent
Apartment Complex	44	47%
Single-Family Neighborhood	25	27%
Public or Subsidized Housing Project	14	15%
Condo/Townhome Development	14	15%
Applying for City/County Programs	14	15%
Mobilehome Park	4	4%
Other	8	9%
Total Respondents	**94**	**--**

Notes:
1. Categories are not mutually exclusive.
2. Survey respondents were not required to provide answers for every question; therefore, total responses will vary by question.

4. On What Basis Do You Believe You Were Discriminated Against?

Of the 93 people who felt they were discriminated against, the most common causes for alleged discrimination were race, other, disability, source of income, and family status.

Table 4: Basis of Alleged Discrimination

Basis	Number	Percent
Race	31	33%
Disability	27	29%
Source of Income	27	29%
Family Status	23	25%
Age	20	22%
Marital Status	8	9%
Color	8	9%
Gender	4	4%
National Origin	6	6%
Religion	4	4%
Ancestry	2	2%
Sexual Orientation	0	0%
Other	30	32%
Total Respondents	**93**	**--**

Notes:
1. Categories are not mutually exclusive.
2. Survey respondents were not required to provide answers for every question; therefore, total responses will vary by question.

5. Requests for Reasonable Accommodation

Among those responded to the fair housing questions, 19 percent (17 persons) indicated that they had been denied "reasonable accommodation" in rules, policies or practices for their disability. Generally, typical requests for "reasonable accommodation" include residence accessibility modifications or the allowance of a service animal.

6. Why Did You not Report the Incident?

Of the survey respondents who felt they were discriminated against, 25 percent (18 persons) reported the discrimination incident. Many of the respondents who did not report the incident indicated that they don't believe it makes a difference (37 persons or 51 percent). In addition, 36 percent did not know where to report the incident 31 percent were afraid of retaliation, 18 percent felt it was too much trouble.

Table 5: Reason for Not Reporting Alleged Discrimination

Reason	Number	Percent
Don't believe it makes a difference	37	51%
Don't know where to report	26	36%
Afraid of Retaliation	22	31%
Too much trouble	13	18%
Other	23	32%
Total	**72**	**--**

Notes:
1. Categories are not mutually exclusive.
2. Survey respondents were not required to provide answers for every question; therefore, total responses will vary by question.

7. Has Any Hate Crime Been Committed in Your Neighborhood?

Of those who responded to the fair housing questions, seven percent (24 persons) indicated that a hate crime had been committed in their neighborhood. Most of these respondents (67 percent) indicated that the hate crime committed was based on race. Other notable causes of the alleged hate crimes include disability, source of income, color, other, and family status.

Table 6: Basis of Alleged Hate Crime

Basis	Number	Percent
Race	16	67%
Disability	12	50%
Color	9	38%
Source of Income	8	33%
Family Status	7	29%
Age	4	17%
National Origin	4	17%
Religion	4	17%
Gender	3	13%
Marital Status	2	8%
Ancestry	1	4%
Other	12	50%
Total	**24**	**--**

Notes:
1. Categories are not mutually exclusive.
2. Survey respondents were not required to provide answers for every question; therefore, total responses will vary by question.

D. Public Review of Draft AI

The draft AI was made available for public review in March 2015. During the 30-day public review period, the document was made available at City Halls, County Administration Office, and other public locations. [Details to be provided later.]

CHAPTER 3

COMMUNITY PROFILE

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

San Diego County, boasts an estimated population of over three million residents, making it the second most populous county in California and fifth in the nation (In California, only Los Angeles County has a larger population). Encompassing 4,261 square miles, San Diego County's borders include 18 incorporated cities and numerous unincorporated neighborhoods and communities. The County stretches south from Orange County all the way to the U.S.-Mexico border. The Pacific Ocean forms the western boundary, and the County's eastern edge reaches to the Laguna Mountains and the Anza-Borrego Desert.

Like many major metropolitan areas in the United States, the minority population in San Diego County has increased significantly in recent years, especially among Asian and Hispanic groups. As this and subsequent chapters will discuss, fair housing issues tend to particularly affect racial and ethnic minority groups, as well as persons with disabilities. The cost of living in San Diego County is high and getting higher than many other regions in the nation. Median household incomes have not kept pace with the rising cost of housing and living in the San Diego region; a trend seen nationwide and partially attributed to the recession of 2007. While housing affordability is not a fair housing issue *per se*, the increased demand for housing and the dwindling supply may create conditions where fair housing violations become a common part of the competition in the housing market.

In an economic market where the need for affordable housing for the County's poorest residents remains overwhelming, various factors may affect the ability of individuals with similar incomes and needs in the same housing market to obtain a like range of housing choices. This section provides an overview of San Diego County's residents and housing stock, including population, economic, and housing trends that help identify housing needs specific to the region. This overview will provide the context for discussing and evaluating fair housing in the following chapters.

A. Demographic Profile

Examination of demographic characteristics provides some insight regarding the need and extent of equal access to housing in a community. Supply and demand factors can create market conditions that are conducive to housing discrimination. Factors such as population growth, age characteristics, and race/ethnicity all help determine a community's housing need and play a role in exploring potential impediments to fair housing choice.

1. Population Growth

Population growth in San Diego County from 2000 to 2010 was slightly lower than the last decade. Overall, San Diego County experienced a 10 percent increase in population from 2000 to 2010 (Table 7). During this period, the cities of San Marcos, Chula Vista, and Carlsbad had the largest growth while the cities of Del Mar, Imperial Beach, Poway, and Solana Beach experienced a drop in population. The San Diego Association of Governments (SANDAG) population projections indicate that by 2020 the County's population could reach 3,435,700, an approximately 11 percent increase from the 2010 population. Several cities are projected to have larger increases between 2010 and 2020 than the San

Diego region as a whole, including Carlsbad, Chula Vista, Escondido, San Diego, San Marcos, Santee, and the unincorporated areas of the County. Moderate growth is expected at the County level.

Table 7: Population Growth 1990-2020

Jurisdiction	Total Population 1990	Total Population 2000	Total Population 2010	Total Population 2020 (Projected)	Percent Change 1990-2000	Percent Change 2000-2010	Projected Percent Change 2010-2020
Urban County							
Coronado	26,540	24,100	24,697	23,634	-8.7%	2.5%	-4.3%
Del Mar	4,860	4,389	4,161	4,399	-9.7%	-5.2%	5.7%
Imperial Beach	26,512	26,980	26,324	27,506	1.8%	-2.4%	4.5%
Lemon Grove	23,984	24,954	25,320	26,884	4.0%	1.5%	6.2%
Poway	43,516	48,295	47,811	50,026	11.0%	-1.0%	4.6%
Solana Beach	12,962	12,887	12,867	13,376	-0.6%	-0.2%	4.0%
Unincorporated	398,764	441,919	486,604	543,545	10.8%	10.1%	11.7%
Total Urban County	537,138	583,524	627,784	689,370	8.6%	7.6%	9.8%
Entitlement Jurisdictions							
Carlsbad	63,126	77,998	105,328	118,450	23.6%	35.0%	12.5%
Chula Vista	135,163	173,860	243,916	287,173	28.6%	40.3%	17.7%
El Cajon	88,693	94,819	99,478	102,761	6.9%	4.9%	3.3%
Encinitas	55,386	58,195	59,518	62,908	5.1%	2.3%	5.7%
Escondido	108,635	133,528	143,911	165,095	22.9%	7.8%	14.7%
La Mesa	52,931	54,751	57,065	61,102	3.4%	4.2%	7.1%
National City	54,249	54,405	58,582	62,342	0.3%	7.7%	6.4%
Oceanside	128,398	160,905	167,086	177,840	25.3%	3.8%	6.4%
San Diego	1,110,549	1,223,341	1,301,617	1,453,267	10.2%	6.4%	11.7%
San Marcos	38,974	55,160	83,781	98,915	41.5%	51.9%	18.1%
Santee	52,902	53,090	53,413	59,497	0.4%	0.6%	11.4%
Vista	71,872	90,131	93,834	96,993	25.4%	4.1%	3.4%
Total County	**2,498,016**	**2,813,833**	**3,095,313**	**3,435,713**	**12.6%**	**10.0%**	**11.0%**

Sources: Bureau of the Census, 1990-2010 Census; SANDAG Regional Growth Forecast, 2010

2. Age

Housing demand is affected by the age characteristics of residents in a community. Different age groups are often distinguished by important differences in lifestyle, family type, housing preferences and income levels. Typically, young adult households may occupy apartments, condominiums, and smaller single-family homes because of size and/or affordability. Middle-age adults may prefer larger homes as they begin to raise their families, while seniors may prefer apartments, condominiums, mobile homes, or smaller single-family homes that have lower costs and less extensive maintenance needs. Because a community's housing needs change over time, this section analyzes changes in the age distribution of San Diego County residents and how these changes affect housing need.

Table 8 shows the steady increase of the median age in San Diego County from 2000 to 2010. The median age was 33.2 years in 2000 and rose to 34.6 by 2010. In 2010, the median age in the various cities ranged from a low of 30.2 years in National City to a high of 48.6 years in Del Mar. Based on the 2010 Census, 11.4 percent of the population in San Diego County was age 65 or over (seniors), with another 10.6 percent in the 55 to 64 age group (future seniors). Close to 13 percent of San Diego County residents were school-age children between the ages of five and 14, and over 30 percent of residents were between the age of 15 and 34. This age structure suggests the County has a high proportion of families with children and has a rapidly increasing older population.

Table 8: Age Characteristics

Jurisdiction	<5	5-14	15-24	25-34	35-44	45-54	55-64	65+	Median Age 2000	Median Age 2010
Urban County										
Coronado	4.7%	11.8%	15.7%	11.5%	11.7%	13.6%	12.6%	18.4%	34.2	40.7
Del Mar	2.8%	7.7%	8.0%	13.8%	11.9%	16.6%	18.4%	20.8%	43.5	48.6
Imperial Beach	7.5%	13.2%	18.5%	16.1%	12.8%	13.4%	9.4%	9.0%	28.6	31.0
Lemon Grove	7.0%	13.6%	15.1%	14.3%	13.0%	14.8%	11.1%	11.2%	34.7	35.0
Poway	5.1%	14.3%	13.8%	9.7%	12.2%	18.6%	13.9%	12.3%	36.9	41.3
Solana Beach	4.8%	10.3%	9.2%	13.4%	14.0%	15.3%	14.5%	18.7%	41.6	43.7
Unincorporated	6.4%	12.8%	16.9%	11.7%	11.7%	15.0%	12.6%	12.8%	N/A	N/A
Entitlement Jurisdictions										
Carlsbad	6.0%	13.9%	10.5%	11.6%	15.0%	16.3%	12.5%	14.0%	38.9	40.4
Chula Vista	7.2%	15.6%	15.3%	13.7%	15.2%	13.8%	9.2%	10.0%	33.0	33.7
El Cajon	7.6%	13.5%	15.8%	14.7%	12.9%	14.3%	10.1%	11.0%	31.9	33.7
Encinitas	5.4%	11.6%	10.0%	13.4%	14.5%	16.9%	15.4%	12.8%	37.9	41.5
Escondido	8.1%	14.9%	15.4%	15.0%	13.5%	13.1%	9.6%	10.5%	31.2	32.5
La Mesa	6.3%	10.0%	14.4%	16.3%	13.1%	14.5%	11.2%	14.2%	37.3	37.1
National City	6.9%	13.8%	20.9%	14.7%	12.4%	12.0%	8.6%	10.6%	28.7	30.2
Oceanside	7.0%	12.7%	15.5%	14.5%	12.9%	14.0%	10.5%	12.9%	33.3	35.2
San Diego	6.2%	11.5%	16.7%	17.6%	14.1%	13.2%	10.1%	10.7%	32.5	33.6
San Marcos	8.4%	15.2%	15.3%	14.4%	15.8%	12.2%	8.7%	10.2%	32.1	32.9
Santee	6.6%	12.8%	13.9%	13.7%	14.0%	16.3%	12.0%	10.7%	34.8	37.2
Vista	8.0%	14.2%	17.1%	16.2%	13.2%	13.3%	8.7%	9.2%	30.3	31.1
Total County	**6.6%**	**12.7%**	**16.0%**	**15.2%**	**13.6%**	**13.9%**	**10.6%**	**11.4%**	**33.2**	**34.6**

Sources: Bureau of the Census, 2000-2010 Census

In San Diego County, a strong correlation exists between ethnicity and age. Specifically, minorities tend to have lower median ages than White residents. For example, the median age for Hispanic residents in 2010 (26.9) was 15 years younger than that of White residents (42.2). The gap is lessened with Black (31.3) and Asian (35.9) residents, however it is still lower than White residents. The smaller age gaps may be an indication of Black and Asian households having fewer children compared than Hispanic households.

3. Racial/Ethnic Composition

The San Diego region's racial and ethnic composition trends mirror those seen at the national level. The nation's demographic profiles are becoming increasingly diverse in their racial and ethnic compositions. In 2010, at least three out of ten U.S. residents were non-White. Growing Hispanic and Asian populations have contributed to a major transformation, reducing the number of White majority places and increasing the number of minority-majority and no-majority places. As of 2010, the most diverse communities in the U.S. were disproportionately western, southern, and coastal metropolitan areas and their principal cities and suburbs. Studies have found that areas with a strong government and/or the military employment base, as is the case in the San Diego region, tend to be more diverse in general.[5]

Race and ethnicity have implications on housing choice in that certain demographic and economic variables correlate with race. For example, the average household size for San Diego County was 2.75 in 2010. The average size for Hispanic households was 3.70, while for White households the average was 2.53. In another example, per capita income for Black and Hispanic households was 78 percent and 55 percent respectively of the County per capita income, compared with White households who earned 109 percent of the County per capita income during 2009 to 2013.

Fair Housing Case Summary – Race Discrimination

The complainant (CP) is an African-American male. CP has lived at the complaint address for two months since initial contact on July 1, 2012. CP pays $1,150 for rent on a monthly basis. CP states that landlord discriminates against African-Americans. CP states that landlord interferes with personal business. CP states landlord does not want children playing outside. CP states landlord called children black pigs.

Disposition: Referred to litigation; favorable settlement

The State of California's and San Diego County's demographic profiles have become increasingly diverse in their race and ethnic compositions since 1970, a period that coincides with the sharp increase in immigration. As recently as 1970, the vast proportion of the population in the State was predominantly White whereas now, minorities are the majority in California. Likewise, in 2000, Whites made up the majority of the population in the San Diego region, but by 2010 minority residents made up a slight majority (51.5 percent).

After White residents, the largest racial/ethnic group in the County is Hispanic. As seen in Table 9, White residents make up the single largest percentage of San Diego County residents (48.5 percent), while Hispanic residents made up 37.6 percent. Asians/Pacific Islander, Blacks, and other groups followed with 11 percent, 4.7 percent, and 3.7 percent, respectively (Table 9). The cities of National City, Chula Vista, Imperial Beach, Escondido, and Vista have significant Hispanic concentrations, while the city of Del Mar has the smallest proportion of Hispanic residents. The largest concentrations of Asian/Pacific Islander populations reside in National City, San Diego, and Chula Vista. The City of

[5] Lee, Barrett and Iceland, A. John and Sharp, Gregory. "Racial and Ethnic Diversity Goes Local: Charting Change in American Communities Over Three Decades". Project US2010, (2012).

Lemon Grove has the highest concentration of Black residents, and El Cajon, La Mesa and San Diego have Black populations greater than the countywide proportion. Del Mar, Solana Beach, and Encinitas have the smallest proportions of Black residents.

Table 9: Race/Ethnic Composition

Jurisdiction	White	Black	Hispanic	Asian/ P. Isl.	Other	Percent Minority* 2000	Percent Minority* 2010
Urban County							
Coronado	79.4%	2.0%	12.2%	3.2%	3.3%	21.1%	20.6%
Del Mar	90.7%	0.2%	4.2%	2.8%	2.1%	10.9%	9.3%
Imperial Beach	36.0%	4.0%	49.0%	6.8%	4.2%	56.6%	64.0%
Lemon Grove	34.7%	12.9%	41.2%	7.1%	4.1%	52.1%	65.3%
Poway	69.1%	1.5%	15.7%	10.1%	3.5%	22.9%	30.9%
Solana Beach	77.3%	0.4%	15.9%	4.1%	2.3%	21.4%	22.7%
Unincorporated	61.4%	3.9%	25.5%	4.9%	4.3%	31.4%	38.6%
Total Urban County	60.9%	3.9%	25.6%	5.4%	4.1%	33.7%	39.1%
Entitlement Jurisdictions							
Carlsbad	74.9%	1.2%	13.3%	7.1%	3.5%	19.8%	25.1%
Chula Vista	20.4%	4.1%	58.2%	14.2%	3.1%	68.5%	79.6%
El Cajon	56.8%	6.0%	28.2%	3.8%	5.3%	36.0%	43.2%
Encinitas	78.8%	0.5%	13.7%	4.0%	3.0%	20.9%	21.2%
Escondido	40.4%	2.1%	48.9%	6.1%	2.5%	48.0%	59.6%
La Mesa	61.9%	7.2%	20.5%	6.0%	4.5%	26.7%	38.1%
National City	11.7%	4.5%	63.0%	18.5%	2.3%	85.8%	88.3%
Oceanside	48.4%	4.2%	35.9%	7.6%	3.9%	46.6%	51.6%
San Diego	45.1%	6.3%	28.8%	16.0%	3.8%	50.7%	54.9%
San Marcos	48.6%	2.1%	36.6%	9.1%	3.5%	46.3%	51.4%
Santee	73.6%	1.8%	16.3%	4.1%	4.2%	19.4%	26.4%
Vista	40.8%	2.9%	48.4%	4.7%	3.2%	50.1%	59.2%
Total County	**48.5%**	**4.7%**	**32.0%**	**11.0%**	**3.7%**	**45.1%**	**51.5%**
Total State	40.1%	5.8%	37.6%	13.2%	3.3%	53.3%	59.9%

Sources: Bureau of the Census, 2000-2010 Census.
* Minority is defined as Blacks, Hispanics, Asian/Pacific Islanders, and all others not White.

4. Race/Ethnic Concentration

Ethnic and racial composition of a region is useful in analyzing housing demand and any related fair housing concerns as it tends to demonstrate a relationship with other characteristics such as household size, locational preferences and mobility. Nationally, HUD data show that race-based discrimination ranks second in discrimination of protected classes, behind discrimination related to disability[6]. Figure 1 illustrates concentrations of minority households by Census block group in San Diego County. A concentration is defined as a block group with a proportion of minority households that is greater than the overall San Diego County minority average of 51.5 percent.[7]

The minority population in the County is described by sub-region in Table 10. In San Diego County, the minority population is concentrated in the southern areas of the City of San Diego and continuing south (Figure 1).[8] This pattern can be attributed to the traditional cluster of minorities living in the urban core and near the U.S./Mexican border. Another concentration is visible in the northwestern part of the North County East sub-region just west of the Cleveland National Forest. This area is home to several Native American reservations. An additional swath of minority concentration can be found in the University and Mira Mesa communities of the City of San Diego. Clusters of minority populations are also found in the North County cities of Oceanside, Vista, San Marcos, and Escondido. According to 2013 Census data, more than half of foreign-born residents in the County are from Latin America and a large proportion of new immigrants were from Asian countries (36.2 percent). More than a third of the foreign-born Asian population came from the Philippines, a Southeast Asian country.

Table 10: Minority Population by Sub-region

MSA	Region	Minority Population		Total Population		% Minority in Region	
		2000	2010	2000	2010	2000	2010
0	Central	398,221	414,065	619,527	630,376	64.3%	65.7%
1	North City	213,863	296,118	658,877	733,866	32.5%	40.4%
2	South Suburban	221,073	312,045	307,075	385,468	72.0%	81.0%
3	East Suburban	138,917	187,436	462,492	481,993	30.0%	38.9%
4	North County West	125,232	149,733	364,129	405,715	34.4%	36.9%
5	North County East	166,060	226,139	380,585	431,208	43.6%	52.4%
6	East County	5,983	9,730	21,148	26,687	28.3%	36.5%
	Total	**1,269,349**	**1,595,266**	**2,813,833**	**3,095,313**	**45.1%**	**51.5%**

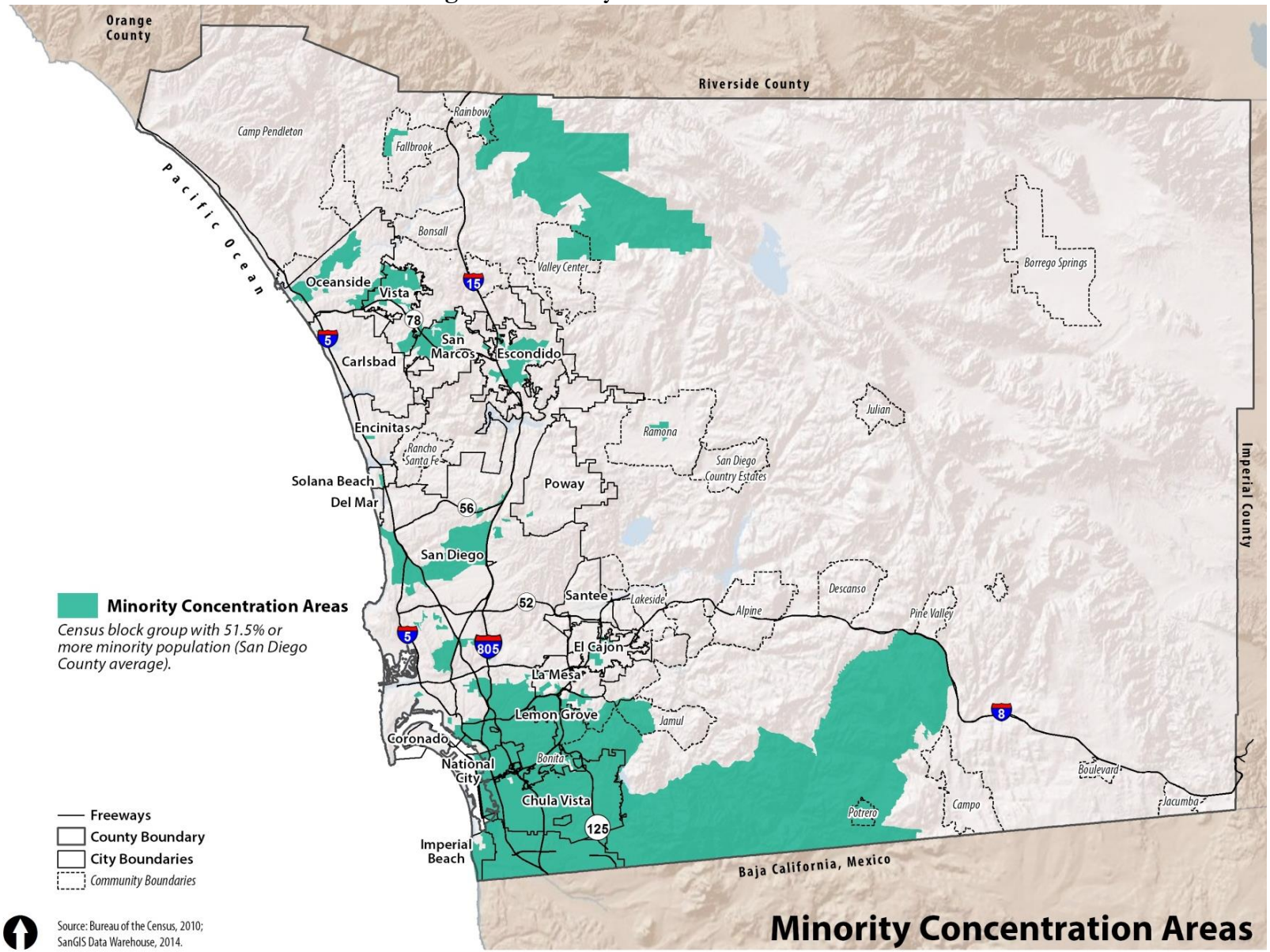
Sources: Bureau of the Census, 2000-2010 Census ; Compiled by SANDAG, Data Warehouse, 2014

6 U.S. Department of Housing and Urban Development. "Annual Report on Fair Housing FY 2012-2013", (2013).

7 This definition of concentration is derived from the concept of Location quotient (LQ), which is calculated by comparing the proportion of one group in a smaller geographic unit (e.g. block group) to the proportion of that group in the larger population (e.g. county).

8 An important note on the mapping of racial/ethnic concentrations is that concentration is defined by the proportion of a racial/ethnic group in the total population of a census block group. If a census block group has low population, such as in and near the State and National Parks, the proportion of a racial/ethnic group may appear high even though the number of residents in that group may be limited. Furthermore, block group boundaries may cross jurisdictional boundaries.

Figure 1: Minority Concentration Areas



5. Residential Segregation

Residential segregation refers to the degree to which groups live separately from one another. The term segregation has historically been linked to the forceful separation of racial groups. However, as more minorities move into suburban areas of the County and outside of traditional urban enclaves, segregation is becoming increasingly self-imposed. Originally, many ethnic groups gravitated to ethnic enclaves where services catered to them, and not until they reached a certain economic status could they afford to move to the outer areas of the County. Unlike the original enclaves, now living in an ethnic community is often a rational choice many are making.

Fair Housing Case Summary – National Origin Discrimination

Complainants (CPs), monolingual Spanish speakers were both forced to sign 30-day notices to terminate their tenancies of 15 years. The respondent, who receives HUD funding required the CPs to sign a document prepared by the respondent written in English, which both CPs cannot read or understand, and required the CPs to sign the notice which terminated their tenancy or risk eviction. The respondent then filed an eviction lawsuit against both CPs for failing to move out after the 30-day notice expired. A HUD complaint was filed against the respondent. The case was accepted by HUD and was settled in conciliation. The terms of the HUD conciliation provide that the building will now translate all vital documents in Spanish, will provide fair housing training for staff, will host two fair housing trainings for tenants to be provided by the fair housing service provider originally contacted by the CPs, and will be monitored by HUD for compliance for 3 years.

Disposition: Successful conciliation

The dissimilarity index is the most commonly used measure of segregation between two groups, reflecting their relative distributions across neighborhoods (as defined by census tracts). The index represents the percentage of the minority group that would have to move to new neighborhoods to achieve perfect integration of that group. An index score can range in value from 0 percent, indicating complete integration, to 100 percent, indicating complete segregation. An index number above 60 is considered high similarity and segregated. An index number of 40 to 50 is considered moderate segregation and values of 30 or below are considered low levels of segregation. To put the dissimilarity index into context, the Detroit metro area was found to be the nation's most segregated metropolitan statistical areas (between Whites and Blacks in the top fifty metro areas with largest Black populations in 2010), with a 79.6 percent rating. Among the top fifty metro areas with largest Hispanic population, the Los Angeles-Long Beach-Glendale metro area was the most segregated (63.4 percent) and Laredo, Texas was the least segregated (50th place with 30.7 percent). The San Diego-Carlsbad-San Marcos metro area ranked 14th (49.6 percent).[9]

Table 11 presents a comparison of the degree of racial segregation among different ethnic groups from year 2000 to 2010 in San Diego County. The highest level of segregation seems to exist between Whites and Blacks (an index of 55.5 in 2000 and 51.2 in 2010). The lowest level of racial segregation exists between Blacks and Hispanics (an index of 41.0 in 2000 and 38.4 in 2010). Asians and Pacific Islanders showed a lower level of segregation with Hispanics than with Whites. Segregation patterns in San Diego County have remained relatively stable. While numerically, there were drops in the indices, demographers interpret changes below 5 points in one decade as a small change or no real change at all.

[9] Logan, John R. and Stults, Brian. "The Persistence of Segregation in the Metropolis: New Findings from the 2010 Census". Census Brief prepared for Project US2010, (2011).

Nonetheless, change can be cumulative, and small changes in a single decade – if they are repeated over several decades – can constitute a significant trend.[10]

When looking at Hispanic/White segregation among the largest 200 cities in the country in 2010, San Diego ranked 12th (an index of 57.8) most segregated, Escondido ranked 88th (at 39.6), Oceanside ranked 127th (at 32.9), and Chula Vista ranked 175th (at 21.7)[11]. Consistent with these findings, Table 12 presents a comparison of the degrees of racial segregation between the County's Minority and White population by MSA. Table 12 shows that levels of segregation between the County's Minority and White population was highest in the Central Region which encompasses the central and southern portion of the City of San Diego.

Table 11: Dissimilarity Indices for Racial/Ethnic Groups - San Diego County

Race/Ethnic Group	Year	Percent of Total Population	Dissimilarity Index with Whites	Dissimilarity Index with Hispanics
White	2000	55.0%	--	50.6
	2010	58.5%	--	49.6
Minority[1]	2000	45.0%	44.7	--
	2010	51.5%	42.7	--
Hispanic	2000	26.7%	50.6	--
	2010	32.0%	49.6	--
Black	2000	5.5%	55.5	41.0
	2010	4.7%	51.2	38.4
Asian-PI	2000	9.1%	49.9	46.7
	2010	11.0%	48.2	45.9

Sources: Bureau of the Census, 2000-2010 Census

[10] Logan, John R. and Stults, Brian. "The Persistence of Segregation in the Metropolis: New Findings from the 2010 Census". Census Brief prepared for Project US2010, (2011).

[11] Project US2010, http://www.s4.brown.edu/us2010/index.htm, accessed January 13, 2015

Table 12: Dissimilarity Indices for Minority Population by MSA

MSA	Region	Percent Minority Population	Dissimilarity Index (Minority and Whites)
0	Central	65.7%	57.3
1	North City	40.4%	27.4
2	South Suburban	81.0%	26.0
3	East Suburban	38.9%	28.9
4	North County West	36.9%	31.0
5	North County East	52.4%	32.5
6	East County	36.5%	19.1

Sources: Bureau of the Census, 2010 Census

Segregation is complex, difficult to generalize, and is influenced by many factors. Individual choices can certainly be a cause of segregation. Many residents choose to live among people of their own race/ethnic group. This does not mean that they prefer ethnically homogeneous neighborhoods, but that they feel more comfortable where members of their group commonly live. This attitude is widespread and typically more frequently found among recent immigrants, who often depend on nearby relatives, friends, and ethnic institutions to help them in their adjustment.[12] Residential segregation can also arise from preferences to avoid specific minority neighborhoods. For example, White residents leaving neighborhoods that have become diverse can affect residential segregation patterns.[13] However, individual choices may be constrained by factors outside an individual's control. A large factor in residential segregation is related to housing market dynamics. Given the relationship between race and income, policies to counteract residential segregation can target neighborhoods or individuals based on income rather than race. For example, wider availability of lending can help individual, lower income homebuyers or renters gain access to new neighborhoods. New housing construction has been found to decrease segregation for all groups but most significantly for Blacks.[14] Availability of affordable housing and discrimination can also affect residential segregation.

6. Linguistic Isolation

A language barrier can be an impediment to accessing housing of choice. A population that is both minority and does not speak English well may face discrimination based on national origin as well as challenges related to obtaining housing, such as communicating effectively with a property owner, landlord, rental agent, real estate agent, mortgage lender or insurance agent.

According to 2009-2013 ACS estimates, approximately 37.4 percent of County residents over the age of five spoke a language other than "English only" at home. In some cities with a large minority population, such as the cities of Imperial Beach, Lemon Grove, Chula Vista, El Cajon, Escondido,

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12 Allen, James P. and Turner, Eugene. "Changing Faces, Changing Places: Mapping Southern California". California State University, Northridge, (2002).

13 Boustan, Leah Platt. "Racial Residential Segregation in American Cities" in Oxford Handbook of Urban Economics and Planning, ed. Nancy Brooks and Gerrit-Jan Knaap, Oxford University Press, (2011).

14 UCLA Lewis Center for Regional Policy Studies. "Metropolitan America in Transition: Segregation and Diversity", (2001).

National City, San Diego, San Marcos, and Vista this figure was higher. In National City, close to three quarters of the population over the age of five years spoke a language other than English at home.

A linguistically isolated household can be described as a household whose members have at least some difficulty speaking English. The ACS provides information on households with persons five years and over who speak English "less than very well."

In San Diego County, 16.3 percent of residents indicated that they spoke English "less than very well" and can be considered linguistically isolated. The cities of National City, Vista, and Escondido have the highest percentage of total residents who spoke English less than "very well". Most of these residents were Spanish speakers.

Table 13: Language and Linguistic Isolation

Jurisdiction	Speak Language Other Than English at Home		Speak English Less than "Very Well"		
	Total	% Total Population	Total	% of Those Speaking Non-English Language	% Total Population
Urban County					
Coronado	3,534	16.3%	1014	28.7%	4.7%
Del Mar	311	7.5%	40	12.9%	1.0%
Imperial Beach	11,050	44.8%	3710	33.6%	15.0%
Lemon Grove	9,500	39.6%	3567	37.5%	14.9%
Poway	9,712	21.3%	4,591	47.3%	10.0%
Solana Beach	2,810	22.5%	1120	39.9%	9.0%
Unincorporated	119,919	26.1%	44,748	37.3%	9.8%
Total Urban County	156,836	26.5%	58790	37.5%	9.9%
Entitlement Jurisdictions					
Carlsbad	17,751	17.6%	6,869	38.7%	6.8%
Chula Vista	131,562	57.1%	48,746	37.1%	21.1%
El Cajon	38,917	42.1%	18,829	48.4%	20.4%
Encinitas	9,687	17.1%	3861	39.9%	6.8%
Escondido	64,112	48.0%	36,861	57.5%	27.6%
La Mesa	11,687	21.8%	3354	28.7%	6.3%
National City	40,147	72.9%	18,108	45.1%	32.9%
Oceanside	54,741	34.6%	28,497	52.1%	18.0%
San Diego	493,743	39.8%	201,651	40.8%	16.3%
San Marcos	30,071	38.2%	20,240	67.3%	25.7%
Santee	7,677	15.0%	2190	28.5%	4.3%
Vista	39,250	44.5%	28,409	72.4%	32.2%
Total County	**1,096,181**	**37.4%**	**476,405**	**43.5%**	**16.3%**

Source: American Community Survey (ACS), 2009-2013

Language barriers may prevent residents from accessing services, information, and housing, and may affect educational attainment and employment. Executive Order 13166 ("Improving Access to Services by Persons with Limited English Proficiency") was issued in August 2000, which requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to Limited English Proficiency (LEP), cannot fully and equally participate in or benefit from those programs and activities. This requirement passes down to grantees of federal funds as well.

B. 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.

What is a Household?
A household is defined by the Census as all persons occupying a housing unit. Families are a subset of households and include all persons living together who are related by blood, marriage or adoption. Single households include persons living alone but do not include persons in group quarters such as convalescent homes or dormitories. "Other" households are unrelated people living together, such as roommates.

1. Household Composition and Size

According to the 2010 Census, there are 1,086,865 households in San Diego County, a 9.3 percent increase over 2000. The cities of San Marcos, Carlsbad, and Chula Vista saw the largest increases in the number of households while several cities in the Urban County saw a decrease in household numbers. According to SANDAG, the number of households is projected to grow by 8.4 percent (to 1,178.091 households) by 2020.[15]

Different household types generally have different housing needs. Seniors or young adults typically constitute a majority of single-person households and tend to reside in apartment units, condominiums or smaller detached homes. Families, meanwhile, often prefer single-family homes. Household size can be an indicator of changes in population or use of housing. An increase in household size can indicate a greater number of large families or a trend toward overcrowded housing units. A decrease in household size, on the other hand, may reflect a greater number of senior or single-person households, or a decrease in family size. Household composition and size are often two interrelated factors. Communities that have a large proportion of families with children tend to have a larger average household size. Such communities have a greater need for larger units with adequate open space and recreational opportunities for children.

The majority of San Diego County households are family households, with a roughly even mix between married-couple households with and without children (Table 15). Families with children account for 34.6 percent of all households in the County. "Other" families, primarily consisting of single-parent households, represent 17.3 percent of all households. Households of single senior persons make up eight percent of all households. Between 2000 and 2010, the distribution of household types remained relatively stable.

[15] SANDAG Regional Growth Forecast, (2010).

Table 14: Household Growth by Jurisdiction

Jurisdiction	Households 2000	Households 2010	% Household Growth 2000-2010
Urban County			
Coronado	7,734	7,409	-4.2%
Del Mar	2,178	2,064	-5.2%
Imperial Beach	9,272	9,112	-1.7%
Lemon Grove	8,488	8,434	-0.6%
Poway	15,467	16,128	4.3%
Solana Beach	5,754	5,650	-1.8%
Unincorporated	143,871	159,339	10.8%
Total Urban County	192,764	208,136	8.0%
Entitlement Cities			
Carlsbad	31,521	41,345	31.2%
Chula Vista	57,705	75,515	30.9%
El Cajon	34,199	34,134	-0.2%
Encinitas	22,830	24,082	5.5%
Escondido	43,817	45,484	3.8%
La Mesa	24,186	24,512	1.3%
National City	15,018	15,502	3.2%
Oceanside	56,488	59,238	4.9%
San Diego	450,691	483,092	7.2%
San Marcos	18,111	27,202	50.2%
Santee	18,470	19,306	4.5%
Vista	28,877	29,317	1.5%
Total County	**994,677**	**1,086,865**	**9.3%**

Sources: Bureau of the Census, 2000-2010 Census

More than 66 percent of County households are family households. Based upon common complaints received, families with children often face housing discrimination by landlords who fear that children will cause property damage, or the landlords have cultural biases against children of opposite sex sharing a bedroom. While the language in federal law about familial status discrimination is clear, the guidelines landlords can use to establish occupancy can be very vague. Although landlords can create occupancy guidelines based on the physical limitations of the housing unit, landlords often impose strict occupancy limitations precluding large families with children. Nationally, HUD data show that familial status discrimination ranks third in discrimination of protected classes, behind discrimination due to disability and race.[16]

[16] U.S. Department of Housing and Urban Development. "Annual Report on Fair Housing FY 2012-2013". (2013).

Table 15: Household Type

Household Type	2000		2010	
	Number of Households	Percent of Households	Number of Households	Percent of Households
Family Households	**663,170**	**66.7%**	**720,480**	**66.3%**
Married with Children	246,762	26.1%	263,046	24.2%
Married – no Children	257,114	25.8%	268,879	24.7%
Other Family with Children	90,063	9.1%	113,072	10.4%
Other Family – no Children	69,231	7.0%	75,483	6.9%
Non-Family Households	**331,507**	**33.3%**	**366,385**	**33.7%**
Single, non-senior	162,247	16.3%	174,593	16.1%
Single, senior	78,509	7.9%	86,624	8.0%
Total County	**994,677**	**100.0%**	**1,086,865**	**100.0%**

Source: Bureau of the Census, 2000-2010 Census

Certain jurisdictions in the County had a higher than average proportion of family households with children and are, therefore, more vulnerable to this type of discrimination. The proportion of families with dependent children was highest in the City of Chula Vista (47.2 percent) and National City (47.0 percent). The proportion of families with children in the unincorporated areas (36.4 percent) is similar to the countywide proportion (34.6 percent). Close to 20 percent of households in the County included senior members and 7.5 percent of households were female-headed households with children. Single-parent households with children and households headed by seniors have unique fair housing issues as discussed later in this chapter.

Table 16: Household Characteristics

Jurisdiction	% Families	% Families with Children	% Elderly Households	% Female-Headed Households w/ Children
Urban County				
Coronado	64.4%	29.4%	31.4%	5.7%
Del Mar	53.2%	16.2%	27.5%	2.8%
Imperial Beach	68.2%	39.1%	15.9%	12.4%
Lemon Grove	69.8%	38.5%	20.4%	10.4%
Poway	80.2%	39.9%	21.1%	6.0%
Solana Beach	58.1%	23.1%	28.6%	3.5%
Unincorporated	76.0%	36.8%	23.7%	6.6%
Total Urban County	74.6%	36.4%	23.4%	6.8%
Entitlement Cities				
Carlsbad	67.6%	33.8%	22.6%	5.6%
Chula Vista	78.7%	47.2%	17.8%	10.7%
El Cajon	69.2%	38.8%	18.7%	10.5%
Encinitas	62.5%	28.7%	20.4%	4.4%
Escondido	72.0%	41.0%	20.3%	8.8%
La Mesa	56.2%	26.9%	22.2%	7.4%
National City	78.1%	47.0%	21.9%	14.5%
Oceanside	68.0%	34.0%	23.5%	7.2%
San Diego	59.0%	30.5%	17.8%	7.0%
San Marcos	72.8%	42.7%	19.7%	7.2%
Santee	72.9%	36.6%	19.1%	7.9%
Vista	72.0%	40.7%	17.0%	8.9%
Total County	**66.3%**	**34.6%**	**19.8%**	**7.5%**

Source: Bureau of the Census, 2000-2010 Census

2. Household Size

The average size and composition of households are highly sensitive to the age structure of the population but they also reflect social and economic changes. For example, economic downturns may prolong the time adult children live at home or result in multiple families and non-family members living together to lower housing costs. The average household size countywide in 2010 was 2.75 persons per household, a very slight increase from 2000 (2.73). Average household size ranged from a low of 2.02 persons in Del Mar to a high of 3.41 in National City. Five cities had an average household size over three persons in 2010.

Table 17: Average Household Size by Jurisdiction

Jurisdiction	Average Household Size	
	2000	2010
Urban County		
Coronado	2.28	2.31
Del Mar	2.01	2.02
Imperial Beach	2.84	2.82
Lemon Grove	2.85	2.96
Poway	3.07	2.93
Solana Beach	2.23	2.28
Unincorporated	2.90	--
Entitlement Cities		
Carlsbad	2.45	2.53
Chula Vista	2.99	3.21
El Cajon	2.7	2.84
Encinitas	2.52	2.45
Escondido	3.01	3.12
La Mesa	2.22	2.30
National City	3.38	3.41
Oceanside	2.83	2.80
San Diego	2.61	2.60
San Marcos	3.03	3.05
Santee	2.82	2.72
Vista	3.03	3.13
Total County	**2.73**	**2.75**

Sources: Bureau of the Census, 2000-2010 Census

C. Special Needs Groups

Certain households and residents, because of their special characteristics and needs, have greater difficulty finding decent and affordable housing. These circumstances may be related to age, family characteristics, or disability. Table 18 shows a summary of this section and the special needs groups present in San Diego County. The following discussion highlights particular characteristics that may affect access to housing in a community.

Table 18: Residents with Special Needs

Special Needs Group	Number	Percent of County
Households with a Senior (65+)	256,623	23.8%
Senior Persons (65+)	351,425	11.4%
Large Households	148,781	13.7%
Female Headed Households w/Children	81,366	7.5%
Disabled Persons	284,799	9.4%
HIV/AIDS	14.739	Approx 0.5%
Homeless Persons (Urban and Rural)	12,817	Approx 0.4%
Farm Workers	8,500-17,844	Approx 0.3% to 0.6%
Military Personnel and Veterans	229,0000 active duty personnel and family members; 234,211 Veterans	Approx 10% to 15%

Sources: Bureau of the Census, 2010 Census; American Community Survey

1. Seniors

Seniors (persons age 65 and above) are gradually becoming a more substantial segment of a community's population. Americans are living longer than ever before in our history and are expected to continue to do so. Senior households are vulnerable to housing problems and housing discrimination due to limited income, prevalence of physical or mental disabilities, limited mobility, and high health care costs. Seniors, particularly those with disabilities, may face increased difficulty in finding housing accommodations and may become victims of housing discrimination or fraud. Seniors sometimes face discrimination in the rental housing market, often based on the perception of increased risks and liabilities associated with the frail conditions or disabilities of senior tenants. A senior on a fixed income can face great difficulty finding safe and affordable housing. Subsidized housing and federal housing assistance programs are increasingly challenging to secure and often involve a long waiting list.

According to the 2010 Census, 11.4 percent of all residents in San Diego County were ages 65 and over. The proportion of residents over the age of 65 years ranged from a low of nine percent in Imperial Beach to a high of 20.8 percent in Del Mar. ACS data (2009-2013) estimates that 24 percent of households in San Diego County had at least one individual who was 65 years of age or older

According to HUD's 2007-2011 CHAS (Comprehensive Housing Affordability Strategy) data, a higher proportion (54.1 percent) of seniors had low and moderate incomes compared to all County residents (43.7 percent). In 2010, 35.9 percent of all disabilities were reported by residents 65 years or older.

Table 19: Senior Profile – San Diego County

Residents	Percent of Population	Percent with a Disability	Percent Households with Low/Moderate Incomes	Percent Households with Housing Problems
Seniors	11.4%	35.9%	54.1%	42.0%
All Residents	100%	9.4%	43.7%	49.0%

Source: Bureau of the Census, 2010; American Community Survey (ACS), 2009-2013; HUD Comprehensive Housing Affordability Strategy (CHAS), 2007-2011

The San Diego County Health and Human Services Agency's Aging & Independence Services (AIS) provides services to older adults, people with disabilities and their family members. AIS is the only public or private organization in the county that combines many services for older adults and disabled persons under one umbrella and mostly at no charge to county residents who use the services. AIS has experienced significant growth and change since it was established as an Area Agency on Aging in 1970. The organization is now part of the County of San Diego Health and Human Services Agency, providing or contracting for services and programs with a budget of more than $200 million. AIS provides a wide range of services, including information and access, advocacy, coordination, assessment, and authorization of direct services. Direct services are provided through contracts with vendors and agencies, and include in-home support, respite care, meals (senior dining centers and home-delivered), health promotions, legal assistance, adult day care, transportation, educational opportunities, employment, money management, and counseling programs.

The City and the County of San Diego both administers a wide array of housing programs to assist in the provision of affordable housing for senior households, including funding for acquisition and construction, rehabilitation, rental assistance, and home repair. In addition to affordable housing located near transportation, the housing needs of seniors include supportive housing, such as intermediate care facilities, group homes, and other housing with a planned service component. Approximately 1,049 State-licensed residential care facilities for the elderly, 709 adult residential facilities (for individuals ages 18 through 59) and 97 adult day care facilities (for individuals 18 and over) serve the senior population throughout the County. These licensed care facilities have a combined capacity of 31,847 beds. Figure 13 shows the location of the various licensed care facilities in San Diego County.

Most of the community care facilities within the County are located within the larger incorporated cities. However, there is a noticeable absence of facilities in the unincorporated areas, specifically those surrounding the incorporated cities. While most of the County's population is located within the incorporated cities, residents living in these areas would have to travel a greater distance to access the region's inventory of care facilities. Concentrations of care facilities can be seen in the North County areas in and around the cities of Vista and Escondido and in the South County in and around the cities of Chula Vista and El Cajon. In the City of San Diego clusters of care facilities can be seen in the southern portion of the City and in the Mira Mesa area.

2. Large Households

Large households are defined as those with 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. It can also include multiple families living in one housing unit in order to save on housing costs. Large households are a special needs group because the availability of adequately sized, affordable housing units is often limited. Large households may face discrimination in the housing market, particularly for rental housing. Property owners and managers may be concerned with the potential increase in wear and tear and liability issues related to large households, especially those with children. Although landlords can create occupancy guidelines based on the physical limitations of the housing unit, landlords often impose strict occupancy limitations precluding large families with children.

As indicated in Table 20, in 2010, close to 14 percent of all households in the County had five or more members; specifically 13 percent of owner-households and 14.5 percent of renter-households in the County were large households. The proportion of large households was highest in the cities of National City (25.4 percent), Escondido (20.7 percent), and Chula Vista (20.5 percent) indicating these cities may be the most vulnerable to housing discrimination based on family size. These three cities also had high

proportions of non-White population and family households in 2010. Many ethnic minority groups have a younger age profile and tend to have larger families than the White population. The 2007-2011 CHAS data shows that close to half (48.9 percent) of large households were estimated to earn low and moderate incomes compared with 44 percent of all county households.

Large households in the County can benefit from general programs and services for lower-and moderate-income persons, including the Housing Choice Voucher, Down Payment, and Housing Rehabilitation programs, and various community and social services provided by non-profit organizations in the region.

Table 20: Large Households

City/Area	Total Large Households		Large Owner Households		Large Renter Households	
	#	% of Total Households	#	% of Owner Households	#	% of Renter Households
Urban County						
Coronado	466	6.3%	197	5.4%	269	7.1%
Del Mar	68	3.3%	47	4.2%	21	2.2%
Imperial Beach	1,311	14.4%	339	12.3%	972	15.3%
Lemon Grove	1,511	17.9%	850	18.4%	661	17.3%
Poway	2,188	13.6%	1,457	12.1%	731	17.7%
Solana Beach	357	6.3%	184	5.4%	173	7.7%
Unincorporated	23,448	14.7%	14,420	13.2%	9,028	18.1%
Total Urban County	29,349	14.1%	17,494	12.8%	11,855	16.6%
Entitlement Cities						
Carlsbad	3,383	8.2%	2,182	8.1%	1,201	8.3%
Chula Vista	15,479	20.5%	9,170	20.9%	6,309	19.9%
El Cajon	5,346	15.7%	1,692	12.0%	3,654	18.2%
Encinitas	1,740	7.2%	1,153	7.6%	587	6.6%
Escondido	9,410	20.7%	3,994	16.8%	5,416	24.9%
La Mesa	1,642	6.7%	768	6.8%	874	6.6%
National City	3,932	25.4%	1,532	29.5%	2,400	23.3%
Oceanside	8,733	14.7%	4,848	13.9%	3,885	16.0%
San Diego	56,977	11.8%	27,861	11.9%	29,116	11.6%
San Marcos	4,833	17.8%	2,621	15.3%	2,212	21.9%
Santee	2,135	11.1%	1,356	10.0%	779	13.6%
Vista	5,822	19.9%	2,426	16.0%	3,396	24.0%
Total County	**148,781**	**13.7%**	**77,097**	**13.0%**	**71,684**	**14.5%**

Source: Bureau of the Census, 2010

3. Families with Children and Single-Parent Families

Families with children may face housing discrimination by landlords who fear that children will cause property damage. Some landlords may have cultural biases against children of the opposite sex sharing a bedroom. Differential treatments such as limiting the number of children in a complex or confining children to a specific location are also fair housing concerns. For example, some landlords may charge large households a higher rent or security deposit, limit the number of children in a complex, confine them to a specific location, limit the time children can play outdoors, or choose not to rent to families with children altogether, which would violate fair housing laws. Housing discrimination against families with children can also be masked as overcrowding issues. Even when housing providers rent openly to families with children, there can still be an issue of illegal discriminatory policies for families once they become tenants. Neutral rules are expected to apply to all tenants equally, but once a housing provider isolates a particular group upon which to singularly implement those rules, a discriminatory practice is set in motion.

The proportion of families with dependent children was highest in the cities of Chula Vista and National City (Table 16). These communities may be more vulnerable to familial discrimination in the housing market because of their higher than average proportion of families with children.

Single-parent households, particularly female-headed households with children, may require special consideration and assistance because of their greater need for affordable housing and accessible day care, health care, and other supportive services, and therefore HUD Consolidated Planning regulations identify this group as a special needs group. Housing in proximity to public transportation and community and recreation facilities is also important. Because of their relatively lower income, female-headed households have comparatively limited opportunities for finding affordable and decent housing. Female-headed households 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, landlords may require more stringent credit checks for female heads of households.

The 2010 Census identified 7.5 percent of households in the County as female-headed households with children (Table 16). The proportion of female-headed households with children was highest in National City (14.5 percent) and Imperial Beach (12.4 percent). Female single-parent family households are disproportionately affected by poverty. According to the 2008-2012 ACS, about 32 percent of female single-parent family households in San Diego County lived below the poverty level (compared to ten percent of all family households in the County). Limited household income constrains the ability of these households to afford adequate housing and childcare, health care, and other necessities. Finding adequate and affordable childcare is also a pressing issue for many families with children and single-parent households in particular.

Cities and County in San Diego region have a wide array of housing programs offering families affordable housing opportunities, including rental assistance and new construction of housing. Families with children in San Diego

Fair Housing Case Summary – Sexual Harassment

This case involves multiple allegations. Complainant (CP) #1 is a single woman who resides with her children and grandmother. CP was sexually harassed by respondent landlord who requested sex in lieu of rent, and made sexual comments to the CP during her tenancy. The Respondent would require CP to clean his apartment in lieu of a late fee where he would continue to make sexual comments. Complainant (CP) #2 was subjected to numerous sexual comments and unwanted sexual attention by the respondent landlord. A lawsuit has been filed and is currently being litigated.

Disposition: Currently pending.

County can also benefit from general programs and services for lower- and moderate-income persons, including the Housing Choice Voucher, Public Housing, Down Payment, and Housing Rehabilitation programs, and various community and social services provided by non-profit organizations in the region.

4. Persons with Disabilities

Affordability, design, location, and discrimination limit the supply of housing for persons with disabilities. Fair housing choice for persons with disabilities may be compromised based on the nature of their disability. The most critical housing need for persons with mobility limitations, are adaptable housing.. Many single-family homes may not be adaptable to widened doorways and hallways, access ramps, or other features necessary for accessibility. Furthermore, multi-family units built prior to 1990 are often not wheel-chair accessible and the cost of retrofitting a home is often prohibitive. Many disabled individuals live in households where a member of the household is a homeowner. These disabled individuals are less likely to have accessible units, since the Fair Housing Act (FHA) does not apply to all owner-occupied dwelling units. Amendments to the Fair Housing Act, as well as state law, require ground-floor units of new multi-family construction with more than four units to be accessible to persons with disabilities. However, units built prior to 1989 are not required to be accessible to persons with disabilities. Older units, particularly in older multi-family structures, are very expensive to retrofit for disabled occupants because space is rarely available for elevator shafts, ramps, widened doorways, etc. The site, parking areas, and walkways may also need modifications to install ramps and widen walkways and gates. The location of housing and availability of transportation is also important because disabled people may require access to a variety of social and specialized services.

Fair Housing Case Summary – Disability Discrimination

The complainant (CP), a quadriplegic young man, was transitioning from a nursing home where he resided for three years into independent living. With the assistance of a social worker, CP applied for an affordable housing apartment complex in downtown San Diego, near the college CP was attending. After applying and touring the building, which did not have any accessible units designed for persons with disabilities as required by the law, CP requested a modification to the bathroom tub, and a keyless remote entry for the front door. The CP was approved to move in, but was prevented from moving until the respondent approved his modification. After ignoring the CP, the respondent contacted the CP's social worker to express that she thought the client was "too disabled" and was concerned he should not live at the apartment building because he could not escape in case of fire. The respondent unilaterally rescinded their previous approval for the CP to move in, and denied the modification. The CP had prepared to move into the new unit for months, had to quickly find a place to live since he was being discharged from the nursing home. The CP found a non-accessible unit, an away from the community college he would attend.

Disposition: Referred to litigation; meritorious complaint and favorable settlement

Persons with physical disabilities may face discrimination in the housing market because of the use of wheelchairs, need for home modifications to improve accessibility, or other forms of assistance. Landlords must allow a tenant with physical disabilities to make "reasonable modifications" to the unit in order to address accessibility issues. However, in privately owned properties, the tenant is responsible for the costs of modifications. Landlords are also required to make "reasonable accommodations" in rules and policies to accommodate a tenant's disability. A typical example is to waive the "no-pet policy" for a person with visual impairments needing a guide dog. Landlords/owners sometimes fear that a unit may sustain wheelchair damage or may refuse to exempt disabled tenants with service/guide animals from a no-pet policy. A major barrier to housing for people with mental disabilities is opposition based on the stigma of mental disability. Landlords often refuse to rent to tenants with a

history of mental illness. Neighbors may object when a house becomes a group home for persons with mental disabilities.

While housing discrimination is not covered by the ADA, the Fair Housing Act prohibits housing discrimination against persons with disabilities. In their 2013 Fair Housing Trends Report, the National Fair Housing Alliance indicated that disability complaints were the most prevalent type of housing discrimination complaint. The report stated that apartment owners made direct comments refusing to make reasonable accommodations or modifications for people with disabilities, making discrimination based on disability easier to detect. Discrimination against persons with disabilities also continues to be the largest category of complaints HUD receives each year.[17]

Federal laws define a person with a disability as "any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment." In general, a physical or mental impairment includes hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex, and mental retardation that substantially limits one or more major life activities. Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself.[18]

The U.S. Census Bureau classifies disabilities into the following categories:

- **Hearing difficulty**: Deaf or having serious difficulty hearing
- **Vision difficulty**: Blind or having serious difficulty seeing, even when wearing glasses
- **Cognitive difficulty:** Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions
- **Ambulatory difficulty:** Having serious difficulty walking or climbing stairs
- **Self-care difficulty:** Having difficulty bathing or dressing
- **Independent living difficulty:** Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor's office or shopping

According to 2009-2013 ACS data, close to 285,000 persons living in San Diego County had a range of disabilities, comprising 9.4 percent of the total population. A large proportion of the disabled were seniors. Of those disabled persons, less than one percent were under the age of five, 3.5 percent were between the age of five and 17, seven percent were between the age of 18 and 64, and 35.9 percent were 65 years old or older (Table 21). The cities of Lemon Grove, El Cajon, and La Mesa had the highest proportion of disabled residents (between 12 and 12.6 percent). In Imperial Beach, more than half the population aged 65 or older had a disability and El Cajon had the highest proportion of disabled residents between the age of 18 and 64. Figure 2 shows population density for disabled persons in San Diego County. Figure 2 shows that although disabled persons are geographically dispersed throughout the more urbanized areas of the County, there are significant areas with a high density of disabled residents that coincide with minority concentration areas and RECAPs (Racially Concentrated Areas of Poverty). Specifically, concentrations of disabled residents can be seen in the North County cities of

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17 U.S. Department of Housing and Urban Development. "Annual Report on Fair Housing FY 2012-2013". (2013).

18 U.S. Department of Housing and Urban Development. "Disability Rights in Housing." (2014). http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/inhousing. Accessed December 23, 2014.

Oceanside, Vista, San Marcos, and Escondido, as well as the southern areas of the City of San Diego and southern cities near the U.S/Mexico border. Due to the presence of residential care facilities, the Mira Mesa community of the City of San Diego and the cities of El Cajon, La Mesa, and Lemon Grove also have concentrations of disabled residents. The coastal and inland areas show less dense concentrations of disabled residents, which could be due to the high price of housing (in the coastal areas) or the scarcity of facilities and services for disabled persons (inland areas).

Of those disabilities tallied between 2009 and 2013 (as shown in Table 22), cognitive, ambulatory, and independent living disabilities were the most prevalent. The senior population had a significantly larger percentage of all disability types. San Diego County's senior population will grow substantially in the next 20 years. Since seniors have a much higher probability of being disabled, the housing and service needs for persons with disabilities should grow considerably, commensurate with the projected growth of this population.

Table 21: Disability by Age

Jurisdiction	0-5 Years		5-17 Years		18-64 Years		65+ Years		Total	
	#	%	#	%	#	%	#	%	#	%
Urban County										
Coronado	16	1.7%	157	4.8%	463	4.6%	1,140	29.8%	1,776	9.8%
Del Mar	0	0.0%	0	0.0%	61	2.3%	203	20.8%	264	6.3%
Imperial Beach	24	1.2%	221	4.4%	1,525	9.2%	1,177	51.2%	2,947	11.4%
Lemon Grove	0	0.0%	245	5.1%	1,535	9.6%	1,288	46.6%	3,068	12.1%
Poway	8	0.3%	212	2.4%	1,799	6.0%	1,851	30.8%	3,870	8.1%
Solana Beach	20	3.7%	40	2.4%	210	2.6%	584	22.5%	854	6.6%
Unincorporated	202	0.6%	3,308	4.1%	25,127	9.0%	22,571	34.3%	51,208	11.2%
Total Urban County	270	0.7%	4,183	4.0%	30,720	8.5%	28,814	34.2%	63,987	10.8%
Entitlement Cities										
Carlsbad	19	0.3%	376	2.0%	3,283	5.0%	4,191	27.2%	7,869	7.4%
Chula Vista	119	0.7%	1,484	2.9%	9,906	6.6%	9,662	38.2%	21,171	8.7%
El Cajon	132	1.6%	935	5.0%	6,940	11.3%	4,442	42.9%	12,449	12.6%
Encinitas	0	0.0%	213	2.4%	1,750	4.4%	2,247	28.9%	4,210	7.0%
Escondido	122	1.0%	872	3.2%	6,651	7.3%	5,917	41.4%	13,562	9.4%
La Mesa	29	0.7%	337	4.5%	3,078	8.3%	3,321	42.0%	6,765	12.0%
National City	30	0.8%	185	1.7%	2,216	6.5%	2,409	39.9%	4,840	8.8%
Oceanside	21	0.2%	716	2.5%	8,364	8.0%	7,884	37.3%	16,985	10.3%
San Diego	575	0.7%	7,451	3.7%	52,335	6.1%	50,971	35.2%	111,332	8.7%
San Marcos	13	0.2%	327	2.1%	2,970	5.5%	3,637	40.2%	6,947	8.2%
Santee	0	0.0%	470	4.8%	3,122	9.2%	2,280	39.1%	5,872	11.1%
Vista	10	0.1%	648	4.1%	4,447	7.3%	3,705	42.8%	8,810	9.6%
Total County	**1,340**	**0.6%**	**18,197**	**3.5%**	**135,782**	**7.0%**	**129,480**	**35.9%**	**284,799**	**9.4%**

Source: American Community Survey (ACS), 2009-2013

Table 22: Disability Characteristics

Disability by Age and Type	5 to 17 years	18 to 64 years	65 years and over
Hearing Difficulty	0.5%	1.3%	14.8%
Vision Difficulty	0.6%	1.2%	6.7%
Cognitive Difficulty	2.5%	3.1%	10.7%
Ambulatory Difficulty	0.5%	3.2%	22.8%
Self Care Difficulty	0.9%	1.2%	9.4%
Independent Living Difficulty[1]	--	2.6%	18.1%
Total County	**3.5%**	**7.0%**	**35.9%**

Notes:
1: Tallied only for persons 18 years and over
Source: American Community Survey (ACS), 2009-2013

As previously stated, there are approximately 1,049 State-licensed residential care facilities for the elderly, 709 adult residential facilities, and 97 adult day care facilities throughout the County. These licensed care facilities have a combined capacity of just under 32,000 beds.

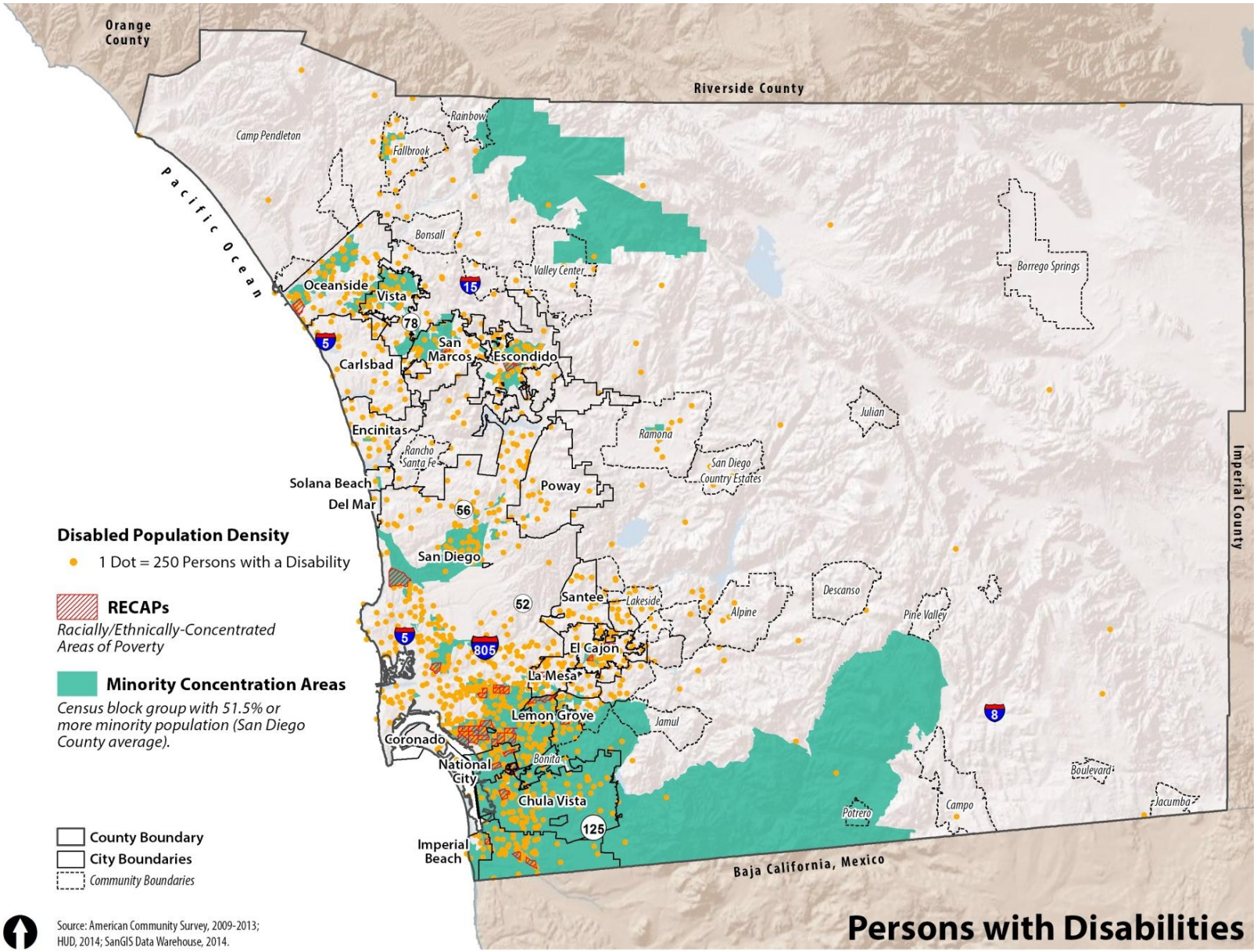
Persons with Developmental Disabilities: As defined by federal law, "developmental disability" means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age 22[19];
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self direction; f) capacity for independent living; or g) economic self- sufficiency; and
- Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

According to the U.S. Administration on Developmental Disabilities (ADD), the percentage of the population that can be defined as developmentally disabled is approximately 1.5 percent. The Census does not specifically record developmental disabilities. However, using the ADD percentage to create an estimate, based on the 2010 Census population, this equates to just over 46,000 persons in the County of San Diego.

[19] The State of California defines developmental disabilities slightly differently than federal law. The main difference is at the manifestation age, where California established that threshold at age 18.

Figure 2: Persons with Disabilities



The San Diego Regional Center provides a range of services to persons with or affected by developmental disabilities. Services include diagnostic and eligibility assessments, program planning, case management, and other services and supports. The San Diego Regional Center has four offices in the County and is one of 21 non-profit regional centers in California providing lifelong services and support for people with developmental disabilities residing in San Diego and Imperial Counties. As of December 2014, the Regional Center had just over 19,000 clients living in San Diego County. The ARC of San Diego, and Community Interface Services offer comprehensive services for persons or individuals with developmental disabilities and their families, including diagnosis, counseling, coordination of services, advocacy and community education/training.

5. Persons with HIV/AIDS[20]

Persons with Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS) face an array of barriers to obtaining and maintaining affordable, stable housing. For persons living with HIV/AIDS, access to safe, affordable housing is as important to their general health and well-being as access to quality health care. Increasingly, the connection between housing and health has become clearer; without stable housing, it is difficult for a person living with HIV/AIDS to maintain the complex treatment regimen required to manage this illness. For many, the persistent shortage of stable housing is the primary barrier to consistent medical care and treatment. Stable housing is shown to be cost effective for the community in that it helps decrease risk factors that can lead to HIV and AIDS transmission. Persons with HIV/AIDS require a broad range of services, including counseling, medical care, in home care, transportation, and food, in addition to stable housing.

Despite federal and state anti-discrimination laws, people have faced illegal eviction from their homes when their illness is exposed. The Fair Housing Amendments Act of 1988, which is primarily enforced by HUD, prohibits housing discrimination against persons with disabilities, including persons with HIV/AIDS. Housing providers are barred from discriminating against people with disabilities, but they also have a responsibility to provide reasonable accommodation in housing policies and procedures. A tenant with HIV/AIDS may not need physically accessible housing when initially renting a unit, but may then develop a symptom that later requires modifications in the unit. Many landlords and tenants are not aware that a landlord is required by law to allow physical modifications to a unit to accommodate a disability. In addition, persons with HIV/AIDS may also be targets of hate crimes, which are discussed later in this document.

California has the second largest number of HIV and AIDS cases in the United States; San Diego County has the third largest number of HIV and AIDS cases in California. Since the 1981 beginning of the epidemic, nearly 15,000 AIDS cases have been reported in San Diego County, as of December 31, 2011. New drugs, better treatment, and preventative education have reduced the number of fatalities. Persons with HIV/AIDS are living longer. There are currently 7,221 individuals diagnosed with AIDS in San Diego County.

As of December 2011, 14,739 AIDS cases were reported in San Diego County (Table 23). Among the different jurisdictions, the City of San Diego is home to the majority of residents diagnosed with AIDS (72.7 percent); trailing far behind were the communities in unincorporated areas, where only 0.2 percent or less of the County residents were diagnosed with AIDS. Individuals diagnosed with AIDS in San

[20] All statistics in Persons with HIV/AIDS section are taken from the "HIV/AIDS Epidemiology Report 2012" (County of San Diego Health and Human Services Agency, 2012) unless otherwise noted.

Diego County are most commonly white, male, aged 30 to 39 years, and have male sex partners. Over the course of the epidemic, there has been a slow increase in the proportion of cases affecting blacks, Hispanics, women, people aged 40 or older, and those having used injected drugs. The average age at HIV diagnosis from 1981 to 2011 is 34 years, although it has increased over time from 33 to 35. As the number of individuals newly diagnosed with AIDS has been decreasing, the number of individuals living with an AIDS diagnosis continues to increase. The decrease in the annual number of AIDS diagnoses has not been uniform across racial/ethnic groups. The largest decrease has been in Whites; while diagnosis of persons of color, including Blacks and Hispanics, has proportionately increased over time.

The primary source of funding for HIV/AIDS housing is HUD's Housing Opportunities for Persons with AIDS (HOPWA) program. The City of San Diego is the HOPWA program grantee, but all HOPWA programs are administered by the County of San Diego Department of Housing and Community Development (HCD). Established in 1992, the HOPWA program is designed to provide States and localities with resources and incentives to develop long-term comprehensive strategies that meet the housing and housing-related support service needs of low-income persons living with HIV/AIDS or related diseases and their families.[21] In FY 2015, the City of San Diego's Annual Action Plan included a $2.9 million budget for HOPWA programs ($2.8 million from the 2014 Program Year entitlement allocation and $100,000 from prior year funds). Programs funded through the HOPWA Program must be housing related and funding is prioritized as follows[22]:

- Activities which provide affordable housing for low-income persons living with HIV/AIDS and their families;
- Activities which enable low-income persons living with HIV/AIDS and their families to become housed;
- Services needed to enable low-income HIV/AIDS clients to remain housed, locate housing, and prevent homelessness.

Several HOPWA-funded housing resources (Table 24) are in place; however, there are many more people looking for housing than there are units available, particularly affordable housing units.

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[21] San Diego County HIV/AIDS Housing Plan Update 2009, County of San Diego, Department of Housing and Community Development.

[22] County of San Diego Department of Housing and Community Development. Housing Opportunities for Persons with AIDS (HOPWA) webpage. Accessed December 26, 2014. http://www.sandiegocounty.gov/sdhcd/organizations/about_hopwa.html.

Table 23: Community of Residence at Time of AIDS Diagnosis (1981-2011)

City/Community	Cumulative Cases	Percent
San Diego	10,710	72.7%
Chula Vista	569	3.9%
Oceanside	423	2.9%
El Cajon	304	2.1%
Escondido	299	2.0%
Vista	251	1.7%
San Ysidro	234	1.6%
La Mesa	218	1.5%
Spring Valley	216	1.5%
National City	214	1.5%
La Jolla	151	1.0%
Carlsbad	148	1.0%
Lemon Grove	113	0.8%
Santee	108	0.7%
Encinitas	100	0.7%
Imperial Beach	99	0.7%
San Marcos	90	0.6%
Lakeside	56	0.4%
Poway	55	0.4%
Coronado	44	0.3%
Fallbrook	42	0.3%
Del Mar	41	0.3%
Ramona	36	0.2%
Bonita	34	0.2%
Cardiff-by-the-Sea	24	0.2%
Leucadia	20	0.1%
Other[2]	140	0.9%
Total County	14,739	100%

Notes:
1. Place of residence at time of diagnosis does not represent the place of HIV diagnosis/exposure.
2. The following communities had fewer than 20 cases each: Alpine, Bonsall, Borrego Springs, Boulevard, Camp Pendleton, Campo, Descanso, Dulzura, Guatay, Jamul, Julian, Mount Laguna, Pauma Valley, Pine Valley, Ranchita, Rancho Santa Fe, San Luis Rey, Santa Ysabel, Solana Beach, Valley Center.

Source: HIV/AIDS Epidemiology Report 2012. County of San Diego Health and Human Services Agency

Table 24: HOPWA Program Resources

Agency/Program	Units/Program Capacity
Emergency Housing	
Townspeople - Provides emergency beds in the form of hotel/motel vouchers for up to 21 nights.	45
Licensed Care Facility	
Fraternity House, Inc. - Provides 18 beds through Fraternity House (8) and Michaelle House (10) for consumers who need 24-hour comprehensive care.	18
Recovery Housing	
Stepping Stone of San Diego - Provides 15 beds through its Residential Treatment Program located in the City Heights area in San Diego.	15
Transitional Group Home	
St. Vincent de Paul Village, Inc. - Provides 38 beds through its five Josue Homes for consumers who are ambulatory, self-sufficient and recovering substance abusers.	38
Stepping Stone of San Diego - Provides 17 beds through Enya House for consumers who have a minimum of 60 days sobriety and a commitment to long term recovery.	17
Permanent Housing	
Community Housing Works/Marisol Apartments - 10 units in Oceanside for consumers and their families. Support services are provided.	10
Community Housing Works/Old Grove - 4 units in Oceanside for consumers and their families. Support services are provided.	4
Mariposa Apartments - 2 units in San Marcos for consumers and their families.	2
Mercy Gardens - 23 units in the Hillcrest area in San Diego for consumers and their families.	23
Paseo del Oro Apartments - 5 units in San Marcos for consumers and their families.	5
Shadow Hills - 5 units in Santee for consumers and their families.	5
Sierra Vista Apartments - 5 units in San Marcos for consumers and their families.	5
South Bay Community Services/La Posada - 12 units in San Ysidro for consumers and their families. Case management and support services are provided.	12
Sonoma Court Apartments - 2 units in Escondido for consumer and their families.	2
Spring Valley Apartments - 9 units in Spring Valley for consumers and their families.	9
The Center- Sunburst Apartments - 3 units for consumers who are between 18 -24 years of age.	3
Townspeople – 34th Street Apartments - 5 units in San Diego for consumers and their families. Case Management services are provided.	5
Townspeople – 51st Street Apartments - 3 units in San Diego for consumers and their families. Case Management services are provided.	3
Townspeople – Wilson Avenue Apartments - 4 units in San Diego for consumers and their families. Case Management services are provided.	4
Tenant Based Rental Assistance	
County of San Diego, Housing and Community Development (HCD) – Program provides rent subsidies/vouchers for up to 80 consumers. Applicants are placed on a waiting list and preference is given to extremely low-income households with at least one family member having an AIDS diagnosis.	80

Table 24: HOPWA Program Resources

Agency/Program	Units/Program Capacity
Support Services	
Being Alive San Diego - Provides consumers with moving services, housing information and referral services.	--
County of San Diego AIDS Case Management- -Provides inpatient substance abuse treatment along with intensive case management for consumers who are homeless or at risk of homelessness. Program features immediate placement for qualified consumers and detoxification services when needed.	--
Mama's Kitchen (HOPWA Nutrition Project - HNP) - HNP provides meal packages through a home meal delivery service to people who are HIV symptomatic or living with AIDS and who are not eligible to receive meals under any other program/project	--

Source: Housing Opportunities for Persons with AIDS (HOPWA) program. County of San Diego, Department of Housing and Community Development, September 2014

6. Homeless

Formerly homeless persons often have a very difficult time finding housing once they have moved from transitional housing or other assistance programs. Housing affordability for those who were formerly homeless is challenging from an economics standpoint, but this demographic group may also encounter fair housing issues when property owners/managers refuse to rent to formerly homeless persons. The perception may be that they are more economically (and sometimes mentally) unstable. Homeless persons may also experience discrimination in homeless shelters. This can occur in the form of discrimination based on protected classes, rules or policies with a disparate impact on a protected class, or lack of reasonable accommodation.

Fair Housing Also Applies to Homeless Shelters

In 2013, the U.S. Department of Housing and Urban Development (HUD) charged a homeless shelter in Pennsylvania and one of its employees with refusing to accept a blind man and his guide dog at a homeless shelter. HUD's investigation found that the homeless man was denied a reasonable accommodation request to allow the man to keep his dog in the shelter, in violation of the Fair Housing Act.

On January 4, 2012, final regulations went into effect to implement changes to HUD's definition of homelessness contained in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act. The definition affects who is eligible for various HUD-funded homeless assistance programs. The new definition includes four broad categories of homelessness:[23]

- People who are living in a place not meant for human habitation, in emergency shelters, in transitional housing, or are exiting an institution where they temporarily resided.
- People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled-up situation, within 14 days and lack resources or support networks to remain in housing.

[23] U.S. Department of Housing and Urban Development. "Expanding Opportunities to House Individuals and Families Experiencing Homelessness through the Public Housing (PH) and Housing Choice Voucher (HCV) Programs: Questions and Answers (Q&As)." September 2013.

- Families with children or unaccompanied youth who are unstably housed and likely to continue in that state.
- People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing.

This definition demonstrates the diversity of people experiencing homelessness. The numerous places where people experiencing homelessness can be located complicate efforts to accurately estimate their total population. For example, an individual living with friends on a temporary basis could be experiencing homelessness, but would be unlikely to be identified in a homeless count. Since 2006, the San Diego Regional Task Force on the Homeless (RTFH) has conducted a point-in-time survey (PIT) to measure the County's homeless population, as well as to identify the needs of persons experiencing homelessness. The 2014 San Diego Regional Homeless Point-In-Time Count took place on the night of January 23, 2014. The 2014 PIT count identified 8,506[24] homeless persons living in San Diego County (Table 25). Of the homeless persons counted, just less than half (3,985) were unsheltered – living in a place not meant for human habitation, while over 13 percent were in an emergency shelter and 37 percent in a transitional housing program.

When examining the different regions within San Diego County, the City of San Diego had the largest proportion of the homeless persons (61 percent), followed by North County Inland with 12 percent of the region's homeless persons. Since 2011, the total number of sheltered and unsheltered homeless persons enumerated during the annual PIT decreased by approximately six percent. While the number of homeless persons sheltered on the selected night increased 11 percent over the four-year period (4,305 to 4,521), the unsheltered homeless persons observed and counted decreased by 20 percent (4,981 in 2011 to 3,985 in 2014). When looking at the one-year change from 2013 to 2014, there was a decrease in the sheltered and unsheltered homeless persons by four percent, with the majority of the decrease occurring in the unsheltered population (13 percent decrease). Many homeless service providers attributed the decrease to the new "Housing First" model and the Continuum of Care system (described later). This approach recognizes many people and unprepared to address their other issues (e.g., employment, health, and emotional) until they have a more stable housing arrangement.

The point-in-time count is just a snapshot of how many homeless people are on streets and in emergency and transitional shelters on any given day in the San Diego region. RTFH estimated that the number of people who used an emergency shelter or transitional housing program at any time from October 1, 2012 through September 30, 2013 was 12,817 persons.[25]

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[24] The 2014 San Diego Regional Homeless Profile indicates 8,506 persons enumerated in the Point-in-Time Count. The data tables presented in the report only indicates 8,505 persons.

[25] San Diego Regional Taskforce on the Homeless. "2014 San Diego Regional Homeless Profile". (September 24, 2014).

Table 25: Homelessness Population by Jurisdiction - 2014

Jurisdiction	Sheltered	Unsheltered	Total	% of County
Urban County				
Coronado	0	10	10	0.1%
Del Mar	0	6	6	0.1%
Imperial Beach	0	48	48	0.6%
Lemon Grove	0	34	34	0.4%
Poway	0	8	8	0.1%
Solana Beach	0	42	42	0.5%
Unincorporated:				
Bonita	6	0	6	0.1%
Lakeside	NA	73	73	0.9%
NC Metro	NA	19	19	0.2%
Ramona	NA	33	33	0.4%
San Dieguito	NA	3	3	0.0%
Spring Valley	NA	81	81	1.0%
Valle de Oro	NA	16	16	0.2%
Total Urban County	6	373	379	4.5%
Entitlement Cities				
Carlsbad	57	19	76	0.9%
Chula Vista	163	342	505	5.9%
El Cajon	416	97	513	6.0%
Encinitas	50	38	88	1.0%
Escondido	403	151	554	6.5%
La Mesa	0	37	37	0.4%
National City	18	266	284	3.3%
Oceanside	319	105	424	5.0%
San Diego	2,731	2,468	5,199	61.1%
San Marcos	0	6	6	0.1%
Santee	0	40	40	0.5%
Vista	358	42	400	4.7%
Total County	**4,521**	**3,984**	**8,505[1]**	**100%**

Notes: The 2014 San Diego Regional Homeless Profile indicates 8,506 persons enumerated in the Point-in-Time Count. The data presented in the report only indicates 8,505.
Source: San Diego Regional Taskforce on the Homeless 2014 San Diego Regional Homeless Profile. September 24, 2014

The San Diego Regional Continuum of Care Council (RCCC) receives millions of dollars in federal funds to address homelessness under the Homeless Continuum of Care (CoC) Program of the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act. The RCCC is a large cooperative community group consisting of representatives of the 18 cities within the county, nonprofit service providers and other interested parties. The RCCC meets on a quarterly basis to identify gaps in homeless services, establish funding priorities, and pursue an overall systemic approach to addressing homelessness.

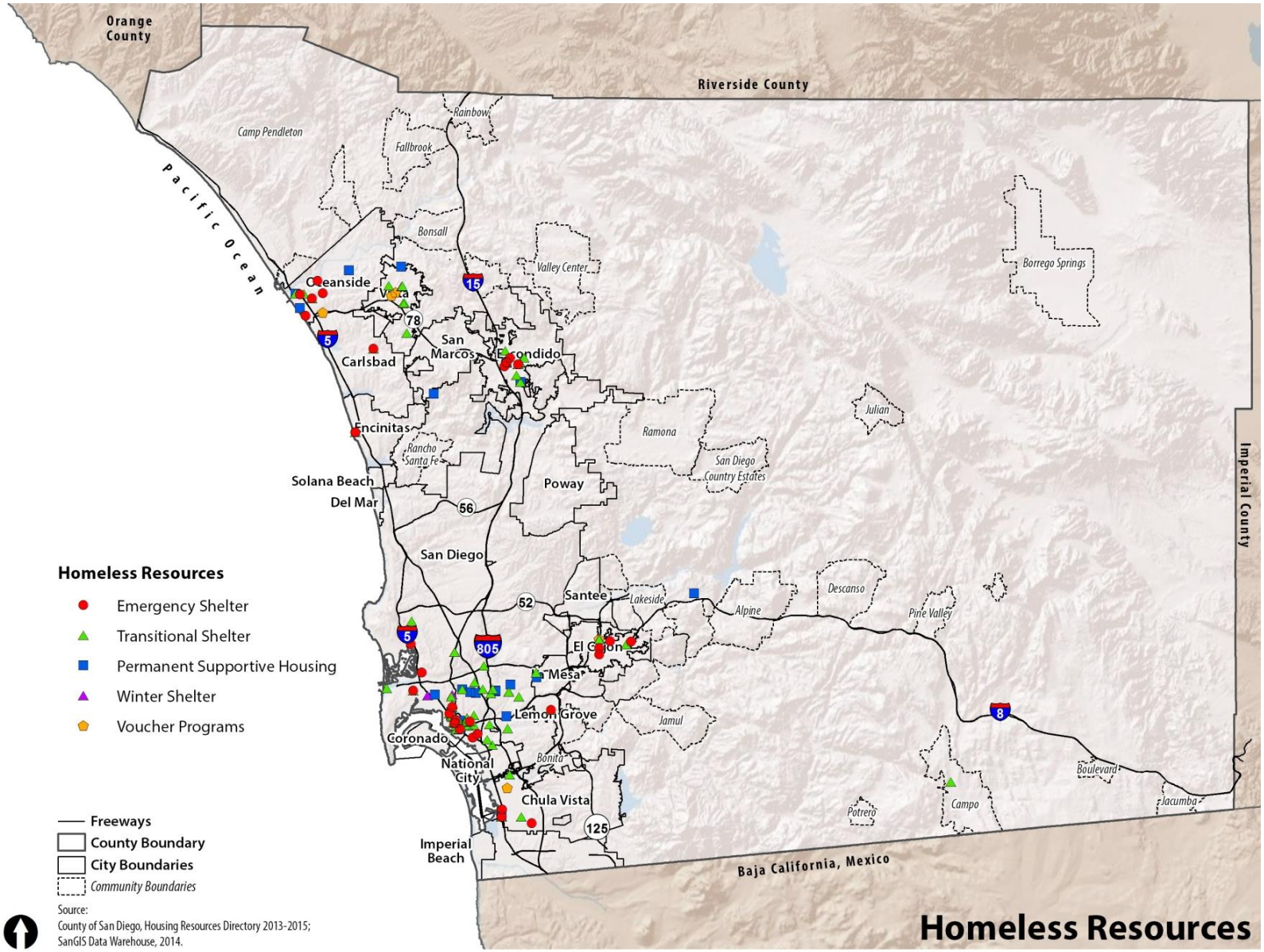
The San Diego Housing Commission (SDHC) has established a three-year homelessness action plan to create additional affordable housing with supportive services for as many as 1,500 homeless San Diegans. In 2014, San Diego officials announced a three-year, $200 million, five-point action plan to combat homelessness.[26] The Housing First model focuses on moving the homeless individual or household immediately from the streets or homeless shelters into housing. Housing First approaches are based on the concept that a homeless individual or household's first and primary need is to obtain stable housing, and that other issues that may affect the household can and should be addressed once housing is obtained. The Housing First – San Diego program includes:

- The renovation of the Churchill Hotel to create 72 units that provides permanent supportive housing for homeless veterans and former foster children ($17 million).
- The creation of permanent supportive housing using $30 million in funding allocated over the next three years.
- 1,500 federal rental vouchers for at-risk low-income families and individuals ($150 million).
- "Moving to Work," federally funded rental assistance program which will dedicate 20 percent of its San Diego units for permanent supportive housing.
- A commitment of 25 of SDHC's own affordable units ($348,000 annually) to serve as temporary housing for homeless families and individuals. SDHC is one of the first public housing agencies in the nation to pledge affordable housing units that it owns and operates for this purpose.

A variety of public and nonprofit agencies in San Diego County also offer services to assist individuals and families in obtaining and maintaining adequate housing. These agencies administer programs that include rental assistance, housing rehabilitation, shared housing, public housing, home purchasing assistance, and emergency shelters. Figure 3 shows that the majority of resources for homeless persons are located near the downtown area in the City of San Diego, as more than half (61 percent) of the region's homeless population live in the City of San Diego. In the North County areas, there are concentrations of homeless resources in the larger cities such as Oceanside, Vista, and Escondido. In the south County areas, homeless resources are clustered in the cities of Chula Vista and El Cajon.

[26] San Diego Housing Commission. "SDHC's Homelessness Action Plan". (November 12, 2014). SDHC website: http://www.sdhc.org/Special-Housing-Programs.aspx?id=7616. Accessed December 21, 2014.

Figure 3: Homeless Resources



7. Farm Workers

As traditionally defined, farm workers are persons whose primary incomes are earned through permanent or seasonal agricultural labor. Permanent farm workers tend to work in fields or processing plants. During harvest periods when workloads increase, the need to supplement the permanent labor force is satisfied with seasonal workers. Often these seasonal workers are migrant workers, defined by the inability to return to their primary residence at the end of the workday. Determining the actual number of farm workers in a region is difficult due to the variability of the definitions used by government agencies and other peculiarities endemic to the farming industry. Agricultural work can include weeding, thinning, planting, pruning, irrigation, tractor work, pesticide applications, harvesting, transportation to the cooler or market, and a variety of jobs at packing and processing facilities. It is therefore difficult to estimate the number of farm workers residing in the County. According to 2009-2013 ACS data, just over 8,500 residents of San Diego County were employed in farming, fishing, or forestry occupations. In contrast, estimates provided by other governmental agencies include 9,600 (Total Farm Employment, California Employment Development Department) and 17,844 workers (Hired Farm Labor, 2012 Census of Agriculture). The number of farm workers, however, varies depending upon the different growing seasons. The numbers can change quickly as more work becomes available. This population remains highly migratory, following the work as it becomes available and even returning home for short periods during the off-season.

Over half the estimated farm worker population is located in the North County cities of Oceanside, Escondido, Vista, and San Marcos. Close to a quarter of the farm worker population resided in unincorporated areas of the County. The geographic distribution of farm workers in San Diego County generally corresponds with agricultural production areas. According to the County's Geographic Information System (GIS) data, agricultural production in the County is concentrated in the unincorporated north inland areas of the county around Interstate 15, north of the cities of vista, San Marcos, and Escondido, and west of the Cleveland National Forest areas. County land use data also indicated that most agricultural activity consists of orchards and vineyards or field crops. Only a small portion of agricultural land is used for intensive agricultural uses.

Table 26: Farm Worker Population of San Diego County

Jurisdiction	# of Persons	Percent of All Persons Employed in Farming, Fishing, and Forestry Occupations
Urban County		
Coronado	10	0.1%
Del Mar	0	0.0%
Imperial Beach	0	0.0%
Lemon Grove	0	0.0%
Poway	14	0.2%
Solana Beach	12	0.1%
Unincorporated	2,067	24.3%
Total Urban County	2,103	24.7%
Entitlement Cities		
Carlsbad	135	1.6%
Chula Vista	104	1.2%
El Cajon	17	0.2%
Encinitas	63	0.7%
Escondido	1,772	20.8%
La Mesa	24	0.3%
National City	109	1.3%
Oceanside	1,025	12.0%
San Diego	1,376	16.2%
San Marcos	611	7.2%
Santee	0	0.0%
Vista	1,181	13.9%
Total County	**8,520**	**100.0%**

Source: American Community Survey (ACS), 2009-2013

Although there exists little consensus as to the number of farm workers in San Diego County, analysis reveals that this group has special housing needs. According to the California Employment Development Department (EDD), the average salary for farm workers and laborers working in the Farming, Fishing, and Forestry Occupations in the San Diego-Carlsbad-San Marcos MSA in 2014 was approximately $27,191. Most rental units that are affordable and available to migrant farm workers are small, while most farm worker households are above average in size and as a result live in overcrowded housing. Thus, housing affordability and overcrowding are critical issues among this special needs group. Due to the low wages, high housing costs, and seasonal nature of this occupational category, many farm workers are homeless at their place of employment while their families may be residing elsewhere. In 2010, the Regional Homeless Profile noted that more than half of unsheltered individuals counted in North County cities were farm workers or day laborers and many occupied hillsides and canyons near the areas they worked.[27]

[27] San Diego Regional Taskforce on the Homeless, "2014 San Diego Regional Homeless Profile". (September 24, 2014).

Farm workers can benefit from programs and services that provide assistance to lower and moderate-income households in general, such as the Housing Choice Voucher program, which offers rental assistance to residents. According to the County of San Diego Housing Resources Directory 2013-2015, two developments in the City of San Marcos (Chinaberry Apartments and Firebird Manor) and one in the community of Fallbrook (Fallbrook View Apartments) provide 109 units of affordable housing for farm workers and their families. In addition, eight of the 108 units at Eucalyptus View Apartments in the City of Escondido are reserved for farm workers and their families.

8. Military Personnel and Veterans

San Diego is one of the largest military regions in the United States. The County is the third largest in the U.S. in terms of veteran residents, and the number one destination for veterans returning from Iraq and Afghanistan.[28] San Diego County has a strong military personnel presence due to the various large military bases, including Naval Air Station North Island, Naval Station San Diego, Naval Base Point Loma, Marine Corps Air Station Miramar, and Marine Corps Base Camp Pendleton. The military population increases the demand for low-cost rental housing. Military personnel generally earn lower incomes and their length of residency is often uncertain. Although the need is partially met by the supply of military housing, the demand outweighs the supply. Eligibility for military housing is based on pay grade and family size. In addition to housing concerns, veterans may experience specific difficulties when reintegrating into the civilian labor force. These include: trouble translating military experience to civilian work, lack of resume, job search, and interview experience; time needed to "decompress;" and health issues (physical and mental) from military service.[29]

Although less than one percent of the U.S. population lives in San Diego County, the region is home to more than eight percent of the active duty U.S. military population. Approximately 110,700 active duty personnel are stationed in San Diego County. Once spouses and dependent children are included, the military-related population in San Diego County is about 229,000.[30] The 2009-2013 ACS data estimates that veterans made up 10 percent (234,211 persons) of the adult population in the County. This proportion was significantly higher in the City of Coronado (21 percent).

Due to the region's high cost of living, many families at the lower range of pay and housing allowance are barely meeting the self-sufficiency standard for San Diego. The Self-Sufficiency Standard measures how much income is needed for a family of a certain composition living in a particular county to adequately meet its basic needs. The incomes for households living below the Self-Sufficiency Standard in the San Diego region exceed federal poverty thresholds but are insufficient to cover the cost of necessities in the region. The 2014 Regional Homeless Profile estimates that 20 percent (1,307 persons) of all homeless adult persons in San Diego (6,430 persons), at a single point in time, were veterans of the U.S. Armed Forces.[31]

Housing and supportive service needs for military personnel are addressed by the Department of Defense, while the needs of veterans are addressed at the community level. The Veteran Services

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[28] County of San Diego and San Diego Regional Chamber of Commerce, "Military Employment in San Diego". (January 2013).

[29] County of San Diego and San Diego Regional Chamber of Commerce, "Military Employment in San Diego". (January 2013).

[30] Women Give San Diego, "San Diego Women and Girls & Economic Health : Military Women and Wives". (2010).

[31] San Diego Regional Taskforce on the Homeless, "2014 San Diego Regional Homeless Profile". (September 24, 2014).

division of the County's Health and Human Services Agency provides benefit information and assistance, plus other support to San Diego County veterans and their families. Services offered through Veterans Services includes comprehensive benefits counseling, claims preparation and submission, claims follow-up to ensure final decisions, initiation and development of appeals, and networking and advocacy with federal, state and local agencies.

The Veteran's Village of San Diego (VVSD) provides a continuum of care with a full range of comprehensive and innovative services for military veterans. VVSD has five locations throughout San Diego County where they provide services to more than 2,000 military veterans.

D. Hate Crimes

Hate crimes – violent acts against people, property, or organizations motivated by a bias related to victim's race, ethnicity, religion, gender, sexual orientation, national origin, or physical or mental disability – are a tragic part of American history. However, it was not until the early in 2000s that the federal government began collecting data on the number and type of hate crimes committed and by whom.

Hate crimes become a fair housing concern when residents are intimidated or harassed at their residence or neighborhood. Fair housing violations due to hate crimes also occur when people will not consider moving into certain neighborhoods, or have been run off from their homes for fear of harassment or physical harm. The federal Fair Housing Act makes it illegal to threaten, harass, intimidate or act violently toward a person who has exercised their right to free housing choice. Persons who break the law have committed a serious crime and can face time in prison, large fines or both, especially for violent acts, serious threats of harm, or injuries to victims. In addition, this same behavior may violate similar state and local laws, leading to more punishment for those who are responsible. Some examples of illegal behavior include threats made in person, writing or by telephone; vandalism of the home or property; rock throwing; suspicious fires, cross-burning or bombing; or unsuccessful attempts at any of these. The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009 greatly expanded the federal government's ability to prosecute hate crimes without having to show that the defendant was engaged in a federally protected activity. The Shepard-Byrd Act also empowers the department to prosecute crimes committed because of a person's sexual orientation, gender identity, gender or disability as hate crimes.

In 2013, the FBI's Uniform Crime Reporting (UCR) Program released the first publication to present data collected under the Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act of 2009. As a result, the bias categories of gender (male and female) and gender identity (transgender and gender nonconforming) were added to the other bias categories of race, religion, disability, sexual orientation, and ethnicity. Table 27 shows that, 99 hate crimes were reported in San Diego County in 2013. The jurisdictions with the largest number of hate crimes include San Diego (43 cases), unincorporated County (13 cases), Escondido (8 cases), and Oceanside (8 cases). More than half of reported hate crimes appear to be motivated by the victim's race or ethnicity. Close to a quarter of reported hate crimes appeared motivated by the victim's sexual orientation. Although hate crimes have declined in San Diego region since 2001 (Figure 4), there has been a steady increase in the proportion of total hate crimes reported that are based on religion. However, reporting hate crimes is voluntary on the part of the local jurisdictions. Some states started submitting data only recently, and not all jurisdictions are represented in the reports. Many jurisdictions across the country, including those with well-documented histories of

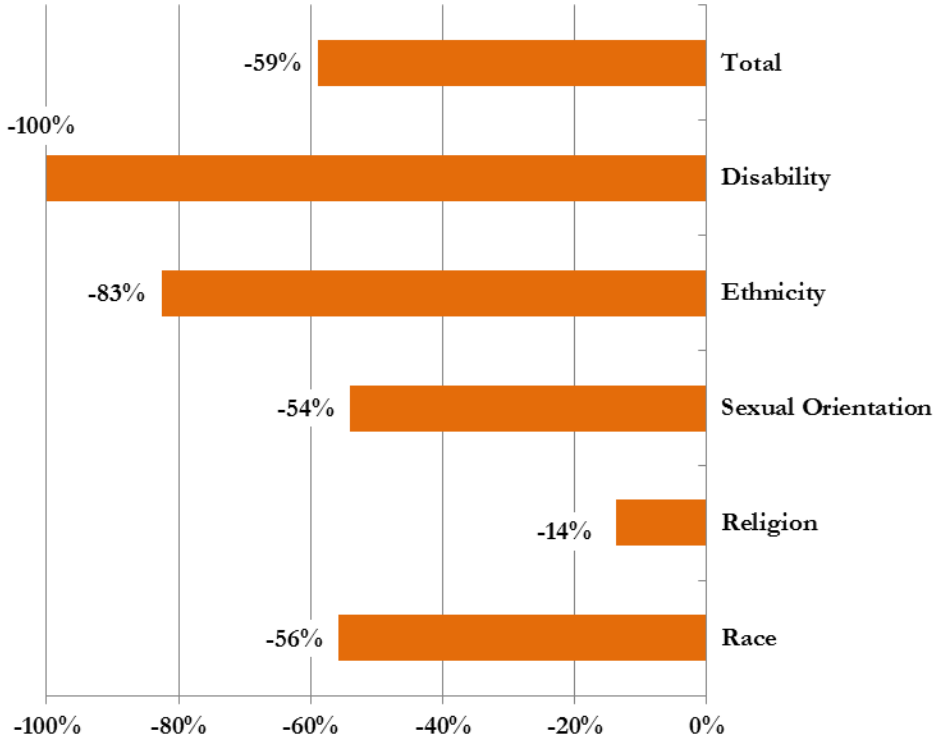
racial prejudice, reported zero hate crimes. Another obstacle to gaining an accurate count of hate crimes is the reluctance of many victims to report such attacks.

Table 27: Hate Crime Statistics – 2013

Jurisdiction	Race	Religion	Sexual Orientation	Ethnicity	Disability	Gender	Gender Identity	Total
Urban County Cities								
Coronado	0	1	0	0	0	0	0	1
Del Mar	0	0	0	0	0	0	0	0
Imperial Beach	1	0	1	1	0	0	0	3
Lemon Grove	1	0	1	0	0	0	0	2
Poway	0	0	0	0	0	0	0	0
Solana Beach	0	0	0	0	0	0	0	0
Entitlement Jurisdictions								
Carlsbad	1	1	0	1	0	0	0	3
Chula Vista	3	0	1	0	0	0	0	4
El Cajon	1	0	0	1	0	0	0	2
Encinitas	2	1	0	1	0	0	0	4
Escondido	4	1	1	2	0	0	0	8
La Mesa	0	0	0	0	0	0	0	0
National City	2	0	1	0	0	0	0	3
Oceanside	5	1	1	1	0	0	0	8
San Diego	18	12	12	1	0	0	0	43
San Marcos	0	0	0	0	0	0	0	0
Santee	1	0	1	1	0	0	0	3
Vista	1	0	1	0	0	0	0	2
San Diego County	6	2	3	2	0	0	0	13
Total County	**46**	**19**	**23**	**11**	**0**	**0**	**0**	**99**
Percentage	**46.5%**	**19.2%**	**23.2%**	**11.1%**	**0%**	**0%**	**0%**	**100.0%**

Note: *Hate Crime Statistics, 2013* includes data about bias-motivated incidents reported by law enforcement agencies throughout the nation. However, no estimates are included for agencies that do not submit reports.
Source: U.S. Federal Bureau of Investigation, Hate Crime Statistics 2013

Figure 4: Change in Hate Crimes between 2001 and 2013



Note: The large drop in the number of hate crimes reported based on the victim's disability is due to the low number of incidents reported. In 2001, 2 incidents were reported and in 2013 no incidents were reported.
Source: U.S. Federal Bureau of Investigation, Hate Crime Statistics 2013

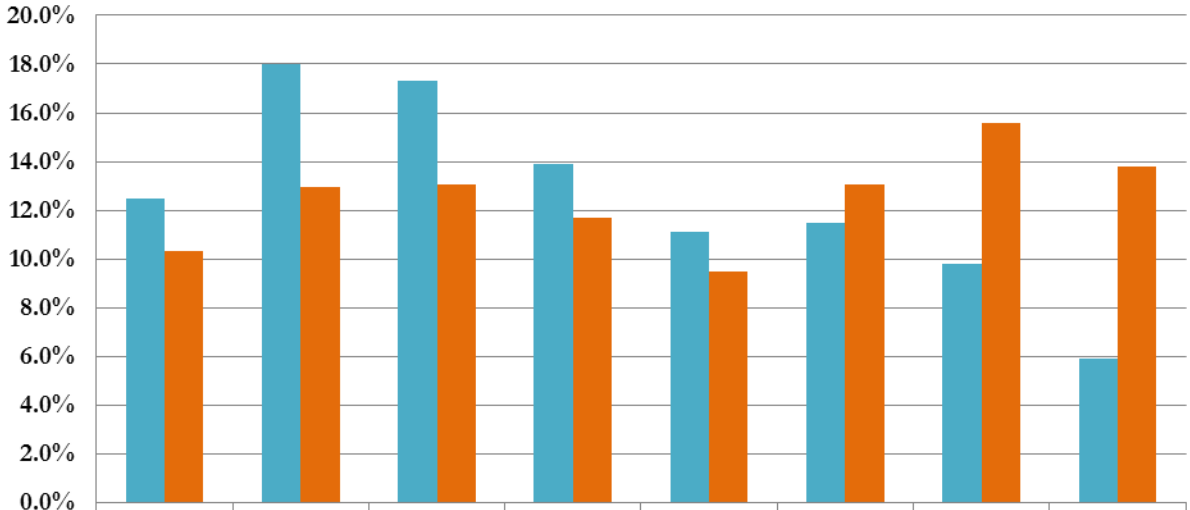
E. Income Profile

Household income is the most important factor determining a household's ability to balance housing costs with other basic life necessities. Regular income is the means by which most individuals and families finance current consumption and make provision for the future through saving and investment. The level of cash income can be used as an indicator of the standard of living for most of the population. While economic factors that affect a household's housing choice are not a fair housing issue *per se*, the relationships among household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

1. Household Income

The 2009- 2013 ACS data shows that the median household income for San Diego County was $62,962. Just over 23 percent of the County households earned less than $30,000 in 2013. In contrast, close to 30 percent of the households earned more than $100,000 in 2013. In fact, the proportion of households earning less than $75,000 has fallen since 2000 and households earning more than $75,000 increased since 2000 as seen in Figure 5.

Figure 5: San Diego County Household Income



	<$15,000	$15,000-29,999	$30,000-$44,999	$45,000-$59,999	$60,000-$74,999	$75,000-$99,999	$100,000-$149,999	>$150,000
2000	12.5%	18.0%	17.3%	13.9%	11.1%	11.5%	9.8%	5.9%
2013	10.3%	13.0%	13.0%	11.7%	9.5%	13.1%	15.6%	13.8%

Source: Bureau of the Census, 2000; American Community Survey (ACS), 2009-2013

Median income in 2013 ranged from a high of $107,457 in Del Mar to a low of $37,933 in National City (Table 28). Not surprisingly, areas with high median household incomes are found along the coastal cities of Del Mar and Solana Beach and in Poway. The income gap between cities can be attribute to many factors, including the high cost of housing on the coast, the cities with lower incomes having significantly younger residents, having fewer professional and management employees, or having more students. Many of the cities with lower median incomes are also cities with a higher proportion of non-white population. As stated earlier in this chapter, per capita income for Blacks and Hispanics is 78 percent and 55 percent, respectively, of the County per capita income, compared with Whites who earned 109 percent of the County per capita income according to 2009 to 2013 ACS data.

According to 2000 Census data and 2013 ACS data, in absolute terms, the median income in the County has risen since 2000 (Table 28). When inflation is not factored in, the County and each of the cities in the County posted significant median household income gains compared with 2000. For example, median income in Vista jumped from $43,258 to $47,346 between 2000 and 2013, a 9.5-percent gain. However, adjusting the 2000 income to 2013, the number becomes $58,521, turning the change into a 19-percent loss. When adjusted for inflation, most cities saw a decrease in median income. Percent change in income from 2000 (inflation adjusted) to 2013 ranged from a decrease of 19 percent in Vista to an increase of 6.8 percent in Chula Vista. The decrease in median income in the County reflects a national trend attributable to the economic downturn that started in 2007 and has just recently started to level off. Research shows that between 2007 and 2013, the median household income nationwide dropped by 7.3 percent.[32]

[32] Plummer, Brad. Median Household Incomes Have Collapsed Since the Recession. *Washington Post*. Retrieved from http://www.washingtonpost.com/blogs/wonkblog/ (March 29, 2013).

Table 28: Median Household Income

Jurisdiction	Median Household Income 2000 (Not Adjusted for Inflation)	Median Household Income 2000 (In 2013 Inflation-Adjusted Dollars)	Median Household Income (2013)	% Change 2000 (In 2013 Inflation-Adjusted Dollars) to 2013)
Urban County				
Coronado	$67,334	$91,091	$91,103	0.0%
Del Mar	$81,941	$110,852	$107,457	-3.1%
Imperial Beach	$36,298	$49,105	$49,268	0.3%
Lemon Grove	$41,214	$55,755	$51,496	-7.6%
Poway	$71,715	$97,018	$93,856	-3.3%
Solana Beach	$73,523	$99,464	$86,451	-13.1%
Entitlement Jurisdictions				
Carlsbad	$65,854	$89,089	$83,908	-5.8%
Chula Vista	$44,852	$60,677	$64,801	6.8%
El Cajon	$36,176	$48,940	$44,112	-9.9%
Encinitas	$64,821	$87,692	$91,795	4.7%
Escondido	$43,337	$58,628	$49,362	-15.8%
La Mesa	$41,949	$56,750	$53,605	-5.5%
National City	$29,981	$40,559	$37,933	-6.5%
Oceanside	$46,237	$62,551	$58,153	-7.0%
San Diego	$45,871	$62,056	$64,058	3.2%
San Marcos	$45,897	$62,091	$53,657	-13.6%
Santee	$54,150	$73,256	$70,899	-3.2%
Vista	$43,258	$58,521	$47,346	-19.1%
Total County	**$47,360**	**$64,070**	**$62,962**	**-1.7%**
State of California	$47,288	$63,973	$61,094	-4.5%

Source: Bureau of the Census, 2000; American Community Survey (ACS), 2009-2013; U.S. Department of Labor, Bureau of Labor Statistics

2. Income Distribution

HUD periodically receives "custom tabulations" of Census data from the U.S. Census Bureau that are largely not available through standard Census products. The most recent estimates are derived from the 2007-2011 ACS. These data, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrate the extent of housing problems and housing needs, particularly for low-income households. The CHAS cross-tabulates the Census data to reveal household income in a community in relation to the Area Median Income (AMI).

As defined by CHAS, housing problems include:

- Units with physical defects (lacking complete kitchen or bathroom);
- Overcrowded conditions (housing units with more than one person per room);
- Housing cost burden, including utilities, exceeding 30 percent of gross income; and
- Severe housing cost burden, including utilities, exceeding 50 percent of gross income.

HUD has also established the following income categories based on the Area Median Income (AMI) for the Metropolitan Statistical Area (MSA):

- Extremely Low Income (0-30 percent of AMI)
- Low Income (31-50 percent of AMI)
- Moderate Income (51-80 percent of AMI)
- Middle/Upper Income (above 80 percent of AMI)

Together, extremely low and low incomes are referred to as "lower" income.

According to the CHAS data in Table 29, just over 26 percent of San Diego County households were within the extremely low-income and low-income categories, 17.6 percent were within the moderate-income category, and more than half (56.3 percent) were within the middle/upper-income category. The proportion of households with extremely low-and low-incomes was highest in National City (48.8 percent) and lowest in Del Mar (10.5 percent).

Table 29: Income Distribution, 2007-2011

Jurisdiction	Total Households	Extremely Low Income (0-30%)	Low Income (31-50%)	Moderate Income (51-80%)	Middle/Upper Income (80%+)
Urban County					
Coronado	7,440	8.4%	6.4%	13.0%	72.2%
Del Mar	1,990	5.0%	5.5%	11.3%	78.1%
Imperial Beach	9,060	21.5%	16.7%	23.5%	38.2%
Lemon Grove	8,460	20.9%	15.0%	19.1%	45.0%
Poway	15,930	6.9%	6.4%	11.3%	75.5%
Solana Beach	5,480	10.2%	7.7%	11.7%	70.4%
Entitlement Jurisdictions					
Carlsbad	39,970	9.3%	8.7%	14.2%	67.8%
Chula Vista	73,635	13.0%	12.5%	18.7%	55.8%
El Cajon	32,380	22.7%	14.1%	20.2%	43.0%
Encinitas	23,045	10.3%	8.0%	13.6%	68.1%
Escondido	44,920	17.0%	16.0%	23.0%	43.9%
La Mesa	23,720	15.3%	13.9%	19.9%	50.9%
National City	16,065	29.0%	19.8%	22.6%	28.6%
Oceanside	57,820	12.2%	12.9%	19.3%	55.6%
San Diego	474,215	14.8%	11.8%	16.1%	57.3%
San Marcos	26,165	13.4%	16.1%	21.9%	48.5%
Santee	18,405	10.2%	10.2%	17.2%	62.4%
Vista	29,075	13.2%	17.3%	24.7%	44.8%
Total County	**1,064,050**	**13.9%**	**12.2%**	**17.6%**	**56.3%**

Note: Data presented in this table is based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% count due to the need to extrapolate sample data out to total households. Interpretations of this data should focus on the proportion of households in need of assistance rather than on precise numbers.
Source: HUD Comprehensive Housing Affordability Strategy (CHAS) Data, 2007-2011

3. Income by Household Type and Race/Ethnicity

Household income often varies by household type. As shown, in Table 30, small family households make up the largest proportion of extremely low- and low-income households at 26.4 percent.

Race/ethnicity can indicate housing need to the extent that different race/ethnic groups earn different incomes. Overall, lower income households represented just over 26 percent of all households in San Diego County in 2007-2011. However, certain groups had higher proportions of lower-income households. Specifically, Hispanic (39.7 percent) and Black (35.5 percent) households had a considerably higher proportion of lower-income households than the rest of the County (Table 31). Proportionally fewer Asian (19.8 percent) and Non-Hispanic White households (20.9 percent) fell in the lower-income category compared to the County average.

Table 30: Housing Assistance Needs of Low and Moderate Income Households (2007-2011)

Household by Type, Income & Housing Problem	Renters				Owners				Total Households
	Elderly	Small Families	Large Families	Total Renters	Elderly	Small Families	Large Families	Total Owners	
Extremely Low Income (0-30% AMI)	**21,515**	**37,760**	**11,565**	**105,875**	**21,005**	**9,905**	**2,460**	**42,385**	**148,260**
# with any housing problems	75%	85%	95%	81%	70%	68%	87%	70%	78%
# with cost burden > 30%	74%	83%	92%	80%	69%	66%	77%	69%	77%
# with cost burden > 50%	57%	73%	79%	69%	53%	60%	68%	57%	66%
Low Income (31-50% AMI)	**13,555**	**35,715**	**11,720**	**83,320**	**24,135**	**12,120**	**4,305**	**46,400**	**129,720**
# with any housing problems	77%	89%	92%	89%	49%	80%	90%	65%	80%
# with cost burden > 30%	75%	85%	80%	85%	49%	79%	80%	63%	77%
# with cost burden > 50%	42%	39%	34%	43%	31%	65%	56%	46%	44%
Moderate Income (51-80% AMI)	**9,665**	**46,880**	**11,665**	**102,200**	**32,725**	**29,895**	**11,620**	**84,650**	**186,850**
# with any housing problems	65%	65%	12%	68%	39%	74%	82%	61%	65%
# with cost burden > 30%	63%	59%	48%	61%	39%	73%	71%	60%	60%
# with cost burden > 50%	23%	11%	6%	13%	21%	48%	40%	36%	23%
Middle/Upper Income (81% + AMI)	**12,625**	**82,645**	**12,585**	**184,880**	**91,380**	**222,585**	**43,195**	**414,340**	**599,220**
# with any housing problems	25%	21%	52%	22%	22%	34%	48%	34%	31%
# with cost burden > 30%	22%	16%	15%	17%	22%	34%	36%	33%	28%
# with cost burden > 50%	6%	1%	0%	1%	6%	7%	8%	8%	6%
Total Households	**57,360**	**203,000**	**47,535**	**476,275**	**169,245**	**274,505**	**61,580**	**587,775**	**1,064,050**
# with any housing problems	63%	55%	62%	57%	35%	42%	59%	43%	49%
# with cost burden > 30%	61%	51%	58%	52%	35%	41%	48%	42%	46%
# with cost burden > 50%	36%	23%	29%	26%	18%	16%	20%	18%	22%

Note: Data presented in this table is based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% count due to the need to extrapolate sample data out to total households. Interpretations of this data should focus on the proportion of households in need of assistance rather than on precise numbers.
Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2007-2011.

Table 31: Income by Race/Ethnicity

Income Level	All Households		White	Hispanic	Black	Asian
Extremely Low Income (0-30% AMI)	148,260	13.9%	11.2%	20.3%	19.7%	12.9%
Low Income (31-50% AMI)	129,720	12.2%	9.7%	19.4%	15.8%	6.9%
Moderate Income (51-80% AMI)	186,850	17.6%	15.6%	23.1%	19.6%	15.8%
Middle/Upper Income (81% + AMI)	599,220	56.3%	63.5%	37.2%	44.9%	64.5%
Percent of Total Households	**1,064,050**	**100%**	**59.9%**	**23.0%**	**5.0%**	**9.0%**

Note: Data presented in this table is based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% count due to the need to extrapolate sample data out to total households. Interpretations of this data should focus on the proportion of households in need of assistance rather than on precise numbers.
Source: HUD Comprehensive Housing Affordability Strategy (CHAS) Data, 2007-2011

4. Concentrations of Lower- and Moderate-Income Populations

Figure 6 shows the Lower and Moderate Income (LMI) areas in the County by Census block group. Typically, HUD defines a LMI area as a Census tract or block group where over 51 percent of the population is LMI. However, certain communities are higher income, with few block groups qualifying as LMI using this definition. These communities are considered "exception" jurisdictions. The cities of Carlsbad, Encinitas, Santee, and the San Diego Urban County[33] are identified by HUD as "exception" jurisdictions (where their LMI thresholds are not set at 51 percent). LMI areas in these communities are defined as the top 25 percent (fourth quartile) of block groups with the highest concentration of low- and moderate-income population.

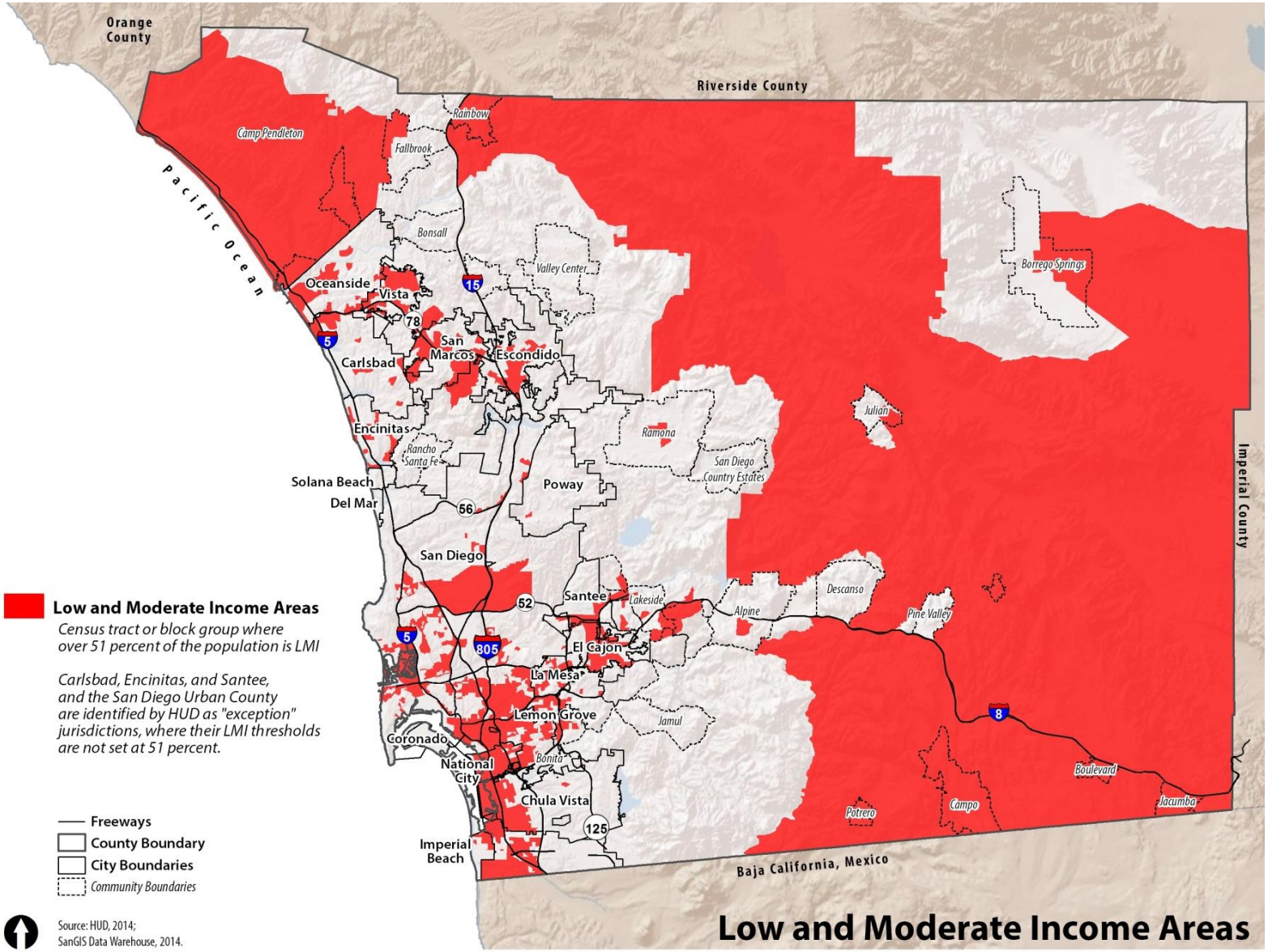
For 2014, the LMI thresholds for these "exception" jurisdictions are:

- City of Carlsbad: 39.41 percent
- City of Encinitas: 41.97 percent
- City of Santee: 44.79 percent
- San Diego Urban County: 50.64

Low- and moderate-income (LMI) areas are concentrated in three very general areas. In the North County area, LMI areas are seen at Camp Pendleton and in the cities of Oceanside, Vista, San Marcos, and Escondido, in a pattern generally following State Route 78. In the southern portion of the County, clusters of LMI areas are seen in the central and southern areas of the City of San Diego and continuing down to the U.S./Mexico border. In the East County areas, there are vast LMI areas in sparsely populated parts of the unincorporated County and in the City of El Cajon.

[33] Cities with a population smaller than 50,000 residents do not directly receive CDBG funds from HUD. Instead, these small cities participate in the Urban County program. The Urban County program is responsible for administering the CDBG funds received from HUD and the requirements for obtaining funds on behalf of the cities. The San Diego Urban County is comprised of: Unincorporated areas, and the cities of Coronado, Del Mar, Imperial Beach, Lemon Grove, Poway, and Solana Beach.

Figure 6: Low and Moderate Income Areas



5. Concentrations of Poverty

National poverty data suggests that people living in poverty tend to be clustered in certain communities rather than being evenly distributed across geographic areas. Identifying concentrations of poverty is important because living in areas with many other poor people has been shown to places burdens on low-income families beyond what the families' own individual circumstances would dictate. Other research indicates that this concentration of poverty can result in higher crime rates, underperforming public schools, poor housing and health conditions, as well as limited access to private services and job opportunities.[34] The consequences of poverty are particularly harmful to children. Children who grow up in densely poor neighborhoods and attend low-income schools face many barriers to academic and occupational achievement.

Countywide, 14.4 percent of residents (or over 440,000 persons) were living below the poverty level (according to 2009-2013 ACS data).[35] Poverty was more prevalent for specific groups such as Hispanics (20.5 percent), Blacks (20.9 percent), and adults with less than a high school education (24.5 percent). In contrast, 10.5 percent of White residents and five percent of residents with at least a bachelor's degree were living below the poverty level during the same time period.

Figure 7 shows the geographic concentration of poverty in San Diego County (areas where the proportion of persons living in poverty is greater than the County). Similar to low- and moderate-income areas, areas of poverty concentration are clustered in three general areas of the County. In North County, concentrations can be seen in the cities of Oceanside, Vista, San Marcos, and Escondido. In the southern portion of the County, concentrations can be seen from the southern areas of the City of San Diego and continuing south.

Increasing concentrations of low income and poverty households are linked to racial and ethnic segregation. In East County, poverty concentrations can be seen in many parts of the unincorporated County and in El Cajon. Many of the areas with a concentration of poverty in the western part of the County (in and around the incorporated cities) are also areas with minority concentrations. In some areas such as La Jolla and San Marcos, the large student populations may contribute to poverty concentrations.

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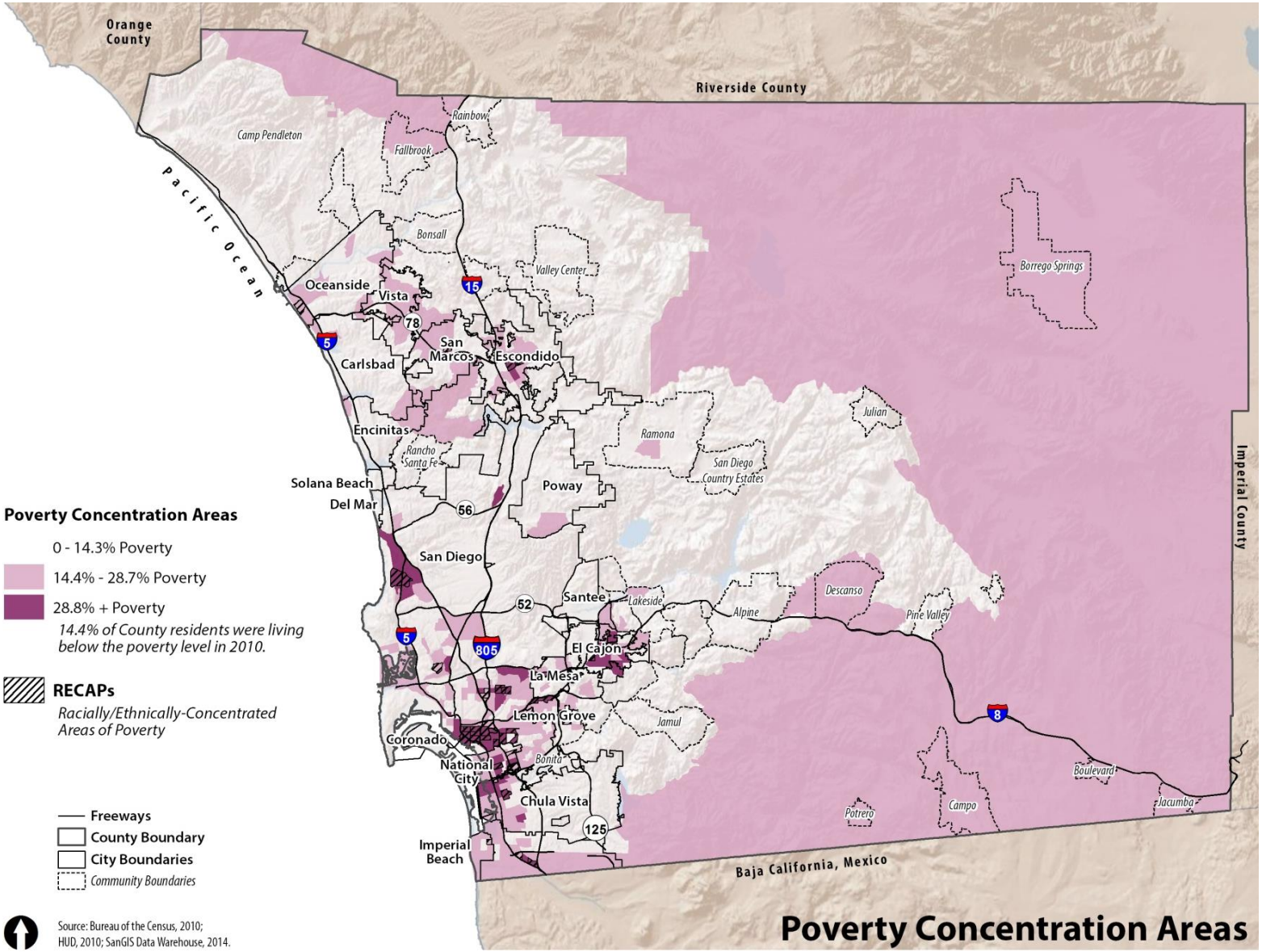
34 Bureau of the Census, "Areas with Concentrated Poverty: 2006–2010". American Community Survey Briefs, December 2011.

35 The U.S. Census Bureau determines poverty status by comparing annual income to a set of dollar values called poverty thresholds that vary by family size, number of children, and age of householder. If a family's before tax money income is less than the dollar value of their threshold, then that family and every individual in it are considered to be in poverty. For people not living in families, poverty status is determined by comparing the individual's income to his or her poverty threshold.

Figure 7: Poverty Concentration Areas



In an effort to identify racially/ethnically-concentrated areas of poverty (RECAPs), HUD has identified census tracts with a majority non-White population (greater than 50 percent) and has a poverty rate that exceeds 40 percent or is three times the average tract poverty rate for the metro/micro area (in 2010), whichever threshold is lower. An analysis of racially and ethnically concentrated areas of poverty is important because families who live in such neighborhoods encounter challenges and stresses that hinder their ability to reach their full potential, and such neighborhoods impose extra costs on neighboring communities and the region. In San Diego County, there are RECAPs scattered in small sections of Oceanside, San Marcos, Escondido, El Cajon, La Mesa, Lemon Grove, National City, Chula Vista and Imperial Beach. Larger RECAP clusters can be seen in the central/southern portion of the City of San Diego. In 2010, there were 173,692 persons living in a RECAP in the County, or 5.6 percent of the County's total population.

Although Census data provides a general picture of poverty, as traditionally defined, in the County, it does not account for the many poor persons and households with incomes that are above federal poverty thresholds but below the San Diego region's high cost of living. According to research by the Center for Policy Initiatives (CPI), the official rate of poverty in San Diego County does not include over 205,000 local households living below the Self-Sufficiency Standard – who make up 25.8 percent of all working-age households in the County.[36] The Self-Sufficiency Standard measures how much income is needed for a family of a certain composition living in a particular county to adequately meet its minimal basic needs. In contrast, the federal poverty level varies by family size but not geographical location. The incomes for households living below the Self-Sufficiency Standard in the San Diego region exceed federal poverty thresholds but are insufficient to cover the cost of necessities in the region.

The latest data show that 300,667 of the region's 796,354 households headed by someone under age 65 are living below the Self-Sufficiency Standard. This figure represents an increase of 71,472 more families with insufficient incomes than in 2007, the year before the recession began. More than 108,000 households are unable to make ends meet despite earning two or more paychecks. Among all households in the county with at least two people working, 26.7 percent had total income below the Self-Sufficiency Standard. Among households headed by someone working a full-time, year-round job, 23.5 percent had incomes below the Self-Sufficiency Standard. Half (50.7 percent) of all households with children have incomes below the Self-Sufficiency Standard. That is nearly double the rate for households with no children (28.3 percent).

F. Housing Profile

A discussion of fair housing choice must be preceded by an assessment of the housing market being analyzed. This section provides an overview of the characteristics of the local and regional housing markets. The Census Bureau defines a housing unit as a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or, if vacant, is intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have direct access from outside the building or through a common hall.

[36] Data in the discussion related to the Self Sufficiency Standard is from the Center for Policy Initiative, "Making Ends Meet 2014: When Wages Fail to Meet the Basic Cost of Living in San Diego County". (2014).

1. Housing Growth

Housing data from 2000 and 2010 Census reveals that the San Diego County housing stock increased by almost 12 percent between 2000 and 2010 (Table 32). Among the various jurisdictions in the County, the City of San Marcos experienced the largest housing growth (close to 52 percent) followed by Chula Vista (37.6 percent) and Carlsbad (32.3 percent). Several jurisdictions within the Urban County experienced housing growth of less than 2 percent (Coronado, Del Mar, Imperial Beach, Lemon Grove, and Solana Beach). In the unincorporated areas, housing growth was slightly higher than countywide figures.

SANDAG growth forecasts estimate that by 2020, the County's housing stock will increase by close to eight percent. The cities of Chula Vista, Escondido, and San Marcos are expected to see housing stock growth that in excess of eight percent (13.8 percent, 11.7 percent, and 15.8 percent, respectively). The estimated population growth for the County is expected to outpace housing production by three percent. The inability to produce enough housing units to accommodate the increasing number of households reduces vacancy rates and drives up market prices, along with other issues such as overcrowding.

Table 32: Housing Unit Growth

Jurisdiction	# of Units 2000	# of Units 2010	% Change 2000 to 2010
Urban County			
Coronado	9,494	9,634	1.5%
Del Mar	2,557	2,596	1.5%
Imperial Beach	9,739	9,882	1.5%
Lemon Grove	8,722	8,868	1.7%
Poway	15,714	16,715	6.4%
Solana Beach	6,456	6,540	1.3%
Unincorporated	154,737	173,756	12.3%
Total Urban County	207,419	227,991	9.9%
Entitlement Cities			
Carlsbad	33,798	44,673	32.2%
Chula Vista	57,705	79,416	37.6%
El Cajon	35,190	35,850	1.9%
Encinitas	23,843	25,740	8.0%
Escondido	45,050	48,044	6.6%
La Mesa	24,943	26,167	4.9%
National City	15,422	16,762	8.7%
Oceanside	59,581	64,435	8.1%
San Diego	469,689	515,275	9.7%
San Marcos	18,862	28,641	51.8%
Santee	18,833	20,048	6.5%
Vista	29,814	30,986	3.9%
Total County	**1,040,149**	**1,164,028**	**11.9%**

Sources: Bureau of the Census, 2000 and 2010 Census

2. Housing Type

A region's housing stock generally includes three categories: single-family dwelling units, multi-family dwelling units, and other types of units such as mobile homes. Single-family units are attached or detached dwelling units usually on individual lots of land. As shown in Table 33, approximately 60 percent of the housing units in the County are single-family dwellings. The cities of Del Mar, Lemon Grove, Poway, and Encinitas, as well as the unincorporated County areas, have a much larger proportion of this housing unit type, while El Cajon and Imperial Beach have a much lower proportion.

Table 33: Housing Stock Mix - 2014

Jurisdiction	Single Family Units			Multi-Family Units			Mobile Homes
	Detached	Attached	Total	2-4 Units	5+ Units	Total	
Urban County							
Coronado	45.5%	10.7%	56.2%	6.7%	37.1%	43.8%	0.0%
Del Mar	51.1%	19.9%	71.0%	7.7%	21.3%	29.0%	0.0%
Imperial Beach	39.4%	7.8%	47.1%	11.9%	37.7%	49.7%	3.2%
Lemon Grove	66.4%	8.9%	75.3%	7.4%	16.4%	23.8%	0.9%
Poway	75.0%	4.1%	79.0%	2.4%	13.7%	16.1%	4.9%
Solana Beach	47.7%	19.4%	67.1%	6.2%	26.5%	32.7%	0.2%
Unincorporated	68.5%	6.0%	74.5%	4.6%	12.5%	17.0%	8.4%
Total Urban County	65.9%	6.8%	72.7%	5.0%	15.3%	20.3%	7.0%
Entitlement Jurisdictions							
Carlsbad	52.9%	16.7%	69.6%	5.6%	22.0%	27.6%	2.8%
Chula Vista	54.7%	10.3%	64.9%	5.5%	24.6%	30.1%	5.0%
El Cajon	40.8%	4.9%	45.7%	7.9%	41.1%	49.0%	5.3%
Encinitas	57.6%	18.8%	76.4%	7.0%	14.0%	21.0%	2.6%
Escondido	50.8%	6.2%	57.0%	6.9%	28.3%	35.2%	7.8%
La Mesa	47.2%	6.0%	53.3%	9.2%	36.7%	45.9%	0.9%
National City	44.4%	9.6%	54.0%	9.4%	34.0%	43.4%	2.6%
Oceanside	52.8%	11.7%	64.5%	8.6%	21.9%	30.5%	5.0%
San Diego	45.6%	8.8%	54.5%	8.5%	35.7%	44.2%	1.3%
San Marcos	52.6%	7.4%	60.0%	4.0%	25.0%	29.0%	11.0%
Santee	55.0%	8.9%	63.9%	6.0%	18.7%	24.8%	11.3%
Vista	50.6%	7.8%	58.3%	7.5%	28.2%	35.7%	6.0%
Total County	**51.7%**	**8.9%**	**60.6%**	**7.2%**	**28.3%**	**35.5%**	**3.9%**

Source: California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011- 2014.* Sacramento, California, May 2014.

3. Tenure and Vacancy

Housing tenure describes the arrangement by which a household occupies a housing unit; that is, whether a housing unit is owner-occupied or renter-occupied. Tenure preferences are primarily related to household income, composition, and age of the resident. Communities need to have an adequate

supply of units available both for rent and for sale in order to accommodate a range of households with varying incomes, family sizes, composition, life styles, etc. A person may face different housing issues in the rental housing market versus the for-sale housing market. Residential stability is also influenced by tenure with ownership housing resulting in a much lower turnover rate than rental housing.

As seen in Table 34, San Diego County has a higher proportion of owner-occupied housing (54.4 percent) than renter-occupied housing (45.6 percent). The ownership level fell by one percent between 2000 and 2010, but was still below the national level of 65.1 percent and slightly lower than the 56.0 percent State figure for housing ownership. Most cities in the County had more owner-occupied housing units than renter-occupied units. Exceptions include Coronado, Imperial Beach, El Cajon, La Mesa, National City, and San Diego. The tenure distribution in Coronado, Imperial Beach, and National City may be attributed to the large proportion of military families in those cities living off base due to the lack of, or demand for, housing and the close proximity of the cities to military bases. The large proportion of renters in El Cajon is partially explained by the large amount of multi-family housing in the City.

Table 34: Housing Tenure and Vacancy

Jurisdiction	Percent Owner-Occupied	Percent Renter-Occupied	Vacancy Rate
Urban County			
Coronado	48.9%	51.1%	23.1%
Del Mar	53.9%	46.1%	20.5%
Imperial Beach	30.2%	69.8%	7.8%
Lemon Grove	54.6%	45.4%	4.9%
Poway	74.4%	25.6%	3.5%
Solana Beach	60.2%	39.8%	13.6%
Unincorporated	68.7%	31.3%	8.3%
Total Urban County	65.8%	34.2%	8.7%
Entitlement Jurisdictions			
Carlsbad	64.8%	35.2%	7.4%
Chula Vista	58.1%	41.9%	4.9%
El Cajon	41.3%	58.7%	4.8%
Encinitas	63.1%	36.9%	6.4%
Escondido	52.2%	47.8%	5.3%
La Mesa	45.8%	54.2%	6.3%
National City	33.5%	66.5%	7.5%
Oceanside	59.1%	40.9%	8.1%
San Diego	48.3%	51.7%	6.4%
San Marcos	62.8%	37.2%	5.0%
Santee	70.3%	29.7%	3.7%
Vista	51.8%	48.2%	5.4%
Total County	**54.4%**	**45.6%**	**6.7%**

Sources: Bureau of the Census, 2010 Census

4. Tenure by Income and Race/Ethnicity

A substantial income and housing disparity exists between owner- and renter-households. Table 35 indicates that San Diego County renters are more likely to be lower- and moderate-income and are more likely to experience housing problems such as cost burden and substandard housing conditions.

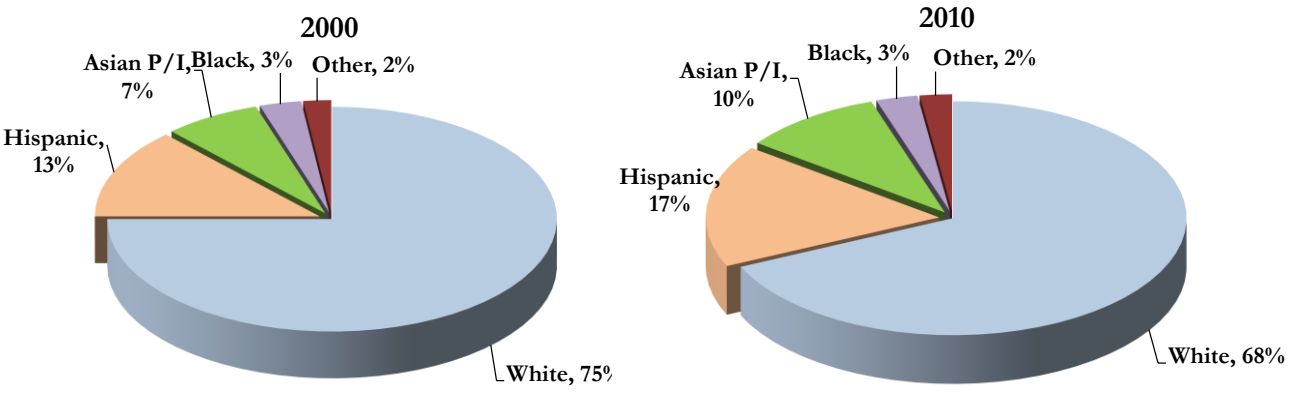
The County's tenure distribution also has a racial and ethnic component as many ethnic minority populations in San Diego County have not achieved housing homeownership as readily as the White population. In fact as of 2010, the majority of owner-occupied households are White (Figure 3-8). Of those who owned the housing units they occupied, 68 percent were White; 17 percent were Hispanic; 3 percent were Black; and 10 percent were Asian/Pacific Islanders. While the rate of homeownership among minorities has increased since 2000 (along with the overall minority population growth), comparing these figures to race data from the 2010 Census demonstrates that minorities in the County are underrepresented in terms of homeownership. For comparison purposes, according to Census 2010 data, Whites are 40.1 percent of the County population, Hispanics are 37.6 percent, while 13.2 percent are Asian/Pacific Islander and only 5.8 percent of the population was Black.

Table 35: Tenure by Income

Tenure	Percent of All Households	Percent Low and Moderate Income	Percent with Housing Problems	Percent with Cost Burden (>30%)
Renters	44.8%	62.7%	56.8%	52.2%
Owners	55.2%	37.3%	43.2%	41.5%
All Households	100.0%	43.7%	49.3%	46.3%

Source: HUD Comprehensive Housing Affordability Strategy (CHAS) Data, 2007-2011

Figure 3-8: Home Ownership by Race/Ethnicity, 2000-2010



Sources: Bureau of the Census, 2000-2010 Census

A certain number of vacant units are needed to moderate the cost of housing, allow sufficient choice for residents, and provide an incentive for unit upkeep and repair. Vacancy rates are generally higher among rental properties, as rental units have greater attrition rates than owner-occupied units. A healthy vacancy rate – one which permits sufficient choice and mobility among a variety of housing units – is

considered to be two to three percent for ownership units and five to six percent for rental units. Low vacancy rates can indicate a heightened likelihood of housing discrimination as the number of house-seekers increases while the number of available units remains relatively constant. Managers and sellers are then able to choose occupants based on possible biases because the applicant pool is large. The vacancy rates for the County (in 2010) were within these ranges, indicating adequate housing options and mobility for residents. The San Diego County Apartment Association (SDCAA) in 2014 estimated that the vacancy rate for the County had dropped to 2.3 percent. According to SDCAA, the vacancy rate reflects the continued high demand for rental units and the need for more supply and fewer barriers to developing multi-unit housing in the region.

I. Housing Condition

Assessing housing conditions in the County can provide the basis for developing policies and programs to maintain and preserve the quality of the housing stock. Housing age can indicate general housing conditions within a community. Housing is subject to gradual deterioration over time. Deteriorating housing can depress neighboring property values, discourage reinvestment, and impact the quality of life in a neighborhood. State and federal housing programs typically consider the age of a community's housing stock when estimating rehabilitation needs. In general, most homes begin to require major repairs or have significant rehabilitation needs at 30 or 40 years of age. Furthermore, housing units constructed prior to 1979 are more likely to contain lead-based paint.

The housing stock in San Diego region is older with a majority of the housing units (61 percent) built before 1979. According to the 2009-2013 ACS data shown in Table 36, more than half of the County's housing stock is over 30 years of age in 2010 and close to 56 percent was over 50 years old. The highest percentages of pre-1980 housing units are generally found in the older, urbanized neighborhoods of the cities of La Mesa, Lemon Grove, El Cajon, San Diego, Coronado and National City and will most likely have the largest proportions of housing units potentially in need of rehabilitation. Home rehabilitation can be an obstacle for senior homeowners with fixed incomes and mobility issues.

1. Lead-Based Paint Hazard

According to the federal Centers for Disease Control (CDC), approximately 250,000 children aged one to five years in the United States have elevated levels of lead in their blood. High blood lead levels are a concern because they may be harmful to a child's developing organ systems such as the kidneys, brain, liver, and blood-forming tissues, potentially affecting a child's ability to learn. Very high blood lead levels can cause devastating health consequences, including seizures, coma, and even death. Children are much more vulnerable to lead poisoning than adults because children tend to put items into their mouths and some of these items may contain lead paint. In addition, their bodies absorb up to 40 percent of the lead with which they come into contact, as opposed to only ten percent absorbed by adults. Lead can enter the body through breathing or ingestion. Several factors contribute to higher incidence of lead poisoning:

- All children under the age of six years old are at higher risk.
- Children living at or below the poverty line are at a higher risk.
- Children in older housing are at higher risk.
- Children of some racial and ethnic groups and those living in older housing are at disproportionately higher risk.

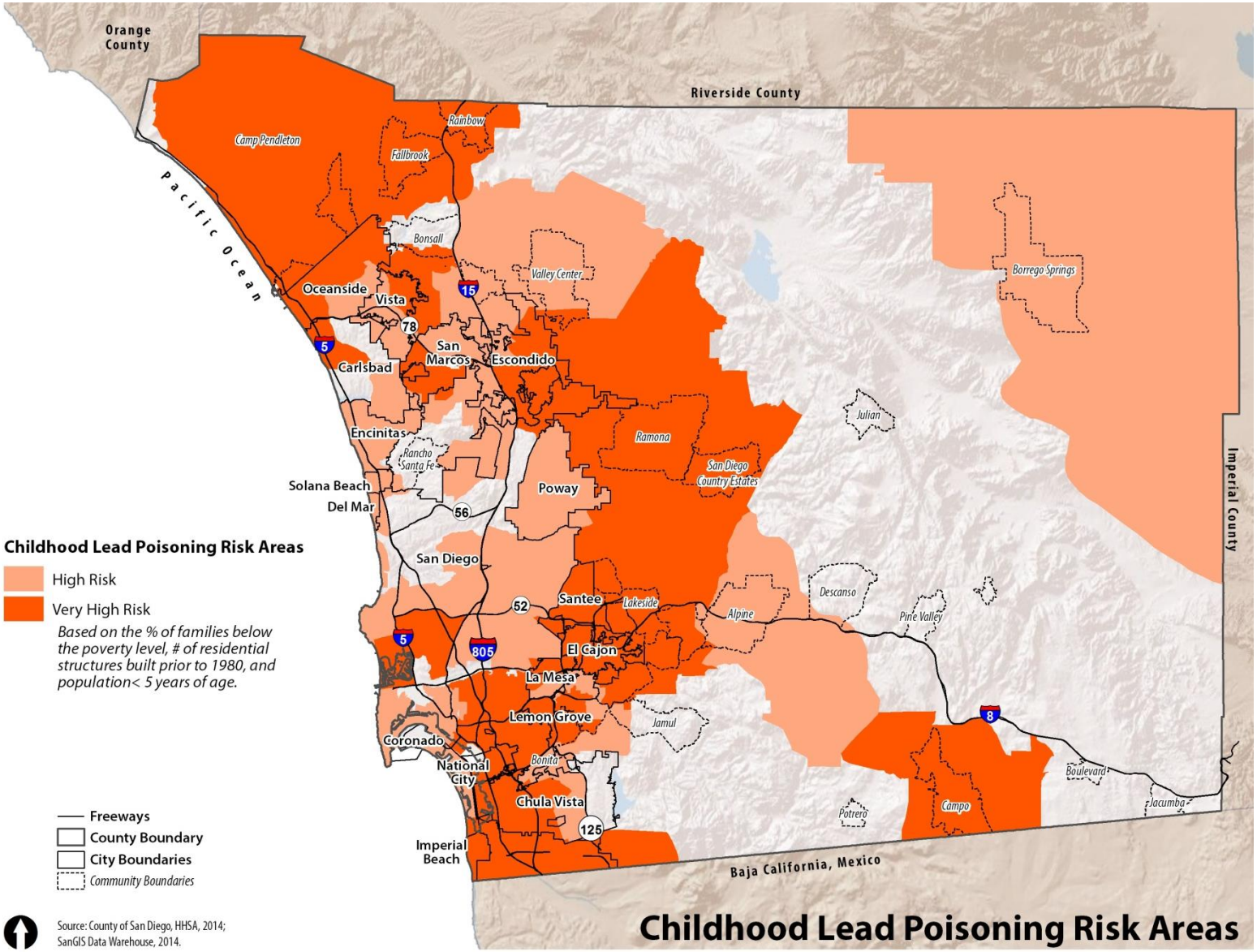
According to the County Health and Human Services Agency, between 2009 and 2013, 104 cases of lead-poisoning (Blood Lead Level >14.4 ug/dL) among children were recorded. The majority of the reported cases were from City of San Diego, which has more renters than owners and a slightly larger than average proportion of older housing. In an effort to target health promotion and lead poisoning prevention activities, the San Diego County Health and Human Services Agency's Childhood Lead Poisoning Prevention Program (CLPPP) examined the risk of lead poisoning based on the percentage of families below the poverty level, number of residential structures built prior to 1980 and the total population under 5 years of age. Figure 9 shows high- and very high-risk areas for childhood lead poisoning, which cover most of the County areas with denser populations.

Table 36: Housing Age and Lead-Poisoning Cases

Jurisdiction	Built 1960-1979	Built 1940-1959	Built Before 1940	Median Year Built	Lead Poisoning Cases 2009-2013
Urban County					
Coronado	41.0%	18.5%	13.4%	1973	--
Del Mar	45.7%	19.3%	3.6%	1973	--
Imperial Beach	44.7%	29.3%	3.2%	1969	--
Lemon Grove	32.9%	38.8%	4.5%	1964	--
Poway	51.5%	7.4%	0.6%	1977	--
Solana Beach	55.1%	13.9%	2.8%	1975	--
Unincorporated	36.3%	10.9%	2.5%	--	5 (4.8%)
Total Urban County	38.5%	13.0%	3.0%	--	5 (4.8%)
Entitlement Jurisdictions					
Carlsbad	28.2%	4.2%	0.9%	1986	2 (1.9%)
Chula Vista	30.6%	15.5%	1.5%	1982	6 (5.7%)
El Cajon	49.8%	22.9%	1.5%	1972	8 (7.6%)
Encinitas	42.5%	10.7%	2.9%	1978	2 (1.9%)
Escondido	44.1%	7.4%	2.0%	1979	6 (5.7%)
La Mesa	42.7%	33.1%	4.3%	1967	1 (1.0%)
National City	39.0%	30.0%	6.7%	1968	3 (2.9%)
Oceanside	35.0%	7.2%	1.4%	1982	9 (8.6%)
San Diego	35.3%	17.9%	6.9%	1975	49 (46.7%)
San Marcos	28.3%	1.9%	0.5%	1988	6 (5.7%)
Santee	54.5%	8.2%	0.4%	1977	--
Vista	38.8%	7.4%	0.9%	1981	7 (6.7%)
Total County	**36.7%**	**14.9%**	**4.3%**	**1978**	**104 (100%)**

Note: Lead poisoning cases refer to children under 21 years of age with a venous BLL 14.5 ug/dL or greater.
Sources: American Community Survey (ACS), 2009-2013; County of San Diego Childhood Lead Poisoning Prevention Program (CLPPP) Epidemiology & Immunization Services, Public Health Services, 2014.

Figure 9: Childhood Lead Poisoning Risk Areas



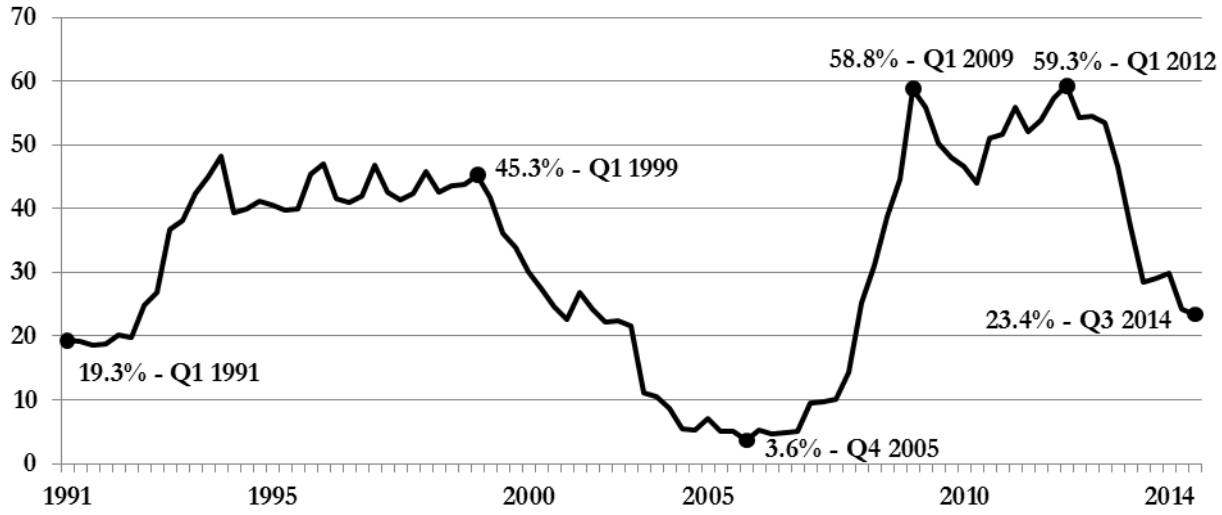
J. Housing Cost and Affordability

This section evaluates the affordability of the housing stock in the County to low and moderate income households. If housing costs are relatively high in comparison to household income, a correspondingly high rate of housing problems occurs. It is important to emphasize that housing affordability alone is not a fair housing issue. However, fair housing concerns may arise when housing affordability interacts with other factors covered under the fair housing laws, such as household type, composition, and race/ethnicity.

1. Housing Cost

Every year, the National Association of Home Builders (NAHB) tracks the ability of households to afford a home in metropolitan areas across the country. NAHB develops an Housing Opportunity Index (HOI) for a given area that is defined as the share of homes sold in that area that would have been affordable to a family earning that area's median income. Fifteen of the twenty least affordable metro areas in 2014 were located in California. The San Diego-Carlsbad-San Marcos Metropolitan Statistical Area (MSA) is one of the least affordable areas in the nation ranking as the ninth least affordable region in the United States in 2014. In 2014 (Third Quarter), only 23 percent of the homes sold in the San Diego MSA were affordable to a family earning the area's median income. Figure 10 shows that affordability for the region peaked in 2009 during the recession and has dropped considerably since then.

Figure 10: Housing Opportunity Index Trend



Note: Housing Opportunity Index represents the percentage of homes sold that were affordable to families earning the median income during the respective quarter.

Source: National Association of Home Builders, The NAHB/Wells Fargo Housing Opportunity Index: Complete History by Metropolitan Area (1991-2014).

According to a study conducted by the Center for Housing Policy, more than a third of working households in the San Diego MSA are paying more than half the income towards housing.[37] As cost of living is consistently on the rise, housing affordability drops, and lower-income families are most acutely affected. The Center on Policy Initiatives noted that a single parent in the San Diego area making only the minimum wage of $9.75 per hour (as of January 1, 2015 in the City of San Diego) would have to earn more than twice the minimum wage in order to afford a place with two bedrooms.[38] The California Housing Partnership (CHPC) estimates that median rents in San Diego County increased by 23 percent between 2000 and 2012, while the median income declined by seven percent, significantly driving up the percentage of income that households must spend on rent.[39] Rents increase in response to demand and more renter households have entered the San Diego market since 2006, many because of displacement during the foreclosure crisis. Even as San Diego County's shortfall of affordable homes has become more acute, funding for affordable housing has dropped significantly. CHPC estimates that there has been a 78-percent decrease in state and federal funding for affordable homes in San Diego since 2008.[40]

Table 37 displays median home sale prices for each jurisdiction in San Diego County. For 2014, the median sales price for homes in San Diego County was $430,000, an increase of 3.6 percent from 2013. Home prices vary by area/jurisdiction, with very high median prices in coastal areas such as the cities of Coronado, Del Mar, Solana Beach, and the La Jolla area of the City of San Diego. National City had the lowest median sales price among the incorporated jurisdictions.

The San Diego County Apartment Association (SDCAA) publishes average rental rates biannually. Table 38 displays the average rent by jurisdiction. The estimated average rental costs in San Diego County in the fall of 2014 were $812 for a studio, $1,066 for a one-bedroom, $1,463 for a two-bedroom, and $1,813 for a three-bedroom.

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37 Center for Housing Policy. "Housing Landscape 2103." (May 2013).

38 Center for Policy Initiative, "Making Ends Meet 2014: When Wages Fail to Meet the Basic Cost of Living in San Diego County." (2014).

39 California Housing Partnership Corporation. "How San Diego County's Housing Market is Failing to Meet the Needs of Low Income Families." (May 2014).

40 California Housing Partnership Corporation. "How San Diego County's Housing Market is Failing to Meet the Needs of Low Income Families." (May 2014).

Table 37: Median Home Sale Prices by Jurisdiction

County/City/Area	# Sold	Median Price Nov. 2014	Median Price Nov. 2013	% Change 2013-2014
Urban County				
Coronado	13	$1,059,500	$1,017,500	4.13%
Del Mar	23	$1,249,000	$1,095,000	14.06%
Imperial Beach	8	$427,000	$355,000	20.28%
Lemon Grove	24	$331,750	$339,000	-2.14%
Poway	35	$558,409	$520,000	7.39%
Solana Beach	24	$1,022,500	$1,020,000	0.25%
Unincorporated Communities				
Alpine	23	$457,500	$443,000	3.27%
Bonita	13	$580,000	$430,000	34.88%
Bonsall	3	$677,500	$375,000	80.67%
Borrego Springs	2	$95,000	$244,000	-61.07%
Campo	5	$214,500	$160,750	33.44%
Fallbrook	45	$418,500	$425,000	-1.53%
Jamul	4	$725,000	$545,000	33.03%
Julian	12	$295,000	$453,000	-34.88%
Lakeside	31	$428,000	$395,000	8.35%
Pine Valley	3	$330,000	$340,000	-2.94%
Ramona	48	$401,250	$407,500	-1.53%
Rancho Santa Fe	10	$2,185,000	$2,650,000	-17.55%
Spring Valley	40	$362,500	$285,000	27.19%
Valley Center	16	$415,000	$430,000	-3.49%
Entitlement Jurisdictions				
Carlsbad	121	$687,500	$616,250	11.56%
Chula Vista	214	$405,000	$375,000	8.00%
El Cajon	116	$365,000	$345,000	5.80%
Encinitas	60	$768,000	$683,000	12.45%
Escondido	117	$394,000	$363,000	8.54%
La Mesa	69	$417,000	$390,000	6.92%
National City	16	$277,500	$266,000	4.32%
Oceanside	164	$392,500	$395,000	-0.63%
San Diego	1,023	$439,500	$425,000	3.41%
La Jolla[2]	47	$1,030,000	$975,000	5.64%
San Marcos	81	$422,500	$501,000	-15.67%
Santee	53	$350,000	$392,500	-10.83%
Vista	83	$420,000	$400,000	5.00%
San Diego County	**2,614**	**$430,000**	**$415,000**	**3.61%**

Source: DQNews.com, California Home Sale Activity by City, November 2014. Accessed January 15, 2015

Table 38: Average Rental Rates by Jurisdiction - Fall 2014

Jurisdiction/Area	Unit Type	Average Monthly Rent		% Change
		Fall 2013	Fall 2014*	
Urban County				
Coronado	Studio	$800	N/A	N/A
	1 Bedroom	$1,305	$1,325	1.5%
	2 Bedrooms	$1,643	$1,200	-27.0%
	3+ Bedrooms	$3,634	$2,308	-36.5%
Del Mar	Studio	$1,500	$1,526	1.7%
	1 Bedroom	$598	$1,564	161.5%
	2 Bedrooms	$2,014	$1,894	-6.0%
	3+ Bedrooms	$2,050	$2,300	12.2%
Imperial Beach	Studio	$873	$925	6.0%
	1 Bedroom	$1,032	$825	-20.1%
	2 Bedrooms	$1,249	$1,635	30.9%
	3+ Bedrooms	$1,587	$1,988	25.3%
Lemon Grove	Studio	$800	$762	-4.8%
	1 Bedroom	$934	$864	-7.5%
	2 Bedrooms	$1,156	$1,102	-4.7%
	3+ Bedrooms	$1,313	$1,475	12.3%
Poway	Studio	N/A	$1,012	N/A
	1 Bedroom	$1,061	$1,245	17.3%
	2 Bedrooms	$1,325	$1,325	0.0%
	3+ Bedrooms	$1,745	$1,842	5.6%
Solana Beach	Studio	N/A	$900	N/A
	1 Bedroom	$1,225	$1,656	35.2%
	2 Bedrooms	$1,510	$1,967	30.3%
	3+ Bedrooms	$2,900	$2,310	-20.3%
Entitlement Jurisdictions				
Carlsbad	Studio	$1,049	$911	-13.2%
	1 Bedroom	$1,162	$1,168	0.5%
	2 Bedrooms	$1,606	$1,557	-3.1%
	3+ Bedrooms	$2,004	$4,525	125.8%
Chula Vista	Studio	$667	$720	7.9%
	1 Bedroom	$1,020	$970	-4.9%
	2 Bedrooms	$1,340	$1,354	1.0%
	3+ Bedrooms	$1,993	$1,566	-21.4%
El Cajon	Studio	$797	$693	-13.0%
	1 Bedroom	$1,028	$1,149	11.8%
	2 Bedrooms	$1,276	$1,069	-16.2%
	3+ Bedrooms	$1,724	$1,557	-9.7%

Table 38: Average Rental Rates by Jurisdiction - Fall 2014

Jurisdiction/Area	Unit Type	Average Monthly Rent		% Change
		Fall 2013	Fall 2014*	
Encinitas	Studio	$893	$1,362	52.5%
	1 Bedroom	$1,302	$1,233	-5.3%
	2 Bedrooms	$1,957	$1,654	-15.5%
	3+ Bedrooms	$2,470	$1,575	-36.2%
Escondido	Studio	$751.00	N/A	N/A
	1 Bedroom	$914	$739	-19.1%
	2 Bedrooms	$1,121	$1,116	-0.4%
	3+ Bedrooms	$1,409	$1,393	-1.1%
La Mesa	Studio	$840	$875	4.2%
	1 Bedroom	$1,181	$1,075	-9.0%
	2 Bedrooms	$1,474	$1,467	-0.5%
	3+ Bedrooms	$1,774	$1,875	5.7%
National City	Studio	$675	$675	0.0%
	1 Bedroom	$805	$809	0.5%
	2 Bedrooms	$1,043	$969	-7.1%
	3+ Bedrooms	$1,250	N/A	N/A
Oceanside	Studio	$981	$922	-6.0%
	1 Bedroom	$1,120	$1,106	-1.3%
	2 Bedrooms	$1,290	$2,217	71.9%
	3+ Bedrooms	$1,817	$2,018	11.1%
San Diego	Studio	N/A	$824	N/A
	1 Bedroom	N/A	$1,075	N/A
	2 Bedrooms	N/A	$1,496	N/A
	3+ Bedrooms	N/A	$1,892	N/A
San Marcos	Studio	$613	N/A	N/A
	1 Bedroom	$949	$1,013	6.7%
	2 Bedrooms	$1,203	$1,267	5.3%
	3+ Bedrooms	$1,990	N/A	N/A
Santee	Studio	N/A	$900	N/A
	1 Bedroom	$1,085	$1,012	-6.7%
	2 Bedrooms	$1,297	$1,568	20.9%
	3+ Bedrooms	$1,465	$2,763	88.6%
Vista	Studio	$825	$674	-18.3%
	1 Bedroom	$1,157	$1,016	-12.2%
	2 Bedrooms	$1,311	$1,257	-4.1%
	3+ Bedrooms	$1,570	$1,326	-15.5%

Table 38: Average Rental Rates by Jurisdiction - Fall 2014

Jurisdiction/Area	Unit Type	Average Monthly Rent		% Change
		Fall 2013	Fall 2014*	
San Diego County	Studio	N/A	$812	N/A
	1 Bedroom	N/A	$1,066	N/A
	2 Bedrooms	N/A	$1,463	N/A
	3+ Bedrooms	N/A	$1,813	N/A

Note: Fall 2014 average rents were not available for studio units in Del Mar, Imperial Beach, Poway, and Solana Beach and 3+ bedroom units in Coronado. Spring 2014 average rents are used for those values.
Source: San Diego County Apartment Association. Fall 2014 Vacancy and Rental Rate Survey. December 2014

2. Housing Affordability

Housing affordability can be inferred by comparing the cost of renting or owning a home in a community with the maximum affordable housing costs for households at different income levels. Taken together, this information can generally show who can afford what size and type of housing and indicate the type of households most likely to experience overcrowding and overpayment. While housing affordability alone is not a fair housing issue, fair housing concerns may arise when housing affordability interacts with factors covered under the fair housing laws, such as household type, composition, and race/ethnicity.

HUD conducts annual household income surveys nationwide to determine a household's eligibility for federal housing assistance. Households in the lower end of each income category can afford less by comparison than those at the upper end. Table 39 shows the annual household income by household size and the maximum affordable housing payment based on the standard of 30 to 35 percent of household income. Also shown are general cost assumptions for utilities, taxes, and property insurance.

The countywide median home price for 2014 ($430,000) places home ownership out of reach for most low- and moderate-income households. For middle/median-income families (81-100 percent AMI) homeownership is only possible in areas such as Lemon Grove, a few unincorporated East County communities, National City, and San Ysidro. When homeownership is out of reach, rental housing is the only viable option for many low-income persons.

Based on the rental data presented in Table 38, only a handful of jurisdictions had median gross rents under $1,000, which is in the range of affordability for low-income families. Table 39 shows that extremely low-income households cannot afford rents in any part of the county. Larger, low-income households can afford some of the studio and one-bedroom rental units but those would be inadequate to house a large family. Moderate-income households have more options for rentals but again, large households may encounter difficulty finding adequately sized units. The situation is most difficult for seniors with fixed incomes. When the housing market is tight, with high demand, low vacancies, and rising costs, the potential for discriminatory housing practices also increases.

Table 39: Housing Affordability Matrix - San Diego County (2014)

Income Group	Annual Income Limits	Affordable Payment		Housing Costs		Maximum Affordable Price	
		Renter	Owner	Utilities	Taxes & Insurance (Owner)	Home (purchase price)	Rental (per month)
Extremely Low (0-30% AMI)							
1-Person	$16,600	$415	$415	$129	$83	$47,245	$286
2-Person	$18,950	$474	$474	$165	$95	$49,805	$309
3-Person	$21,300	$533	$533	$202	$107	$52,133	$331
4-Person	$23,650	$591	$591	$238	$118	$54,693	$353
5-Person	$25,550	$639	$639	$291	$128	$51,202	$348
Low (31-50% AMI)							
1-Person	$27,650	$691	$691	$129	$138	$98,680	$562
2-Person	$31,600	$790	$790	$165	$158	$108,687	$625
3-Person	$35,550	$889	$889	$202	$178	$118,462	$687
4-Person	$39,450	$986	$986	$238	$197	$128,237	$748
5-Person	$42,650	$1,066	$1,066	$291	$213	$130,797	$775
Moderate (51-80% AMI)							
1-Person	$44,200	$1,105	$1,105	$129	$221	$175,715	$976
2-Person	$50,500	$1,263	$1,263	$165	$253	$196,661	$1,098
3-Person	$56,800	$1,420	$1,420	$202	$284	$217,374	$1,218
4-Person	$63,100	$1,578	$1,578	$238	$316	$238,320	$1,340
5-Person	$68,150	$1,704	$1,704	$291	$341	$249,492	$1,413
Median Income (81-100% AMI)							
1-Person	$51,050	$1,276	$1,489	$129	$298	$247,203	$1,147
2-Person	$58,250	$1,456	$1,699	$165	$340	$277,924	$1,291
3-Person	$65,500	$1,638	$1,910	$202	$382	$308,684	$1,436
4-Person	$72,700	$1,818	$2,120	$238	$424	$339,405	$1,580
5-Person	$78,550	$1,964	$2,291	$291	$458	$358,838	$1,673

Assumptions: California Department of Housing and Community Development 2014 income limits; 30 - 35% gross household income as affordable housing costs (depending on tenure and income level); 20% of monthly affordable cost for taxes and insurance; 10% down-payment, 4% interest rate for a 30-year fixed rate mortgage loan; utilities based on Housing Authority of San Diego County 2014 Utility Allowance.
Sources: California Department of Housing and Community Development, 2014; Housing Authority of the County of San Diego, 2014; MIG, 2015.

K. Housing Problems

1. Overcrowding

Some households may not be able to accommodate high cost burdens for housing, but may instead accept smaller housing or reside with other individuals or families in the same home. Potential fair housing issues emerge if non-traditional households are discouraged or denied housing due to a perception of overcrowding. Household overcrowding is reflective of various living situations: (1) a family lives in a home that is too small; (2) a family chooses to house extended family members; or (3) unrelated individuals or families are doubling up to afford housing. However, cultural differences also contribute to the overcrowded conditions since some cultures tend to have a larger household size than others due to the preference of living with extended family members. Not only is overcrowding a potential fair housing concern, it can potentially strain physical facilities and the delivery of public services, reduce the quality of the physical environment, contribute to a shortage of parking, and accelerate the deterioration of homes.

How is Overcrowding Defined?

According to State and federal guidelines, overcrowding is defined as a unit with more than one person per room, including dining and living rooms but excluding bathrooms, kitchens, hallways, and porches. Severe overcrowding is defined as households with more than 1.5 persons per room.

Overcrowding Threshold ≠ Occupancy Standard

Overcrowding thresholds only describe how a unit is occupied but by no means represent the maximum occupancy standard of a unit. In general, there are no occupancy standards except for those established in the building codes. Occupancy standards are discussed later in Chapter 5: Public Policies.

As a result, some landlords or apartment managers may be more hesitant to rent to larger families, thus making access to adequate housing even more difficult. According to local fair housing service providers and property managers, addressing the issue of large households is complex as there are no set of guidelines for determining the maximum capacity for a unit. Fair housing issues may arise from policies aimed to limit overcrowding that have a disparate impact on specific racial or ethnic groups with higher proportion of overcrowding. For example, 2009-2013 ACS data shows that close to six percent of housing units in the County are overcrowded compared with 16 percent for units with a Hispanic head of household.

Approximately six percent of all households in San Diego County are overcrowded and two percent are severely overcrowded. The prevalence of overcrowding varies among jurisdictions, with the lowest percentage of overall overcrowding occurring in the City of Del Mar (no overcrowded or severely overcrowded units). National City had more than three times the County's proportion of overcrowded units. Escondido and Imperial Beach also had high levels of overcrowding. These jurisdictions also had high proportions of minority residents and lower median incomes as a whole. Table 40 also shows that overcrowding is significantly more prevalent among renter-households than among owner-households.

Table 40: Overcrowding by Tenure

Jurisdiction	Overcrowded (1+ occupants per room)			Severely Overcrowded (1.5+ occupants per room)		
	Renter	Owner	Total	Renter	Owner	Total
Urban County						
Coronado	2.0%	0.4%	1.2%	0.3%	0.0%	0.1%
Del Mar	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Imperial Beach	16.2%	2.7%	11.8%	9.2%	1.3%	6.6%
Lemon Grove	9.9%	3.9%	6.8%	3.2%	1.4%	2.3%
Poway	5.7%	0.8%	2.0%	0.5%	0.3%	0.3%
Solana Beach	8.2%	1.1%	3.9%	3.8%	0.3%	1.7%
Unincorporated	7.4%	2.2%	3.9%	2.7%	0.5%	1.2%
Total Urban County	7.8%	2.0%	4.0%	3.0%	0.5%	1.4%
Entitlement Cities						
Carlsbad	2.2%	0.8%	1.3%	0.8%	0.1%	0.4%
Chula Vista	13.8%	4.1%	8.1%	4.3%	1.2%	2.5%
El Cajon	15.5%	3.8%	10.9%	3.9%	0.7%	2.7%
Encinitas	2.6%	0.8%	1.4%	0.7%	0.1%	0.3%
Escondido	17.8%	4.3%	11.0%	7.6%	1.0%	4.3%
La Mesa	3.9%	2.1%	3.1%	1.1%	0.5%	0.8%
National City	21.7%	12.5%	18.7%	6.5%	3.9%	5.7%
Oceanside	8.8%	2.6%	5.2%	3.0%	0.7%	1.7%
San Diego	9.5%	2.9%	6.3%	3.7%	0.8%	2.3%
San Marcos	6.3%	1.5%	3.4%	2.1%	0.4%	1.1%
Santee	5.2%	1.4%	2.5%	0.0%	0.4%	0.3%
Vista	8.8%	2.9%	5.9%	4.0%	1.1%	2.5%
Total County	**9.7%**	**2.7%**	**5.9%**	**3.6%**	**0.7%**	**2.0%**

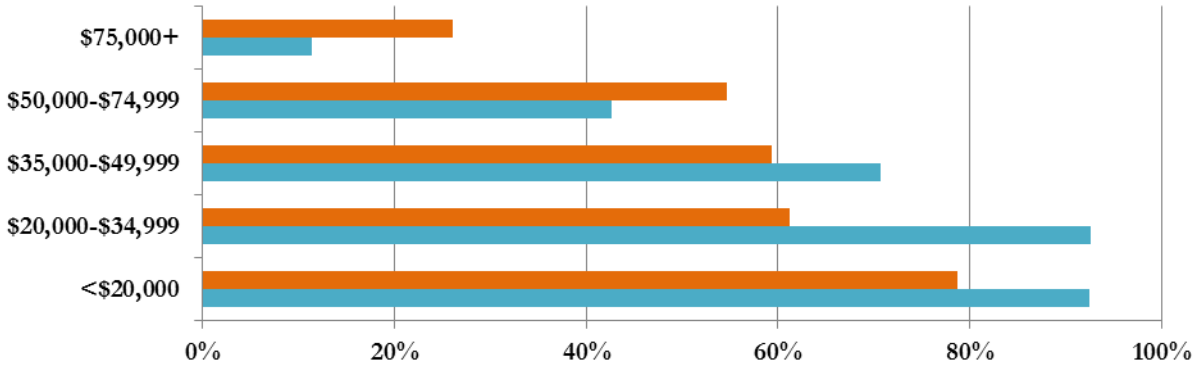
Source: American Community Survey (ACS), 2009-2013

2. Housing Cost Burden

State and Federal standards specify that a household experiences housing cost burden if it pays more than 30 percent of its gross income on housing – typically a point at which housing costs become burdensome and may affect the ability to comfortably make monthly rent or mortgage payments and/or maintain a decent standard of living.

Housing cost burden is typically linked to income levels. The lower the income, the larger percentage of a household's income is allotted to housing costs. Cost burden by low-income households tends to occur when housing costs increase faster than income. Figure 11 shows how dramatically the housing cost burden for owner- and renter-households is influenced by household income. As shown, among the lower income groups, larger proportions of renter-households experienced housing cost burden. Cost burden among owner households was more prevalent among the upper income groups.

Figure 11: Housing Cost Burden by Income and Tenure



	<$20,000	$20,000-$34,999	$35,000-$49,999	$50,000-$74,999	$75,000+
Owner	78.8%	61.3%	59.3%	54.7%	26.1%
Renter	92.5%	92.6%	70.7%	42.7%	11.4%

Source: American Community Survey (ACS), 2009-2013

Over 46 percent of County households experience cost burden (Table 41). A higher proportion of renter-occupied households experienced cost burden (52.2 percent) compared with owner-occupied households (41.5 percent). The majority (67 percent) of lower- and moderate-income households experienced cost burden, and 40 percent experienced a severe cost burden. Close to three-quarters of low- and moderate-income renter-households experienced housing cost burden.

Table 41: Housing Cost Burden by Tenure

Jurisdiction	Owner-Occupied Households	Renter-Occupied Households	All Households
Urban County			
Coronado	40.3%	43.7%	42.0%
Del Mar	43.8%	37.8%	41.2%
Imperial Beach	35.9%	56.6%	50.2%
Lemon Grove	45.3%	55.4%	49.6%
Poway	35.0%	48.0%	38.1%
Solana Beach	40.5%	51.0%	44.8%
Unincorporated	42.6%	51.8%	45.4%
Total Urban County	41.8%	51.6%	45.0%
Entitlement Cities			
Carlsbad	41.2%	52.3%	44.9%
Chula Vista	47.8%	58.7%	52.2%
El Cajon	42.0%	57.9%	51.2%
Encinitas	40.4%	46.4%	42.5%
Escondido	44.6%	59.2%	51.4%
La Mesa	40.0%	53.5%	47.1%
National City	43.3%	53.3%	49.8%
Oceanside	43.1%	53.3%	47.3%
San Diego	39.1%	50.2%	44.7%
San Marcos	45.7%	60.0%	51.3%
Santee	44.1%	45.1%	44.4%
Vista	45.1%	54.9%	49.9%
San Diego County	**41.5%**	**52.2%**	**46.3%**

Source: HUD Comprehensive Housing Affordability Strategy (CHAS) Data, 2007-2011Estimates

L. Publicly Assisted Housing

The availability and location of public and affordable housing may be a fair housing concern. If such housing is concentrated in one area of a community or a region, a household seeking affordable housing is restricted to choices within a limited geographic area. Public/affordable housing and housing assistance must be accessible to qualified households regardless of race/ethnicity, disability, or other special characteristics.

1. Public Housing

Two housing authorities in the San Diego region own and operate public housing units (Figure 12 on page 3-93) – the Housing Authority of the County of San Diego (HACSD) and the San Diego Housing Commission (SDHC). HACSD owns and administers public housing rental complexes (121 units), all of which are located in the City of Chula Vista. Eligible residents must be a senior (62 years of age or older), a disabled individual, or a low-income family and must live in one of the jurisdictions covered by

HACSD. The household's annual gross income must be at or below 50 percent of the San Diego AMI. As of January 2015, 712 residents were living in properties managed by HACSD. As shown in Table 43, White (28.5 percent) and Hispanic (28.9 percent) individuals make up more than half of public housing residents and less than 10 percent are seniors or disabled.

As federal subsidies to operate and maintain public housing began decreasing, and City-owned units became operationally restrictive and inefficient, SDHC opted out of the Conventional Public Housing Program in 2007 (which provided for the upkeep of 1,366 units). SDHC retained only a very small portion of the units under the Public Housing program (currently at 154 units). The converted units are now rent-restricted units that have become available at a varying range of affordable rents to households earning no greater than 80 percent AMI.[41] The residents living in the City-owned complexes at the time of conversion were awarded Housing Choice Vouchers (formerly Section 8), which they used to remain in their current home or to move to another rental property that would accept Housing Choice Vouchers. As of January 2015, 137 households were living in properties managed by the SDHC. As shown in Table 43, Hispanic-headed households make up more than half of all households (60.6 percent).

Table 42: Public Housing Units

Housing Authority	Name	Address	Units
HACSD	Towncentre Manor	434 F Street Chula Vista, CA 91910	59 Units
HACSD	Melrose Manor	1678 Melrose Avenue Chula Vista, CA 91911	24 Units
HACSD	L Street Manor	584 L Street Chula Vista, CA 91911	16 Units
HACSD	Dorothy Street Manor	778 Dorothy Street Chula Vista, CA 91911	22 Units
SDHC	Otay Villas	649 Picador Blvd. San Diego, CA 92154	78 Units
SDHC	University Canyon North	2090 Via Las Cumbres San Diego, CA 92111	36 units
SDHC	Vista Verde	351 South 33rd Street San Diego, CA 92113	40 units

Sources: Housing Authority of the County of San Diego, January 2015; San Diego Housing Commission, January 2015.

[41] San Diego Housing Commission, "Re-positioning of the San Diego Housing Commission's Public Housing Portfolio." Housing Authority Report (November 9, 2006).

Table 43: Characteristics of Public Housing Residents

Characteristics	HACSD (Residents)	SDHC (Households)
Senior/Disabled	67 (9.4%)	(19)14.1%/(31)22.7%
Small Family	104 (14.6%)	(96)70.3%
Large Family	13 (1.8%)	(22)16.4%
Non-Hispanic	71 (10.0%)	54 (39.4%)
Hispanic	206 (28.9%)	83 (60.6%)
White	203 (28.5%)	17 (12.4%)
Black	37 (5.2%)	37 (27.0%)
American Indian	2 (0.3%)	3 (2.2%)
Asian/Pacific Islander	9 (1.3%)	1 (0.7%)
Total	**712 (100%)**	**137 (100%)**

Sources: Housing Authority of the County of San Diego, January 2015; San Diego Housing Commission, January 2015.

The number of persons on the waiting list for public housing far exceeds current capacity. HACSD indicates that as of January 2015, there were 41,558 households on the waiting list. Close to 40 percent of waitlisted households were Hispanic and about one quarter were Black. Households with a disabled person make up over one quarter of the waiting list. There are 36,827 households on the SDHC public housing waiting list (January 2015). Close to a third of SDHC waitlisted households included a disabled member; 37.6 percent of households are Hispanic and 27.4 percent are Black. With the extremely limited capacity and the length of tenancy, it is unlikely that the characteristics of the public housing residents would change substantially in the near future.

Table 44: Characteristics of Public Housing Waiting list (Households)

Characteristics	HACSD	SDHC
Senior	3,038 (7.3%)	2,934 (8.0%)
Disabled	10,737 (25.8%)	10,844 (29.4%)
Family	23,337 (56.2%)	18,217 (49.5%)
Non Hispanic	24,967 (60.1%)	21,233 (57.7%)
Hispanic	16,346 (39.3%)	13,846 (37.6%)
White	27,336 (65.8%)	20725 (56.3%)
Black	10,295 (24.8%)	10,085 (27.4%)
American Indian	790 (1.9%)	611 (1.7%)
Asian/Pacific Islander	2,892 (7.0%)	2,416 (6.6%)
Total	**41,558 (100%)**	**36,827 (100%)**

Note: The count of White households includes Hispanic households. Data for non-Hispanic Whites is not available.
Sources: Housing Authority of the County of San Diego, January 2015; San Diego Housing Commission, January 2015.

2. Housing Choice Vouchers Program

The Housing Choice Voucher (HCV) program (formerly Section 8) is a rent subsidy program that helps low-income families and seniors pay rents of private units. HCV tenants pay a minimum of 30 percent of their income for rent and the local housing authority pays the difference up to the payment standard established by housing authority. The program offers low-income households the opportunity to obtain affordable, privately owned rental housing and to increase their housing choices. The housing authority establishes payment standards based on HUD-established Fair Market Rents. The owner's asking price must be supported by comparable rents in the area. The program participant pays any amount in the excess of the payment standard.

There are currently six Housing Authorities that administer the Housing Choice Voucher program for San Diego County residents:

- **Housing Authority of the City of Carlsbad** is allocated 703 Housing Choice Vouchers but due to funding limitations, was only able to utilize 532 Housing Choice Vouchers as of December 2014. There are 626 persons on the waiting list.
- **Housing Authority of the City of Encinitas** is allocated 136 Housing Choice Vouchers but due to funding limitations, was only able to utilize 110 vouchers as of December 2014. There are 664 persons on the waiting list.
- **Housing Authority of the City of National City** administers 1,123 vouchers as of December 2014. There are 3,614 persons on the waiting list.
- **Housing Authority of the City of Oceanside** is allocated 1,373 vouchers as of December 2014 but assists an additional 156 households utilizing vouchers originating from other housing authorities. There are 6,604 persons on the waiting list.
- **San Diego Housing Commission (SDHC, City of San Diego)** administers 12,685 vouchers as of January 2015. There are 53,742 persons on the waiting list.
- **Housing Authority of the County of San Diego (HACSD)** administers 10,853 vouchers as of December 2014. There are 85,892 persons on the waiting list.

As of December 2014/January 2015, 26,624 San Diego County households were receiving HCV Assistance, with 87 percent of all vouchers administered by HACSD or SDHC. Table 45 summarizes the race and ethnicity of households assisted by the HCV program. Close to a third of the County's HCV recipients (32.4 percent) were Hispanic and 22 percent were Black. Senior and/or disabled households represent a significant portion of those assisted by the HCV program, making up 72.2 percent of all households receiving HCVs.

Due to the geographic disparity in terms of rents, concentrations of voucher use have occurred (Table 46). For example, the City of El Cajon represents about three percent of the County population but more than nine percent of the HCV use. National City also has a relatively high concentration of HCV use representing about two percent of the total population but more than four percent of the vouchers issued in San Diego County.

Table 45: Housing Choice Voucher Recipients

Housing Authority	Total	Black	Hispanic	White	Other	Senior	Disabled
City of Carlsbad	519	7.5%	24.9%	88.8%*	3.5%	40.8%	NA
City of Encinitas	185	2.2%	21.1%	62.7%*	2.2%	40.5%	36.2%
City of National City	1,123	NA	NA	NA	NA	46.6%	9.3%
City of Oceanside	1,529	18.0%	30.0%	75.0%*	6.0%	33.4%	49.9%
San Diego Housing Commission (SDHC)	12,685	30.0%	33.0%	52.0%*	17.0%	34.6%	49.9%
County of San Diego (HACSD)	10,853	16%	36%	44%	4%		59%
Total	**26,624**	**21.8%**	**32.4%**	**48.7%**	**10.1%**		**72.2%**

*Note: The count of White households includes Hispanic households. Data for non-Hispanic Whites is not available.
Source: Area Housing Authorities 2014/2105

Table 46: Distribution of Housing Choice Voucher Recipients

Jurisdiction	Vouchers	% of All HCV
Urban County		
Coronado	19	0.1%
Del Mar	1	0.0%
Imperial Beach	458	1.7%
Lemon Grove	421	1.6%
Poway	135	0.5%
Solana Beach	22	0.1%
Unincorporated	1,501	5.6%
Total Urban County	2,557	9.5%
Entitlement Jurisdictions		
Carlsbad	501	1.9%
Chula Vista	2,763	10.3%
El Cajon	2,583	9.6%
Encinitas	118	0.4%
Escondido	1,161	4.3%
La Mesa	637	2.4%
National City	1,130	4.2%
Oceanside	1,567	5.8%
San Diego	12,685	47.3%
San Marcos	278	1.0%
Santee	302	1.1%
Vista	550	2.0%
Total County	**26,832**	**100%**

Note: Assisted households exceed allocations to a jurisdiction due to voucher use outside of originating jurisdiction. Also, total number of voucher use deviates slightly from Table 45 due to different timing of data processing.
Sources: Area Housing Authorities 2014/2015

Nationwide, nearly 4 million children live in families that receive federal rental assistance.[42] This assistance helps families to afford decent, stable housing but it also has the potential to enable their children to grow up in better neighborhoods and thereby enhance their chances of long-term health and success. Historically, however, federal rental assistance programs have fallen short in helping families live in neighborhoods that provide these opportunities. In 2010, only 15 percent of the children in families that received rent subsidies through HUD lived in low-poverty neighborhoods, where fewer than 10 percent of the residents had incomes below the poverty line.[43]

To help with the de-concentration of HCV use and allow households to locate adequate housing at a location of their choice, SDHC's Moving Forward program works to provide families with tools to assist them to move from high-poverty neighborhoods to low-poverty neighborhoods. The ultimate goal of this initiative is to enhance opportunities for employment and education and to increase housing choices for low-income residents. The Moving Forward program is part of HUD's Moving to Work (MTW) demonstration program that allows public housing authorities (PHAs) to design and test various approaches for providing and administering housing assistance. The Choice Communities program (a subset of the Moving Forward program) provides families receiving federal rental assistance administered by the SDHC the opportunity to live in neighborhoods in the City of San Diego that offer a broader selection of schools and employment opportunities. Created by SDHC in 2010, the program offers incentives for rental assistance recipients to relocate to rental housing in nine neighborhoods designated as "Choice Communities." To make the move to a Choice Community less intimidating, the SDHC provides participants with information packets containing details about rental properties, schools, shopping centers, churches, public transportation and a city map showing parks and other neighborhood amenities. Most families receiving rental assistance typically pay no more than 40 percent of their adjusted monthly income towards their rent. However, because rents in more affluent neighborhoods are slightly higher than the citywide average, Choice Communities participants may pay up to 50 percent of their income toward their rent. Rental units in the following neighborhoods may qualify:

92106-Point Loma	92037-La Jolla
92119-San Carlo	92128-Rancho Bernardo
92124-Tierrasanta	92127-Rancho Bernardo
92120-Grantville	92131-Scripps Miramar
92130-Del Mar Heights	

Another important issue with the HCV program is the decreasing number of landlords willing to accept vouchers. In a tight housing market, landlords are typically able to capture high rents for the units and less likely to participate in government programs that place restrictions on rents, policies, and quality standards. Primarily in economically depressed neighborhoods, where the housing and neighborhood conditions are less than ideal, voucher recipients are most likely to find rental units that accept voucher payments. The HCV program was designed to offer families an alternative to living in conventional public housing developments. While not always true, many public housing projects were located in poor minority areas. The HCV program was intended to offer residents a chance to live in higher quality neighborhoods and have access to better schools and jobs. With owners opting out in more integrated

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[42] Sard, Barbara and Rice, Douglas, "Creating Opportunity for Children How Housing Location Can Make a Difference." Center on Budget and Policy Priorities. (October 2014).

[43] Sard, Barbara and Rice, Douglas, "Creating Opportunity for Children How Housing Location Can Make a Difference." Center on Budget and Policy Priorities. (October 2014).

neighborhoods, tenants will be increasingly confined to low-income areas, defeating the original purpose of the program.

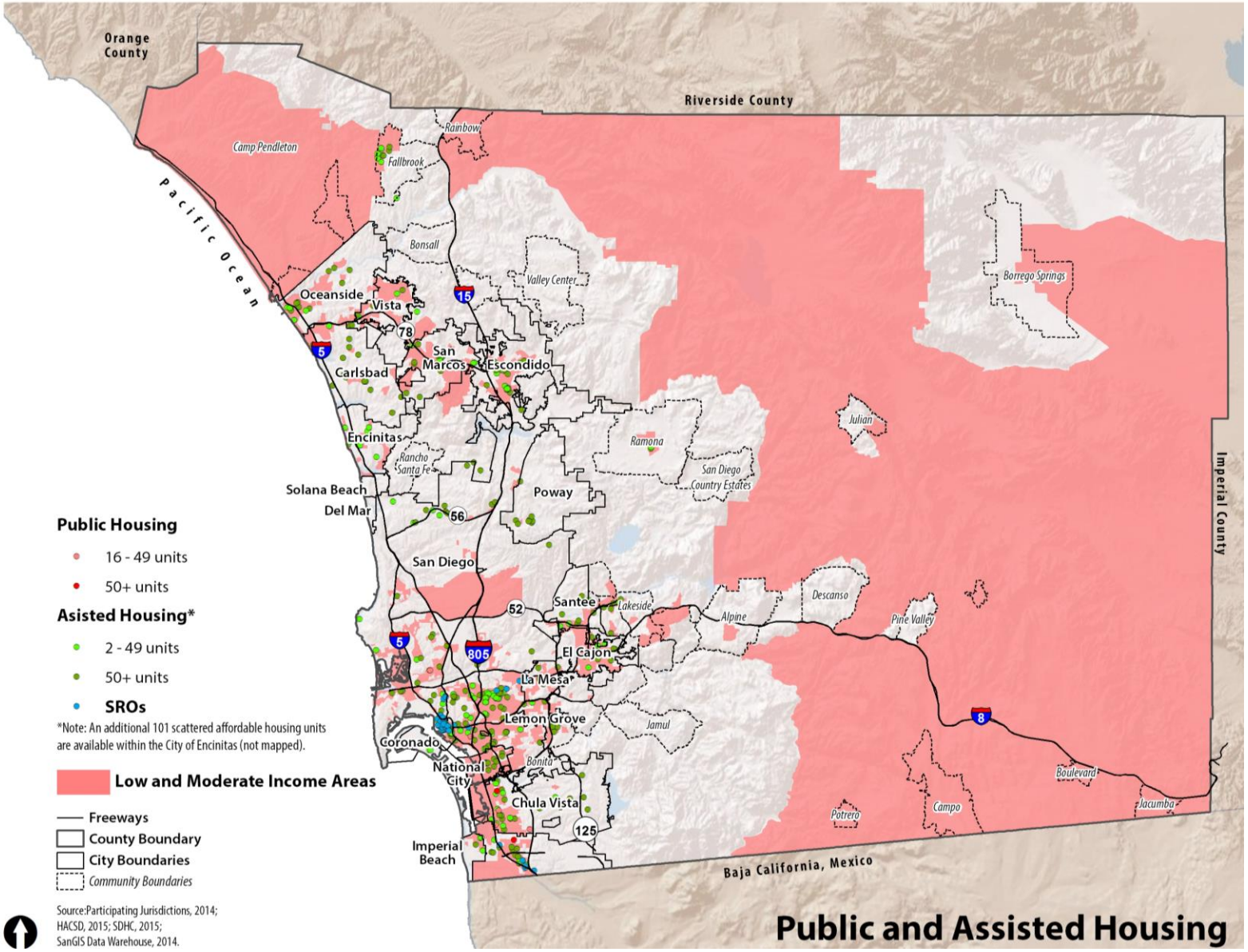
Since the demand for housing assistance often exceeds the limited resources available, long waiting periods are common. The amount of time spent on the waiting list often varies, but the wait for rental assistance after a family is placed on the waiting list is usually between two and four years. These wait times can disproportionately impact seniors. As of December 2014/January 2015, there were over 151,000 households on the HCV waiting list (Table 47).

Table 47: Housing Choice Voucher Waitlist

Housing Authority	Total	Black	Hispanic	White	Other	Senior	Disabled
City of Carlsbad	626	14.2%	18.5%	59.7%	8.5%	22.5%	28.0%
City of Encinitas	664	9.2%	15.4%	82.4%	5.0%	28.8%	44.3%
City of National City	3,614	NA	NA	NA	NA	28.0%	21.9%
City of Oceanside	6,604	17.0%	34.4%	72.7%	10.4%	9.4%	16.8%
San Diego Housing Commission (SDHC)	53,742	24.9%	37.7%	58.2%	16.9%	9.9%	28.6%
Count of San Diego (HACSD)	85.892	20.4%	35.2%	69.4%	10.2%	9.1%	23.7%
Total	**151,142**	**21.3%**	**35.1%**	**63.9%**	**12.3%**	**10.0%**	**25.2%**

Sources: Area Housing Authorities 2014/2015

Figure 12: Public and Assisted Housing



3. Other Affordable Housing Projects

A number of developments countywide have set aside some or all of the units as affordable for low to moderate-income households. Together these projects provide approximately 32,800 units of affordable housing. The location of these units is shown on Figure 12, including Single Room Occupancy (SRO) Hotels available within the City of San Diego.

As in typical urban environments throughout the country, lower- and moderate-income households tend to live in high-density areas, where the lower land costs per unit (i.e. more units on a piece of property) can result in lower development costs and associated lower housing payments. Therefore, the location of public/assisted housing is partly the result of economic feasibility. Concentrations of affordable housing are located in central San Diego, Chula Vista, National City, and Escondido. Close to 66 percent of all affordable units are located in these cities, much of that is in the City of San Diego (46.1 percent). Figure 12 also shows that in the western/coastal areas, the distribution of these units follows a somewhat similar pattern exhibited by the distribution of both low- and moderate-income population and minority population. However, this is not true for the desert communities where there is a lack of affordable housing resources but very few affordable housing units. Many residents priced out of the San Diego region have located themselves in North County Inland, where housing tends to be more affordable and the traditional single-family neighborhoods are more affordable than within San Diego proper. Many families are also moving to surrounding counties, particularly Riverside County, for affordable housing.

The lack of affordable housing resources may become acute as the population in the region increases, especially given that the housing market is not keeping pace with the increasing population. The lack of affordable housing is also exacerbated by decreasing state and federal funds to purchase properties in higher-income areas to construct new affordable housing, and/or provide more first-time homebuyer assistance. Even as San Diego County's shortfall of affordable housing has become more critical, the state has reduced its direct funding for affordable housing significantly. The dissolution of redevelopment agencies led to a loss of more than $86 million annually in local investment in the production and preservation of affordable housing in San Diego County.[44] Exacerbating the state cuts is the simultaneous disinvestment in affordable housing by the federal government. Cuts to HOME and Community Development Block Grants (CDBG) have resulted in the loss of another $13.8 million in funding.[45] These restrictions provide cities and counties limited ability to address the overconcentration of affordable housing in low- and moderate-income areas.

Funding sources for affordable housing developments may inadvertently contribute to the concentration of affordable housing in lower income and lower opportunity areas. Local service providers indicates that specific competitive funding sources (such as tax credits) reward applications for new developments in underserved, lower income communities through a points process.

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[44] California Housing Partnership Corporation. "How San Diego County's Housing Market is Failing to Meet the Needs of Low Income Families". (May 2014)

[45] California Housing Partnership Corporation. "How San Diego County's Housing Market is Failing to Meet the Needs of Low Income Families". (May 2014)

M. Licensed Community Care Facilities

Persons with special needs, such as seniors and those with disabilities, must also have access to housing in a community. 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.

According to the California Department of Social Services, Community Care Licensing Division, there are approximately 1,049 State-licensed residential care facilities for the elderly, 709 adult residential facilities, and 97 adult day care facilities throughout the County. These licensed care facilities have a combined capacity of just under 32,000 beds. The location of the various licensed care facilities in San Diego County is shown on Figure 13. Most of the community care facilities within the County are located within the larger incorporated cities. There is a noticeable absence of facilities in the unincorporated areas, specifically those surrounding the incorporated cities. While most of the County's population is located within the incorporated cities, residents living in unincorporated areas would have to travel a great distance to access the region's inventory of care facilities.

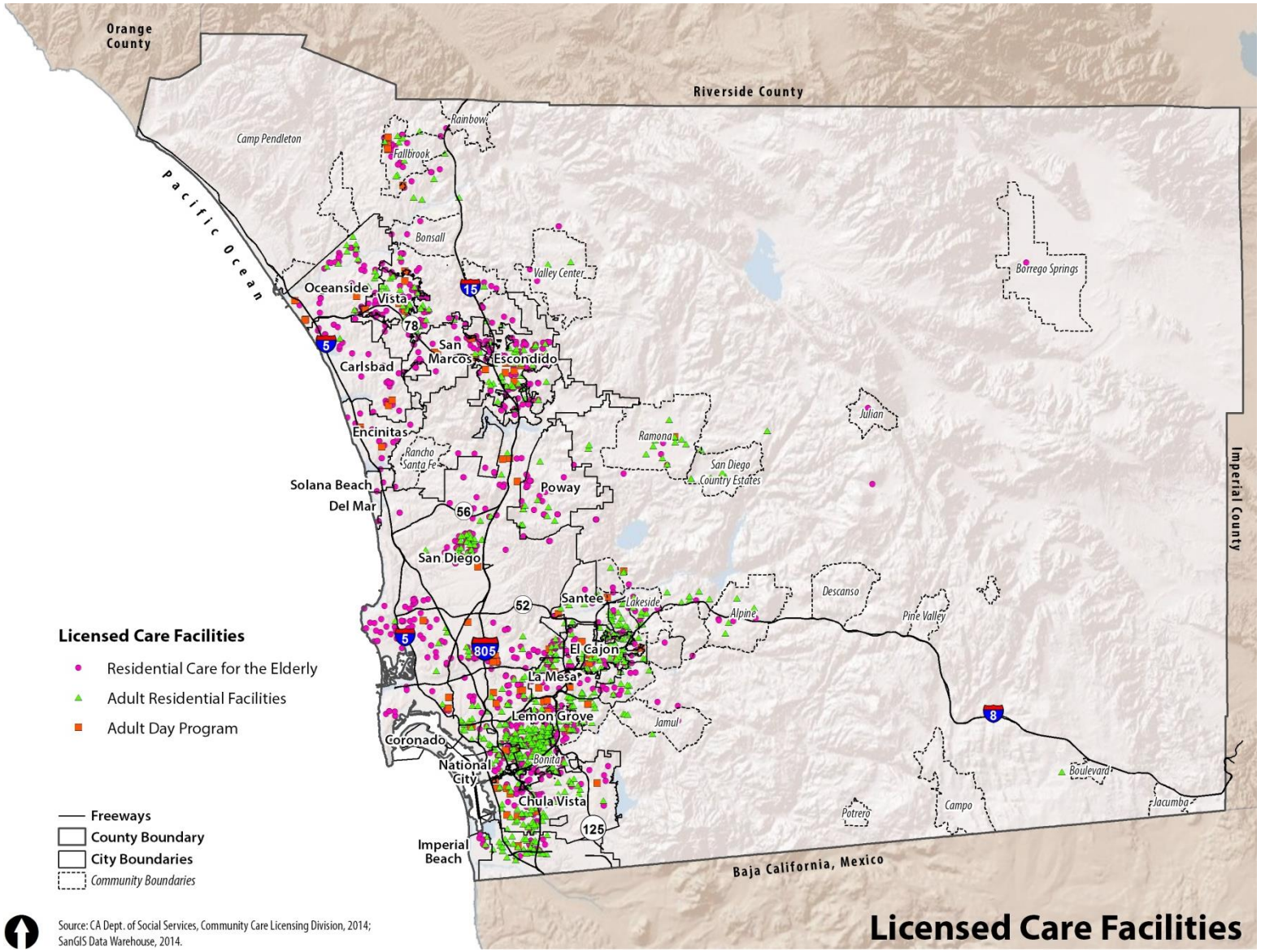
Table 48 provides a tabulation of capacity of licensed care facilities for special needs persons by jurisdiction. The ratio of beds per 1,000 persons is used to identify concentration of residential care facilities. Licensed care facilities in San Diego County are most concentrated in Lemon Grove, Escondido, La Mesa, and El Cajon and are least concentrated in Imperial Beach. The Cities of San Diego, Escondido, Chula Vista, and El Cajon have the greatest number of facilities.

Table 48: Licensed Community Care Facilities by Jurisdiction

Jurisdiction	Number of Facilities	Capacity		Zoning Compliant with Lanterman Act
		Beds	Beds/1,000 Population	
Urban County				
Coronado	3	240	9.7	Yes
Del Mar	4	30	7.2	Yes
Imperial Beach	12	62	2.4	No
Lemon Grove	28	869	34.3	Yes
Poway	54	482	10.1	Yes
Solana Beach	2	136	10.6	Yes
Unincorporated	262	3,027	6.2	Yes
Total Urban County	365	4,846	7.7	--
Entitlement Jurisdictions				
Carlsbad	44	1,042	9.9	Yes
Chula Vista	130	3,325	13.6	No
El Cajon	145	2,219	22.3	Yes
Encinitas	20	737	12.4	Yes
Escondido	177	3,902	27.1	Yes
La Mesa	52	1,513	26.5	Yes
National City	46	836	14.3	Yes
Oceanside	63	1,574	9.4	Yes
San Diego	627	8,812	6.8	Yes
San Marcos	45	1,290	15.4	Yes
Santee	20	244	4.6	Yes
Vista	121	1,507	16.1	Yes
Total County	**1855**	**31,847**	**10.3**	

Source: State of California Department of Social Services, Community Care Licensing Division, 2014. Bureau of the Census, 2010 Census.

Figure 13: Licensed Care Facilities



N. Accessibility to Public Transit and Services

Having access to good schools, quality jobs, effective public transportation, and other social services helps facilitate a good quality of life and improved life outcomes. Unfortunately, research has shown that racial and ethnic minorities, individuals with disabilities, and other protected classes often have restricted access to these vital amenities. This section addresses access to public transit and employment as well as disparities in exposure to adverse community factors.

1. Public Transit

Public transit should link lower-income persons, who are often transit dependent, to major employers where job opportunities exist. Access to employment via public transportation can reduce welfare usage rates and increase housing mobility, which enables residents to locate housing outside of traditionally lower- and moderate-income neighborhoods. The lack of a relationship between public transit, employment opportunities, and affordable housing may impede fair housing choice. Persons who depend on public transit may have limited choices regarding places to live. In addition, seniors and disabled persons also often rely on public transit to visit doctors, go shopping, or attend activities at community facilities. Public transit that provides a link between job opportunities, public services, and affordable housing helps to ensure that transit-dependent residents have adequate opportunity to access housing, services, and jobs.

Access to public transit is of paramount importance to households affected by low incomes and rising housing prices. Public transit should strive to link lower income persons, who are often transit dependent, to major employers where job opportunities exist. Access to employment via public transportation can reduce welfare usage and increase housing mobility, which enables residents to locate housing outside of traditionally low-income neighborhoods.[46] 2009-2013 ACS data for San Diego County shows that 3.1 percent (about 44,000) of workers 16 years or older used public transit to travel to work. Of those 44,000, over 60 percent earned incomes less than $25,000 per year and 44 percent were Hispanic.

The San Diego Association of Governments (SANDAG) is the Regional Transportation Planning Authority is responsible for planning and allocating local, state, and federal funds for the region's transportation network. Two primary agencies are responsible for transit operations and services in the County: Metropolitan Transit System (MTS) and the North County Transit District (NCTD). Transit services provided by these agencies include commuter and light rail, fixed-route bus service, demand-response service, and paratransit. Transit services are primarily provided to the larger, more urbanized communities, although limited services are available in unincorporated areas. In addition, tribal governments operating casinos and non-profit agencies also provide transit services for their clients and customers. The NCTD and MTS also own and maintain the main rail line along the coast from downtown San Diego to the Orange County line, which is shared between Amtrak intercity, COASTER, and Metrolink commuter passenger rail services. NCTD also owns the rail corridor between Oceanside and Escondido, operating SPRINTER light rail service. Figure 14 illustrates the transit routes in relation to employment centers.

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[46] Ong, Paul and Evelyn Blumenberg, "Job Accessibility and Welfare Usage: Evidence from Los Angeles". UCLA Department of Policy Studies, (1998).

2. Metropolitan Transit System (MTS)

Metropolitan Transit System (MTS) provides bus and rail services directly or by contract with private operators and covers the central, southern, and eastern areas of the county. MTS coordinates all its services and determines the routing, stops, frequencies and hours of operation. Rural transit services link the sparsely populated central and eastern portions of San Diego County to the San Diego urban core. Each rural service is linked to the San Diego Trolley and other fixed-route transit services at the El Cajon Transit Center. These lines offer much less frequent service. MTS operates three bus rapid transit (BRT) lines branded as "SuperLoop" in the University City and La Jolla Village area serving the University of California, San Diego, Westfield UTC, Veteran's Administration Hospital, and residential districts. Several express fixed-route buses run along major roadways and highways and link suburban areas to the San Diego urban area. Some of the express bus routes only operate during the morning and evening weekday commute periods.

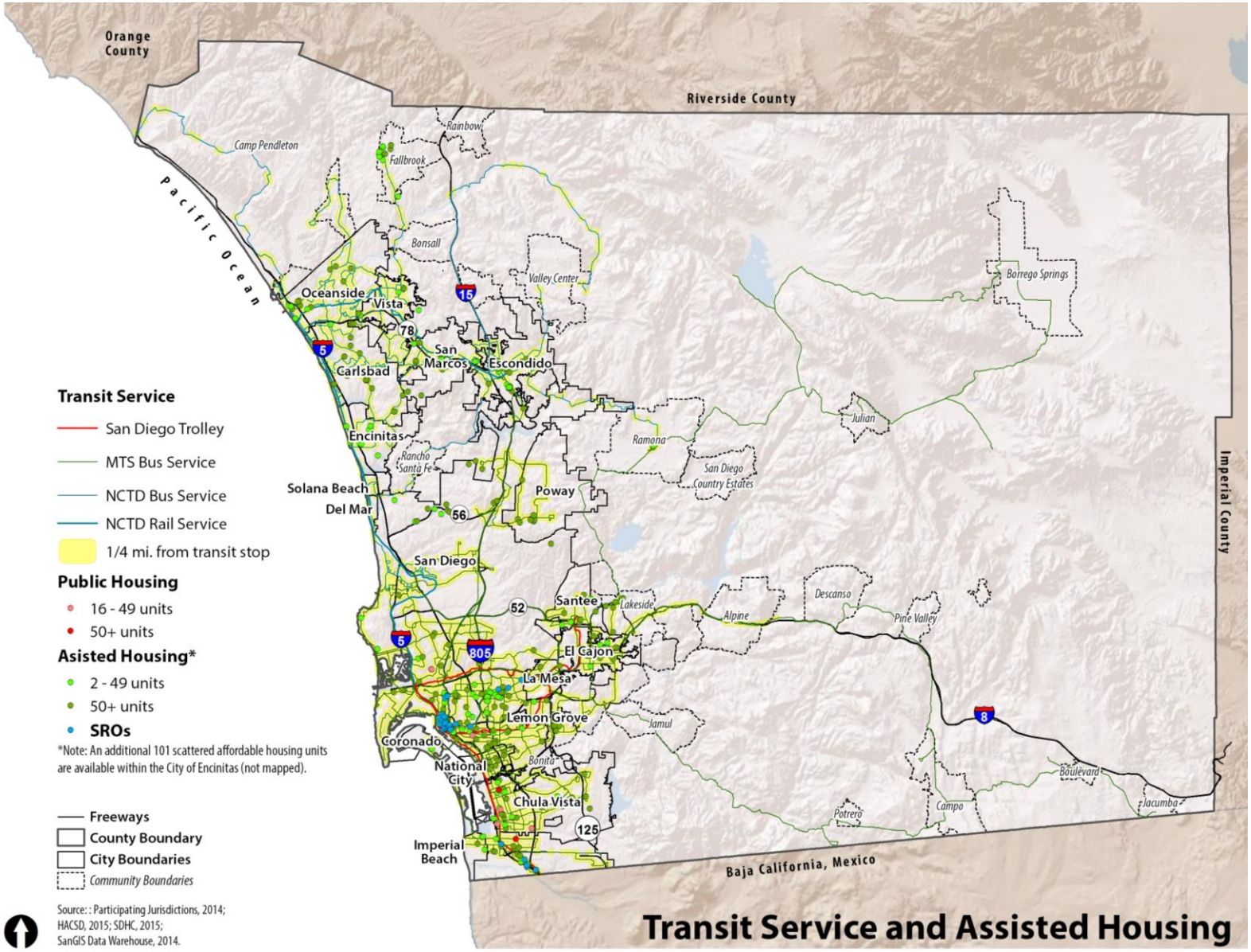
The San Diego Trolley is a light rail system known colloquially as The Trolley or by tourists as The Red Trolley. The Trolley's operator, San Diego Trolley, Inc. (SDTI), is a wholly owned subsidiary of MTS. Trolley service operates on three daily lines: the Blue, Green, and Orange lines, stopping at 53 stations and over 52 miles of double track rail.

MTS Access operates wheelchair lift-equipped buses, which provide transportation to transit riders whose disabilities prevent them from using fixed route bus or Trolley services. MTS Access provides complementary services that "mirror" the level of MTS service being offered within a ¾-mile radius of a nearby bus or trolley station. The program is in full compliance with the Americans with Disabilities Act of 1990 (ADA).

3. North County Transportation District (NCTD)

North County Transit District (NCTD) serves more than 12 million passengers annually in North San Diego County, which includes the cities of Escondido, San Marcos, Vista, Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, and portions of the unincorporated county. From Escondido's multimodal transit center, NCTD operates the BREEZE bus system, with bus stops located throughout the area, and manages the SPRINTER light rail line that provides passenger service from Escondido to Oceanside. The COASTER commuter train runs north and south through San Diego County, serving eight stations between Oceanside and downtown San Diego. More than 20 trains run on weekdays, with additional service on the weekends. LIFT vehicles provide origin to destination service for people with disabilities who are unable to use BREEZE buses due to their disability and have been certified for eligibility. Service is available for trips within ¾ mile of fixed bus routes. FLEX is an on-demand service in parts of southwest Carlsbad, Encinitas, Solana Beach, and Ramona, where BREEZE service is not available. FLEX vehicles take passengers anywhere within the FLEX zone or to the nearest transfer point on the BREEZE, COASTER, or SPRINTER.

Figure 14: Transit Service and Major Employers



4. Metrolink

The Metrolink is a commuter rail system serving Southern California. The rail system consists of seven lines and 55 stations operating on 388 miles of rail network. The system operates in Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. The Metrolink Orange County Line ends at the Oceanside Transit Center where it connects to SPRINTER and COASTER rail service.

As shown in Figure 14, public transit providers serve large portions of the western side of the County. In particular, transit use is higher in parts of the region where the greatest investment in transit service has been made: the north coastal, central and south bay regions of the County.

Almost all major employment centers in San Diego are served by some form of public transit. However, having regional access to jobs by means of public transit does not necessarily translate into stable employment. Low-income workers, especially female heads of household with children, have unique travel patterns that may prevent them from obtaining work far from home, regardless of access to public transit. Women in general are disproportionately responsible for household-supporting activities such as trips to grocery stores or accompanying young children to and from schools. Women using public transit are often limited to looking for employment near home, allowing them time to complete these household-sustaining trips.[47] The Center for Housing Policy[48] has done extensive research showing that the real cost of housing includes the cost of a household's daily commute to work, and typically low income households spend a much higher proportion of after-tax income on transportation – about one-third – than the average household.[49]

5. Major Employers

As one of the major metropolitan areas in the country, San Diego County has a diverse economy. The San Diego County population and employment growth rates typically correlate to national economic cycles and are sensitive to military spending. Military employment is still concentrated in the region as San Diego County is home to major naval bases and the U.S. Marine base at Camp Pendleton. San Diego is the headquarters of the U.S. Navy's Eleventh Naval District and is the Navy's principal location for West Coast and Pacific Ocean operations. Naval Base San Diego is the principal home to the Pacific Fleet. Naval Air Station (NAS) North Island is located on the north side of Coronado, and is the headquarters for Naval Air Forces and Naval Air Force Pacific, the bulk of the Pacific Fleet's helicopter squadrons, and part of the West Coast aircraft carrier fleet. Marine Corps Base Camp Pendleton is the major west coast base of the United States Marine Corps and serves as its prime amphibious training base.

The City of San Diego is still the main employment center in the County, but major employers are located throughout the North Coastal, Central Coastal and South Bay sub-regions. Major employers in the region include colleges, university campuses, military, federal and state government, and hospitals

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[47] Blumenberg, Evelyn. "Reverse Commute Transit Programs and Single Mothers on Welfare: A Policy Mismatch?", Institute of Transportation Studies, Volume 1 Number 2, (December 2002).

[48] Lipman, Barbara J. "A Heavy Load: The Combined Housing and Transportation Burdens of Working Families". Center for Housing Policy, (October 2006).

[49] Giuliano, Genevieve. "The Role of Public Transit in the Mobility of Low Income Households". School of Policy, Planning, and Development, University of Southern California (May 2001).

and medical centers. Inland/desert areas are still relatively scarce with regard to employment opportunities. The closest major employers to the inland/desert areas are the eight Indian casino/gaming/lodging centers. Because of its location along the Mexican border and adjacent to the Pacific Ocean, international trade is a major economic strength for the region. The border between San Diego and Mexico is the busiest in the world and the San Diego Port contributes significant number of jobs to the region. Figure 14 shows that public transit routes provide adequate access to employment centers on the western side of the county. In the eastern inland areas, public transit access and major employers are scarce.

Table 49: Major Employers - San Diego County

Name	Address	City	Industry
32nd St Naval Station	3445 Surface Navy Blvd	San Diego	Federal Government-National Security
Alvarado Hospital Medical Center	6655 Alvarado Rd.	San Diego	Hospitals
Barona Resort & Casino	1932 Wildcat Canyon Rd	Lakeside	Resorts
City of Escondido	201 North Broadway	Escondido	Government
City of San Diego	202 C St.	San Diego	Government
Coronado Naval Amphibious Base	3632 Tulagi Rd	Coronado	Military Bases
County of San Diego	1600 Pacific Hwy.	San Diego	Government
CSU San Marcos	333 S. Twin Oaks Valley Rd.	San Marcos	Education
Cubic Corp.	9333 Balboa Ave.	San Diego	High technology systems
General Dynamics NASSCO	2798 Harbor Dr	San Diego	Ship Builders & Repairers
Harrah's Rincon Casino and Resort	7777 Harrahs Rincon Way	Valley Center	Casino/Resort
Hotel Del Coronado	1500 Orange Ave.	Coronado	Resort
Kaiser Foundation Hospitals	4647 Zion Ave	San Diego	Hospitals
Kyocera Communications, Inc.	9520 Towne Centre Dr	San Diego	Electronic Equipment
Marine Corps Recruit Depot	1600 Henderson Ave	San Diego	Military Bases
Merchants Building Maintenance	9555 Distribution Ave	San Diego	Janitor Service
North Island Naval Air Station	4th & Quentin Roosevelt Blvd	San Diego	Military Bases
Northrop Grumman Corp	6765 W. Bernardo Dr.	San Diego	Military Aircraft/Defense
Pala Casino Spa and Resort	11154 Highway 76	Pala	Casino/Resort
Palomar College	1140 W Mission Rd.	San Marcos	Education
Palomar Health	555 E Valley Pkwy	Escondido	Hospitals
Palomar Pomerado Health Rehab	555 E Valley Pkwy	Escondido	Rehabilitation Services
Qualcomm Inc	5775 Morehouse Drive	San Diego	Wireless Technology
Rady's Children's Hospital San Diego	3020 Children Way	San Diego	Hospitals
San Diego Naval Medical Ctr	34800 Bob Wilson Dr # 202	San Diego	Medical Centers
San Diego State University	5500 Campanile Drive	San Diego	Education
San Diego Zoo	2920 Zoo Dr.	San Diego	Amusement & Theme Parks
Seaworld San Diego	500 Sea World Dr	San Diego	Amusement & Theme Parks
Sharp Grossmont Brier Patch	9000 Wakarusa St	La Mesa	Rehabilitation Services
Sharp Grossmont Hospital	5555 Grossmont Center Dr	La Mesa	Hospitals

Table 49: Major Employers - San Diego County

Name	Address	City	Industry
Sharp Mary Birch Hosp-Women	3003 Health Center Dr	San Diego	Hospitals
Sharp Memorial Hospital	7901 Frost St	San Diego	Hospitals
Solar Turbines, Inc.	2200 Pacific Hwy.	San Diego	Industrial Gas Turbines
Sycuan Resort and Casino	5469 Sycuan Rd.	El Cajon	Casino/Resort
Tri-City Medical Center	4002 Vista Way	Oceanside	Hospitals
TSC (Training Support Center)	3975 Norman Scott Rd	San Diego	Military Bases
Tyco Health Care	2498 Roll Dr	San Diego	Manufacturers
UC San Diego	9500 Gillman Drive	La Jolla	Education
UTC Aerospace Systems	850 Lagoon Dr	Chula Vista	Aircraft Components-Manufacturers
Valley View Casino and Hotel	16300 Nyemii Pass Rd.	Valley Center	Casino/Resort
Viejas Casino and Resort	5000 Willows Rd.	Alpine	Casino/Resort

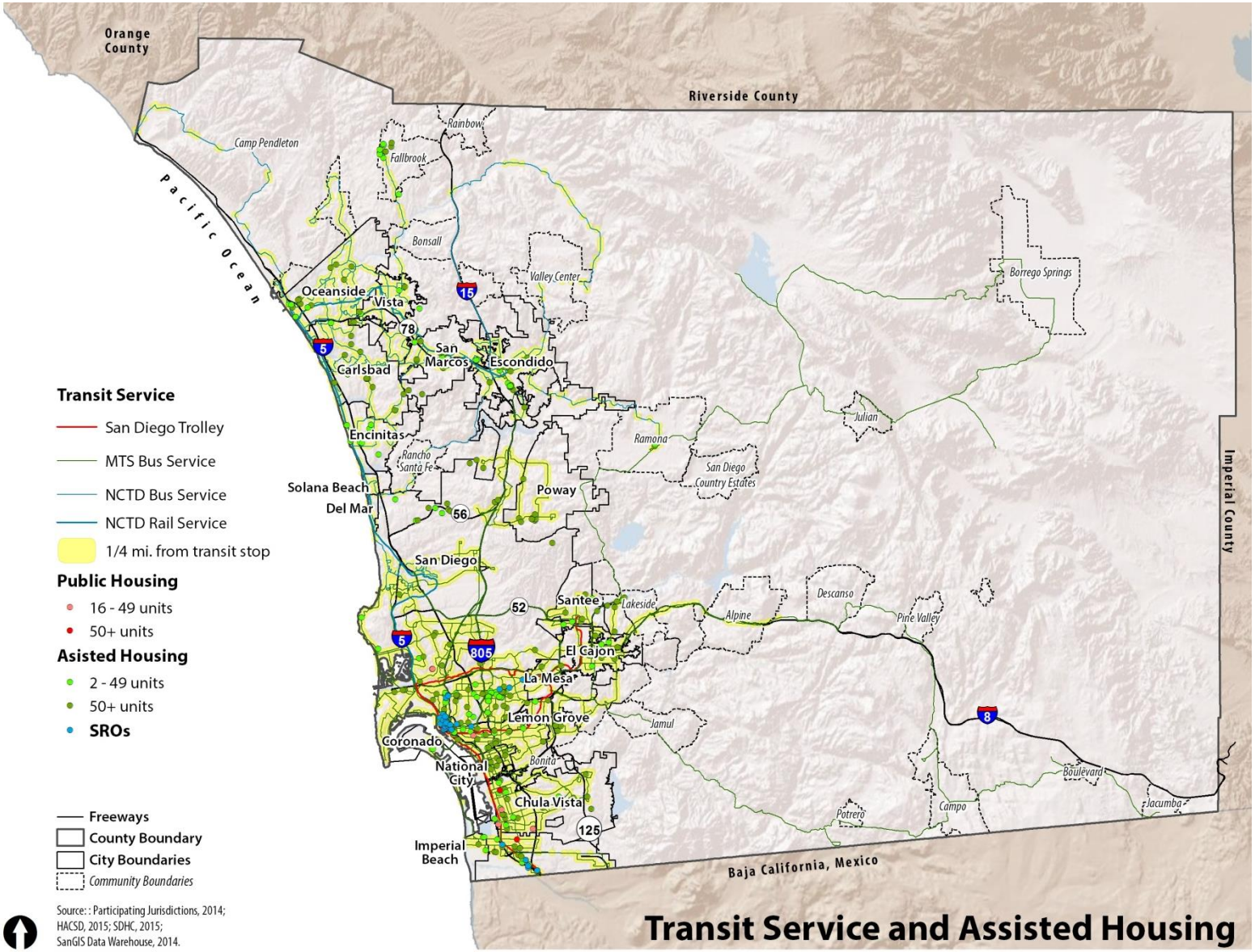
Source: State of California, Employment Development Division, 2015; San Diego Sourcebook http://sourcebook.sddt.com accessed February 2, 2015.

6. Affordable Housing and Public Transit

Limited access to public transit may counteract some of the benefits of affordable housing. Current research indicates a strong connection between housing and transportation costs. Housing market patterns in parts of California with job-rich city centers are pushing lower-income families to the outskirts of urban areas, where no transit is available to connect them with jobs and services. In lower-income communities with underserved city centers, many residents must commute out to suburban job-rich areas. In an attempt to save money on housing, many lower-income households are spending disproportionately higher amounts on transportation. A study conducted by the Center for Housing Policy revealed that families who spend more than half of their income on housing spend only eight percent on transportation, while families who spend 30 percent or less of their income on housing spend almost 24 percent on transportation.[50] This equates to more than three times the amount spent by persons living in less affordable housing. Figure 15 illustrates the location of the County's affordable housing stock in relation to regional transit services. Many affordable housing projects are located in close proximity to regional transit routes, with the exception of the eastern portions of the County, where few assisted units are located. Affordable housing developments that are located further than one-quarter mile from a transit stop are more prevalent in the North County area and in the northernmost areas of the City of San Diego. A noticeable cluster of affordable units in the community of Fallbrook is located further than one-quarter mile from a transit stop.

[50] Lipman, Barbara J. "A Heavy Load: The Combined Housing and Transportation Burdens of Working Families." Center for Housing Policy, (October 2006).

Figure 15: Transit Service and Assisted Housing



O. ADA-Compliant Public Facilities (Section 504 Assessment)

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). To ensure that this goal is met, Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement not only extends to physical access at government facilities, programs, and events, but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments.

The development of an ADA Transition Plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which require that all organizations receiving federal funds make their programs available without discrimination to persons with disabilities. The Transition Plan (also known as a Program Access Plan) identifies physical obstacles that limit the accessibility of facilities to individuals with disabilities, describes the prescribed methods to make the facilities accessible, provides a schedule for making the access modifications, and identifies the public officials responsible for implementation of the transition plan.

The County of San Diego has indicated that their government facilities are ADA-compliant. The City of San Diego conducted a Self Evaluation as mandated under the ADA. From that analysis, a required transition plan was created which included 212 high use city facilities that needed physical modifications to make them accessible. As of 2014, the transition plan is approximately 93 percent complete and funding has been requested to address ADA improvements for the remaining seven percent of the identified facilities list. Several cities (El Cajon, Encinitas, Escondido, La Mesa, and National City) indicated that they are in substantial compliance with ADA requirements and they have or are in the process of completing a Self Evaluation or ADA Transition Plan, which is used to prioritize needed ADA improvements. The cities of Oceanside, San Marcos, and Vista indicated that their government facilities are ADA-compliant, as all improvements identified in their ADA Transitions Plans were completed.

P. Exposure to Adverse Community Factors

Communities must consider fair housing when addressing environmental concerns because either the problems themselves, or treatment of the problems, may have a disproportionate effect on some residents. Of particular concern are environmental risks to vulnerable populations, including pregnant women, young children, and individuals with disabilities—all of whom are protected under fair housing law.

1. Public Schools

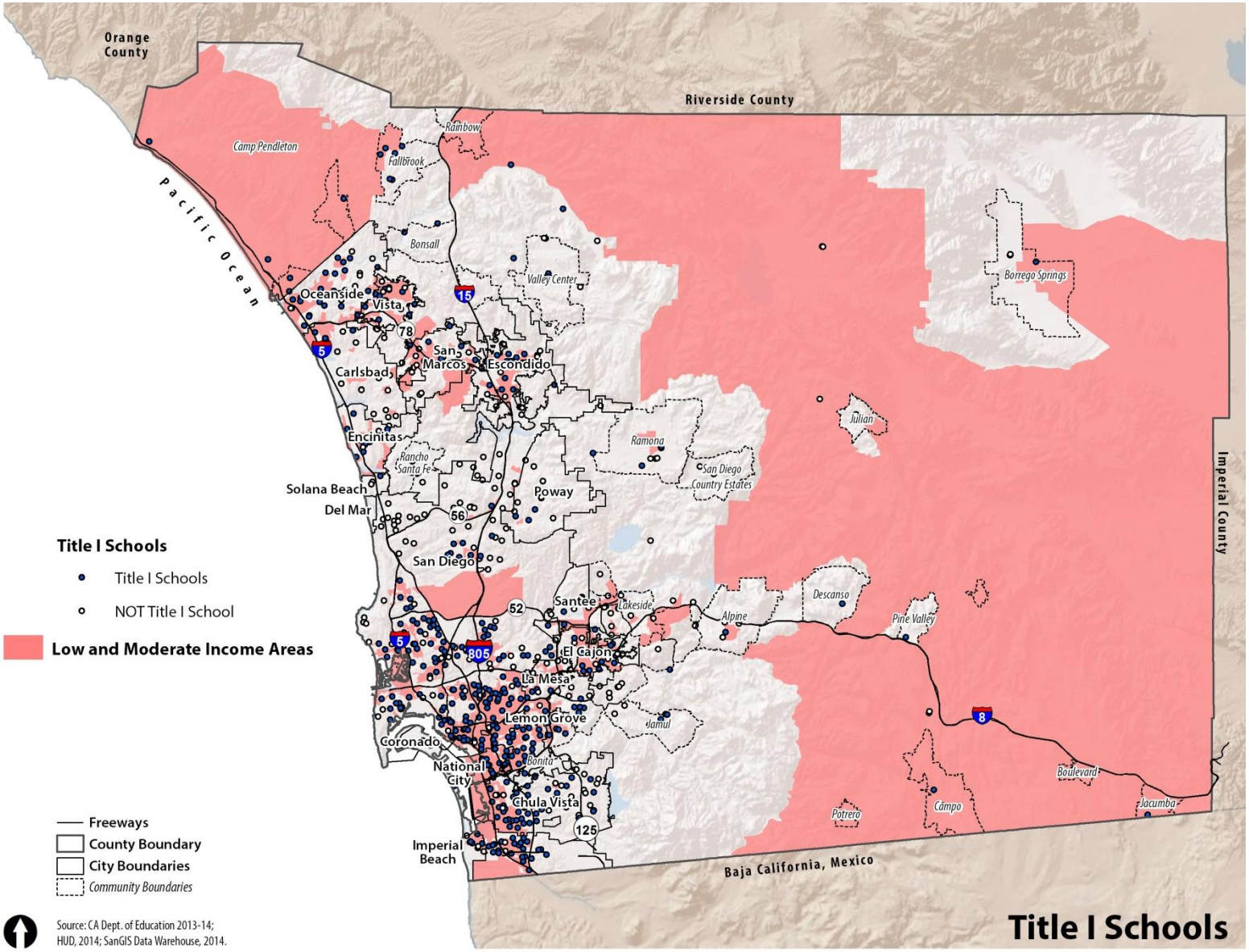
Public schools in San Diego County are grouped by 23 elementary school districts, six high school districts, 13 unified school districts, and five community college districts. The San Diego County Office of Education provides a variety of services for these 42 school districts, 119 charter schools, and five community college districts in the County.

As part of President Johnson's "War on Poverty," the Elementary and Secondary Education Act (ESEA), passed in 1965, is often regarded as the most far-reaching federal legislation affecting education ever passed by Congress. The act is an extensive statute that funds primary and secondary education, while emphasizing equal access to education and establishing high standards and accountability. A major component of ESEA is a series of programs typically referred to as "Title I". Title I provides financial assistance to states and school districts to meet the needs of educationally at-risk students. To qualify as a Title 1 school, a campus typically must have around 40 percent or more of its students coming from families who are low-income. The goal of Title I is to provide extra instructional services and activities which support students identified as failing or most at risk of failing the state's challenging performance standards in mathematics, reading, and writing.

Figure 16 shows the location of Title I schools in San Diego County. While there are Title I schools in most cities, the geographic distribution of Title I schools matches the geographic distribution of minorities and low- and moderate-income persons. Addressing access to higher achieving schools is important, as studies have shown that low-income children who live in low-poverty neighborhoods and consistently attend high-quality schools perform significantly better academically than those who do not.[51]

[51] Sard, Barbara and Rice, Douglas. "Creating Opportunity for Children How Housing Location Can Make a Difference". Center on Budget and Policy Priorities. (October 2014).

Figure 16: Title I Schools



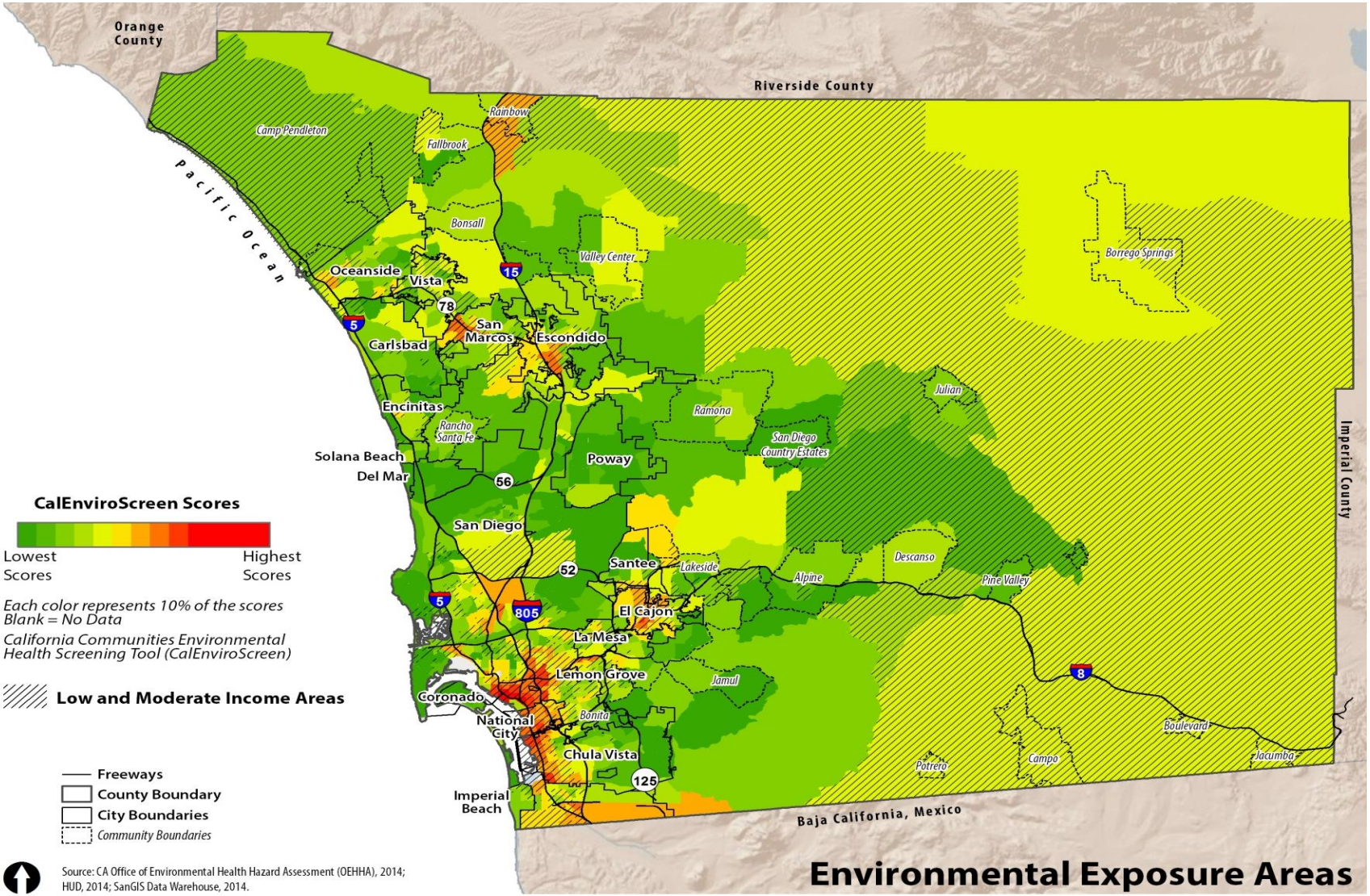
2. Environmental Exposure

California state law defines environmental justice to mean "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."[52] As a first step to assuring that all persons have access to environmental justice, the State of California is working to identify the areas of the State that face multiple pollution burdens so programs and funding can be targeted appropriately toward improving the environmental and economic health of impacted communities. Many residents live in the midst of multiple sources of pollution and some people and communities are more vulnerable to the effects of pollution than others. The California Office of Environmental Health Hazard Assessment (OEHHA) developed a screening methodology to help identify California communities disproportionately burdened by multiple sources of pollution called the California Communities Environmental Health Screening Tool (CalEnviroScreen). In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also takes into consideration socioeconomic factors. These factors include educational attainment, linguistic isolation, poverty, and unemployment. Research has shown a heightened vulnerability of people of color and lower socioeconomic status to environmental pollutants.

Figure 17 shows the County's CalEnviroScreen scores. High scoring communities tend to be more burdened by pollution from multiple sources and most vulnerable to its effects, taking into account their socioeconomic characteristics and underlying health status. As expected, the areas indicated as having higher EnviroScreen scores matches the geographic distribution of minorities, low- and moderate-income persons, and poverty concentrations.

[52] California Senate Bill 115 (Chapter 690, Statutes of 1999).

Figure 17: Environmental Exposure



CHAPTER 4

LENDING PRACTICES

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the recent lending/credit crisis. This chapter reviews the lending practices of financial institutions and the access to financing for all households, particularly minority households. Lending patterns in low and moderate income neighborhoods and areas of minority concentration are also examined. However, publicly available data on lending does not contain the detailed information necessary to make conclusive statements of discrimination, but it can point out potential areas of concern. Furthermore, except for outreach and education efforts, local jurisdictions' ability to influence lending practices is limited. Such practices are largely governed by national policies and regulations.

A. Background

Discriminatory practices in home mortgage lending have evolved in the last five to six decades. In the 1940s and 1950s, racial discrimination in mortgage lending was easy to spot. From government-sponsored racial covenants to the redlining practices of private mortgage lenders and financial institutions, minorities were denied access to home mortgages in ways that severely limited their ability to purchase a home. Today, discriminatory lending practices are more subtle and tend to take different forms. While mortgage loans are readily available in low income or minority communities, by employing high-pressure sales practices and deceptive tactics, some mortgage brokers push minority borrowers into higher-cost subprime mortgages that are not well suited to their needs and can lead to financial problems. Consequently, minority consumers continue to have less-than-equal access to the best loan prices and terms that their credit history, income, and other individual financial considerations may merit.

1. Legislative Protection

In the past, credit market distortions and other activities such as "redlining" were prevalent and prevented some groups from having equal access to credit. The Community Reinvestment Act (CRA) in 1977 and the subsequent Home Mortgage Disclosure Act (HMDA) were designed to improve access to credit for all members of the community and hold the lender industry responsible for community lending.

2. Community Reinvestment Act

The Community Reinvestment Act (CRA) is intended to encourage regulated financial institutions to help meet the credit needs of their entire communities, including low and moderate 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). However, the CRA rating is an overall rating for an institution and does not provide insights regarding the lending performance at specific locations by the institution.

3. Home Mortgage Disclosure Act

In tandem with the CRA, the Home Mortgage Disclosure Act requires lending institutions to make annual public disclosures of their home mortgage lending activity. 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. This section examines detailed 2008 and 2013 HMDA data for San Diego County.[53]

HMDA data provide some insight into the lending patterns that exist in a community. However, HMDA data are only an indicator of potential problems; the data cannot be used to conclude definite redlining or discrimination practices due to the lack of detailed information on loan terms or specific reasons for denial.

> **HMDA** data can indicate potential problems but cannot conclude definite redlining or discrimination practices.

4. Conventional versus Government-Backed Financing

Conventional financing involves market-rate loans provided by private lending institutions such as banks, mortgage companies, savings and loans, and thrift institutions. To assist lower and moderate 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 (FHA), the Department of Veterans Affairs (VA), and the Rural Housing Services/Farm Service Agency (RHA/FSA). Often government-backed loans are offered to the consumers through private lending institutions. Local programs such as first-time homebuyer and rehabilitation programs are not subject to HMDA reporting requirements and therefore are not included in this analysis.

Typically, low income households have a much better chance of getting a government-assisted loan than a conventional loan. However, the pre-2009 lending market offered subprime loan options such as zero percent down, interest-only, and adjustable loans. As a result, government-backed loans were a less attractive option for many households then. In recent years, however, heightened lending restrictions were put into place to severely limit the issuance of risky subprime loans. In addition, the federal government created a government-insured foreclosure avoidance initiative in September 2007, FHASecure, to assist tens of thousands of borrowers

[53] 2013 HMDA data is the most updated lending data available. 2014 HMDA data would not be available until Fall 2015.

nation-wide in refinancing their subprime home loans. As government-backed loans were again publicized and subprime loans became less of an option to borrowers, 2013 saw an increase in the number of government-backed loan applications in San Diego County. Expanded marketing to assist potential homeowners in understanding the requirements and benefits of these loans may still be necessary, though.

5. Financial Stability Act

The Financial Stability Act of 2009 established the Making Home Affordable Program, which assists eligible homeowners who can no longer afford their home with mortgage loan modifications and other options, including short sale or deed-in-lieu of foreclosure. The program is targeted toward homeowners facing foreclosure and homeowners who are unemployed or "underwater" (i.e., homeowners who owe more on their mortgage than their home is worth). The Making Home Affordable Program includes several options for homeowners in need of assistance:

- The Home Affordable Modification Program (HAMP) reduces a homeowner's monthly mortgage payment to 31 percent of their verified gross (pre-tax) income to make their payments more affordable.
- The Second Lien Modification Program (2MP) offers homeowners a way to lower payments on their second mortgage.
- The Home Affordable Refinance Program (HARP) assists homeowners whose mortgages are current and held by the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac) refinance into a more affordable mortgage.
- An Unemployment Program provides eligible homeowners a forbearance period during which their monthly mortgage payments are reduced or suspended while they seek re-employment. The minimum forbearance period is three months, although a mortgage servicer may extend the term depending on applicable investor and regulatory guidelines.
- The Principal Reduction Program offers homeowners who are underwater the opportunity to earn principal reductions over a three-year period by successfully making payments in accordance with their modified loan terms.
- For homeowners who can no longer afford their homes but do not want to go into foreclosure, the Home Affordable Foreclosure Alternatives Program (HAFA) offers homeowners, their mortgage servicers, and investors incentives for completing a short sale or deed-in-lieu of foreclosure. HAFA enables homeowners to transition to more affordable housing while being released from their mortgage debt. The program also includes a "cash for keys" component whereby a homeowner receives financial assistance to help with relocation costs in return for vacating their property in good condition.

6. Helping Families Save Their Homes Act

The Helping Families Save Their Homes Act was passed by Congress in May 2009 and expands the Making Home Affordable Program. This Act includes provisions to make mortgage assistance and foreclosure prevention services more accessible to homeowners and increases protections for renters living in foreclosed homes. It also establishes the right of a homeowner to know who owns their mortgage and provides over two billion dollars in funds to address homelessness.

The Act targets underwater borrowers by easing restrictions on refinance and requiring principal write-downs to help these homeowners increase the equity in their homes. The new law also provides federally guaranteed Rural Housing loans and FHA loans as part of the Making Homes Affordable Program. In addition to expanding the Making Homes Affordable Program, the Act extends the temporary increase in deposit insurance, increases the borrowing authority of the FDIC and National Credit Union Administration (NCUA), and creates a Stabilization Fund to address problems in the corporate credit union sector.

Under this bill, tenants also have the right to stay in their homes after foreclosure for 90 days or through the term of their lease. Prior to this bill, tenants were only guaranteed 60 days of notice before eviction and any current lease was considered terminated in the event of a foreclosure. This Act extends the 60-day notification period to 90 days and requires banks to honor any existing lease on a property in foreclosure.

7. Fraud Enforcement and Recovery Act

The Fraud Enforcement and Recovery Act (FERA) enhances the criminal enforcement of federal fraud laws by strengthening the capacity of federal prosecutors and regulators to hold accountable those who have committed fraud. FERA amends the definition of a financial institution to include private mortgage brokers and non-bank lenders that are not directly regulated or insured by the federal government, making them liable under federal bank fraud criminal statutes. The new law also makes it illegal to make a materially false statement or to willfully overvalue a property in order to manipulate the mortgage lending business. In addition, FERA includes provisions to protect funds expended under TARP and the Recovery Act and amends the Federal securities statutes to cover fraud schemes involving commodity futures and options. Additional funds were also made available under FERA to a number of enforcement agencies in order to investigate and prosecute fraud.

B. Overall Lending Patterns

1. Data and Methodology

The availability of financing affects a person's ability to purchase or improve a home. Under the HMDA, lending institutions are required to disclose information on the disposition of loan applications by the income, gender, and race of the applicants. This applies to all loan

applications for home purchases, improvements, and refinancing, whether financed at market rate or with government assistance.

HMDA data are submitted by lending institutions to the FFIEC. Certain data is available to the public via the FFIEC site either in raw data format or as pre-set printed reports. The analyses of HMDA data presented in this AI were conducted using Lending Patterns™. Lending Patterns is a web-based data exploration tool that analyzes lending records to produce reports on various aspects of mortgage lending. It analyzes HMDA data to assess market share, approval rates, denial rates, low/moderate income lending, and high-cost lending, among other aspects.

2. General Overview

A detailed summary of the disposition of loan applications submitted to financial institutions in 2008 and 2013 (the most recent HMDA data available) by residents (or prospective residents) of San Diego County can be found in Appendix B. Included is information on loan types and outcomes. In 2013, the cities of San Diego, Chula Vista, and Oceanside recorded the most loan applications, while the cities of Del Mar, Coronado, and Solana Beach recorded the fewest due to the built out character of these small communities.

Loan approval rates varied somewhat by jurisdiction. Applications from the cities of Poway, La Mesa, Santee, and Encinitas generally exhibited higher approval rates (over 73 percent). By contrast, applications from the cities of National City, Lemon Grove, and Chula Vista had slightly lower approval rates (ranging from 63 percent to 68 percent). Overall, approval rates were noticeably higher in 2013 than in 2008. In 2008, the cities of Del Mar, Carlsbad, and Encinitas recorded the highest home loan approval rates; however, these approval rates only ranged from 64 to 67 percent. The cities with the lowest loan approval rates were the same in 2008 as in 2013 (National City, Lemon Grove, Chula Vista, and also Imperial Beach), but, again, these rates were significantly lower in 2008 (all under 54 percent).

Aside from income, another major impediment to securing a home loan is insufficient understanding of the homebuying and lending processes. About 16 percent of all applications countywide were withdrawn by the applicants or deemed incomplete by the financial institution in 2008. The rate of withdrawn or incomplete applications was similar in 2013 (14 percent). Jurisdictions with the lowest approval rates (National City, Lemon Grove, and Chula Vista) also had the highest rates of withdrawn/closed applications. Withdrawn or closed applications can be indicative of a lack of knowledge about the homebuying and lending process.

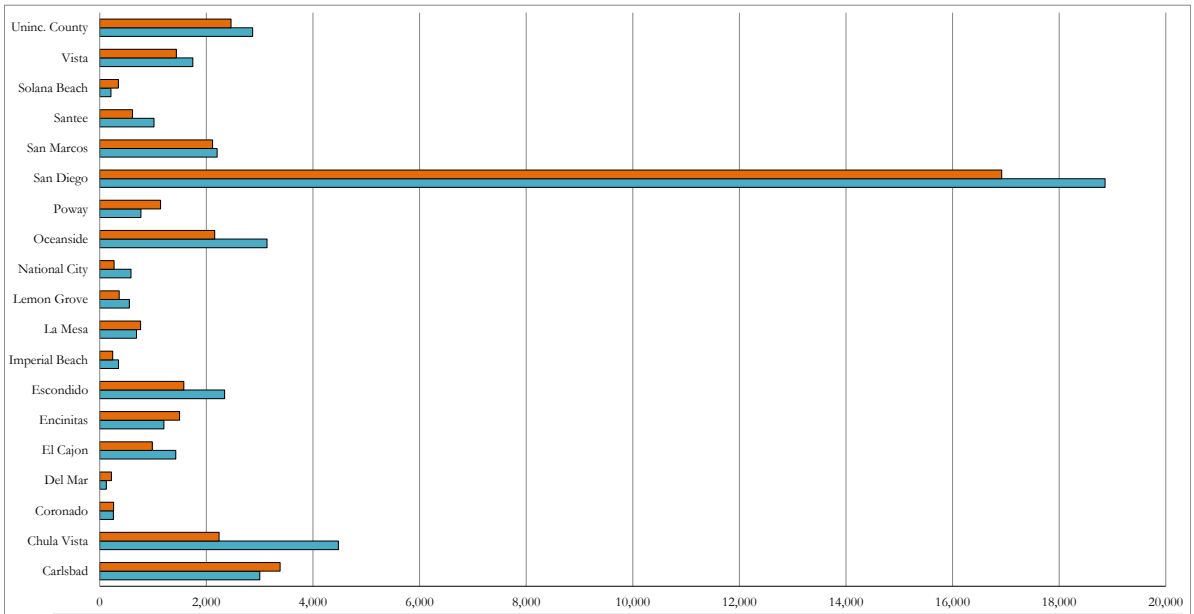
3. Home Purchase Loans

In 2013, a total of 32,571 households applied for conventional loans to purchase homes in San Diego County, representing a decrease of approximately 18 percent from 2008. This trend is indicative of a housing market that is slowly recovering from its peak in 2006-2007.

The approval rate countywide in 2013 for conventional home purchase loans was 76 percent, while the denial rate was 11 percent. As mentioned previously, approval rates were significantly lower in 2008. Specifically, the countywide approval rate for conventional home purchase loans

was 66 percent in 2008 and the denial rate was 19 percent. When the housing market began to show signs of collapse and foreclosures were on the rise in 2007, many financial institutions instituted stricter approval criteria for potential borrowers, which caused approval rates to drop. However, as time passed, the applicant pool for mortgage lending also became smaller and increasingly selective. Applicants from recent years have generally been in much better shape financially than pre-2010 applicants, which has led to increased approval rates.

Figure 18: Conventional Home Purchase Loans (2008 versus 2013)



	Carlsbad	Chula Vista	Coronado	Del Mar	El Cajon	Encinitas	Escondido	Imperial Beach	La Mesa	Lemon Grove	National City	Oceanside	Poway	San Diego	San Marcos	Santee	Solana Beach	Vista	Uninc. County
2013	3,384	2,239	260	219	986	1,498	1,578	244	766	365	270	2,157	1,141	16,921	2,117	615	351	1,437	2,464
2008	3,003	4,478	256	124	1,427	1,204	2,343	352	691	555	587	3,139	773	18,861	2,202	1,018	210	1,747	2,869

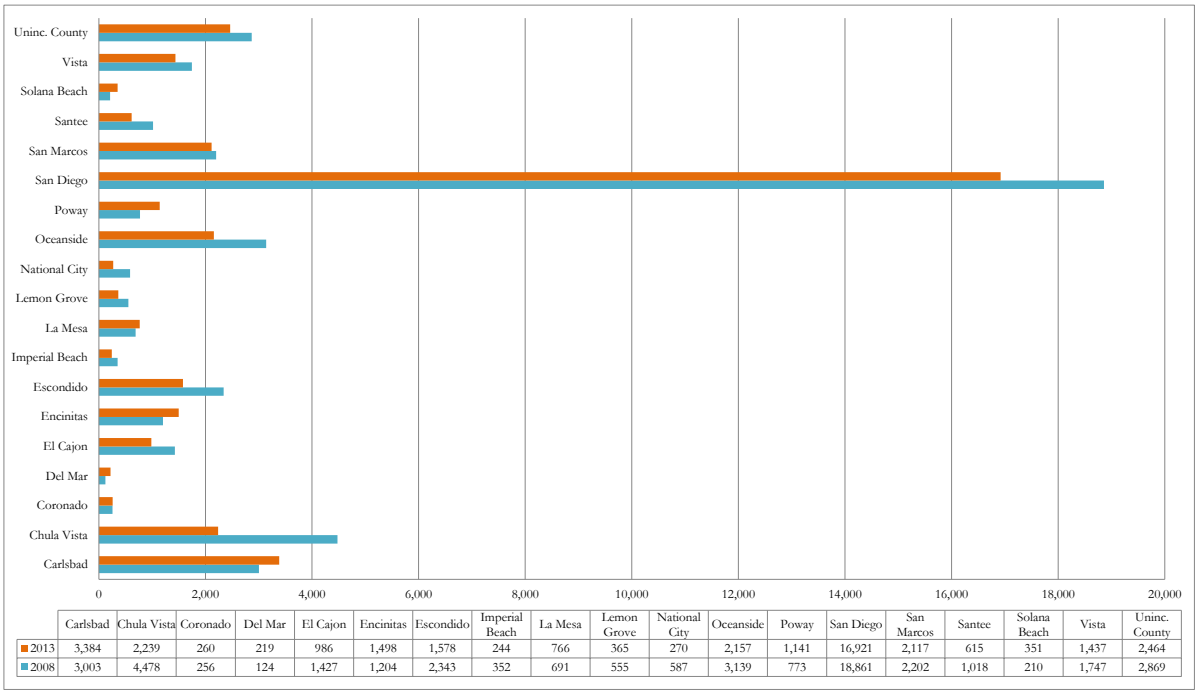
Note: HMDA reports data based on census tract. To arrive at numbers for the unincorporated County areas, numbers for individual cities are subtracted from the County total. However, this methodology may underestimate the lending activities in the unincorporated areas because census tracts cross jurisdictional boundaries.

Source: www.lendingpatterns.com, 2014

As an alternative to conventional home loans, potential homeowners can choose to apply for government-backed home purchase loans when buying their homes. In a conventional loan, the lender takes on the risk of losing money in the event a borrower defaults on a mortgage. For government-backed loans, the loan is insured, either completely or partially, by the government. The government does not provide the loan itself, but instead promises to repay some or all of the money in the event a borrower defaults. This reduces the risk for the lender when making a loan. Government-backed loans generally have more lenient credit score requirements, lower downpayment requirements, and are available to those with recent bankruptcies. However, these loans may also carry higher interest rates and most require homebuyers to purchase mortgage insurance. Furthermore, government-backed loans have strict limits on the amount a homebuyer can borrow for the purchase of a home. In competitive and high-end housing markets, many of the homes available for purchase exceed the maximum allowable loan amount.

In 2013, 13,122 San Diego County households applied for government-backed loans—comparable in terms of the number of households who applied for this type of loan in 2008 (11,236 households), but represented a higher proportion of all loan applicants in 2013. Like approval rates for conventional loans, the approval rate for government-backed loans also increased from 2008 to 2013 (from 69 percent to 73 percent).

Figure 19: Government-Backed Home Purchase Loans (2008 versus 2013)



	Carlsbad	Chula Vista	Coronado	Del Mar	El Cajon	Encinitas	Escondido	Imperial Beach	La Mesa	Lemon Grove	National City	Oceanside	Poway	San Diego	San Marcos	Santee	Solana Beach	Vista	Uninc. County
2013	3,384	2,239	260	219	986	1,498	1,578	244	766	365	270	2,157	1,141	16,921	2,117	615	351	1,437	2,464
2008	3,003	4,478	256	124	1,427	1,204	2,343	352	691	555	587	3,139	773	18,861	2,202	1,018	210	1,747	2,869

Note: HMDA reports data based on census tract. To arrive at numbers for the unincorporated County areas, numbers for individual cities are subtracted from the County total. However, this methodology may underestimate the lending activities in the unincorporated areas because census tracts cross jurisdictional boundaries.

Source: www.lendingpatterns.com, 2014

4. Home Improvement Loans

Reinvestment in the form of home improvement is critical to maintaining the supply of safe and adequate housing. Historically, home improvement loan applications have a higher rate of denial when compared to home purchase loans. Part of the reason is that an applicant's debt-to-income ratio may exceed underwriting guidelines when the first mortgage is considered with consumer credit balances. Another reason is that many lenders use the home improvement category to report both second mortgages and equity-based lines of credit, even if the applicant's intent is to do something other than improve the home (e.g., pay for a wedding or college). Loans that will not be used to improve the home are viewed less favorably since the owner is divesting in the property by withdrawing accumulated wealth. From a lender's point of view, the reduction in owner's equity represents a higher risk.

In 2013, 4,968 applications for home improvement loans were submitted by San Diego County households—lower than the number of applications for this loan type in 2008 (6,015 applications). Generally, the approval rates for home improvement loans were lower than for home purchase loans. The overall approval rate for home improvement loans in 2013 was 59 percent while 30 percent of these applications were denied. As discussed previously, countywide approval rates were even lower in 2008 (42 percent) for this loan type.

5. Refinancing

Homebuyers will refinance existing home loans for a number of reasons. Refinancing can allow homebuyers to take advantage of better interest rates, consolidate multiple debts into one loan, reduce monthly payments, alter risk (i.e. by switching from variable rate to fixed rate loans), or free up cash and capital.

The majority of loan applications submitted by San Diego County households in 2013 were for home refinancing (119,225 applications). This figure is nearly double the number of refinancing applications submitted in 2008 (60,844 applications). The dramatic increase in applications for refinancing may, in part, be due to the Home Affordable Refinance Program (HARP), which enables underwater homeowners (those who owe more than their house is worth) to refinance into a less costly loan. About 69 percent of refinance applications were approved and 17 percent were denied in 2013. As mentioned earlier, these approval rates represent a considerable increase from 2008, when just 52 percent of refinance applications were approved.

C. Lending by Race/Ethnicity and Income

The federal Fair Housing Act prohibits discrimination in mortgage lending based on race, color, national origin, religion, sex, familial status or handicap (disability). It is, therefore, important to look not just at overall approval and denial rates for a jurisdiction, but also whether or not these rates vary by other factors, such as race/ethnicity. (Race/ethnicity is the only personal characteristic available from the HMDA data.)

1. Loan Applicant Representation

In a perfect environment, the applicant pool for mortgage lending should be reflective of the demographics of a community. When one racial/ethnic group is overrepresented or underrepresented in the total applicant pool, it could be an indicator of unequal access to housing opportunities. Such a finding may be a sign that access to mortgage lending is not equal for all individuals. As shown in Table 50, throughout San Diego County, White applicants were noticeably overrepresented in the loan applicant pool, while Hispanics were severely underrepresented. The underrepresentation of Hispanics was most acute in the cities of Imperial Beach (-33 percent), Vista (-35 percent), and Escondido (-36 percent). Detailed comparisons of the applicant pool with overall demographics by jurisdiction can be found in Appendix B.

Table 50: Demographics of Loan Applicants vs. Total Population

San Diego County	Percent of Applicant Pool (2013 HMDA)	Percent of Total Population (2010 Census)	Likelihood of Applying for a Loan
White	55.1%	48.5%	114%
Black	1.9%	4.7%	40%
Hispanic	11.5%	32.0%	36%
Asian	9.5%	10.6%	89%

Notes:
1. Percent of total population estimates are based on 2013 applicant data and compared to total population estimates from the 2010 Census.
2. Percent of applicant pool does not take into account applicants indicated as "Multi Race" or whose race was" Unk/NA". Therefore, total percentage of applicant pool does not add up to 100%.
3. Local jurisdiction data can be found in Appendix B.

Source: Bureau of the Census, 2010; www.lendingpatterns.com, 2014

2. Race by Income Level

In addition to looking at whether access to lending is equal, it is important to analyze lending outcomes for any signs of potential discrimination by race/ethnicity. In 2013, in every ethnic category, San Diego did better than the nation. Nationally, 13.3 percent of Asians applying for mortgages were turned down; in the City of San Diego, the number was 11.6 percent. Nationally, 21.9 percent of Hispanics were turned down for a conventional mortgage; in San Diego, the percentage was 13.7. Nationally, 10.4 percent of whites were turned down; in San Diego, the percentage was 9.4.[54] Generally speaking, approval rates for loans tend to increase as household income increases; however, lending outcomes should not vary significantly by race/ethnicity among applicants of the same income level.

Table 51 below summarizes lending outcomes by race/ethnicity and income in San Diego County. White applicants at all income levels generally had the highest approval rates. Similarly high approval rates were recorded for Asian applicants, although there was some variation by jurisdiction. Approval rates for Black and Hispanic applicants, however, were well below the approval rates for White and Asian applicants in the same income groups in 2008. These gaps had narrowed somewhat by 2013, but were still present. Specifically, Black applicants consistently had the lowest approval rates compared to other racial/ethnic groups in the same income groups.

The largest discrepancies (between loan approval rates for White and Asian applicants versus Black and Hispanic applicants) in 2013 were recorded in the cities of El Cajon, Poway, and San Diego. Detailed lending outcomes by race/ethnicity and income for each jurisdiction can be found in Appendix B.

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[54] Don Bauder, "San Diego, mortgage hot spot," The San Diego Reader, February 10, 2015.

While this analysis provides a more in-depth look at lending patterns, it does not conclusively explain any of the discrepancies observed. Aside from income, many other factors can contribute to the availability of financing, including credit history, the availability and amount of a downpayment, and knowledge of the homebuying process. HMDA data does not provide insight into these other factors.

Table 51: Lending Patterns by Race/Ethnicity and Income (2008-2013)

San Diego County	Approved		Denied		Withdrawn/ Incomplete	
	2008	2013	2008	2013	2008	2013
White						
Low (0-49% AMI)	48.8%	58.7%	35.6%	29.1%	15.6%	12.2%
Moderate (50-79% AMI)	62.2%	67.7%	24.6%	19.3%	13.2%	12.9%
Middle (80-119% AMI)	63.9%	73.3%	21.4%	13.8%	14.7%	12.8%
Upper (≥120% AMI)	63.5%	75.3%	21.0%	12.0%	15.5%	12.6%
Black						
Low (0-49% AMI)	34.4%	50.5%	49.4%	36.7%	16.3%	12.8%
Moderate (50-79% AMI)	45.5%	59.3%	36.0%	22.7%	18.5%	18.0%
Middle (80-119% AMI)	42.8%	65.1%	39.8%	20.8%	17.4%	14.2%
Upper (≥120% AMI)	42.4%	67.1%	38.8%	19.5%	18.8%	13.4%
Hispanic						
Low (0-49% AMI)	40.2%	56.5%	45.3%	29.5%	14.5%	14.0%
Moderate (50-79% AMI)	52.3%	61.0%	32.8%	24.9%	14.9%	14.2%
Middle (80-119% AMI)	51.5%	66.8%	32.4%	18.2%	16.1%	15.0%
Upper (≥120% AMI)	50.4%	69.2%	32.7%	16.0%	16.9%	14.7%
Asian						
Low (0-49% AMI)	41.0%	57.6%	43.0%	32.0%	15.9%	10.4%
Moderate (50-79% AMI)	58.0%	63.5%	24.7%	23.6%	17.4%	12.8%
Middle (80-119% AMI)	58.2%	71.1%	25.4%	15.5%	16.4%	13.4%
Upper (≥120% AMI)	61.0%	74.6%	21.3%	12.9%	17.6%	12.4%

Note: Local jurisdiction data can be found in Appendix B.
Source: www.lendingpatterns.com, 2014.

D. Lending Patterns by Tract Characteristics

1. Income Level

To identify potential geographic differences in mortgage lending activities, an analysis of the HMDA data was conducted by census tract. Based on the Census, HMDA defines the following income levels:[55]

- Low-Income Tract – Tract Median Income less than or equal to 49 percent AMI
- Moderate-Income Tract – Tract Median Income between 50 and 79 percent AMI
- Middle-Income Tract – Tract Median Income between 80 and 119 percent AMI
- Upper-Income Tract – Tract Median Income equal to or greater than 120 percent AMI

The vast majority of census tracts in San Diego County are considered middle or upper income. Only three percent of the County's census tracts are categorized as low income by HMDA. Most loan applications were submitted by residents from one of the County's upper-income tracts. Table 52 summarizes lending outcomes by the income level of the census tract where an applicant resides. In general, home loan approval rates increased and denial rates decreased as the income level of the census tract increased. Higher income households are more likely to qualify for and be approved for loans, so this trend is to be expected.

[55] These income definitions are different from those used by HUD to determine low and moderate income areas.

Table 52: Outcomes Based on Census Tract Income (2008-2013)

Tract Income Level	Total Applicants		Approved		Denied		Other	
	#	%	#	%	#	%	#	%
2008								
Low	4,705	4.0%	2,272	48.3%	1,611	34.2%	822	17.5%
Moderate	17,209	14.7%	9,152	53.2%	5,200	30.2%	2,857	16.6%
Middle	45,457	38.7%	25,543	56.2%	12,324	27.1%	7,590	16.7%
Upper	50,045	42.6%	31,027	62.0%	10,820	21.6%	8,198	16.4%
Total	**117,416**	**100.0%**	**67,994**	**57.9%**	**29,955**	**25.5%**	**19,467**	**16.6%**
2013								
Low	5,375	3.2%	3,501	65.1%	1,096	20.4%	778	14.5%
Moderate	21,777	12.8%	14,682	67.4%	3,825	17.6%	3,270	15.0%
Middle	61,573	36.3%	42,947	69.7%	9,834	16.0%	8,792	14.3%
Upper	81,085	47.8%	58,483	72.1%	11,558	14.3%	11,044	13.6%
Total	**169,810**	**100.0%**	**119,613**	**70.4%**	**26,313**	**15.5%**	**23,884**	**14.1%**

Note: Income data was not available for 147 households in 2008 and 76 households in 2013; therefore, total number of applicants does not equal the overall total.
Source: www.lendingpatterns.com, 2014.

2. Minority Population

HMDA also records lending outcomes by the proportion of minorities residing in a census tract. Much of San Diego County is comprised of census tracts where 20 to 40 percent of residents are minorities. Table 53 summarizes lending outcomes by the proportion of minority residents in a census tract. In general, approval rates steadily increased as the proportion of minority residents decreased.

Table 53: Outcomes by Minority Population of Census Tract (2008-2013)

Tract Minority Level	Total Applicants		Approved		Denied		Other	
	#	%	#	%	#	%	#	%
2008								
0-19% Minority	30,019	25.6%	18,593	61.9%	6,655	22.2%	4,771	15.9%
20-39% Minority	40,392	34.4%	24,397	60.4%	9,458	23.4%	6,537	16.2%
40-59% Minority	17,848	15.2%	10,008	56.1%	4,821	27.0%	3,019	16.9%
60-79% Minority	19,477	16.6%	10,433	53.6%	5,605	28.8%	3,439	17.7%
80-100% Minority	9,683	8.2%	4,564	47.1%	3,417	35.3%	1,702	17.6%
Total	**117,419**	**100.0%**	**67,995**	**57.9%**	**29,956**	**25.5%**	**19,468**	**16.6%**
2013								
0-19% Minority	22,040	13.0%	15,723	71.3%	3,294	14.9%	3,023	13.7%
20-39% Minority	63,120	37.2%	45,577	72.2%	9,081	14.4%	8,462	13.4%
40-59% Minority	42,768	25.2%	30,104	70.4%	6,501	15.2%	6,163	14.4%
60-79% Minority	22,863	13.5%	15,831	69.2%	3,709	16.2%	3,323	14.5%
80-100% Minority	19,022	11.2%	12,379	65.1%	3,728	19.6%	2,915	15.3%
Total	**169,813**	**100.0%**	**119,614**	**70.4%**	**26,313**	**15.5%**	**23,886**	**14.1%**

Note: Minority data was not available for 144 households in 2008 and 73 households in 2013; therefore, total number of applicants does not equal the overall total.
Source: www.lendingpatterns.com, 2014.

E. Performance by Lender

1. General Overview

Table 54 identifies the top ten lenders in San Diego County in 2013. As shown, these top lenders were similarly active throughout most jurisdictions, though some cities (specifically Chula Vista, Imperial Beach, National City, and Solana Beach) appeared to favor a wider range of less popular financial institutions. This is a general pattern throughout California (and perhaps the nation), where communities with higher concentrations of Hispanic population tend to rely more on credit unions than commercial banks for mortgage financing.

In 2013, about 47 percent (79,185 applications) of all loan applications in San Diego County were submitted to one of the County's top ten lenders. The region's top three lenders have remained fairly consistent since 2008, with the only significant changes being the purchase of Countrywide Bank by Bank of America and Wells Fargo's acquisition of Wachovia Mortgage (Table 54). The region's remaining top lenders are all smaller financial institutions that each accounted for less than three percent of the County's market share.

Table 54: Top San Diego County Lenders by City (2013)

Jurisdiction	Top 10 Lenders									
	Wells Fargo Bank, NA	Bank of America, NA	JP Morgan Chase Bank, NA	Quicken Loans, Inc.	Navy Federal Credit Union	Citibank, NA	Flagstar Bank, FSB	US Bank, NA	Nation-star Mortgage	San Diego County Credit Union
Carlsbad	✓	✓	✓	✓		✓	✓	✓		✓
Chula Vista	✓	✓	✓	✓	✓		✓		✓	
Coronado	✓	✓	✓	✓	✓	✓		✓		
Del Mar	✓	✓	✓	✓		✓		✓		✓
El Cajon	✓	✓	✓	✓		✓	✓	✓	✓	
Encinitas	✓	✓	✓	✓		✓	✓	✓		✓
Escondido	✓	✓	✓	✓	✓	✓			✓	✓
Imperial Bch.	✓	✓	✓	✓	✓		✓			
La Mesa	✓	✓	✓	✓		✓	✓	✓		
Lemon Grove	✓	✓	✓	✓	✓	✓	✓		✓	
National City	✓	✓	✓	✓	✓	✓			✓	
Oceanside	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Poway	✓	✓	✓	✓		✓	✓	✓		✓
San Diego	✓	✓	✓	✓	✓		✓	✓	✓	
San Marcos	✓	✓	✓	✓		✓	✓	✓	✓	✓
Santee	✓	✓	✓	✓	✓	✓	✓		✓	✓
Solana Beach	✓	✓	✓	✓		✓		✓		
Vista	✓	✓	✓	✓	✓		✓	✓	✓	✓

Notes:
1. Comparison only indicates if a top County lender was also a top lender in a city, and does not compare the specific order of top lenders in the County as a whole.
2. Data for just the unincorporated areas is not available

Source: www.lendingpatterns.com, 2014.

Table 55: Market Share and Disposition of Applications by Top Lenders (2008-2013)

San Diego County	Overall Market Share		Approved		Denied		Withdrawn or Closed	
	2013	2008	2013	2008	2013	2008	2013	2008
Wells Fargo Bank, NA	11.0%	10.8%	68.6%	66.0%	17.4%	17.5%	14.0%	16.4%
Bank of America, NA	5.5%	6.9%	77.8%	64.8%	16.3%	22.4%	5.9%	12.8%
JP Morgan Chase Bank, NA	5.5%	4.5%	73.6%	59.7%	22.0%	32.8%	4.4%	7.5%
Quicken Loans, Inc.	3.0%	--	85.2%	--	14.8%	--	0.0%	--
Navy Federal Credit Union	2.6%	--	71.0%	--	23.1%	--	5.9%	--
Citibank, NA	2.5%	--	53.8%	--	17.0%	--	29.2%	--
Flagstar Bank, FSB	2.4%	--	87.0%	--	12.9%	--	0.0%	--
US Bank, NA	2.2%	--	60.2%	--	29.5%	--	10.3%	--
Nationstar Mortgage, LLC	2.1%	--	55.1%	--	27.5%	--	17.4%	--
San Diego County Credit Union	1.9%	2.8%	80.7%	65.6%	19.2%	18.4%	<1.0%	16.0%
All Lenders	**100.0%**	**100.0%**	**70.4%**	**57.9%**	**15.5%**	**25.5%**	**14.1%**	**16.6%**

Source: www.lendingpatterns.com, 2014.
"—" Indicates institution was not a top lender in 2008.

2. Approval Rates

Approval rates for the County's top lenders fluctuated substantially by institution and jurisdiction; however, as noted before, approval rates have increased markedly since 2008. Overall in 2013, approval rates by top lenders ranged from 54 percent (Citibank, NA) to 87 percent (Flagstar Bank, FSB). While high approval rates do not necessarily indicate wrongdoing by a specific institution, they can be a sign of aggressive lending practices on the part of the lender. In particular, smaller, less prominent financial institutions with significantly high approval rates may be a concern. Because these institutions captured a much smaller share of loan applications than Wells Fargo Bank, NA, Bank of America, NA, and JP Morgan Chase Bank, NA, this discrepancy may not be significant.

3. Withdrawn and Incomplete Applications

Under current banking regulations, lenders are required to hold a given interest rate for a borrower for a period of 60 days. Borrowers, however, are under no obligation to actually follow through on the loan during this time and can withdraw their application. In mortgage lending, fallout refers to a loan application that is withdrawn by the borrower before the loan is finalized. Typically for-profit lenders should have little fallout and none that varies by race, ethnicity or gender. Several top lenders in San Diego County had higher than average rates of withdrawn or incomplete applications in 2013.

Closed applications refer to applications that are closed by the lender due to incompleteness. In instances where a loan application is incomplete, lenders are required to send written notification to the applicant and request the missing information be turned over within a designated timeframe. If this notice is given and the applicant does not comply within the specified time, the lender can close the application for incompleteness. A high rate of incomplete loans can indicate a lack of financial literacy on the part of the borrower and the process of loan application is too cumbersome to navigate. Several studies have correlated financial literacy with a borrower's income level. Specifically, lower income individuals have been found to be the least knowledgeable about finance.[56] Insufficient lender assistance during the application process can also lead to high levels of incomplete applications. The lack of lender assistance may be discriminatory in motive or outcome; however, HMDA data cannot be used to prove motive.

During 2013, Citibank, NA was the only lender that had a noticeably higher rate of withdrawn and closed applications compared to other top lenders in San Diego County. A significant disparity in fallout could be an indicator of an overly complicated application process for a particular lender or suggest something even more troubling, such as screening, differential processing, HMDA Action misclassification, and/or the potential of discouragement of minority applications. Also of note, less than one percent each of applications to Quicken Loans, Inc., Flagstar Bank, FSB, and San Diego County Credit Union were withdrawn or closed in 2013.

4. Top Lenders by Race/Ethnicity

Top lenders in the County varied by jurisdiction, as mentioned previously, as well as by the race/ethnicity of applicants. Certain lenders, for example, appeared to be more popular among particular racial/ethnic groups (Table 56). For example:

- Hispanic applicants comprised about 12 percent of the County's total applicant pool in 2013. However, they made up a slightly higher proportion of the applicant pool for Bank of America (17 percent).
- Black applicants represented approximately two percent of the County's total applicant pool. NAVY Federal Credit Union, though, had a noticeably higher proportion of Black applicants (seven percent).
- Asian applicants comprised approximately ten percent of the total applicant pool in the County and appeared to heavily favor Chicago Mortgage Solutions, where Asian applicants comprised 19 percent of that particular lender's applicant pool.

[56] Collins, Michael. 2009. "Education Levels and Mortgage Application Outcomes: Evidence of Financial Literacy." University of Wisconsin-Madison, Department of Consumer Science.

Table 56: Top Lenders by Race/Ethnicity of Applicant (2013)

Black		Hispanic		Asian	
Lender	**% of Total Applicants**	**Lender**	**% of Total Applicants**	**Lender**	**% of Total Applicants**
NAVY Federal Credit Union	6.6%	Bank of America, NA	16.7%	Chicago Mortgage Solutions	19.2%
Nationstar Mortgage, LLC	2.8%	CMG Mortgage, Inc.	14.9%	NAVY Federal Credit Union	17.4%
Quicken Loans, Inc.	2.5%	JP Morgan Chase Bank, NA	14.6%	Flagstar Bank, FSB	15.0%
Wells Fargo Bank, NA	2.1%	Sierra Pacific Mortgage	14.0%	San Diego County Credit Union	14.5%
Bank of America	2.0%	Nationstar Mortgage, LLC	13.7%	JP Morgan Chase Bank, NA	11.0%
Total All Lenders	**2.0%**		**12.2%**		**10.2%**

Source: www.lendingpatterns.com, 2014.

F. Sub-Prime Lending Market

According to the Federal Reserve, "prime" mortgages are offered to persons with excellent credit and employment history and income adequate to support the loan amount. "Subprime" loans are loans to borrowers who have less-than-perfect credit history, poor employment history, or other factors such as limited income. By providing loans to those who do not meet the critical standards for borrowers in the prime market, subprime lending can and does serve a critical role in increasing levels of homeownership. Households that are interested in buying a home but have blemishes in their credit record, insufficient credit history, or non-traditional income sources may be otherwise unable to purchase a home. The subprime loan market offers these borrowers opportunities to obtain loans that they would be unable to realize in the prime loan market.

Subprime lenders generally offer interest rates that are higher than those in the prime market and often lack the regulatory oversight required for prime lenders because they are not owned by regulated financial institutions. In the recent past, however, many large and well-known banks became involved in the subprime market either through acquisitions of other firms or by initiating subprime loans directly. Though the subprime market usually follows the same guiding principles as the prime market, a number of specific risk factors are associated with this market. According to a joint HUD/Department of the Treasury report, subprime lending generally has the following characteristics:[57]

[57] U.S. Department of Housing and Urban Development. 2000. "Unequal Burden In Los Angeles: Income and Racial Disparities in Subprime Lending."

- **Higher Risk**: Lenders experience higher loan defaults and losses by subprime borrowers than by prime borrowers.
- **Lower Loan Amounts**: On average, loans in the subprime mortgage market are smaller than loans in the prime market.
- **Higher Costs to Originate**: Subprime loans may be more costly to originate than prime loans since they often require additional review of credit history, a higher rate of rejected or withdrawn applications and fixed costs such as appraisals, that represent a higher percentage of a smaller loan.
- **Faster Prepayments**: Subprime mortgages tend to be prepaid at a much faster rate than prime mortgages.
- **Higher Fees**: Subprime loans tend to have significantly higher fees due to the factors listed above.

Subprime lending can both impede and extend fair housing choice. On the one hand, subprime loans extend credit to borrowers who potentially could not otherwise finance housing. The increased access to credit by previously underserved consumers and communities contributed to record high levels of homeownership among minorities and lower income groups. On the other hand, these loans left many lower income and minority borrowers exposed to default and foreclosure risk. Since foreclosures destabilize neighborhoods and subprime borrowers are often from lower income and minority areas, mounting evidence suggests that classes protected by fair housing faced the brunt of the recent subprime and mortgage lending market collapse.[58]

While HMDA data does not classify loans as subprime, it does track the interest rate spread on loans. Since 2005, the Federal Reserve Board has required lenders to report rate spreads for loans whose APR was above the Treasury benchmark. Loans with a reported spread are typically referred to as higher-priced or subprime loans.

Table 57: Reported Spread on Loans by Race/Ethnicity (2008-2013)

San Diego County	Frequency of Spread		Average Spread	
	2008	2013	2008	2013
White	4.0%	1.6%	3.99	2.55
Black	7.9%	3.2%	3.75	2.28
Hispanic	8.4%	3.7%	3.77	2.39
Asian	3.2%	1.2%	3.72	2.11
Total	4.5%	1.8%	3.88	2.43

Source: www.lendingpatterns.com, 2014.

[58] Association of Community Organizations for Reform Now. September 2007. "Foreclosure Exposure: A Study of Racial and Income Disparities in Home Mortgage Lending in 172 American Cities."

As shown in Table 57, the number of subprime loans issued has decreased substantially over time. In 2008, approximately five percent of all loans issued had a reported spread but, by 2013, less than two percent of loans issued were subprime loans. What appears to be most troubling, however, is that Black and Hispanic applicants seem to be significantly more likely to receive these higher-priced loans. In 2008 and 2013, Blacks and Hispanics were twice as likely as Whites and Asians to receive a subprime loan.

Since 2008, not only has there been a decline in the number of subprime loans issued, there has also been a decrease in the magnitude of spread reported on these loans. Generally, the higher the reported spread on a loan, the worse that loan is compared to a standard prime loan. In 2008, the average reported spread for a subprime loan was just under four points; by 2013, the average reported spread had dropped to below two and one-half points. There was virtually no difference in the reported magnitude of spread for subprime loans by race/ethnicity of the applicant.

G. Predatory Lending

With an active housing market, potential predatory lending practices by financial institutions may arise. Predatory lending involves abusive loan practices usually targeting minority applicants or those with less-than-perfect credit histories. Typical predatory lending practices include:[59]

- **Inadequate or False Disclosure:** The lender hides or misrepresents the true costs, risks and/or appropriateness of a loan's terms, or the lender changes the loan terms after the initial offer.
- **Risk-Based Pricing:** While all lenders depend on some form of risk-based pricing — tying interest rates to credit history — predatory lenders abuse the practice by charging very high interest rates to high-risk borrowers who are most likely to default.
- **Inflated Fees and Charges:** Fees and costs (e.g., appraisals, closing costs, document preparation fees) are much higher than those charged by reputable lenders, and are often hidden in fine print.
- **Loan Packing:** Unnecessary products like credit insurance — which pays off the loan if a homebuyer dies — are added into the cost of a loan.
- **Loan Flipping:** The lender encourages a borrower to refinance an existing loan into a larger one with a higher interest rate and additional fees.
- **Asset-Based Lending:** Borrowers are encouraged to borrow more than they should when a lender offers a refinance loan based on their amount of home equity, rather than on their income or ability to repay.
- **Reverse Redlining:** The lender targets limited-resource neighborhoods that conventional banks may shy away from. Everyone in the neighborhood is charged higher rates to borrow money, regardless of credit history, income or ability to repay.

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[59] Al Krulick, "Predatory Lending." www.debt.org. Accessed February 17, 2015.

- **Balloon Mortgages:** A borrower is convinced to refinance a mortgage with one that has lower payments upfront but excessive (balloon) payments later in the loan term. When the balloon payments cannot be met, the lender helps to refinance again with another high-interest, high-fee loan.
- **Negative Amortization:** This occurs when a monthly loan payment is too small to cover even the interest, which gets added to the unpaid balance. It can result in a borrower owing substantially more than the original amount borrowed.
- **Abnormal Prepayment Penalties:** A borrower who tries to refinance a home loan with one that offers better terms can be assessed an abusive prepayment penalty for paying off the original loan early. Up to 80 percent of subprime mortgages have abnormally high prepayment penalties.
- **Mandatory Arbitration:** The lender adds language to a loan contract making it illegal for a borrower to take future legal action for fraud or misrepresentation. The only option then for an abused borrower is arbitration, which generally puts the borrower at a disadvantage.

In recent years, predatory lending has also penetrated the home improvement financing market. Seniors and minority homeowners are typically the targets of this type of lending. In general, home improvement financing is more difficult to obtain than home purchase financing. Many homeowners have a debt-to-income ratio that is too high to qualify for home improvement loans in the prime market and become targets of predatory lending in the subprime market. Seniors have been swindled into installing unnecessary devices or making unnecessary improvements that are bundled with unreasonable financing terms.

Predatory lending is a growing fair housing issue. Predatory lenders who discriminate get some scrutiny under the Fair Housing Act of 1968 which requires equal treatment in terms and conditions of housing opportunities and credit regardless of race, religion, color, national origin, family status, or disability. This applies to loan originators as well as the secondary market. The Equal Credit Opportunity Act of 1972 requires equal treatment in loan terms and availability of credit for all of the above categories, as well as age, sex, and marital status. Lenders that engage in predatory lending would violate these Acts if they target minority or elderly households to buy higher priced or unequal loan products, treat loans for protected classes differently than those of comparably credit-worthy White applicants, or have policies or practices that have a disproportionate effect on the protected classes.

Data available to investigate the presence of predatory lending is extremely limited. At present, HMDA data are the most comprehensive data available for evaluating lending practices. However, as discussed before, HMDA data lack the financial details of the loan terms to conclude that any kind of predatory lending has actually occurred. There is an effort at the national level to push for increased reporting requirements in order to identify and curb predatory lending.

The State of California has enacted additional measures designed to stem the tide of predatory lending practices. Senate Bill 537 provided a funding mechanism for local district attorneys' offices to establish special units to investigate and prosecute real estate fraud cases. The law

enabled county governments to establish real estate fraud protection units. Furthermore, AB 489, a predatory lending reform bill, prevents a lender from basing the loan strictly on the borrower's home equity as opposed to the ability to repay the loan. The law also outlaws some balloon payments and prevents refinancing unless it results in an identifiable benefit to the borrower.

Predatory lending and unsound investment practices, central to the current home foreclosure crisis, led to a credit crunch that spread well beyond the housing market and impacted the cost of credit for local government borrowing and local property tax revenues. In response, the U.S. House of Representatives passed legislation H.R.3915 in 2007, which prohibits certain predatory lending practices and makes it easier for consumers to renegotiate predatory mortgage loans. The U.S. Senate introduced similar legislation in late 2007 (S.2454). The Mortgage Reform and Anti-Predatory Lending Act (H.R.1728) was passed in the House in May 2009 and amends the Truth in Lending Act to specify duty of care standards for originators of residential mortgages. The law also prescribed minimum standards for residential mortgage loans and directs the Secretary of Housing and Urban Development (HUD) to establish a grants program to provide legal assistance to lower and moderate income homeowners and tenants and prohibits specified practices, including:

- Certain prepayment penalties;
- Single premium credit insurance;
- Mandatory arbitration (except reverse mortgages);
- Mortgage loan provisions that waive a statutory cause of action by the consumer; and
- Mortgages with negative amortization.[60]

In addition to anti-predatory lending laws, the Mortgage Forgiveness Debt Relief Act was enacted in 2007 and allows for the exclusion of income realized as a result of modification of the terms of a mortgage or foreclosure on a taxpayer's principal residence.

While subprime lending cannot in and of itself be described as "predatory," studies have shown a high incidence of predatory lending in the subprime market.[61] Unlike in the prime lending market, overly high approval rates in the subprime market is a potential cause for concern when the target clients are considered high risk. High approval rates may indicate aggressive lending practices. Table 55 summarizes the approval rates of top lenders in San Diego County. Of these top lenders, Flagstar Bank, FSB, Quicken Loans, Inc., and San Diego County Credit Union had notably high approval rates (over 80 percent).

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[60] In negative amortization, a borrower pays monthly mortgage payments that are lower than the required interest payments and include no principal payments. The shortage in monthly payments is added to the principle loan. Therefore, the longer the borrower holds that loan, the more they owe the lender despite making monthly payments.

[61] California Reinvestment Committee. November 2001. "Stolen Wealth, Inequities in California's Subprime Mortgage Market."

H. Purchased Loans

Secondary mortgage marketing is the term used for pricing, buying, selling, securitizing and trading residential mortgages. The secondary market is an informal process of different financial institutions buying and selling home mortgages. The secondary market exists to provide a venue for lending institutions to raise the capital required to make additional loans.

1. History

In the 1960s, as interest rates became unstable, housing starts declined and the nation faced capital shortages as many regions, including California, had more demand for mortgage credit than the lenders could fund. The need for new sources of capital promoted Congress to reorganize the Federal National Mortgage Association (FNMA) into two entities: a private corporation (today's FNMA) and a government agency, the Government National Mortgage Association (GNMA). In 1970, Congress charted the Federal Home Loan Mortgage Corporation (FHLMC) to purchase conventional loans. Both FHLMC and FNMA have the same goals: to increase the liquidity of the mortgage market and make homeownership more widely available to the average citizen. The two organizations work to standardize the documentation, underwriting and financing of home loans nationwide. They purchase loans from originators, hold them and issue their own debt to replenish the cash. They are, essentially, massive savings and loan organizations. These two organizations set the standards for the purchase of home loans by private lenders in the U.S.

2. Purchased Loans and Race

During the peak of the housing market, the practice of selling mortgage loans by the originators (lenders that initially provide the loans to the borrowers) to other lenders and investors was prevalent. Predatory lending was rampant, with lenders utilizing liberal underwriting criteria or falsified documents to push loan sales to people who could not afford the loans. The originating lenders were able to minimize their financial risk by immediately selling the loans to other lenders or investors on the secondary market.

Table 58 shows the various loan types purchased in San Diego County, as well as the race/ethnicity of the applicants, in 2013. White applicants represented the majority of all applicants and were subsequently the most likely to have their loans purchased. Among all race/ethnicities, government-backed loans were most likely to be purchased.

Table 58: Percent of Purchased Loans by Race (2013)

Loan Type	White	Black	Asian	Hispanic
Government-Backed Purchase	22.5%	21.8%	23.7%	23.7%
Conventional Purchase	11.9%	14.2%	10.4%	12.4%
Refinance	8.4%	6.1%	7.7%	7.0%
Home Improvement	7.3%	5.0%	7.5%	8.7%

Source: www.lendingpatterns.com, 2014.

I. Review of Lending Patterns by Specific Lender

Because the applicant profiles of some of the top lenders in San Diego County differ so significantly, this section looks at the underwriting outcomes of some of the major lenders in the County.

1. Wells Fargo Bank

Wells Fargo was a top three lender in San Diego County in 2008 and 2013. The bank captured 11 percent of the market share in the County in 2013 and had an approval rate of 67 percent, which was slightly below the average approval rate for all lenders in the County of 70 percent. While Wells Fargo seems to be a popular option among San Diego County residents, Hispanic applicants appeared to have more difficulty obtaining loans from this bank. Hispanic applicants were less likely to be approved for loans (53 percent versus 67 percent overall) and more likely to be denied loans (25 percent versus 17 percent overall) at this institution. This could explain the popularity of smaller, lesser-known financial institutions among the County's Hispanic population (Table 56).

2. Bank of America

Bank of America was also a top three lender in the County in 2008 and 2013. This bank accounted for approximately six percent of the market share in 2013. The approval rate for this lender (78 percent) was higher than the average approval rate for all lenders in the County (70 percent). Approval rates for Black and Hispanic applicants (65 percent and 67 percent, respectively), however, were noticeably lower for this lender. Denial rates were also slightly higher for Black and Hispanic applicants (21 percent and 20 percent, respectively) than the overall denial rate for this lender of 16 percent.

3. JP Morgan Chase Bank

JP Morgan Chase was a top five lender in San Diego County in both 2008 and 2013 and captured approximately six percent of the County's market share in 2013. The approval rate for this institution (74 percent) was slightly higher than the average for all lenders in the County (70 percent). Approval rates were the highest for White applicants (75 percent), while 67 percent of

loan applications from Hispanics were approved. Applications from Hispanic applicants were also more likely to be denied (28 percent) versus 22 percent of all applicants. Fallout rates for this lender were lower than the average for all lenders and fairly equal among applicants of all races/ethnicities.

4. Flagstar Bank

Flagstar Bank was a top lender in San Diego County in 2013, representing just over two percent of the County's market share. The bank had an approval rate that was significantly higher than the average for all lenders (87 percent versus 70 percent). This financial institution was also the third most prolific lender for Asian applicants in the County; however, approval, denial, and fallout rates were fairly consistent among applicants of various races/ethnicities.

5. Quicken Loans

Quicken Loans was a top lender in 2013 and accounted for three percent of the County's market share. The approval rate for this lender was significantly higher than the average for all lenders in the County (85 percent versus 70 percent). Approval, denial, and fallout rates were generally consistent among applicants of various races/ethnicities.

6. San Diego County Credit Union

San Diego County Credit Union was a top ten lender in San Diego County in both 2008 and 2013. The approval rate for this institution was markedly higher than the average for all lenders in the County (81 percent versus 70 percent). Approval rates were fairly consistent among applicants of all races/ethnicities; however, approval rates were the lowest (74 percent), and denial rates the highest (25 percent), among Hispanic applicants.

7. Citibank

Citibank was a top ten lender in the County in 2013. The approval rate for this institution was significantly lower than the average for all lenders in the County (54 percent versus 70 percent). This lender also had a higher than average fallout rate than the average for all lenders (29 percent versus 14 percent). Approval rates were fairly consistent among applicants of all races/ethnicities.

J. Foreclosures

Foreclosure occurs when homeowners fall behind on one or more scheduled mortgage payments. The foreclosure process can be halted if the homeowner is able to bring their mortgage payments current. If payments cannot be resumed or the debt cannot be resolved, the lender can legally use the foreclosure process to repossess (take over) the home. When this happens, the homeowner must move out of the property. If the home is worth less than the total amount owed on the mortgage loan, a deficiency judgment could be pursued. If that happens, the homeowner would lose their home and also would owe the home lender an additional amount.

Homes can be in various stages of foreclosure. Typically, the foreclosure process begins with the issuance of a Notice of Default (NOD). An NOD serves as an official notification to a borrower that he or she is behind in their mortgage payments, and if the payments are not paid up, the lender will seize the home. In California, lenders will not usually file an NOD until a borrower is at least 90 days behind in making payments. As of February 2015, 1,555 properties in the County were in this pre-foreclosure stage.

Once an NOD has been filed, borrowers are given a specific time period, typically three months, in which they can bring their mortgage payments current. If payments are not made current at the end of this specified time period, a Notice of Trustee Sale (NTS) will be prepared and published in a newspaper. An NTS is a formal notification of the sale of a foreclosure property. In California, the NTS is filed 90 days following an NOD when a property owner has failed to make a property loan current. Once an NTS has been filed, a property can then be sold at public auction. According to foreclosure records, 1,056 properties in the County were in the auction stage of the foreclosure process between 2013 and 2015.

Many properties, however, are unable to be sold at public auction. In the event of an unsuccessful sale at auction, a property becomes classified as Real Estate Owned (REO) and ownership of it reverts back to the mortgage company or lender. In February 2015, the County had a total of 310 bank-owned properties.

Table 59 presents current foreclosure data by jurisdiction. Between 2012 and February 2015, less than one percent of the County's housing stock was in one of the various stages of foreclosure. Homes in foreclosure comprised a similar proportion of the housing stock (about 0.2 percent) in all of San Diego County's incorporated cities. The unincorporated areas of San Diego County also have a similar proportion of foreclosed homes. Figure 20 illustrates foreclosure "hot spots" in San Diego County based on the number of foreclosures per 1,000 housing units. The hot spots are concentrated in Chula Vista, National City, and East San Diego areas. Figure 21 takes the hot spots analysis one step further by aggregating block groups with high rates of foreclosure to determine the probability of foreclosures based on proximity of other hot spots (GiZScore, probability of proximity analysis). The resultant "heat map" illustrates areas with concentrated hot spots.

Table 59: Foreclosures (February 2015)

Jurisdiction	Pre-Forelosure	Bank-Owned	Auction	Total	% of Total Housing Stock
Carlsbad	91	8	45	144	0.3%
Chula Vista	172	29	115	316	0.4%
Coronado	--	--	--	0	0.0%
Del Mar	6	--	3	9	0.3%
El Cajon	82	19	54	155	0.4%
Encinitas	25	1	12	38	0.2%
Escondido	104	27	53	184	0.4%
Imperial Beach	6	3	5	14	0.1%
La Mesa	28	6	24	58	0.2%
Lemon Grove	19	4	12	35	0.4%
National City	27	7	10	44	0.3%
Oceanside	96	26	76	198	0.3%
Poway	22	4	17	43	0.3%
San Diego	488	86	358	932	0.2%
San Marcos	57	13	37	107	0.4%
Santee	37	4	19	60	0.3%
Solana Beach	6	--	3	9	0.1%
Vista	43	16	37	96	0.3%
Unincorporated County					
Alpine	10	7	8	25	--
Bonita	10	3	13	26	--
Fallbrook	26	4	26	56	--
La Jolla	14	--	13	27	--
Lakeside	26	6	14	46	--
Ramona	30	8	22	60	--
Rancho Santa Fe	14	1	5	20	--
Spring Valley	55	10	32	97	--
Valley Center	19	3	17	39	--
Unincorporated Areas[3]	42	15	26	83	--
Total County	**1,555**	**310**	**1,056**	**2,921**	**0.3%**

Notes:
Foreclosure numbers for unincorporated San Diego County were estimated from foreclosure activity in the unincorporated neighborhoods of Bonsall, Borrego Springs, Boulevard, Campo, Cardiff-by-the-Sea, Descano, Dulzura, Guatay, Jacumba, Jamul, Julian, Pacific Beach, Pauma Valley, Pine Valley, Potrero, and Warner Springs.
Sources: www.realtytrac.com, 2015; U.S. Census, American Community Survey (ACS), 2008-2012.

Figure 20: Foreclosures Hot Spots (February 2015)

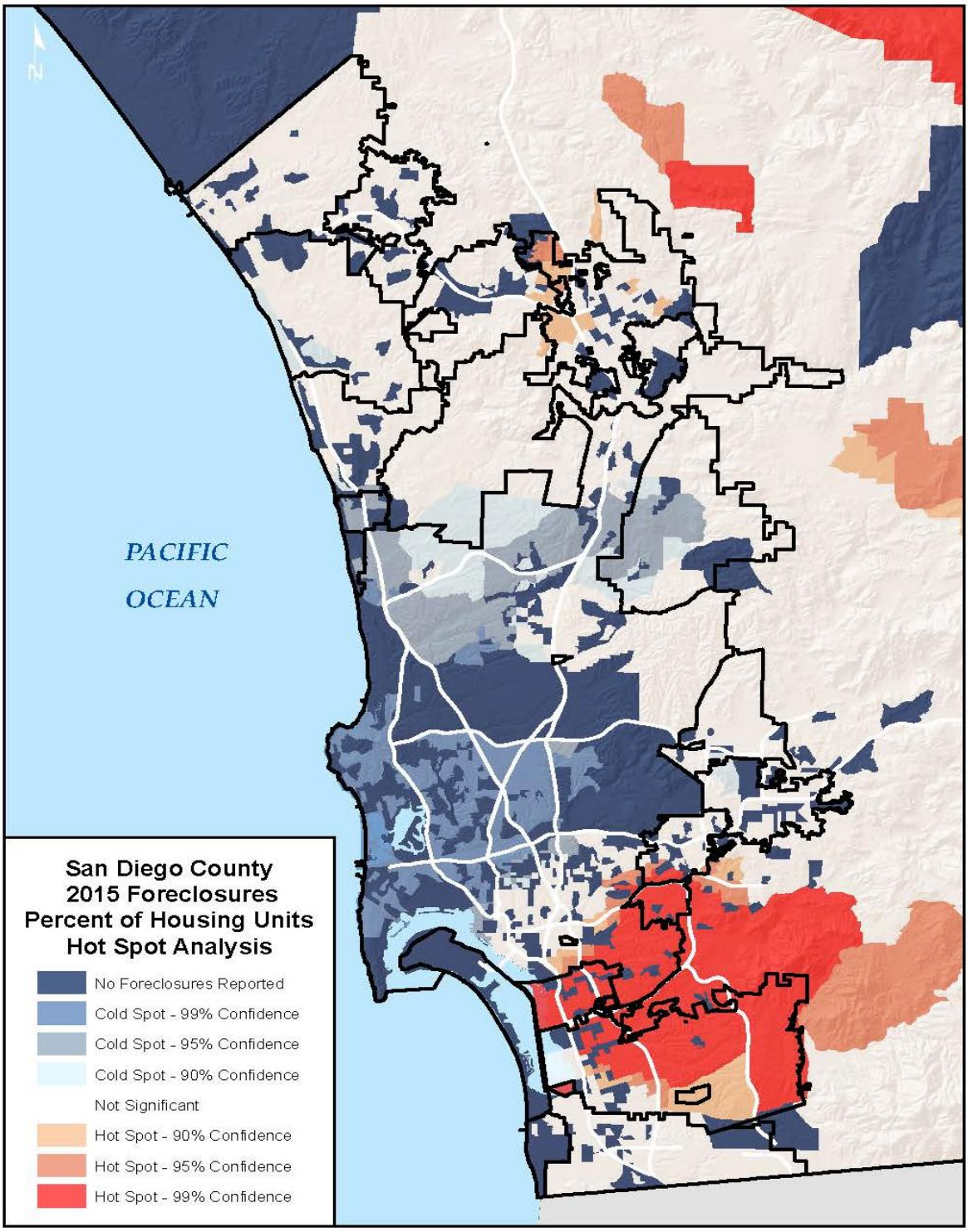
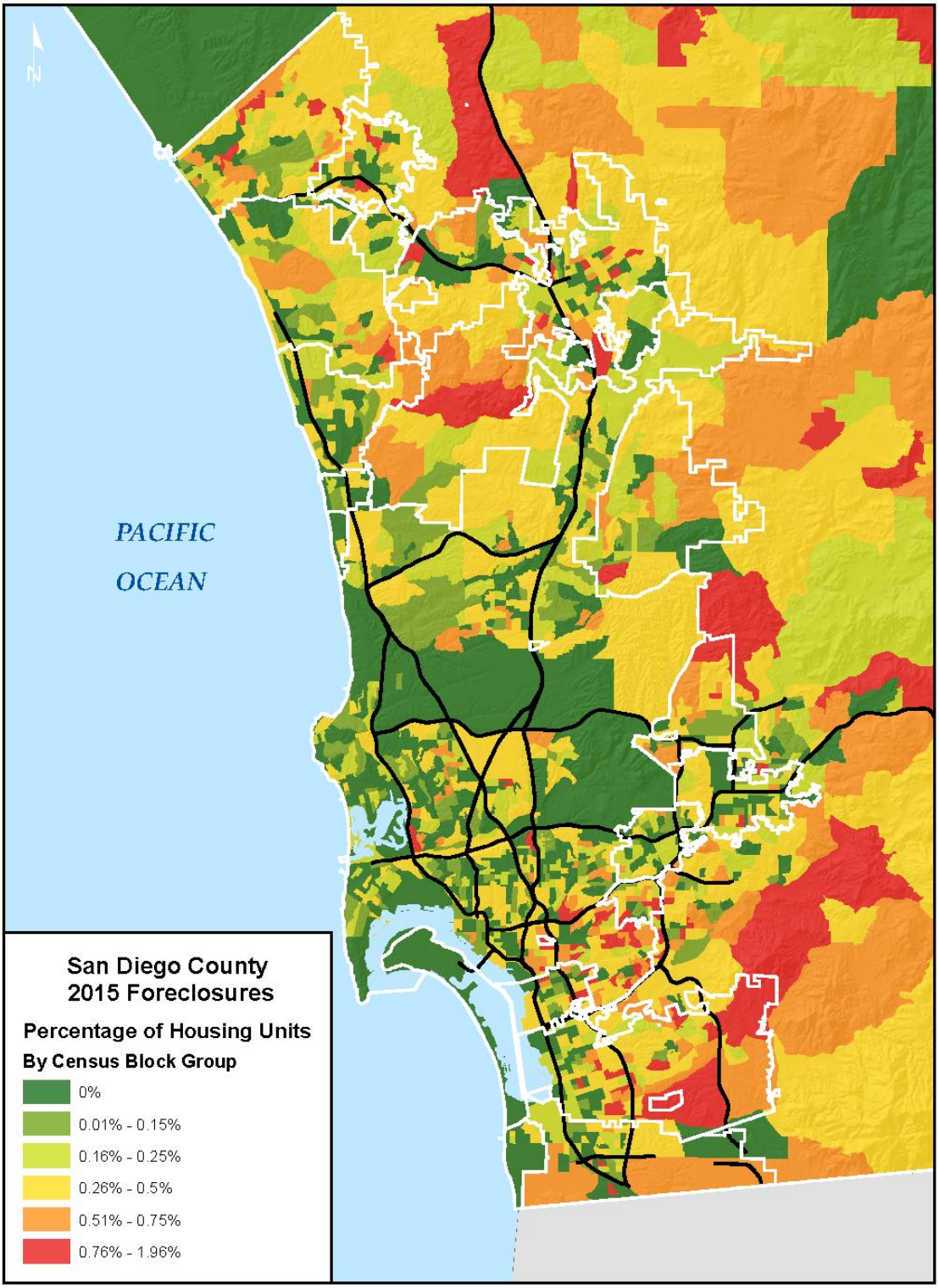


Figure 21: Probability of Foreclosures (February 2015)



CHAPTER 5

PUBLIC POLICIES

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Public policies established at the regional and local levels can affect housing development, and therefore, may impact the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment, active community participation, and an assessment of public policies. An assessment of public policies and practices can help determine potential impediments to fair housing opportunity. This section presents an overview of government regulations, policies, and practices enacted by each of the 19 jurisdictions in San Diego County that may impact fair housing choice.

A. Policies and Programs Affecting Housing Development

The General Plan of a jurisdiction establishes a vision for the community and provides long-range goals and policies to guide the development in achieving that vision. Two of the seven State-mandated General Plan elements – Housing and Land Use Elements – have direct impact on the local housing market in terms of the amount and range of housing choice. The zoning ordinance, which implements the General Plan, is another important document that influences the amount and type of housing available in a community – the availability of housing choice. In addition, 11 jurisdictions (Carlsbad, Chula Vista, Coronado, Del Mar, Encinitas, Imperial Beach, National City, Oceanside, Solana Beach, City of San Diego, and unincorporated areas of San Diego County) have Local Coastal Plans that also play a significant role in affordable housing in the Coastal Zone of each jurisdiction.

1. Housing Element Law and Compliance

As one of the seven State-mandated elements of the local General Plan, the Housing Element is the only element with specific statutory requirements and is subject to review by the California Department of Housing and Community Development (HCD) for compliance with State law. Enacted in 1969, Housing Element law requires that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for and do not unduly constrain housing development. Specifically, the Housing Element must:

- Identify adequate sites which will be made available through appropriate zoning and development standards, with services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels in order to meet the community's housing goals;

- Assist in the development of adequate housing to meet the needs of extremely low, very low, low, and moderate income households;[62]
- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities;
- Conserve and improve the condition of the existing affordable housing stock; and
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.[63]

Compliance Status

Table 60 summarizes the Housing Element compliance status of jurisdictions in San Diego County. A Housing Element found by HCD to be in compliance with State law is presumed to have adequately addressed its policy constraints. According to HCD, of the 19 participating jurisdictions (including the County), 17 Housing Elements were in compliance. The cities of Carlsbad and Encinitas have not yet adopted housing elements for the 2013-2021 planning period.

The City of Carlsbad is in the process of updating its Housing element in conjunction with a comprehensive update to its General Plan. A draft of the updated Housing Element was submitted to HCD for review in July 2013. In September 2013, HCD found that the draft Housing Element, with the inclusion of suggested revisions, meets the statutory requirements of state housing element law. The City anticipates adopting the Housing Element before the end of 2015.

The City of Encinitas is in the process of updating its Housing Element, in conjunction with an extensive community outreach process and proposed rezoning of properties to accommodate additional housing. The City anticipates adopting the Housing Element by the end of 2016.

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62 Under the State Housing Element law, the income categories are: extremely low income (30 percent AMI); very low income (50 percent AMI); low income (80 percent AMI); moderate income (120 percent AMI); and above moderate income (greater than 120 percent AMI).

63 State Housing Element law does not cover all classes protected under State and Federal fair housing laws. The AI report expands the protected classes beyond the Housing Element law to discuss Housing Element compliance with State and Federal fair housing laws.

Table 60: Housing Element Status for 2013-2021 Cycle

Jurisdiction	Document Status	Compliance Status
Carlsbad	Draft	Out
Chula Vista	Adopted	In
Coronado	Adopted	In
Del Mar	Adopted	In
El Cajon	Adopted	In
Encinitas	Draft	Out
Escondido	Adopted	In
Imperial Beach	Adopted	In
La Mesa	Adopted	In
Lemon Grove	Adopted	In
National City	Adopted	In
Oceanside	Adopted	In
Poway	Adopted	In
San Diego (City)	Adopted	In
San Diego (County)	Adopted	In
San Marcos	Adopted	In
Santee	Adopted	In
Solana Beach	Adopted	In
Vista	Adopted	In

Source: Department of Housing and Community Development, State of California, February 2015.

2. SANDAG Regional Comprehensive Plan

SANDAG adopted a Regional Comprehensive Plan (RCP) in July 2004. The RCP serves as the long-term planning framework for the San Diego region. It provides a broad context in which local and regional decisions can be made that move the region toward a sustainable future – a future with more choices and opportunities for all residents of the region. The RCP better integrates San Diego's local land use and transportation decisions, and focuses attention on where and how the region wants to grow. The RCP contains an incentive-based approach to encourage and channel growth into existing and future urban areas and smart growth communities.

3. Land Use Element

The Land Use Element of a General Plan designates the general distribution, location, and extent of uses for land planned for housing, business, industry, open space, and public or community facilities. As it applies to housing, the Land Use Element establishes a range of residential land use categories, specifies densities (typically expressed as dwelling units per acre [du/ac]), and suggests the types of housing appropriate in a community. Residential development is implemented through the zoning districts and development standards specified in the jurisdiction's zoning ordinance.

4. Residential Densities

A number of factors, governmental and non-governmental, affect the supply and cost of housing in a local housing market. The governmental factor that most directly influences these market conditions is the allowable density range of residentially designated land. In general, higher densities allow developers to take advantage of economies of scale, reduce the per-unit cost of land and improvements, and reduce developments costs associated with new housing construction. Reasonable density standards ensure the opportunity for higher-density residential uses to be developed within a community, increasing the feasibility of producing affordable housing, and offer a variety of housing options that meet the needs of the community. Minimum required densities in multi-family zones ensure that land zoned for multi-family use, the supply of which is often limited, will be developed as efficiently as possible for multi-family uses.

Table 61 presents a summary of allowable densities by land use type for jurisdictions in the San Diego region. While most jurisdictions have Land Use Elements that allow a range of single-family (0-14 du/ac) and multi-family (6-30+ du/ac) residential uses, Del Mar, Poway, and Solana Beach, due to the characteristics of existing residential neighborhoods, do not accommodate multi-family uses at a density greater than 20 du/ac without a density bonus or other incentive for affordable housing.

However, as a part of its 2013-2021 Housing Element, the City of Del Mar committed to redesignating two vacant properties in the North Commercial (NC) zone to allow residential development at a density of 20 units per acre or greater. In addition to the land use re-designation noted above, the City of Del Mar also plans to pursue amendments to the North Commercial (NC) and Professional Commercial (PC) zones expanding the list of uses allowed by right to include residential uses at a density of 20 units per acre for projects that include an affordable housing component. The City of Del Mar completed the rezoning of the vacant properties in 2014.

To provide adequate sites for affordable housing development, an Affordable Housing Overlay Zone (AHOZ) was established in the Poway Zoning Code for Low Income (AH-L) and Moderate Income (AH-M) households. In 2012, placement of an AHOZ designation was completed on six publicly-owned sites. An AHOZ may be applied to property within any land use category, including non-residential categories, not including the Open Space or Rural Residential categories. The Poway Municipal Code (PMC) was also amended in 2012 to provide development incentives on AHOZ sites to encourage affordable housing that is consistent with State law. Development incentives include allowing densities up to 30 dwelling units per acre on properties that have the AHOZ applied on them.

In 2013, the City of Carlsbad approved General Plan land use and zoning changes to increase residential density up to 30 units per acre in portions of the northwest section of the city.

Coronado, Del Mar, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, the City of San Diego, the County of San Diego, and Vista either have very low or no minimum density requirements for at least some of their residentially-zoned land.

State law requires a local government to make a finding that a density reduction, rezoning, or downzoning is consistent with its Housing Element prior to requiring or permitting a reduction of density of a parcel below the density used in determining Housing Element compliance. The legislation also allowed courts to award attorneys' fees and costs if the court determines that the density reduction or downzoning was made illegally.

Table 61: Typical Land Use Categories and Permitted Density by Jurisdiction

Generalized Land Use (By Density)	Density Range (du/ac)	Typical Residential Type	Carlsbad	Chula Vista	Coronado *	Del Mar*	El Cajon	Encinitas
Single-family								
Estate/Rural	<1 unit per acre	Very low-density housing where agricultural is predominant	■	■	■	■	■	■
Very Low	0-1	Single-family homes on large lots in rural areas	■	■	■	■	■	■
Low	1-3	Single-family homes on large lots	■	■	■	■	■	■
Medium	3-6	Single-family homes on medium-sized lots	■	■	■	■	■	■
High	6-14	Smaller single-family homes	■	■	■	■	■	■
Multi-Family								
Low	6-15	Town homes, duplexes, condominiums, and small single-story apartments	■	■	■	■	■	■
Medium	15-20	One and two-story apartment complexes	■	■	■	■	■	■
High	20-30	Two and three-story apartment complexes	■	■	■	■	■	■
Very High	30-50	Large multi-story apartment and condo complexes	■	■	■			
Special High	50+	High-rise apartment and condo complexes		■				

Source: General Plan Land Use Elements for jurisdictions in San Diego County.
Note: This table represents a summary of typical land use categories, as defined by density. These categories are not necessarily representative of a specific jurisdiction's General Plan Land Use categories. Instead, they are meant to provide an overview of the type of land uses and densities permitted in that jurisdiction. The squares identify a jurisdiction as supporting land use densities within the identified range (according to the General Plan's Land Use Element). However, a jurisdiction's land use category might not include all the densities listed in that range. For example, a jurisdiction's Multi-Family Very High density category might support densities from 21 to 35 du/ac, but the High and Very High categories will be checked since the range covers both categories.

*Indicates jurisdiction with very low, or no minimum density standards in land use or zoning ordinance.

Table 61: Typical Land Use Categories and Permitted Density by Jurisdiction

Generalized Land Use (By Density)	Density Range (du/ac)	Typical Residential Type	Escon-dido	Imperial Beach*	La Mesa*	Lemon Grove*	National City*	Ocean-side*
Single-family								
Estate/Rural	<1 unit per acre	Very low-density housing where agricultural is predominant	■	■	■	■	■	■
Very Low	0-1	Single-family homes on large lots in rural areas	■	■	■	■	■	■
Low	1-3	Single-family homes on large lots	■	■	■	■	■	■
Medium	3-6	Single-family homes on medium-sized lots	■	■	■	■	■	■
High	6-14	Smaller single-family homes	■	■	■	■	■	■
Multi-Family								
Low	6-15	Town homes, duplexes, condominiums, and small single-story apartments	■	■	■	■	■	■
Medium	15-20	One and two-story apartment complexes	■	■	■	■	■	■
High	20-30	Two and three-story apartment complexes	■	■	■	■	■	■
Very High	30-50	Large multi-story apartment and condo complexes	■	■	■	■		
Special High	50+	High-rise apartment and condo complexes						

Source: General Plan Land Use Elements for jurisdictions in San Diego County.

Note: This table represents a summary of typical land use categories, as defined by density. These categories are not necessarily representative of a specific jurisdiction's General Plan Land Use categories. Instead, they are meant to provide an overview of the type of land uses and densities permitted in that jurisdiction. The squares identify a jurisdiction as supporting land use densities within the identified range (according to the General Plan's Land Use Element). However, a jurisdiction's land use category might not include all the densities listed in that range. For example, a jurisdiction's Multi-Family Very High density category might support densities from 21 to 35 du/ac, but the High and Very High categories will be checked since the range covers both categories.

Table 61: Typical Land Use Categories and Permitted Density by Jurisdiction

*Indicates jurisdiction with very low, or no minimum density standards in land use or zoning ordinance.

Generalized Land Use (By Density)	Density Range (du/ac)	Typical Residential Type	Poway*	San Diego (City)*	San Diego (County)*	San Marcos	Santee	Solana Beach	Vista
Single-family									
Estate/Rural	<1 unit per acre	Very low-density housing where agricultural is predominant	■	■	■		■	■	■
Very Low	0-1	Single-family homes on large lots in rural areas	■	■	■	■	■	■	■
Low	1-3	Single-family homes on large lots	■	■	■	■	■	■	■
Medium	3-6	Single-family homes on medium-sized lots	■	■	■	■	■	■	■
High	6-14	Smaller single-family homes	■	■	■	■	■	■	■
Multi-Family									
Low	6-15	Town homes, duplexes, condominiums, and small single-story apartments	■	■	■	■	■	■	■
Medium	15-20	One and two-story apartment complexes	■	■	■	■	■	■	■
High	20-30	Two and three-story apartment complexes		■	■	■	■		■
Very High	30-50	Large multi-story apartment and condo complexes		■					
Special High	50+	High-rise apartment and condo complexes		■					

Source: General Plan Land Use Elements for jurisdictions in San Diego County.
Note: This table represents a summary of typical land use categories, as defined by density. These categories are not necessarily representative of a specific jurisdiction's General Plan Land Use categories. Instead, they are meant to provide an overview of the type of land uses and densities permitted in that jurisdiction. The squares identify a jurisdiction as supporting land use densities within the identified range (according to the General Plan's Land Use Element). However, a jurisdiction's land use category might not include all the densities listed in that range. For example, a jurisdiction's Multi-Family Very High density category might support densities from 21 to 35 du/ac, but the High and Very High categories will be checked since the range covers both categories.

*Indicates jurisdiction with very low, or no minimum density standards in land use or zoning ordinance.

B. Zoning Ordinance

The zoning ordinance implements the General Plan by establishing zoning districts that correspond with General Plan land use designations. Development standards and permitted uses in each zoning district are specified to govern the density, type, and design of different land uses for the protection of public health, safety, and welfare (Government Code, Sections 65800-65863). The Fair Housing Act does not pre-empt local zoning laws. However, the Act applies to municipalities and other local government entities and prohibits them from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons, including individuals with disabilities. Another way that discrimination in zoning and land use may occur is when a seemingly neutral ordinance has a disparate impact, or causes disproportional harm, to a protected group. Land use policies such as density or design requirements that make residential development prohibitively expensive, limitations on multi-family housing, or a household occupancy standard may be considered discriminatory if it can be proven these policies have a disproportionate impact on minorities, families with children, or people with disabilities.

Several aspects of the zoning ordinance that may affect a person's access to housing or limit the range of housing choices available are described below. As part of the Housing Element update, jurisdictions are required to evaluate their land use policies, zoning provisions, and development regulations and make proactive efforts to mitigate any constraints identified. However, the following review is based on the current zoning ordinances as of the writing of this AI.

1. Definition of Family

A community's zoning ordinance can potentially restrict access to housing for households 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.[64] 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 jurisdictions to prevent confusion or give the impression of restrictiveness.

Zoning laws that are "facially neutral" (that is, they apply to all persons, not just those with disabilities) will violate the Fair Housing Act if they have a disparate impact or discriminatory effect on people with disabilities. One type of zoning law that often has been held to have a disparate impact on people with disabilities is a definition of the term "family" that allows any number of related persons to live together but limits the number of unrelated persons who may live together. Although applicable to groups of unrelated and non-disabled persons (e.g., college students, nuns, etc.), these laws may be deemed to have a disparate impact on persons with disabilities who often need to live in group settings for both programmatic and financial reasons.[65]

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[64] Most Zoning Ordinances that define families limit the definition to two or more individuals related by kinship, marriage, adoption, or other legally recognized custodial relationship.

[65] Discriminatory Zoning and the Fair Housing Act. Disability Rights Network of Pennsylvania, 2007.

California court cases[66] have ruled that a definition of "family" that: 1) limits the number of persons in a family; 2) specifies how members of the family are related (i.e. by blood, marriage or adoption, etc.), or (3) defines 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 jurisdiction, and therefore violates rights of privacy under the California Constitution. A zoning ordinance also cannot regulate residency by discriminating between biologically related and unrelated persons. Furthermore, a zoning provision cannot regulate or enforce the number of persons constituting a family.

The cities of Carlsbad (2011), Del Mar (2014), National City (2011) and San Marcos (2012) recently amended or removed the definition of "family" from their zoning ordinances. Currently, only zoning ordinances for the cities of Oceanside and Solana Beach include definitions of "family" that constitute a potential impediment to fair housing choice. These cities have definitions of a family that exclude individuals. Such a definition can be considered an impediment because it may give landlords the opportunity to deny renting single-family or multi-family dwelling units to single persons.

2. Density Bonus Ordinance

California Government Code Section 65915 provides that a local government shall grant a density bonus of at least 20 percent (five percent for condominiums) and an additional incentive, or financially equivalent incentive(s), to the developer of a housing development agreeing to provide at least:

- Ten percent of the units for lower income households;
- Five percent of the units for very low income households;
- Ten percent of the condominium units for moderate income households;
- A senior housing development; or
- Qualified donations of land, condominium conversions, and child care facilities.

The density bonus law also applies to senior housing projects and projects which include a child care facility. In addition to the density bonus stated above, the statute includes a sliding scale that requires:

- An additional 2.5 percent density bonus for each additional increase of one percent Very Low income units above the initial five percent threshold;
- A density increase of 1.5 percent for each additional one percent increase in Low income units above the initial 10 percent threshold; and
- A one percent density increase for each one percent increase in Moderate income units above the initial 10 percent threshold.

These bonuses reach a maximum density bonus of 35 percent when a project provides either 11 percent very low income units, 20 percent low income units, or 40 percent moderate income units. In addition to a density bonus, developers may also be eligible for one of the following concessions or incentives:

- Reductions in site development standards and modifications of zoning and architectural design requirements, including reduced setbacks and parking standards;

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

- Mixed used zoning that will reduce the cost of the housing, if the non-residential uses are compatible with the housing development and other development in the area; and
- Other regulatory incentives or concessions that result in "identifiable, financially sufficient, and actual cost reductions."

Jurisdictions also may not enforce any development standard that would preclude the construction of a project with the density bonus and the incentives or concessions to which the developer is entitled. To ensure compliance with the State density bonus law, jurisdictions must reevaluate their development standards in relation to the maximum achievable densities for multi-family housing.

The cities of Carlsbad (2014), Chula Vista (2012), Del Mar (2013), National City (2009), Oceanside (2012), and San Marcos (2012) have recently updated their density bonus ordinances to comply with State law. Most of the cities in San Diego County have density bonus ordinances that comply with the requirements of California Government Code Section 65915 that was in effect as of December 2014 (Table 62). Only the cities of Encinitas, Escondido, Imperial Beach, Lemon Grove, and Poway did not specify density bonus provisions in accordance with the 2014 requirements. The recently adopted AB 2222, however, added new requirements to the State's density bonus provisions, which took effect in January 2015. All jurisdictions in San Diego County will be required to update their density bonus ordinances again to comply with these additional requirements.

The City of Carlsbad is currently drafting an updated Density Bonus Ordinance for consistency with the recently adopted changes to Government Code Section 65915 (AB 2222). Carlsbad expects to have these changes adopted before the end of 2015. The City of Encinitas anticipates adopting updated density bonus provisions by the end of 2016.

Table 62: Density Bonus Ordinance Compliance

Jurisdictions	Compliance with State Density Bonus Ordinance in Effect as of December 2014
Carlsbad	In
Chula Vista	In
Coronado	In
Del Mar	In
El Cajon	In
Encinitas	Out
Escondido	Out
Imperial Beach	Out
La Mesa	In
Lemon Grove	Out
National City	In
Oceanside	In
Poway	Out
San Diego City	In
San Diego County	In
San Marcos	In
Santee	In
Solana Beach	In
Vista	In

Some jurisdictions have adopted density bonus provisions that are above and beyond State requirements. In addition to State mandated density bonus concessions, the City of El Cajon has adopted provisions in its Zoning Ordinance that provide for reduced parking requirements and increased density up to 50 dwelling units per net acre (in the R3 and R4 zones) for housing for seniors and persons with disabilities. The City of Carlsbad's inclusionary housing ordinance has provisions to help off-set the cost of affordable housing production, including increased density (beyond state law), development standards modifications, and financial assistance.

3. Parking Requirements

Communities that require an especially high number of parking spaces per dwelling unit can negatively impact the feasibility of producing affordable housing by reducing the achievable number of dwelling units per acre, increasing development costs, and thus restricting the range of housing types constructed in a community. Typically, the concern for high parking requirements is limited to multi-family, affordable, or senior housing. The basic parking standards for jurisdictions in San Diego County are presented in Table 63. Many jurisdictions offer reductions in parking requirements in conjunction with density bonuses for affordable and senior housing.

Most jurisdictions in the County have comparable parking requirements. However, Coronado, Imperial Beach, La Mesa, Lemon Grove, and Vista have parking standards for multi-family uses that make little or no distinction between parking required for smaller units (one or two bedrooms) and larger units (three or more bedrooms). Because smaller multi-family units are often the most suitable type of housing for seniors and persons with disabilities, requiring the same number parking spaces as larger multi-family units can be a constraint on the construction of units intended to serve these populations. Several of these cities, however, do offer reduced parking standards for senior housing. In Coronado, all new dwelling units generally require two parking spaces. However, the R-5 Zone requires only 1.5 spaces per unit, affordable housing requires only 1.5 spaces per unit, and senior housing requires only one space per unit. Lemon Grove requires two parking spaces (one of which must be covered) per dwelling unit, with the exception of senior complexes, which require only one parking space per unit, and studio apartments, which require only 1.5 spaces. Relief from these parking requirements can also be found in the parking standards for density bonus projects. A 100 percent senior housing project (that usually also serves disabled persons) is eligible to utilize the State density bonus parking requirements, which offer a reduced number of parking spaces for smaller units. Jurisdictions will also sometimes establish minimum standards and requirements for handicapped parking. Most of the jurisdictions in the County specify that handicapped parking must comply with the requirements and standards outlined in Title 24 of the Building Code.

Table 63: Off-Street Parking Requirements

Jurisdictions	SF	MF					SDU
		1br	2br	3br	4+br	Guest Space	
Carlsbad	2	1.5[12]	2	2	2	0.25 to 0.3[13]	1
Chula Vista	2	1.5	2	2	2	--	--
Coronado[1]	2	2	2	2	2	--	--
Del Mar	2[2]	1	2	2	3	0.25	1
El Cajon	2	2	2.25	2.25	2.25	0.1 to 0.5[3]	1/br
Encinitas	2 to 3[4]	2	2	2.5	2.5	0.25	1
Escondido	2	1.5	1.75	2	2	0.25	1
Imperial Beach[5]	2	1.5-2	1.5-2	1.5-2	1.5-2	--	--
La Mesa	2	2	2	2	2	--	1
Lemon Grove	2	2	2	2	2	0.25	1/br[6]
National City	2[7]	1.3	1.5	1.5	1.5	0.5	--
Oceanside	2	1.5	2	2	2	0.1 to 0.25[8]	--
Poway	2	1.5 to 1.75	2.25	2.75 to 3	2.75 to 3	--	1
San Diego City[9]	2	1.25 to 1.75	1.75 to 2.25	2.0 to 2.5	2.0 to 2.5	--	1/br
San Diego County	2	1.5	1.5	2	2	0.2	2
San Marcos	2	1.5	2	2	2	0.33	1
Santee	2	1.5	2	2	2	0.25	--
Solana Beach	2	1.5	2	2	2	0.25	1
Vista	2	2	2[10]	2[7]	2[7]	0.33[11]	1

*Notes: SDU=second dwelling unit

1. For multiple-family dwellings in the R-5 Zone and affordable housing, only 1.5 spaces per dwelling unit are required. For senior housing, only one parking space is required for each dwelling unit.
2. For single-family dwellings with three or more bedrooms, one additional on-site parking space or a total of three garage parking spaces are required.
3. One visitor space per unit is required in the R-2-R zone and developments in multifamily zones containing ten or more residential units must dedicate ten percent of the required spaces for visitors.
4. Three spaces required for dwelling units in excess of 2,500 square feet.
5. Residential dwelling units in the R-1-6000, R-1-3800, R-3000, and R-3000-D zones require two spaces per dwelling unit; units in the R-2000 and R-1500 require two spaces per dwelling unit; and residential dwelling units in the C-1, C-2, C-3, MU-1 and MU-2 zones require 1.5 spaces per dwelling unit.
6. Up to a maximum of two spaces per SDU.
7. Three spaces required per dwelling unit for units with more than 2,500 square feet in floor area, plus one space per bedroom proposed over four bedrooms.
8. For multiple-family projects with four to ten units, one space is required. For projects with more than ten units, one space plus 20 percent of the total number of units is required.
9. One space per bedroom required for single dwelling units with five or more bedrooms in campus impact areas. One space per bedroom, less one space also required per occupant age 18 and over in high occupancy single dwellings. Lower range of multifamily requirement is for units in transit areas or lower income units. Higher range of multifamily requirement is for units in parking impact areas.
10. Plus 0.5 open space for each additional bedroom in excess of two.
11. For two-bedroom unit, 0.5 guest space is required.
12. Within the Village outside the Coastal Zone, only 1 parking space per studio or 1 bedroom unit is required.
13. For projects up to 10 units, required guest parking is 0.3 spaces per unit; 0.25 spaces per unit for projects larger than 10 units.

C. Variety of Housing Opportunity

To ensure fair housing choice in a community, a zoning ordinance should provide for a range of housing types, including single-family, multi-family, second dwelling units, mobile homes, licensed community care facilities, employee housing for seasonable or migrant workers as necessary, assisted living facilities, emergency shelters, supportive housing, transitional housing, and single room occupancy (SRO) units. Table 64 provides a summary of each jurisdiction's zoning ordinance as it relates to ensuring a variety of housing opportunities.

1. Single- and Multi-Family Uses

Single- and multi-family housing types include detached and attached single-family homes, duplexes or half-plexes, townhomes, condominiums, and rental apartments. Zoning ordinances should specify the zones in which each of these uses would be permitted by right. All of the jurisdictions in San Diego County accommodate the range of residential uses described above without a use permit. In June 2014, Del Mar removed the Conditional Use Permit requirement for properties in the RM-East, RM-West, RM-Central and RM-South zones to develop at the maximum allowable density of 17.6 units per acre.

Zoning ordinances should also avoid "pyramid or cumulative zoning" (e.g. permitting lower-density single-family uses in zones intended for higher density multi-family uses). Pyramid or cumulative zoning schemes could limit the amount of lower-cost multi-family residential uses in a community and be a potential impediment to fair housing choice. Most jurisdictions in the San Diego region have some form of pyramid zoning and permitting single-family residential uses in multi-family zones is the most prevalent example.

Allowing or requiring a lower density use in a zone that can accommodate higher density uses is regulated by State law (SB 2292, also known as the Dutra Bill). A local government is required to make a finding that an action that results in a density reduction, rezoning, or downzoning is consistent with its Housing Element, particularly in relation to the jurisdiction's ability to accommodate its share of regional housing needs.

2. Second Dwelling Units

Second dwelling 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 lower income households and seniors. These units typically rent for less than apartments of comparable size.

California law requires local jurisdictions to adopt ordinances that establish the conditions under which second units are permitted (Government Code, Section 65852.2). A jurisdiction cannot 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. An amendment to the State's second unit law in 2003 requires local governments to use a ministerial, rather than discretionary process for approving second units (i.e. second units otherwise compliant with local zoning standards can be approved without a public hearing) and allows jurisdictions to count second units towards meeting their regional housing needs goals. A ministerial process is intended to reduce permit processing time frames and development

costs because proposed second dwelling units that are in compliance with local zoning standards can be approved without a public hearing. Most jurisdictions in the County currently permit second dwelling units via a variety of review processes such as a zoning clearance or an administrative permit.

Imperial Beach is the only jurisdiction with adopted findings allowing it to preclude second units. Second units are allowed by-right within the City's R-3000, R-2000, and R-1500 residential zones. However, the City Council determined that allowing second units in R1-6,000 and R1-3,800 zones is not in the best interest of public health, safety, and welfare and adopted findings to preclude second units in those zones.

Poway considers a resolution annually to prohibit these units in areas of the City deemed to have inadequate infrastructure. The resolution designates areas of Poway without adequate water, sewer, or other municipal services for second units or in which second units would have a significant adverse impact upon traffic flow. However, as a result of the City's update of its Transportation Element in 2010, second dwelling units are now permitted in larger areas of the City.

In 2011, National City processed revisions to its Land Use Code that amended the City's second unit provisions to be consistent with state law. The provisions allow second units by right in all residential and mixed-use zones with no minimum lot area or discretionary review requirements.

Inconsistent provisions regarding second units in the Vista Zoning Ordinance were removed in 2012.

Coronado provides for accessory second-story carriage house structures on single-family lots but the lots must have both street and alley access, kitchens are prohibited, and the units are only for use by the resident of the main building or such resident's guests (i.e., cannot be rented or leased independent of main building).

3. Mobile Home Parks

Provisions for mobile home parks vary among the San Diego County jurisdictions. Some jurisdictions have designated mobile home park zones specifically to provide for this type of housing (Carlsbad, Chula Vista, La Mesa, Santee, Solana Beach and Vista). The City of Encinitas provides for mobile home parks in its Mobile Home Park zone and in higher density zones upon issuance of a Conditional Use Permit, while the City of San Diego has a mobile home park overlay zone to preserve existing sites. Other jurisdictions allow mobile home parks in some residential zones with a Conditional Use Permit (Escondido, National City, Poway, San Diego County and San Marcos). El Cajon and Vista have Mobile Home Park Overlay Zones that permit new mobile home parks and the expansion of current parks with a CUP or Site Development Plan. Coronado, Del Mar, and Lemon Grove have no provisions for mobile home parks in their Zoning Ordinances.

Table 64: Variety of Housing Opportunity

Housing Type	Carlsbad	Chula Vista	Coronado	Del Mar	El Cajon	Encinitas
Single-family	P	P	P	P	P	P
Multi-family	P	P	P	P	P	P
Second Dwelling Units	P	P	P[1]	P	P	P
Mobile Home Parks	P	P			P	P
Manufactured Housing	P	P	P	P		
Residential Care Facilities (≤6 persons)	P		P	P	P	P
Residential Care Facilities (≥6 persons)	C		C	C	C	C
Emergency Shelters	P[5]		P	P	P	C
Transitional Housing	P		P	P		
Supportive Housing	P		P	P		
SRO	C[3]		C			
Farmworker/ Employee Housing	P/C[6]					

Notes: P – permitted by right; C – Conditionally permitted. ___ - Potential impediments.
1. Permitted but with a potential impediment.
2. Second units are allowed by-right within the City's R-3000, R-2000, and R-1500 residential zones. However, they are prohibited in the R1-6,000 and R1-3,800 zones.
3. Referred to as "managed living units."
4. Referred to as "transient lodging."
5. Emergency shelters with no more than 30 beds or persons is allowed by right in the M and P-M zones and are conditionally allowed with more than 30 beds or persons in the same zones.
6. "Large farmworker housing complexes" are conditionally permitted: otherwise farmworker housing is permitted by right.

Table 64: Variety of Housing Opportunity

Housing Type	Escondido	Imperial Beach	La Mesa	Lemon Grove	National City	Oceanside
Single-family	P	P	P	P	P	P/C
Multi-family	P	P	P	P	P	P
Second Dwelling Units	P	P[2]	P	P	P	P
Mobile Home Parks	C	C	C		C	P
Manufactured Housing	P	P	P	P	P	P
Residential Care Facilities (≤6 persons)	P		P	P	P	P
Residential Care Facilities (≥6 persons)	C	C	C	C	C	C
Emergency Shelters	P	P			P	
Transitional Housing					P	
Supportive Housing					P	
SRO	C[4]				P	
Farmworker/ Employee Housing	P[1]					

Notes: P – permitted by right; C – Conditionally permitted. ___ - Potential impediments.
1. Permitted but with a potential impediment.
2. Second units are allowed by-right within the City's R-3000, R-2000, and R-1500 residential zones. However, they are prohibited in the R1-6,000 and R1-3,800 zones.
3. Referred to as "managed living units."
4. Referred to as "transient lodging."

Table 64: Variety of Housing Opportunity

Housing Type	Poway	San Diego City	San Diego County	San Marcos	Santee	Solana Beach	Vista
Single-family	P	P	P	P	P	P	P
Multi-family	P	P	P	P	P	P	P
Second Dwelling Units	P	P	P	P	P	P	P/C
Mobile Home Parks	C	P	C	C	C	P	P
Manufactured Housing	P	P	P	P	P	P	P
Residential Care Facilities (≤6 persons)	P	P	P	P	P	P	P
Residential Care Facilities (≥6 persons)	C[1]	C	P/C	C	C	C	C
Emergency Shelters	P	C	P	P	P	P	P
Transitional Housing	P	P	P/C[1]	P	P	P	P[1]
Supportive Housing	P		P/C[1]	P	P	P	
SRO	C[3]	P	P/C	C	C	C	P
Farmworker/ Employee Housing		P[1]/C	P[1]	C			

Notes: P – permitted by right; C – Conditionally permitted. ___ - Potential impediments.
1. Permitted but with a potential impediment.
2. Second units are allowed by-right within the City's R-3000, R-2000, and R-1500 residential zones. However, they are prohibited in the R1-6,000 and R1-3,800 zones.
3. Referred to as "managed living units."
4. Referred to as "transient lodging."
.

4. Manufactured Housing

State law requires local governments to permit manufactured or mobile homes meeting federal safety and construction standards on a permanent foundation in all single-family residential zoning districts (Section 65852.3 of the California Government Code). Most jurisdictions in San Diego County comply with this requirement.

The cities of Coronado (2010), Del Mar (2014), San Marcos (2012) and Vista (2012) recently amended their zoning ordinances to specifically accommodate manufactured housing. As of February 2015, only the cities of El Cajon and Encinitas do not explicitly accommodate manufactured or mobile homes in single-family residential zoning districts consistent with State law. While, both El Cajon and Encinitas do not explicitly provide for manufactured housing within their Municipal Codes, they both consider manufactured housing as a form of one-family dwelling. Encinitas is in the process of updating its Zoning Ordinance with explicit provisions for manufactured housing and anticipates completing this update by 2017.

5. Licensed Residential 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 persons with mental disorders or disabilities is required by law. A State-authorized, certified or authorized family care home, foster home, or group home serving six or fewer persons with disabilities or dependent and neglected children on a 24-hour-a-day basis is considered a residential use to be permitted in all residential zones. No local agency can impose stricter zoning or building and safety standards on these homes (commonly referred to as "group" homes) of six or fewer persons with disabilities than are required of the other permitted residential uses in the zone.

Most jurisdictions in San Diego County comply with the Lanterman Act. The cities of Coronado (2014) and San Marcos (2012) recently amended their zoning ordinances to include provisions for residential care facilities. The City of Poway amended its Zoning Ordinance in 2012 to include residential care facilities in its definition of "family"; thereby permitting this housing type in all residential zones, in accordance with the provisions of State law.

As of February 2015, only Chula Vista and Imperial Beach have no provisions in their zoning ordinances for residential care facilities serving six or fewer clients. However, as shown in Table 3-42 (Licensed Residential Care Facilities by Jurisdiction), these two cities are home to a number of existing licensed community care facilities. Though their zoning ordinances make no specific references to residential care facilities, Chula Vista and Imperial Beach allow for residential care facilities serving six or fewer persons by right in all residential zones.

Most San Diego jurisdictions also conditionally permit larger residential care facilities serving seven or more residents in residential zones. National City amended the discretionary review process in its Land Use Code for residential care facilities serving more than six persons in 2011 by changing the requirement from a conditional use permit (CUP) to a minor CUP. Coronado amended its Zoning Ordinance in 2014 to conditionally permit large residential care facilities in its R-4 zone. Imperial Beach

considers large residential care facilities as boarding houses and allows this housing type in the C/MU-1 zones, with approval of a CUP. The City of San Marcos amended its Zoning Ordinance in 2012 to allow for large residential care facilities in the A-1, A-2, A-3, MHP, R-3-6, R-3-10, SR, MU-1 and MU-2 zones, with the approval of a Director's Permit (DP). The City of Poway allows residential care facilities serving between seven and 15 residents with a CUP. As of February 2015, only the Zoning Ordinance for the City of Chula Vista does not provide for large residential care facilities.

Furthermore, the Lanterman Act covers only licensed residential care facilities. The California Housing Element law also addresses the provision of transitional and supportive housing, which includes non-licensed housing facilities for persons with disabilities. This topic is discussed later.

6. Emergency Shelters

An emergency shelter is a facility that provides temporary shelter and feeding of indigents or disaster victims, operated by a public or non-profit agency. State law requires jurisdictions to identify adequate sites for housing which will be made available through appropriate zoning and development standards to facilitate and encourage the development of a variety of housing types for all income levels, including emergency shelters and transitional housing (Section 65583(c)(1) of the Government Code). Recent changes in State law (SB 2) require that local jurisdictions make provisions in the zoning code to permit emergency shelters by right in at least one zoning district where adequate capacity is available to accommodate at least one year-round shelter. Local jurisdictions may, however, establish standards to regulate the development of emergency shelters.

At the writing of this report, 11 of the 19 jurisdictions in the County allow emergency shelters by right consistent with State law. The following jurisdictions: Carlsbad (2012), Coronado (2014), Del Mar (2013), Escondido (2013), Imperial Beach (2012), National City (2011), Oceanside (2013), San Diego County (2010), San Marcos (2012), Solana Beach (2014) and Vista (20__) recently amended their zoning ordinances to permit emergency shelters, consistent with the provisions of SB 2. However, as of February 2015, the cities of Chula Vista, Encinitas, La Mesa, Lemon Grove, Poway, and San Diego (City) do not have adequate provisions for emergency shelters in their zoning ordinances. The City of Encinitas anticipates amending its Zoning Ordinance by 2017. The City of San Diego is currently in the process of amending its Land Development Code. It is anticipated the amendment regarding emergency shelters will be tentatively scheduled for completion during the 2016 calendar year.

7. Transitional and Supportive Housing

State law (AB 2634 and SB 2) requires local jurisdictions to address the provisions for transitional and supportive housing. Under Housing Element law, transitional housing means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance (California Government Code Section 65582(h)).

Supportive housing means housing with no limit on length of stay, that is occupied by the target population and is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and,

when possible, work in the community. Target population means persons with low incomes who have one or more disabilities, including mental illness, HIV/AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people (California Government Code Sections 65582(f) and (g)).

Accordingly, State law establishes transitional and supportive housing as a residential use and therefore local governments cannot treat it differently from other similar types of residential uses (e.g., requiring a use permit when other residential uses of similar function do not require a use permit). The cities of Carlsbad (2014), Coronado (2014), Del Mar (2014), National City (2011), San Marcos (2012), Santee (2013), and Solana Beach (2014) have already amended their zoning ordinances to include these provisions for transitional and supportive housing.

The County of San Diego amended the Zoning Ordinance in 2010 to distinguish between group care facilities for six or fewer people (family care home) and group care facilities for seven or more (group care). For facilities serving six or fewer persons, a transitional or supportive housing project that requires state community care licensing would be considered a family care home by the County. For facilities serving seven or more persons, a transitional or supportive housing project that requires state community care licensing would be considered a group care facility, which is permitted in RC, C31, C34, C35, C37, and C46 zones and with a Major Use Permit in A70, A72, and all other residential zones. The City of Vista permits transitional housing facilities for battered women and children (serving six or fewer clients) in all residential zones. However, all other transitional and supportive housing facilities are permitted only in the City's RM zone. The County's and Vista's treatment of transitional and supportive housing does not fully comply with all of the requirements of SB 2 and their zoning ordinances will need to be further amended in order to maintain consistency with State law.

As of February 2015, the jurisdictions of Chula Vista, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, Poway, San Diego (City), San Diego (County), and Vista do not have zoning ordinances that permit transitional and supportive housing consistent with the requirements of SB 2. The City of Encinitas anticipates completing this update by 2017. The City of San Diego is currently in the process of amending its Land Development Code to address supportive housing. The draft Amendments are tentatively scheduled for an initial introduction to City Council Committee in May 2015. The Amendment process is anticipated to reach conclusion during the 2016 calendar year.

8. Single-Room Occupancy (SRO)

AB 2634 also mandates that local jurisdictions address the provision of housing options for extremely low-income households, including Single Room Occupancy units (SRO). SRO units are one room units intended for occupancy by a single individual. It is distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other.

The jurisdictions of Carlsbad, Coronado, Escondido, National City, San Diego (City), San Diego (County), San Marcos, Solana Beach, and Vista are in compliance with AB 2634. However, as of

February 2015, the cities of Chula Vista, Del Mar, El Cajon, Encinitas, Imperial Beach, La Mesa, Lemon Grove, Oceanside, and Poway do not have adequate SRO provisions in their zoning ordinances. The City of Encinitas anticipates completing this amendment by 2017.

9. Farmworker Housing

The California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted. Compliance with these requirements among participating jurisdictions is summarized in Table 65. Most jurisdictions in San Diego have no provisions for farmworker or employee housing in their zoning ordinances.

Escondido permits living quarters, for a caretaker or for persons deriving the major portion of their income from employment on the premises in conjunction with authorized agricultural use, in its agricultural zones. Dwellings serving six or fewer employees are considered single-family dwellings, while those serving more than six employees (and also operating not-for-profit) are also permitted by right. These provisions do not meet the requirements of the State Employee Housing Act (Section 17000 of the Health and Safety Code) and will need to be amended.

The City of San Diego permits employee housing in its agricultural zones with limitations. The City of San Diego's farmworker housing policies fall under the employment housing regulations for agricultural zones (i.e., 12 persons and under are permitted by right (limited use); over 12 persons require a CUP or Neighborhood Use Permit). The County of San Diego amended its Zoning Ordinance in 2009 to define farm employee housing as an accessory use to active Commercial Agriculture; however, the County Zoning Ordinance does not have provisions for employee housing. San Marcos requires a Development Permit for farmworker housing in its agricultural zones. However, other housing types, including single-family housing units, are permitted in these zones by-right.

Table 65: Farmworker Housing by Jurisdiction

Jurisdiction	Agricultural Zoning	Permits Farmworker Housing in Zoning Ordinance	Compliance with Employee Housing Act
Carlsbad	Yes	Yes	Yes
Chula Vista	Yes	No	No
Coronado	No	n/a	No
Del Mar	No	n/a	No
El Cajon	Yes	No	No
Encinitas	No	n/a	No
Escondido	Yes	No	No
Imperial Beach	No	n/a	No
La Mesa	Yes	No	No
Lemon Grove	No	n/a	No
National City	No	n/a	No
Oceanside	Yes	No	No
Poway	Yes	No	No
San Diego (City)	Yes	No	No
San Diego (County)	Yes	Yes	No
San Marcos	Yes	No	No
Santee	Yes	No	No
Solana Beach	Yes	No	No
Vista	Yes	No	No

D. Building Codes and Occupancy Standards

1. Building Codes

Building codes, such as the California Building Standards Code[67] and the Uniform Housing Code are necessary to protect public health, safety, and welfare. However, local codes that require substantial improvements to a building might not be warranted and deter housing construction and/or neighborhood improvement.

[67] California Building Standards Code, adopted by the a Building Standards Commission, is actually a set of uniform building, electrical, mechanical, and other codes adopted by professional associations such as the International Conference of Building Officials, and amended to include California-specific requirements.

The California Building Standards Code is published every three years by order of the California legislature. The Code applies to all jurisdictions in the State of California unless otherwise annotated. Adoption of the triennial compilation of Codes is not only a legal mandate, it also ensures the highest available level of safety for citizens and that all construction and maintenance of structures meets the highest standards of quality. Most jurisdictions in the San Diego region have adopted the 2013 California Building Standards Code, with the exception of Coronado, which has adopted the 2010 California Building Code. Other codes commonly adopted by reference within the region include the California Mechanical Code, California Plumbing Code, California or National Electric Code, Uniform Housing Code, and California Fire Code. Less common are the California Uniform Code for the Abatement of Dangerous Buildings, the Urban-Wildland Interface Code, and the Uniform Code for Building Conservation. Most jurisdictions have amended portions of these codes to reflect non-arbitrary local conditions including geographical and topographic conditions unique to each locality. Although minor amendments have been incorporated to address local conditions, no additional regulations have been imposed by the city or county that would unnecessarily add to housing costs.

2. Occupancy Standards

Disputes over occupancy standards are typical tenant/landlord and fair housing issues. Families with children and large households may face discrimination in the housing market, particularly in the rental housing market, because landlords are reluctant or flatly refuse to rent to such households. Establishing a strict occupancy standard, either by the local jurisdictions or by landlords on the rental agreements, may be a violation of fair housing practices.

"2+1" Rule
Most State and federal housing programs use the "2+1" rule as an acceptable occupancy standard. The appropriate number of persons per housing unit is estimated at two persons per bedroom plus an additional person. For example, a two-bedroom unit could have five occupants.

In general, no state or federal regulations govern occupancy standards. The State Department of Fair Employment and Housing (DFEH) uses the "two-plus-one" rule in considering the number of persons per housing unit – two persons per bedroom plus an additional person. Using this rule, a landlord cannot restrict occupancy to fewer than three persons for a one-bedroom unit or five persons for a two-bedroom unit, etc. While DFEH also uses other factors, such as the age of the occupants and size of rooms, to consider the appropriate standard, the two-plus-one rule is generally followed.

Other guidelines are also used as occupancy standards. The Uniform Housing Code (Section 503.2) requires that a dwelling unit have at least one room which is not less than 120 square feet in area. Other habitable rooms, except kitchens, are required to have a floor area of not less than 70 square feet. The Housing Code further states that where two persons occupy a room used for sleeping purposes, the required floor area should be increased at a rate of 50 square feet for each occupant in excess of two. There is nothing in the Housing Code that prevents people from sleeping in the living or dining rooms, as long as these rooms have a window or door meeting all the provisions of the California Building Code for emergency egress. The Fire Code allows one person per 150 square feet of "habitable" space. These standards are typically more liberal than the "two-plus-one" rule. For example, three people could sleep in a one-bedroom apartment where the bedroom is at least 120 square feet; and where the living/dining area is at least 170 square feet, an additional three people could sleep there. Therefore, a 290-square foot one-bedroom apartment can accommodate up to six persons or a two-bedroom 410-square foot apartment can sleep up to nine persons.

A review of occupancy standards for jurisdictions within the San Diego region revealed that none of the jurisdictions overtly limit the number of people who can occupy a housing unit. As previously discussed, court rulings stated a Zoning Ordinance cannot regulate residency by discrimination between biologically-related and unrelated persons. None of the jurisdictions in the County have a definition of "family" in their Zoning Ordinance with references to how members of a family are related or the maximum number of members in the household. However, Oceanside and Solana Beach have definitions of a "family" that exclude individuals. Such a definition can be considered an impediment because it may give landlords the opportunity to deny renting single-family or multi-family dwelling units to single persons.

E. Affordable Housing Development

In general, many minority and special needs households are disproportionately affected by a lack of adequate and affordable housing in a region. While affordability issues are not directly fair housing issues, expanding access to housing choices for these groups cannot ignore the affordability factor. Insofar as rent-restricted or non-restricted low-cost housing is concentrated in certain geographic locations, access to housing by lower-income and minority groups in other areas is limited and can therefore be an indirect impediment to fair housing choice. Furthermore, various permit processing and development impact fees charged by local government results in increased housing costs and can be a barrier to the development of affordable housing. Other policies and programs, such as inclusionary housing and growth management programs, can either facilitate or inhibit the production of affordable housing. These issues are examined in the subsections below.

1. Siting of Affordable Housing

The San Diego region has a large inventory of rent-restricted multi-family housing units. The distribution of these units, however, is highly uneven throughout the region, with dense clusters of assisted housing located in central San Diego, National City, Chula Vista and Escondido (see Figure 12on page 93). Almost three-quarters (73 percent) of the region's rent-restricted multi-family housing stock is concentrated in these four cities. Jurisdictions with the highest concentration of rent-restricted multi-family housing units (as measured by the ratio of rent-restricted units to total housing units) include National City (15.2 percent), San Marcos (5.7 percent) and Escondido (4.1 percent) (see Table 66). Jurisdictions with the lowest concentration of rent restricted multi-family units (as measured by the number of restricted units per 500 housing units) are Del Mar (0.0), Solana Beach (0.0), Encinitas (2.8), and Coronado (3.5).

Table 66: Rent-Restricted Multi-Family Housing Units by Jurisdiction

Jurisdiction	Rent Restricted Units	Total Housing Units (2014)	% of Housing Stock Rent Restricted	% of All Rent Restricted Units in County	Rent Restricted Units per 500 Housing Units
Urban County					
Coronado	67	9,668	0.7%	0.2%	3.5
Del Mar	0	2,956	0.0%	0.0%	-
Imperial Beach	129	9,911	1.3%	0.4%	6.5
Lemon Grove	284	8,931	3.2%	0.9%	15.9
Poway	577	16,840	3.4%	1.7%	17.1
San Marcos	1,729	30,128	5.7%	5.2%	28.7
Solana Beach	0	6,545	0.0%	0.0%	-
Unincorporated Areas	1,398	175,913	0.8%	4.2%	4.0
Entitlement Cities					
Carlsbad	1,816	48,958	3.7%	5.4%	18.5
Chula Vista	2,468	82,026	3.0%	7.4%	15.0
El Cajon	980	35,893	2.7%	2.9%	13.7
Encinitas	249	26,030	1.0%	0.7%	4.8
Escondido	1,967	48,295	4.1%	5.9%	20.4
La Mesa	475	26,504	1.8%	1.4%	9.0
National City	2,551	16,797	15.2%	7.6%	75.9
Oceanside	1,318	64,912	2.0%	3.9%	10.2
San Diego	19,142	522,214	3.7%	52.3%	18.2
Santee	775	20,525	3.8%	2.3%	18.9
Vista	745	31,189	2.4%	2.2%	11.9
Total County	**33,382**	**1,004,962**	**3.3%**	**100.0%**	**18.2**

Source: San Diego County Housing Resources Directory, 2013-2015; California Department of Finance, 2014; HUD, California Housing Partnership, and participating jurisdictions.

2. Development Fees

Housing construction imposes certain short- and long-term costs upon local government, such as the cost of providing planning services and inspections. As a result, San Diego County jurisdictions rely upon various planning and development fees to recoup costs and ensure that essential services and infrastructure are available when needed. Planning fees for the County of San Diego and its jurisdictions are summarized in Table 67. As shown, fees vary widely based on the needs of each jurisdiction.

Table 67: Planning Fees by Jurisdiction

Jurisdiction	General Plan Amend-ment	CUP	Variance	Tract Map	Parcel Map	Zone Change
Carlsbad	$4,268	$4,484	$2,827	$8,238	$3,804	$4,903
Chula Vista	$20,000[1]	$11,000[1]	$9,000[1]	$10,000[1]	$2,500[1]	$10,000[1]
Coronado	$5,000[1]	$4,660	$3,010	--	$1,470	$5,000[1]
Del Mar	$10,000[1]	$8,513	$5,370	$6,250	$5,240	$10,000[1]
El Cajon	$3,475	$5,250	$788	$6,300 + $74/lot	$4,200 + $26/lot	$3,675
Encinitas	$13,000[1]	$6,000	$3,200	$10,000	$3,500	$20,000[1]
Escondido	$5,185	$3,050	$2,030	$4,107	$2,635	$3,900
Imperial Beach	$5,000	$2,000	$1,800	--	--	--
La Mesa	$14,212	$3,876	$3,850	$7,069	$5,473	$12,856
Lemon Grove	$3,000	$1,500	$750	$4,500	$3,000	$1,000
National City	$9,940	$7,890	$8,020	$9,940	$6,500	$9,940
Oceanside	$9,234	$4,503	$4,000	Deposit	$3,089	$7,424
Poway	$1,917	$3,299	$799	$4,174	$2,711	$1,917
San Diego City	$12,000	$8,000	$8,000	$10,000	$10,000	$12,000
San Diego County	$4,371	$3,070	$2,140	--	$2,245	$2,845
San Marcos	$2,500	$3,476	$564	$2,690	$2,090	$872
Santee	$13,000	$15,000	$1,000	$1,000/sheet	$1,000/sheet	$13,000
Solana Beach	$10,000[1]	$9,300	$2,163	$5,777	$4,002	$10,000[1]
Vista	$9,284	$6,958	$2,196	$7,518	$3,138	$8,855

Source: Participating jurisdictions, 2015.

Notes:

1. Indicates initial deposit amount. Actual fee is full cost recovery.

3. Development Impact Fees

Jurisdictions also charge a variety of impact fees to offset the cost of providing the infrastructure and public facilities required to serve new development. Until 1978, property taxes were the primary revenue source for financing the construction of infrastructure and improvements required to support new residential development. The passage of Proposition 13 in 1978 has limited a local jurisdiction's ability to raise property taxes and significantly lowered the ad valorem tax rate, increasing reliance on other funding sources to provide infrastructure, public improvements, and public services. An alternative funding source widely used among local governments in California is the development impact fee, which is collected for a variety of improvements including water and sewer facilities, 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 roughly proportional to the impact caused by the development. Nevertheless, development impact fees today have become a significant cost factor in housing development. Jurisdictions in San Diego County have imposed a variety of impact fees for new development (Table 68).

Table 68: Development Impact Fees by Jurisdiction

	Parks	Transportation/ Traffic	Public Facilities/ Sewer	Public Art
Carlsbad	■	■	■	
Chula Vista	■	■	■	
Coronado		■	■	
Del Mar		■		
El Cajon		■	■	
Encinitas	■	■	■	
Escondido	■	■	■	■
Imperial Beach		■	■	
La Mesa	■	■	■	
Lemon Grove	■	■	■	
National City	■		■	
Oceanside	■	■	■	
Poway	■	■	■	
San Diego City	■	■	■	
San Diego County	■	■	■	
San Marcos	■	■	■	
Santee	■	■	■	
Solana Beach	■	■	■	■
Vista	■	■	■	

Source: Participating jurisdictions, 2015.

The contribution of fees to home prices varies temporally as well as spatially. When times are good, housing production tends to lag behind demand, especially in coastal markets. Housing prices during such periods are chiefly affected by the balance between supply and demand and are much less affected by construction and development costs. When economic times are bad and demand is weak, housing prices are more sharply affected by the prices of construction inputs, including fees. The strength of the economy and housing market also determines the degree of fee shifting and who ultimately pays fees. During strong economic times, it is the final homebuyer or renter who ends up paying housing development fees; the builder or developer is mostly an intermediary. During recessionary periods, the burden of paying fees may be shifted backwards to the landowner.

4. Linkage Fees

A linkage fee is a development impact fee applied to non-residential development. This fee can be used by local governments to support affordable housing construction and it is applied in recognition of the housing needs of lower-income workers who often are employed by end users of new development. Linkage fees can facilitate de-concentration of affordable housing development and reduce the negative social and environmental effects of jobs-housing imbalances in a region if the use of this funding is combined with a policy that requires the scattering of affordable units throughout a community and/or require concurrent construction of market-rate and affordable units in new development.

Currently, the City of San Diego is the only jurisdiction that charges a linkage fee to non-residential development to offset the cumulative effects of non-residential development on affordable housing and transportation. The underlying purpose of the City of San Diego's linkage fee is to ensure that new office, retail, research and development, manufacturing, warehouse, and hotel development pay a fair share of the subsidies necessary to house the low-income employees related to such development. The fees are placed in the San Diego Housing Trust Fund and can be utilized to assist the construction of affordable housing units located anywhere within the boundaries of the City of San Diego. The Municipal Code establishes a mechanism to ensure a geographic nexus between the location of new jobs and the expenditure of revenue for housing projects.[68]

F. Other Land Use Policies, Programs, and Controls

Land use policies, programs, and controls can impede or facilitate housing development and can have implications for fair housing choice in a community. Inclusionary housing policies and redevelopment project areas can facilitate new affordable housing projects, while growth management programs and Article 34 of the California Constitution can impede new affordable housing development. Table 69 identifies jurisdictions that are affected by or have adopted land use policies, programs, and controls that may have a negative impact on housing development and fair housing choice.

[68] For more information, see Chapter 9, Article 8, Division 6 of the San Diego Municipal Code.

Table 69: Land Use Policies and Controls by Jurisdiction

Jurisdictions	Article 34	Growth Management	Inclusionary Housing
Carlsbad	■	■	■
Chula Vista	■	■	■
Coronado			■
Del Mar			■
El Cajon	■		
Encinitas		■	■
Escondido		■	
Imperial Beach			
La Mesa	■		
Lemon Grove			
National City			
Oceanside	■		■
Poway			■
San Diego City	■	■	■
San Diego County	■	■	
San Marcos		■	■
Santee			
Solana Beach		■	■
Vista	■		■

1. Article 34

Article 34 of the State Constitution requires a majority vote of the electorate to approve the development, construction, or acquisition by a public body of any "low rent housing project" within that jurisdiction. In other words, for any projects to be built and/or operated by a public agency where at least 50 percent of the occupants are low-income and rents are restricted to affordable levels, the jurisdiction must seek voter approval known as "Article 34 authority" to authorize that number of units. Several jurisdictions within the San Diego region have obtained Article 34 authority to be directly involved in the development, construction, or acquisition of low-rent housing.

Carlsbad voters approved an Article 34 measure to allow no more than 250 units of senior low-income housing in November 1980; this authority has only been exercised twice since voter approval. The City of Chula Vista currently has 24 remaining Article 34 units allotted and on November 7, 2006 voters approved authority for an additional 1,600 units. No projects requiring Article 34 authority have been proposed in Del Mar, therefore, residents have not been asked to vote on a referendum to allow the City to develop, construct, or acquire affordable housing. The City of El Cajon has voter approval for senior projects only and complies with Article 34 for all other housing types. In 1978, La Mesa residents voted to provide the City with authority to develop, acquire, or construct 200 senior units under Article 34. To date, the City has used 128 units of its Article 34 authority for the development of La Mesa Springs and

has a remaining capacity of 72 units. Voters in the City of San Diego approved Proposition A in November 2002 to provide the City with authority under Article 34 of the California Constitution to construct up to an additional 5,000 low-rent housing units. Proposition A gave authority for the 5,000 units, in addition to the authority for several thousand units that had been approved in previous citywide propositions. The voters of the City of Vista approved Proposition W in 1980, authorizing the development of up to 95 low-income rental housing units per year without going to a public vote.

In the past, Article 34 may have prevented certain projects from being built. In practice, most public agencies have learned how to structure projects to avoid triggering Article 34, such as limiting public assistance to 49 percent of the units in the project. Furthermore, the State legislature has enacted Sections 37001, 37001.3, and 37001.5 of the Health and Safety Code to clarify ambiguities relating to the scope of the applicability of Article 34.

2. Growth Management Programs

Growth management programs facilitate well-planned development and ensure that the necessary services and facilities for residents are provided. However, a growth management program may act as a constraint if it prevents a jurisdiction from addressing its housing needs, which could indirectly impede fair housing choice. These programs range from general policies that require the expansion of public facilities and services concurrent with new development, to policies that establish urban growth boundaries (the outermost extent of anticipated urban development), to numerical limitations on the number of dwelling units that may be permitted annually.

About one-half of the jurisdictions in San Diego County have adopted Growth Management Programs. While the programs are intended to manage growth, the programs are highly variable in detail. The City of Carlsbad has a growth management program that establishes a maximum amount of dwelling units for each quadrant of the City. However, the City of Carlsbad is also recognized as having one of the State's most effective inclusionary housing policies in producing affordable housing. The Growth Management Program of Chula Vista establishes thresholds for eleven areas including traffic, police, fire and emergency services, schools, libraries, parks and recreation, water, sewer, drainage, air quality, and economics. The City of Coronado currently does not engage in growth management activities; however, a citizen initiative was approved by the electorate on November 7, 2006, that, among various actions, designated all R-1B Zone land as R-1A(e) Zone. The R-1B Zone designation allowed development of 12 dwelling units per acre on lots with a minimum size of 3,500 square feet, while the R-1A(e) designation allows 8 dwelling units per acre development on lots of at least 5,250 square feet. The City Attorney's legal analysis of the proposed initiative stated that to impact the ultimate residential build-out density of the R-1B Zone, both the zoning designation/density of the area must be changed and the resulting sub-sized lots from that change must be merged. The Coronado City Council has initiated a legal challenge to all or portions of this initiative.

The Encinitas General Plan includes an annual residential building limitation along with growth management policies and guidelines. The building limitation is based on the un-built development potential of the City at mid-range density divided by the remaining years of the 25 years build-out period (January 1989 to January 2014). Low- and moderate-income units, however, are exempted from this allocation system. Encinitas is in the process of updating its Housing Element and Land Use Element. This limitation may be deleted as part of the update.

Escondido, Encinitas, and Solana Beach require voter approval for all proposals to increase residential density or non-residential intensity (such as through general plan amendments). However, Escondido does not require voter approval for increase in density in cases where affordable housing is involved to ensure compliance with housing law. In 1979, the City of San Diego implemented a Tier System to manage growth. Under this system, the Urban Core would develop first, then the outlying urban area, and finally the Future Urbanizing Area which is now being developed. Growth is managed in the unincorporated areas of San Diego County through the Multiple Species Conservation Plan (MSCP) and establishment of residential buildout ceilings and large minimum lot sizes (40 acres in some cases) within several community planning areas. The cities of Coronado, Del Mar, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, Santee, and Vista have not adopted growth management programs.

State housing law mandates a jurisdiction 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 to meet its regional housing needs may have an exclusionary effect of limiting housing choices and opportunities of regional residents, or concentrating such opportunities in other areas of the region.

3. Inclusionary Housing Programs

Inclusionary housing describes a local government's requirement specifying a percentage of new housing units be reserved for, and affordable to, lower- and moderate-income households. The goal of inclusionary housing programs is to increase the supply of affordable housing commensurate with new market-rate development in a jurisdiction. This can result in an improved regional jobs-housing balances and foster greater economic and racial integration within a community. The policy is most effective in areas experiencing rapid growth and a strong demand for housing.

Inclusionary programs can be voluntary or mandatory. Voluntary programs typically require developers to negotiate with public officials but do not specifically mandate the provision of affordable units. Mandatory programs are usually codified in the zoning ordinance and developers are required to enter into a development agreement specifying the required number of affordable housing units or payment of applicable in-lieu fee[69] prior to obtaining a building permit.

In San Diego County, 11 jurisdictions have adopted inclusionary housing programs. All programs in the County can be described as mandatory because they require dedication of a fixed percentage of proposed units affordable to lower- or moderate-income households or payment of an in-lieu fee used to build new affordable housing units in the jurisdiction. Inclusionary housing programs in the County vary considerably by jurisdiction. For example, the City of Carlsbad requires 15 percent of all base residential units within any Master Plan/Specific Plan community or other qualified subdivision (currently seven units or more) to be restricted and affordable to lower-income households. Chula Vista

[69] An in-lieu fee is the payment of a specified sum of money instead of constructing the required number of affordable housing units. The fee is used to finance affordable housing elsewhere in a community.

requires the provision of 10 percent (five percent low-income and five percent moderate-income) affordable housing within projects of 50 or more dwelling units. The City of Coronado's inclusionary housing program requires that parcel or subdivision maps involving two or more lots or two or more dwelling units provide 20 percent of the total units in the development for rent to lower income households.

G. Policies Causing Displacement or Affect Housing Choice of Minorities and Persons with Disabilities

Local government policies could result in displacement or affect representation of minorities or the disabled.

1. Redevelopment Activities

Until recently, redevelopment activity facilitated by policies and programs implemented by city/county redevelopment agencies could have impacted protected classes either through direct displacement or by limiting housing options in redevelopment project areas. However, the State of California dissolved redevelopment agencies effective February 1, 2012. Prior to dissolution, redevelopment had been used by participating agencies as a tool to remove blighted conditions, provide economic opportunities, create housing for lower and moderate income residents, renovate or replace deteriorated or dilapidated structures, develop vacant infill and under-used properties, and provide public infrastructure and other improvements to support private investment in deteriorated areas of San Diego County. Implementation of redevelopment project plans had provided a means for increasing housing choices for lower- and moderate-income residents and those with special needs. Today, most jurisdictions have suspended significant components of their affordable housing programs until a stable source of funding can be identified. Most typical programs suspended include homebuyer assistance and new affordable housing construction, both usually require significant resources.

2. Reasonable Accommodation

Under State and Federal laws, local governments are required to "reasonably accommodate" housing for persons with disabilities when exercising planning and zoning powers. Jurisdictions must grant variances and zoning changes if necessary to make new construction or rehabilitation of housing for persons with disabilities feasible, but are not required to fundamentally alter their zoning ordinance.

Fair Housing Case Summary – Reasonable Accommodations

The complainant (CP) is a single Caucasian female with a physical disability. CP viewed an apartment she wanted to rent. CP requested a reasonable modification from the Respondent to have a patio railing taken down so the CP could install a wheelchair accessible ramp. Respondent refused to allow the modification and informed CP she needed to wait several months for another apartment unit that does not have a patio. CP contacted a local fair housing service provider for help. The service provider intervened via a conciliation process. Respondent agreed to grant the modification, rented the original apartment to CP, had all management staff take fair housing training, and posted fair housing material in the manager's office pursuant to the conciliation agreement.

Disposition: Successful conciliation; included injunctive relief.

Although most local governments are aware of State and federal requirements to allow reasonable accommodations, if specific policies or procedures are not adopted by a jurisdiction, disabled residents may be unintentionally displaced or discriminated against. Most of the region's 19 jurisdictions, including Carlsbad, Chula Vista, Coronado, Escondido, La Mesa, National City,Poway, Santee, San Diego (City), San Diego (County), San Marcos, Solana Beach, and Vista have explicit recognition of their obligation to reasonably accommodate the housing needs of residents in the Municipal Code. As of February 2015, the cities of Del Mar, El Cajon, Encinitas, Imperial Beach, Lemon Grove, and Oceanside have not adopted formal reasonable accommodation procedures. In addition to adopting a formal process for granting reasonable accommodations, the City of Del Mar is also exploring a modification of the zoning code to allow an exemption from floor area ratio (FAR) calculations for residences that require additional building area solely to meet accessibility requirements. The City of Encinitas anticipates adopting formal procedures by 2017.

Currently, most of the cities with adopted reasonable accommodations procedures (with the exception of Escondido, La Mesa, National City, Oceanside, and Santee) have a definition of disabled person in their Zoning Ordinance. A jurisdiction's definition of a disabled person can be considered an impediment to fair housing if it is not consistent with the definition of disability provided under the Fair Housing Act. The Act defines disabled person as "those individuals with mental or physical impairments that substantially limit one or more major life activities." All of the definitions used by San Diego jurisdictions are consistent with the Fair Housing Act and are not considered an impediment.

H. Local Housing Authorities

In the San Diego region, the HUD Housing Choice Voucher program is administered by six different local housing authorities, two of which also oversee a public housing program. The following housing authorities only administer housing choice vouchers: Carlsbad, Encinitas, Oceanside, and National City. The housing authorities for the City and County of San Diego also own and manage public housing in addition to the Housing Choice Voucher program. The availability and use of housing choice vouchers and public housing units must also adhere to fair housing laws. Most local housing authorities in the County have adopted priorities or preferences for housing choice vouchers and/or public housing. Typically, families with children, elderly families, disabled families, and veterans are given preferences.

Section 16(a)(3)(B) of the United States Housing Act mandates that public housing authorities adopt an admissions policy that promotes the deconcentration of poverty in public housing. HUD emphasizes that the goal of deconcentration is to foster the development of mixed-income communities within public housing. In mixed-income settings, lower income residents are provided with working-family role models and greater access to employment and information networks. This goal is accomplished through the policy's income-targeting and deconcentration.

For Housing Choice vouchers, the Housing Act mandates that not less than 75 percent of new admissions must have incomes at or below 30 percent of the Area Median Income. The remaining balance of 25 percent may have incomes up to 50 percent of the Area Median Income. For public housing, the Housing Act mandates that not less than 40 percent of new admissions must have incomes at or below 30 percent of the Area Median Income. The balance of 60 percent of new admissions may have incomes up to 50 percent of the Area Median Income.

I. California Environmental Quality Act (CEQA)

CEQA is California's broadest environmental law as it applies to all discretionary projects proposed to be conducted or approved by a public agency, including private projects that require government approval. The primary purpose of CEQA is to disclose to the public the significant environmental effects of a proposed project. CEQA also requires that public agencies disclose to the public the decision making process utilized to approve projects and is intended to enhance public participation in the environmental review process.

In October 2011, the Governor signed into law SB 226, which allows for streamlined CEQA review for certain infill development projects, including some Transit Oriented Developments (TODs). The statute allows an exemption or limited environmental review of projects that meet certain criteria and are consistent with earlier policy documents such as General Plans, Specific Plans, or Master Plans. Subsequent environmental review of qualifying projects is limited to new or substantially greater impacts not adequately addressed in an earlier CEQA document.

The streamlined environmental process allowed by SB 226 makes it possible for the environmental impacts of documents like a General Plan, Specific Plan, or Master Plan area to be analyzed long before a physical development project is proposed. Because SB 226 does not include a time limit, CEQA's environmental review and public comment requirements could be satisfied by a document prepared years prior to the proposal of a specific development proposal. Because infill and TOD projects are often proposed in under-served lower-income and minority neighborhoods, the disjointed disclosure of potential environmental impacts resulting from SB 226 has potential for disproportionate adverse impacts on protected classes.

J. Community Representation and Participation

Adequate community involvement and representation is important to overcoming and identifying impediments to fair housing. Decisions regarding housing development in a community are typically made by the City Council or Board of Supervisors and applicable Planning Commissions. The Council or Board members are elected officials and answer to the constituents. Planning Commissioners are residents appointed by the Council or Board and often serve an advisory role.

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. Commissions dealing directly with housing issues are most common in the region's 19 jurisdictions; however, only National City and the City of San Diego have commissions that specifically address special housing needs and only the City and County of San Diego have commissions specifically addressing the housing needs of persons with disabilities or families with children. These issues are often addressed as part of a standing commission.

Community participation can be limited or enhanced by actions or inaction by a public agency. According to the results of the Fair Housing Survey, ten San Diego residents reported being discriminated against by a government staff person.

A broader range of residents may feel more comfortable approaching an agency with concerns or suggestions if that agency offers sensitivity or diversity training to its staff members that typically interface with the public. In addition, if there is a mismatch between the linguistic capabilities of staff members and the native languages of local residents, non-english speaking residents may be unintentionally excluded from the decision making process. Another factor that may affect community participation is the inadequacy of an agency or public facility to accommodate residents with various disabilities.

Most jurisdictions in San Diego County have bi-lingual capabilities to serve Spanish speaking residents, and many have multi-lingual capabilities. For example, cities of El Cajon and San Diego offer services in Arabic while San Diego (City) also accommodates Tagalog speakers. The cities of Escondido, Oceanside and Vista, as well as the County of San Diego, have contracts with various language lines and are able to accommodate all languages. And the City of San Marcos has multi-lingual capabilities in Vietnamese, Farci, Mandarin, Russian, Ukrainian, Arabic, Armenian, Africkaans and Sign Language, in addition to Spanish. In addition, the city halls of all participating jurisdictions and the County Administration Buildings are accessible to persons with disabilities.

Most jurisdictions in the San Diego County do not offer periodic sensitivity or diversity training for staff personnel. However, some jurisdictions do send their employees to periodic trainings. For example, both the City of Carlsbad and the City of Escondido send their employees to Respectful Workplace Training every two years. The City of Oceanside requires its Housing Staff to attend periodic trainings regarding Fair Housing Discrimination (Section 504 – Reasonable Accommodation training); these trainings are organized by North County Lifeline. The City of San Diego covers harassment and discrimination topics in its mandatory New Employee Orientation. In addition, a number of training opportunities (including EEO issues, sexual harassment prevention, reasonable accommodations, and customer service) are available to its supervisory employees. The County of San Diego provides at least two to three trainings annually for its employees. And, the City of Santee conducts mandatory training on a bi-annual basis. Topics covered in the mandatory training include: the types of behaviors that would constitute discrimination, harassment and/or retaliation as defined by the City of Santee; definitions of the types of behaviors that create a hostile, offensive and/or intimidating work environment; and what to do if an employee believes such behaviors have occurred in the workplace.

CHAPTER 6

FAIR HOUSING PROFILE

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

This chapter provides an overview of the institutional structure of the housing industry with regard to fair housing practices. In addition, this chapter discusses the fair housing services available to residents in San Diego County, as well as the nature and extent of fair housing complaints received by the fair housing providers. Typically, fair housing services encompass the investigation and resolution of housing discrimination complaints, discrimination auditing/testing, and education and outreach, including the dissemination of fair housing information. Tenant/landlord counseling services are usually offered by fair housing service providers but are not considered fair housing services.

A. Fair Housing in the Homeownership Market

Part of the American dream involves owning a home in the neighborhood of one's choice. Homeownership is believed to enhance one's sense of well-being, is a primary way to accumulate wealth, and is believed to strengthen neighborhoods, because residents with a greater stake in their community will be more active in decisions affecting the future of their community. Not all Americans, however, have always enjoyed equal access to homeownership due to credit market distortions, "redlining," steering, and predatory lending practices.

On December 5, 1996, HUD and the National Association of REALTORS® (NAR) entered into a Fair Housing Partnership. Article VII of the HUD/NAR Fair Housing Partnership Resolution provides that HUD and NAR develop a Model Affirmative Fair Housing Marketing Plan for use by members of the NAR to satisfy HUD's Affirmative Fair Housing Marketing regulations. Yet there is still much room for discrimination in the housing market.

1. The Homeownership Process

The following discussions describe the process of homebuying and likely situations when a person/household may encounter housing discrimination. However, much of this process occurs in the private housing market over which local jurisdictions have little control or authority to regulate. The recourse lies in the ability of the contracted fair housing service providers in monitoring these activities, identifying the perpetrators, and taking appropriate reconciliation or legal actions.

Advertising

The first thing a potential buyer is likely to do when they consider buying a home is search advertisements either in magazines, newspapers, or the Internet to get a feel for what the market

offers. Advertisements cannot include discriminatory references such as the use of words describing:

- Current or potential residents;
- Neighbors or the neighborhood in racial or ethnic terms;
- Adults preferred;
- Perfect for empty nesters;
- Conveniently located by a Catholic Church; or
- Ideal for married couples without kids.

In a survey of online listings for homes available for purchase in San Diego County in March 2015, a limited number of advertisements included potentially discriminatory language. Of a total of 475 listings surveyed, 77 listings included references to something other than the physical description of the home or included amenities and services (Table 70). All of the potentially discriminatory advertisements were targeted specifically at families through the identification of quality school districts, nearby schools, and available family amenities.

Table 70: Potential Discrimination in Listings of For-Sale Homes

Discrimination Type	Number of Listings	Potentially Discriminatory Language
No Discriminatory Language	398	--
Disability Related	0	--
Income Related	0	--
Household Size/Family Related	77	▪ GREAT FAMILY NEIGHBORHOOD CLOSE TO SCHOOLS ▪ Home boasts ocean views and is ideal for any expanding family ▪ Walking distance to Elementary and Middle Schools ▪ Conveniently located close to schools ▪ Your children will enjoy the top-ranked Coronado school district ▪ Walk to Del Mar Hills Elementary school ▪ This is a GREAT starter home to get into the Prestigious Poway Unified ▪ Walk to one of the top Elementary Schools in the City ▪ Quiet, child friendly neighborhood. ▪ Separate entrance there. Extended family?
Spanish Only Ads	0	--

Note: Examples are direct quotes from the listings (including punctuation and emphasis).
Source: realtor.com, accessed March 2015.

Advertising has become a sensitive area in real estate. In some instances advertisements published in non-English languages may make those who speak English uncomfortable, yet when ads are only placed in English they place non-English speaking residents at a disadvantage. While real estate advertising can be published in other languages, by law, an English version of the ad must also be published. However, monitoring this requirement is difficult, if not impossible.

Even if an agent does not intend to discriminate in an ad, it would still be considered a violation to suggest to a reader whether or not a particular group is preferred. Litigation has also set precedence for violations in advertisements that hold publishers, newspapers, Multiple Listing Services, real estate agents, and brokers accountable for discriminatory ads.

Lending

Initially, buyers must find a lender that will qualify them for a loan. This part of the process entails an application, credit check, ability to repay, amount eligible for, choosing the type and terms of the loan, etc. Applicants are requested to provide a lot of sensitive information including their gender, ethnicity, income level, age, and familial status. Most of this information is used for reporting purposes required of lenders by the Community Reinvestment Act (CRA) and the Home Mortgage Disclosure Act (HMDA). However, the recent mortgage lending crisis has demonstrated widespread misuse of the information, where lower income households and minorities have been targeted for predatory lending.

Lending discrimination can occur during advertising/outreach, pre-application inquiries, loan approval/denial and terms/conditions, and loan administration. Further areas of potential discrimination include: differences in the level of encouragement, financial assistance, types of loans recommended, amount of down payment required, and level of customer service provided.

Real Estate Agents

Real estate agents may act as agents of discrimination. Some unintentionally, or possibly intentionally, may steer a potential buyer to particular neighborhoods by encouraging the buyer to look into certain areas; others may choose not to show the buyer all choices available. Agents may also discriminate by who they agree to represent, who they turn away, and the comments they make about their clients.

The California Association of REALTORS® (CAR) has included language on many standard forms disclosing fair housing laws to those involved. Many REALTOR® Associations also host fair housing trainings/seminars to educate members on the provisions and liabilities of fair housing laws, and the Equal Opportunity Housing Symbol is also printed on all CAR forms as a reminder.

Covenants, Conditions, and Restrictions (CC&Rs)

Covenants, Conditions, and Restrictions (CC&Rs), are restrictive promises that involve voluntary agreements, which run with the land they are associated with and are listed in a recorded Declaration of Restrictions. The Statute of Frauds (Civil Code Section 1624) requires them to be in writing, because they involve real property. They must also be recorded in the County where the property is located in order to bind future owners. Owners of parcels may agree amongst themselves as to the restrictions on use, but in order to be enforceable they must be reasonable.

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 or anyone 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 CC&Rs be revised. CC&Rs are void if they are unlawful, impossible to perform or are in restraint on alienation (a clause that prohibits someone from selling or transferring his/her property). However, older subdivisions and condominium/townhome developments may contain illegal clauses which are enforced by the homeowners associations.

Homeowners Insurance Industry

Insurance is the cornerstone of credit. Without insurance, banks and other financial institutions lend less. Fewer loans leads to fewer new homes constructed and more existing homeowners will forgo repairs leaving buildings to deteriorate faster.70 Many traditional industry underwriting practices which may have some legitimate business purpose also adversely affect lower income and minority households and neighborhoods. For example, if a company excludes older homes from coverage, lower income and minority households who can only afford to buy in older neighborhoods may be disproportionately affected. Another example includes private mortgage insurance (PMI). PMI obtained by applicants from Community Reinvestment Act (CRA) protected neighborhoods is known to reduce lender risk. Redlining of lower income and minority neighborhoods can occur if otherwise qualified applicants are denied or encouraged to obtain PMI.71 Underwriting guidelines are not public information; however, consumers have begun to seek access to these underwriting guidelines to learn if certain companies have discriminatory policies.

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70 National Advisory Panel on Insurance in Riot Affected Areas, 1968.

71 "Borrower and Neighborhood Racial Characteristics and Financial Institution Financial Application Screening"; Mester, Loretta J; Journal of Real Estate Finance and Economics; 9 241-243; 1994

The California Fair Access to Insurance Requirements (FAIR) Plan was created by the Legislature in 1968 after the brush fires and riots of the 1960s made it difficult for some people to purchase fire insurance due to hazards beyond their control. The FAIR Plan is designed to make property insurance more readily available to people who have difficulty obtaining it from private insurers because their property is considered "high risk."

The California Organized Investment Network (COIN) is a collaboration of the California Department of Insurance, the insurance industry, community economic development organizations, and community advocates. This collaboration was formed in 1996 at the request of the insurance industry as an alternative to state legislation that would have required insurance companies to invest in underserved communities, similar to the federal Community Reinvestment Act (CRA) that applies to the banking industry. COIN is a voluntary program that facilitates insurance industry investments, which provide profitable returns to investors, and economic and social benefits to underserved communities.

Credit and FICO Scores

Credit history is one of the most important factors in obtaining a home purchase loan. Credit scores determine loan approval, interest rates associated with the loan, as well as the type of loan an applicant will be given. Applicants with high credit scores are generally given conventional loans, while lower and moderate range scores revert to FHA or other government-backed loans. Applicants with lower scores also receive higher interest rates on the loans as a result of being perceived as a higher risk to the lender, and may even be required to pay points depending on the type of lending institution used.

Fair Isaac and Company (FICO), which is the company used by the Experian (formerly TRW) credit bureau to calculate credit scores, has set the standard for the scoring of credit history. Trans-Union and Equifax are two other credit bureaus that also provide credit scores, though they are typically used to a lesser degree. In short, points are awarded or deducted based on certain items such as how long one has had credit cards, whether one makes payments on time, if credit balances are near maximum, etc. Typically, the scores range from the 300s to around 850, with higher scores demonstrating lower risk. Lower credit scores require a more thorough review than higher scores and mortgage lenders will often not even consider a score below 600.

FICO scores became more heavily relied on by lenders when studies conducted show that borrowers with scores above 680 almost always make payments on time, while borrowers with scores below 600 seemed fairly certain to develop problems. Some of the factors that affect a FICO score are:

- Delinquencies
- New accounts (opened within the last twelve months)
- Length of credit history (a longer history of established credit is better than a short history)
- Balances on revolving credit accounts

- Public records, such as tax liens, judgments, or bankruptcies
- Credit card balances
- Number of inquiries
- Number and types of revolving accounts

However, the recent mortgage lending crisis was in part a result of lenders providing mortgage financing to borrowers who are not credit worthy, or steering borrowers who can qualify for lower cost loans to the subprime market.

2. National Association of REALTORS® (NAR)

The National Association of REALTORS® (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; however, 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, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."

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.

Additionally, Standard of Practice Article 10-1 states that "When involved in the sale or lease of a residence, REALTORS® shall not volunteer information regarding the racial, religious or ethnic composition of any neighborhood nor shall they engage in any activity which may result in panic selling, however, REALTORS® may provide other demographic information." Standard of Practice 10-3 adds that "REALTORS® shall not print, display or circulate any statement or advertisement with respect to selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."

Diversity Certification

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.

3. California Department of Real Estate (DRE)

The California Department of Real Estate (DRE) is the licensing authority for real estate brokers and salespersons. As noted earlier, not all licensed brokers and salespersons are members of the National or California Association of REALTORs®.

The DRE has adopted education requirements that include courses in ethics and in fair housing. To renew a real estate license, each licensee is required to complete 45 hours of continuing education, including three hours in each of the four mandated areas: Agency, Ethics, Trust Fund, and Fair Housing. The fair housing course contains information that will enable an agent to identify and avoid discriminatory practices when providing real estate services to clients.

For the initial renewal, the law requires, as part of the 45 hours of continuing education, completion of five mandatory three-hour courses in Agency, Ethics, Trust Fund Handling and Fair Housing and Risk Management. These licensees will also be required to complete a minimum of 18 additional hours of courses related to consumer protection. The remaining hours required to fulfill the 45 hours of continuing education may be related to either consumer service or consumer protection, at the option of the licensee.

4. California Association of REALTORS® (CAR)

The California Association of Realtors (CAR) is a trade association of realtors statewide. As members of organized real estate, realtors also subscribe to a strict code of ethics as noted above. CAR has recently created the position of Equal Opportunity/Cultural Diversity Coordinator. CAR holds three meetings per year for its general membership, and the meetings typically include sessions on fair housing issues. Current outreach efforts in the Southern California area are directed to underserved communities and state-licensed brokers and sales persons who are not members of the CAR.

REALTOR® Associations Serving San Diego County

REALTOR® Associations are generally the first line of contact for real estate agents who need continuing education courses, legal forms, career development, and other daily work necessities. The frequency and availability of courses varies amongst these associations, and local association membership is generally determined by the location of the broker for which an agent works. Complaints involving agents or brokers may be filed with these associations.

Monitoring of services by these associations is difficult as detailed statistics of the education/services the agencies provide or statistical information pertaining to the members is rarely available. The following associations serve San Diego County:

- Greater San Diego Association of REALTORS (SDAR)
- North County Association of REALTORS (NSDCAR)
- Pacific Southwest Association of REALTORS (PSAR)

The Realtor Associations that serve San Diego County use the Sandicor (San Diego County's Regional Multiple Listing Service).

Complaints against members are handled by the associations as follows. First, all complaints must be in writing. Once a complaint is received, a grievance committee reviews the complaint to decide if it warrants further investigation. If further investigation is necessary, a professional standards hearing with all parties involved takes place. If the member is found guilty of a violation, the member may be expelled from the association, and the California Department of Real Estate is notified.

B. Fair Housing in the Rental Housing Market

1. Rental Process

Advertising

San Diego County, like most parts of California, is facing a shortage of rental housing. Most rental properties have low vacancy rates and do not require published advertising. Often, vacancy is announced either via word of mouth of existing tenants or a for-rent sign outside the property. Unless one happens to drive by the neighborhood or have friends or families currently residing at the property, one may not have access to information regarding vacancy. Furthermore, this practice tends to intensify segregation of neighborhoods and properties that already have a high concentration of a racial/ethnic group. When advertising is done, no checks-and-balances mechanism exists to ensure English advertising is provided.

A large number of rental listings in San Diego County contain potentially discriminatory language, such as encouraging or discouraging family living, or potentially discouraging persons with disabilities by emphasizing a no-pet policy without clarifications that service/companion animals are allowed.

Like with ad listings for for-sale homes, rental advertisements cannot include discriminatory references. A total of 475 rental listings were surveyed in March 2015 and 141 advertisements were found to contain potentially discriminatory language (Table 71). The problematic language typically involved references to household size, familial status, schools or children (63 ads) and pets (74 ads).

Under California's fair housing law, source of income is a protected class. It is, therefore, considered unlawful to prefer, limit, or discriminate against a specific income source for a potential homebuyer. Section 8 is not included as a part of this protected class, however, and rental advertisements that specifically state Section 8 vouchers are not accepted are considered legal. However, this language tends to give the impression of discrimination.

Fair Housing Case Summary – Reasonable Accommodation for Person with Disabilities

Facts: The complainant (CP) is minor child with mental health disabilities. CP made a reasonable accommodation request to have an assistance animal dog. CP provided a doctor letter from her doctor who practices in Mexico, five (5) miles from the apartment building. Management refused to process the accommodation because the doctor was from Mexico and they stated that because the doctor is not from the United States, the respondent could not verify the disability and the need for request. LASSD intervened via conciliation, and the respondent agreed to grant the reasonable accommodation, have all staff members attend fair housing training, and provide fair housing materials to all residents.

Finding: Sustains allegations
Disposition: Successful conciliation

Rental advertisements with references to pets in San Diego County were a significant issue in the listings surveyed. Persons with disabilities are one of the protected classes under fair housing law, and apartments must allow "service animals" and "companion animals," under certain conditions. Service animals are animals that are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets. Companion animals, also referred to as assistive or therapeutic animals, can assist individuals with disabilities in their daily living and as with service animals, help disabled persons overcome the limitations of their disabilities and the barriers in their environment.

Persons with disabilities have the right to ask their housing provider to make a reasonable accommodation in a "no pets" policy in order to allow for the use of a companion or service animal. However, in the case of rental ads that specifically state "no pets," some disabled persons may not be aware of their right to ask for an exception to this rule. Because of this, a person with a disability may see themselves as limited in their housing options and a "no pets" policy could, therefore, be interpreted as potentially discriminatory. Of the rental listings surveyed, 74 ads included language to specifically ban pets.

Table 71: Potential Discrimination in Listings of Homes for Rent

Discrimination Type	Number of Listings	Potentially Discriminatory Language
No Discriminatory Language	334	--
Disability Related	74	▪ Deposits & Fees: Cat - $300 per apartment; $25 Cat Premium per cat, Dog - $750 per apartment; $50 Dog Premium per dog. ▪ Pets above 25lbs may not reside in an upstairs unit. ▪ Sorry NO PETS! ▪ PET POLICY: One (1) cat allowed, with additional deposit. No dogs, as area is not fenced, and no other pets. ▪ SORRY BUT WE ARE UNABLE TO PERMIT ANY PETS. ▪ Sorry, pets are not accepted at this property. ▪ Sorry, NO pets ▪ Cats okay, but sorry, no pooches. ▪ No Pets Allowed ▪ WE ARE UNABLE TO PERMIT ANY PETS. ▪ Sorry, no dogs. ▪ ~ no pets.
Income Related	4	
Household Size/Family Related	63	▪ $40 cash for the credit check/application fee for each adult over 18 (or $40 per married couple). ▪ $2000 month for one occupant. $2400 month for two occupants. ▪ Perfect for college student, single mom or couple. ▪ Close to schools!! ▪ we are adjacent to distinguished National Blue Ribbon Schools ▪ Community has children's playground ▪ The property is ideal for a small family or two couples looking for a vacation getaway in North County San Diego. ▪ Schools K-12 nearby ▪ Close to schools and preschools/daycare providers. ▪ Within the award winning Poway Unified School District ▪ In the highly rated Poway Unified School District ▪ ~~~Poway School District~~~ ▪ Home has beautiful pool and spa with security fence to protect children and animals. ▪ Invite family over for that nice afternoon BBQ! ▪ Nearby Schools: Twin Oaks Elementary (top 5% in Academic Performance Index), Woodland Park Middle, Mission Hills High School, Palomar College, CSU San Marcos ▪ Great walkability to great schools, San Elijo Middle School and San Elijo Elementary School. ▪ Walk to great schools
Spanish Only Ads	0	--

Notes:
1. Examples are direct quotes from the listings (including punctuation and emphasis).
2. Ads may contain multiple types of potentially discriminatory language.

Source: www.craigslist.org, accessed December 5, 2014.

Responding to Ads

Differential treatment of those responding to advertisements is a growing fair housing concern. In a 2011 study conducted nationally, comprehensive audit-style experiments via email correspondence were used to test for racial discrimination in the rental housing market. This study was particularly unique because it tested for two variables – discrimination based on race and social class. By responding to online rental listings using names associated with a particular racial/ethnic group and varying message content grammatically to indicate differing levels of education and/or income (i.e. social class), researchers found that, overall, Blacks continued to experience statistically significant levels of discrimination in the rental housing market. This discrimination was even more pronounced when the housing inquiry was made to look like it originated from a Black individual of a lower social class.72 The Los Angeles area was one of the metropolitan regions included in this particular study, which found that the Los Angeles and Boston areas exhibited some of the highest levels of discrimination in the country.

Viewing the Unit

Viewing the unit is the most obvious place where the potential renters may encounter discrimination because landlords or managers may discriminate based on race or disability, or judge on appearance whether a potential renter is reliable or may violate any of the rules.

In a follow up to the study discussed above, researchers developed an experiment to test for subtle discrimination. Subtle discrimination is defined as unequal treatment between groups that occurs but is difficult to quantify, and may not always be identifiable through common measures such as price differences. Researchers found that, in general, landlords replied faster and with longer messages to inquiries made from white names. The study also found that landlords were more likely to use descriptive language, extend invitations to view a unit, invite further correspondence, use polite language, and make a formal greeting when replying to e-mail inquiries from a white home seeker.73

Credit/Income Check

Landlords may ask potential renters to provide credit references, lists of previous addresses and landlords, and employment history/salary. The criteria for tenant selection, if any, are typically not known to those seeking to rent. Many landlords often use credit history as an excuse when trying to exclude certain groups. Legislation provides for applicants to receive a copy of the report used to evaluate applications.

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72 Do Landlords Discriminate in the Rental Housing Market? Evidence from an Internet Field Experiment in U.S. cities. Andrew Hanson and Zackary Hawley. May 2011.

73 Subtle Discrimination in the Rental Housing Market: Evidence from E-mail Correspondence with Landlords. Andrew Hanson, Zackary Hawley, and Aryn Taylor. September 2011.

The study on subtle discrimination mentioned earlier found no statistically significant evidence of discrimination in using language related to fees, asking for employment or rental history, or requesting background information.

Fair Housing Case Summary – Reasonable Accommodation for Person with Disabilities

The complainant (Cp) is a single, Hispanic female. Cp has a disability that severely impacts her mobility. Cp is a Section 8 recipient. Cp placed a deposit of $943.00 on her apartment. Cp signed a lease agreement to move into her apartment as of May 3, 2014. Cp states that residential manager told her she could not move into the apartment until May 27, 2014. Cp states residential manager refused to return security deposit. Cp requests to move to another location and does not go through with move. Cp decided to try and work things out with current living situation. On July 22, 2014 Cp contacted CSA to notify that she had no parking spot. On July 29, 2014 Fair housing counselor contacted owner via written, mail correspondence. On July 30, 2014, fair housing counselor sent Reasonable Accommodations packet to Cp. On August 12, 2014, Fair Housing counselor contacted Cp's Section 8 worker to update on case. Cp and family met with housing attorney on September 12, 2014. Housing attorney visits Cp at home and documents conditions of apartment on September 23, 2014. Cp states that she received 30-Day Notice to Vacate on November 25, 2014.

Finding: Sustains allegation (needs reasonable accommodation)
Disposition: Referred to litigation
Litigation Disposition: Favorable settlement.

The Lease

Most apartments are rented under either a lease agreement or a month-to-month rental agreement. A lease is favorable from a tenant's point of view for two reasons: the tenant is assured the right to live there for a specific period of time and the tenant has an established rent during that period. Most other provisions of a lease protect the landlord. Information written in a lease or rental agreement includes the rental rate, required deposit, length of occupancy, apartment rules, and termination requirements.

Typically, the lease or rental agreement is a standard form completed for all units within the same building. However, the enforcement of the rules contained in the lease or agreement may not be standard for all tenants. A landlord may choose to strictly enforce the rules for certain tenants based on arbitrary factors, such as race, presence of children, or disability. In recent years, complaints regarding tenant harassment through strict enforcement of lease agreements as a means of evicting tenants have increased significantly.

Lease-related language barriers can impede fair housing choice if landlords and tenants do not speak the same language. In California, applicants and tenants have the right to negotiate lease terms primarily in Spanish, Chinese, Tagalog, Vietnamese or Korean. If a language barrier exists, the landlord must give the tenant a written translation of the proposed lease or rental agreement in the language used in the negotiation before the tenant signs it.[74] This rule applies to lease terms of one month or longer and whether the negotiations are oral or in writing. Also, the landlord must provide the translation whether or not the tenant requests it. The translation must include every term and condition in the lease or rental agreement. A translation is not required if the tenant provides his or her own adult interpreter.

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[74] California Civil Code Section 1632(b)

Security Deposit

A security deposit is typically required. To deter "less-than-desirable" tenants, a landlord may ask for a security deposit higher than for others. Tenants may also face discriminatory treatment when vacating the units. The landlord may choose to return a smaller portion of the security deposit to some tenants, claiming excessive wear and tear. A landlord may also require that persons with disabilities pay an additional pet rent for their service animals, a monthly surcharge for pets, or a deposit, which is also a discriminatory act.

During the Tenancy

During tenancy, the most common forms of discrimination a tenant may face are based on familial status, race, national origin, sex, or disability. Usually this type of discrimination appears in the form of varying enforcement of rules, overly strict rules for children, excessive occupancy standards, refusal to make a reasonable accommodation for handicapped access, refusal to make necessary repairs, eviction notices, illegal entry, rent increases, or harassment. These actions may be used as a way to force undesirable tenants to move on their own without the landlord having to make an eviction.

2. Apartment Association of California

The California Apartment Association (CAA) is the country's largest statewide trade association for rental property owners and managers. The CAA was incorporated in 1941 to serve rental property owners and managers throughout California. CAA represents rental housing owners and professionals who manage more than 1.5 million rental units. Under the umbrella agency, various apartment associations cover specific geographic areas.

The California Apartment Association has developed the California Certified Residential Manager (CCRM) program to provide a comprehensive series of courses geared towards improving the approach, attitude and professional skills of on-site property managers and other interested individuals. The CCRM program consists of 31.5 hours of training that includes fair housing and ethics along with the following nine course topics:

- Preparing the Property for Market
- Professional Leasing Skills and the Application Process
- The Move-in Process, Rent Collection and Notices
- Resident Issues and Ending the Tenancy
- Professional Skills for Supervisors
- Maintenance Management: Maintaining a Property
- Liability and Risk Management: Protecting the Investment
- Fair Housing: It's the Law
- Ethics in Property Management

In order to be certified one must successfully score 75 percent or higher on the comprehensive CCRM final exam.

The CAA supports the 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 CAA agree to abide by the provisions of their Code for Equal Housing Opportunity.

3. The National Association of Residential Property Managers (NARPM)

The National Association of Residential Property Managers promotes a high standard of property management business ethics, professionalism and fair housing practices within the residential property management field. NARPM is an association of real estate professionals who are experienced in managing single-family and small residential properties. Members of the association adhere to a strict Code of Ethics to meet the needs of the community, which include the following duties:

- Protect the public from fraud, misrepresentation, and unethical practices of property managers.
- Adhere to the Federal Fair Housing Stature.
- Protect the fiduciary relationship of the Client.
- Treat all Tenants professionally and ethically.
- Manage the property in accordance with the safety and habitability standards of the community.
- Hold all funds received in compliance with state law with full disclosure to the Client.

In addition to promoting high standards of business ethics, professionalism and fair housing practices, the Association also certifies its members in the standards and practices of the residential property management industry and promotes continuing professional education.

NARPM offers three designations to qualified property managers and property management firms:

1. Residential Management Professional, RMP ®
2. Master Property Manager, MPM ®
3. Certified Residential Management Company, CRMC ®

Various educational courses are offered as part of attaining these designations including the following fair housing and landlord/tenant law courses:

- Ethnics (required for all members every four years)
- Habitability Standards and Maintenance
- Marketing
- Tenancy
- ADA Fair Housing
- Lead-Based Paint Law

4. Western Manufactured Housing Communities Association (WMA)

Western Manufactured Housing Communities Association (WMA) is a nonprofit organization created in 1945 for the exclusive purpose of promoting and protecting the interests of owners, operators and developers of manufactured home communities in California. WMA assists its members in the operations of successful manufactured home communities in today's complex business and regulatory environment. WMA has over 1,700 member parks located in all 58 counties of California.

WMA offers an award winning manager accreditation program as well as numerous continuing education opportunities. The Manufactured Home Community Manager (MCM) program is a manager accreditation program that provides information on effective community operations. WMA's industry experts give managers intensive training on law affecting the industry, maintenance standards, HCD inspections, discrimination, mediation, disaster planning, and a full range of other vital subjects. In addition, WMA offers the following services:

- Toll-free hotline for day-to-day management advice
- Resident Screening Program
- Group Workers' Compensation Program
- Legal Advice
- Industry Referrals
- Manager Referral Service
- Educational seminars on a variety of key topics

C. Fair Housing Services

In general, fair housing services include the investigation and resolution of housing discrimination complaints, discrimination auditing and testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. Landlord/tenant counseling is another fair housing service that involves informing landlords and tenants of their rights and responsibilities under fair housing law and other consumer protection legislations as well as mediating disputes between tenants and landlords.

This section reviews the fair housing services available in San Diego County, the nature and extent of fair housing complaints, and results of fair housing testing/audits.

1. CSA San Diego County (CSA)

The CSA San Diego County (CSA) is an agency whose mission is to actively support and promote fair housing through education and advocacy. CSA provides the following fair housing related services:

- Tenant-Landlord mediation
- Fair housing counseling and dispute mediation
- Educational fair housing seminars for tenants and landlords (English and Spanish and other languages upon request)
- Services to tenants, landlords, and apartment managers
- Real estate and rental practice discrimination audits
- Free rental housing handbooks in English, Spanish, and Arabic
- Legal services and advocacy
- Enforcement of fair housing laws through conciliation, litigation, or administrative referrals.

CSA serves the cities of:

▪ Carlsbad	▪ El Cajon	▪ Lemon Grove	▪ Santee
▪ Chula Vista	▪ Imperial Beach	▪ National City	▪ Unincorporated communities in the County
▪ Coronado	▪ La Mesa	▪ Poway	

2. Fair Housing Center of the Legal Aid Society of San Diego (LASSD)

The Legal Aid Society of San Diego (LASSD) provides fair housing services to guarantee equal housing opportunity for San Diego City and County residents. LASSD provides support through outreach, education, and enforcement of both federal and state fair housing laws. To receive services provided by LASSD the act of housing discrimination must have occurred within the County of San Diego. The LASSD Housing Team is the only full service resource in the County, providing counseling, direct legal intervention and in-Court representation for eligible San Diego County residents. LASSD provides the following services:

- Assist or advise eligible clients
- Educate community groups and tenants to increase awareness of tenant's rights and the workings of the judicial system
- Conduct outreach
- Assist tenants in organizing themselves to take legal action

LASSD is currently under contract with the City of San Diego to provide fair housing services. However, the agency assists residents throughout the County.

3. Housing Opportunities Collaborative (HOC)

The Housing Opportunities Collaborative (HOC) is a non-profit organization consisting of housing counseling and fair housing agencies, housing related nonprofits and business organizations, and governmental agencies. By consolidating housing resources and related information, HOC makes fair housing resources easily accessible to the public. HOC provides counseling on home ownership and landlord-tenant rights and responsibilities. Allegations filed with HOC that are deemed true fair housing allegations are referred to Legal Aid Society of San Diego (LASDD) for investigation and litigation. HOC provides the following services to residents of the City of San Diego:

- Monitoring compliance
- Outreach and education
- Counseling and referrals
- Workshops and training

4. North County Lifeline

North County Lifeline (NCL) is a non-profit agency who provides fair housing services to San Diego's north county communities. Through Facilitative Mediation, NCL provides tools for dispute resolution in order to resolve conflicts outside of court. For those in need of additional assistance, North County Lifeline also provides a monthly legal clinic to provide legal advice to residents in needs of counseling.

As part of the North County Collaborative (which includes North County Lifeline, CSA San Diego, and South Bay Collaborative) fair housing services are provided to the unincorporated areas of San Diego County and the cities of Coronado, Del Mar, Encinitas, Escondido, Imperial Beach, Lemon Grove, Oceanside, Poway, San Marcos, Solana Beach and Vista. North County Lifeline services include:

- Mediation Services
    - Dispute Resolution Program
    - Peer Mediation
    - Small Claims Court Mediation Program

- Fair Housing and Education Services
  - Direct client assistance
  - Complaint intakes
  - Mediation
  - Education and outreach
  - Testing
  - Enforcement
- Legal Clinic
  - Legal Consult

D. California Department of Fair Employment and Housing (DFEH)

The California Department of Fair Employment and Housing (DFEH) investigates complaints of employment and housing discrimination based on race, sex, religious creed, color, national origin, medical condition (cured cancer only), ancestry, physical or mental disability, marital status, or age (over 40 only). DFEH also investigates complaints of housing discrimination based on the above classes, as well as children/age, and sexual orientation.

DFEH established a program in May 2003 for mediating housing discrimination complaints, which is a first for the State of California and is the largest fair housing mediation program in the nation to be developed under HUD's Partnership Initiative with state fair housing enforcement agencies. The program provides California's tenants, landlords, and property owners and managers with a means of resolving housing discrimination cases in a fair, confidential, and cost-effective manner.[75] Key features of the program are: 1) program is free of charge to the parties; and 2) mediation takes place within the first 30 days of the filing of the complaint, often avoiding the financial and emotional costs associated with a full DFEH investigation and potential litigation.

After a person calls in for a complaint, an interview takes place, documentation is obtained and issues are discussed to decide on the course to proceed. Mediation/conciliation is offered as a viable alternative to litigation. If the mediation/conciliation is successful, the case is closed after a brief case follow-up. If the mediation/conciliation is unsuccessful, the case is then referred to DFEH or HUD. If during case development further investigation is deemed necessary, testing may be performed. Once the investigation is completed, the complainant is advised of the alternatives available in proceeding with the complaint, which include: mediation/ conciliation, administrative filing with HUD or DFEH, referral for consideration to the Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section, or referral to a private attorney for possible litigation.

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[75] DFEH News Brief, May 29, 2003

E. Fair Housing Statistics

As part of the enforcement and tracking services provided by the above mentioned fair housing service providers, intake and documentation of all complaints and inquiries result in the compilation of statistics provided to each jurisdiction in the form of quarterly and annual reports. However, because the various agencies that provide fair housing services in the County each have their own intake forms, the amount and specificity of available fair housing data is highly uneven throughout the County and difficult to use for regional comparisons and analyses. The following sections summarize fair housing statistics in San Diego County using available data and sources:

1. Fair Housing Survey

A total of 366 residents provided responses to the fair housing survey conducted as part of this AI. According to the survey, race (33 percent), disability (29 percent), and source of income (29 percent) were identified as the leading bases for discrimination by respondents. The survey also indicated that housing discrimination in the County was severely underreported. Only 18 (25 percent) of the people who experienced housing discrimination reported the incident—even though a total of 90 people reported being discriminated against. Among those who had not reported the issue, the majority cited they didn't believe it would make a difference as the reason for not reporting the incident.

2. CSA San Diego County (CSA)

Housing Discrimination Complaints

Between FY 2009-10 and FY 2013-14, CSA provided fair housing services to approximately 1,200 San Diego County residents per year—for a total of 5,922 clients over the five-year period. The majority of CSA's clients during this time period came from: El Cajon (33 percent), unincorporated County (20 percent), La Mesa (10 percent) and San Diego City (10 percent).

Statistics reported throughout San Diego County indicate that low income persons, regardless of race, are the most frequently impacted by fair housing issues. The vast majority of CSA's clients (94 percent) between FY 2009-10 and FY 2013-14 were either extremely low or very low income. Consistent with the demographic makeup of the region, White residents reported the majority of housing complaints (53 percent). However, there is some indication that fair housing issues seemed to disproportionately affect certain racial/ethnic groups. For example, Black residents made up less than five percent of the population in the cities that CSA serves, but represented 10 percent of fair housing complainants. A detailed breakdown of clients by jurisdiction can be found in Appendix C.

Fair Housing Cases

Between FY 2009-10 and FY 2013-14, only 236 persons (four percent) reported allegations of housing discrimination to CSA and even fewer turned into actual cases where further investigations or actions were warranted. Often, complaints of alleged discrimination do not constitute actual or potential violations of fair housing laws. The majority of fair housing complaints made to CSA involved discrimination based on disability (32 percent), race (31 percent) and national origin (11 percent). The jurisdictions of El Cajon (73 complaints), unincorporated County (33 complaints), and City of San Diego (27 complaints) recorded the most complaints. A detailed breakdown of complaints by jurisdiction and basis of discrimination can be found in Appendix C.

Tenant/ Landlord Counseling

In addition to investigating allegations of housing discrimination, CSA provides tenant/landlord counseling services. In fact, the overwhelming majority of those contacting CSA for assistance are in need of these counseling services. Of the clients served by CSA during FY 2009-10 to FY 2013-14, 5,686 residents (96 percent) contacted CSA with requests for assistance with landlord/tenant issues. The number of residents seeking counseling services has steadily increased over time—from 831 persons in FY 2009-10 to 1,530 persons in FY 2013-14.

Education and Outreach Efforts

Education is one of the most important components of providing fair housing services. Outreach and education give residents the knowledge to understand their rights and responsibilities, to recognize discrimination, locate resources if they need to file a complaint or need general assistance. The following discussion highlights some of the educational/outreach efforts undertaken by CSA.

CSA conducts regular workshops and educational presentations, including general Fair Housing workshops and also those specifically held to educate and address the needs of small property owners. Workshops and presentations cover a wide range of issues including tenant and landlord rights and responsibilities, notices to vacate, substandard conditions, and foreclosures. Some presentations have previously included a volunteer attorney who discusses legality of evictions and new law inclusions. In recent years, presentations have been given to Cajon Valley Union School District Home Start, Catholic Charities, Kurdish Human Rights Watch, International Rescue Committee and Adult Protective Services and Access to Independence.

Additionally, as chairs of the EI Cajon Newcomers Group, which provides resources to new and non-English speaking immigrants/refuges, CSA commits to providing services to the local immigrant community. These include helping develop and distribute resource guides for this community such as the English as a Second Language (ESL) Resource Guide, and being a resource for landlord/tenants' rights, hate crime prevention and immigration advocacy.

To remain involved and update on issues concerning fair housing, CSA attends the quarterly meetings and serves on the steering committee of the San Diego Regional Alliance for Fair Housing (SDRAFFH). During these meetings CSA and other fair housing providers discuss challenges, resources and strategies for addressing fair housing in San Diego County.

3. Fair Housing Legal Aid Society San Diego (LASSD)

Between May 2012 and December 2014, LASSD opened over 10,000 housing intake applications for San Diego County residents. The majority of LASSD client households during this time period resided in the City of San Diego (52 percent), El Cajon (eight percent) and the unincorporated County (eight percent). A detailed breakdown of cases by jurisdiction can be found in Appendix C.

Housing Discrimination Complaints

Approximately 38 percent of LASSD clients were White. However, based on the data reported by LASSD, fair housing issues did seem to disproportionately affect some San Diego County residents. For example, Black residents made up less than five percent of the total County population, yet represented 24 percent of fair housing complainants.

Between May 2012 and December 2014, almost one-quarter of LASSD's cases involved complainants suffering from a physical disability and another 10 percent involved complainants suffering from a mental disability. About 12 percent of case complainants suffered from both physical and mental disabilities. During this time period, 1,167 cases (approximately 11 percent) involved senior complainants (62 years and older) and over 3,500 (approximately 35 percent of all) involved female-headed households.

Fair Housing Cases

After screening all housing discrimination complaints, LASSD reports having investigated a total of 304 meritorious fair housing cases between May 2012 and December 2014 – only about three percent of all calls concerning housing complaints during that time period. A majority of these cases (64 percent) were complaints based on discrimination due to a disability. Complaints based on disparate treatment due to race (33 cases or 11 percent) and national origin (29 cases or 10 percent) were also fairly common.

Tenant/ Landlord Counseling

LASSD provided counseling to a majority of the clients that contacted the agency with housing complaints. The majority of complaints filed were not deemed to be fair housing issues. About 10,000 San Diego County residents contacted LASSD with tenant/landlord counseling issues between May 2012 and December 2014. The majority of these tenant/landlord complaints concerned evictions (40 percent), lease terminations (5 percent) and substandard conditions/a landlord's warranty of habitability (5 percent).

Education and Outreach Efforts

LASSD is currently working with the San Diego Housing Commission to develop a strategy for the de-concentration of Housing Choice Vouchers. In addition, 6,609 multilingual brochures were distributed to promote equal access to information. Brochures were made available in the following languages: English, Spanish, Vietnamese, Chinese, and Tagalog.

LASSD also meets monthly with the City of San Diego and Housing Opportunities Collaborative in order to evaluate service gaps and to ensure an adequate level of service is available to all residents. In addition, LASSD has established a Fair Housing Hotline to ensure its Fair Housing services are readily available to the community and that a resident may promptly report any act of housing discrimination that may have occurred.

4. Housing Opportunities Collaborative (HOC)

Housing Discrimination Complaints

Between FY 2013-2014 and FY 2014-15 (as of March 2015), a total of 7,854 San Diego residents contacted HOC with requests for assistance. HOC estimates that 18.2 percent were clients HOC served and who reside outside of the city of San Diego; and whose requests were outside of the Fair Housing Services agreement.

Fair Housing Cases

Only 157 requests for assistance (eight percent) were related to housing discrimination and only a small portion of these discrimination complaints (approximately 21 percent or 33 complaints) were referred to LASSD for further legal assistance. Based on the data reported by HOC, 39 percent of clients between FY 2012-13 and FY 2013-14 were White, 27 percent were Hispanic, and another 17 percent identified themselves as Other/Multiple Race. Over one-half (51 percent) of all housing discrimination complaints filed involved allegations of discrimination based on disability. Common disability discrimination complaints include the permitting of service animals in a residence or allowing for reasonable accommodations. An additional 27 percent reported discrimination complaints on the basis of race. A breakdown of complaints by basis of discrimination can be found in Appendix C.

Tenant/ Landlord Counseling

Like other fair housing service providers in the County, HOC also provides tenant/landlord counseling services. A total of 1,968 San Diego County residents contacted HOC for assistance with landlord/tenant issues and complaints between FY 2013 to FY 2015 (as of March 2015).

Issues brought up during tenant/landlord disputes ranged from eviction to lease terms. The most common topics mentioned were evictions and notices (39 percent) and repairs (36

percent). HOC records identified the following as the most common complaints made by residents:

- Evictions/Notices – 39 percent
- Repairs/Notices – 36 percent
- Security Deposit – 21 percent
- Other: 4 percent (ex. Parking, Small Claims)

Education and Outreach Efforts

In December 2011 the Housing Opportunities Collaborative participated in the City of San Marcos' Housing Opportunities Collaborative HOME foreclosure clinic. HOC's participation in the clinic increased the borrower's knowledge of impediments to fair housing choice. Since 2011, members of the SDRAFFH have begun working together to develop uniform informational materials and to make sure the public are reliably able to reach a Fair Housing service provider (through 2-1-1, HOC's website and other ways). Providers are committed to providing coordinated and comprehensive fair housing services and have agreed to assist all persons in need of fair housing assistance regardless of where that individual resides.

5. North County Lifeline (NCL)

During the FY 2011-12, NCL assisted 22 low income Encinitas residents with fair housing services, and resolved 80 percent of their housing issues. During FY 2013-14, NCL assisted 14 Encinitas residents with fair housing services, of which 57 percent were low-income. North County Lifeline was successful in resolving 90 percent of the housing issues through their tenant-landlord mediation services.

[Awaiting additional data from NCL]

Education and Outreach Efforts

NCL offers assistance to low-income tenants and homebuyers to obtain and/or maintain decent housing through education. The agency also provides outreach information to residents, businesses, and schools. In addition, through a telephone hotline and/or website, low-income residents can receive "on-the-spot" education and assistance. NCL also provides training services to property managers and landlords.

In 2011, NCL updated its website for hearing impaired persons. The agency also updated their flyers (available in both English and Spanish), which were made available during classes, trainings, community events, and various locations throughout the County. Additionally, NCL developed a plan for Limited English Proficiency (LEP) clientele, which identifies when translation of documents into languages other than English are necessary.

F. Fair Housing Testing

The purpose of real estate audits is to determine if, and to what extent, discriminatory business practices exist in apartment rental housing and related markets.

Methodology

Methodology may vary, but generally, testing involves volunteer testers that are screened for appropriateness and then trained. Training may include an overview and history of fair housing laws, methodology of testing, and reinforcement of the qualities needed in a tester. Those qualities include objectivity, reliability, flexibility and the ability to maintain confidentiality throughout the project. A practice test and/or role-playing a site visit are also included to assure that testers are fully prepared. The project supervisor will find apartment vacancies by viewing advertisements on Craig's List, For Rent Magazine, other rental guides and online resources.

A matched pair of testers, one representing the variable being tested, and the other as a control are then assigned and given their identity for each project.

Testing Results

As part of its contract with National City, CSA conducted tests at five sites in 2013. The protected class variable tested in this particular study was familial status (families with children). In one of the five sites tested (20 percent of sites), disparate treatment and/or terms in rental housing were found.

In FY 2013-14, audit tests were conducted in the cities of El Cajon, San Marcos and Encinitas on a number of variables including disability, race (African-American/Caucasian) and familial status. In testing conducted in San Marcos for race and disability, no discriminatory treatment was found. However, for those same variables tested in El Cajon, disparate treatment and/or terms in rental housing were found in at least 30 percent of testing sites. Similarly in Encinitas, during tests of either race or disability, two out of three sites showed some disparity in treatment. However, while testing for familial status, all three sites were positive toward to the testers with children. At one site the manager showed a definite preference for the tester with children.

Under contract with the Fair Housing Council of San Diego, LASSD conducted audit testing in FY 2012-13 and FY 2013-14. The following variables were tested in the rental housing market: disability (service animals and accessibility), familial status, race/national origin (African-American/Caucasian, Hispanic/African-American and Asian/Caucasian) and same sex partnerships. When testing for disability in San Diego, it was more likely to find disparate treatment or terms when requesting permission for a service animal in the residence. Additionally, in FY2012-13, LASSD conducted testing for discriminatory treatment and biases in property insurance sales, mortgage lending practices, and in the housing sales market. When

testing against a Caucasian control tester, it was found that a tester was more likely to experience unequal treatment in the housing sales market as a Hispanic renter (56 percent) than as an African-American renter (45 percent).

In the fair housing testing in the City of Vista between FY 2011-12 to FY 2013-14, 10 tests (for each variable) were conducted and found unequal treatment for renters in regards to disability (10 percent), race (20 percent), and familial status (40 percent).

Similar testing was conducted in the County between FY 2011-12 to FY 2013-14, for a total 40 tests for each variable (race, disability and familial status). Disparate treatment was found at 28 percent of sites tested for disability, 25 percent on the basis of race (African-American/Caucasian) and at 20 percent on the basis of familial status.

The City of Carlsbad tested for discrimination on the basis of sexual orientation. In FY 2014-15, of the five sites tested, one showed unequal treatment to the potential renter. A detailed breakdown of tests by jurisdiction and testing variables can be found in Appendix C.

The City of Chula Vista tested for discrimination on the basis of race in FY 2014-15. Tests were conducted on three sites, and one site did show indication of disparate treatment based on race.

G. California Department of Fair Employment and Housing (DFEH)

The mission of the Department of Fair Employment and Housing (DFEH) is to protect Californians from employment, housing and public accommodation discrimination, and hate violence. To achieve this mission, DFEH keeps track of and investigates complaints of housing discrimination, as well as complaints in the areas of employment, housing, public accommodations and hate violence. Since 2009, a total of 355 fair housing complaints in San Diego County have been filed with DFEH.

The most number of complaints were filed in the cities of San Diego, Oceanside and Chula Vista. A single complaint can be filed alleging multiple bases of discrimination and can also involve multiple acts of discrimination. For example, a landlord can discriminate against race *and* sexual orientation as well as harass a tenant *and* unfairly raise his/her rent. The majority of complaints alleged housing discrimination based on: physical disabilities (143 instances), familial/marital status (69 instances), or race/color (58 instances). A total of 512 acts of discrimination were recorded in San Diego County since 2009, with the cities of San Diego (228 acts), Chula Vista (35 acts) and El Cajon (33 acts) having the most number of reported incidents. "Unequal access to facilities/denied reasonable accommodation" was the most often cited act of discrimination (125 instances); but "harassment" (95 instances) and "eviction" (82 instances) were also commonly reported. A detailed breakdown of the number of complaints filed, alleged acts of discrimination, and disposition of fair housing cases by jurisdiction can be found in Appendix C.

H. U.S. Department of Housing and Urban Development

The U.S. Department of Housing and Urban Development (HUD) maintains a record of all housing discrimination complaints filed in local jurisdictions. These grievances can be filed on the basis of race, color, national origin, sex, disability, religion, familial status and retaliation. From January 1, 2008 to December 31, 2014, 439 fair housing complaints in San Diego County were filed with HUD. About 40 percent of complaints filed were from residents of the City of San Diego. A fair number of complaints were also filed from residents of Chula Vista (nine percent) and El Cajon (eight percent).

Overall, disability-related discrimination was the most commonly reported—comprising 47 percent of all cases. Complaints concerning race (14 percent), familial/marital status (12 percent), retaliation (12 percent), and national origin (10 percent) were also regularly reported. Over one-half of all complaints filed (58 percent or 253 cases) were deemed to have no cause and another 22 percent (98 cases) were conciliated or settled. A detailed breakdown of the number of cases filed, alleged acts of discrimination, and disposition of fair housing cases by jurisdiction can be found in Appendix C.

I. 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.

To a certain degree, hate crimes are an indicator of the environmental context of discrimination. These crimes should be reported to the Police or Sheriff's department. On the other hand, a hate incident is an action or behavior that is motivated by hate but is protected by the First Amendment right to freedom of expression. Examples of hate incidents can include name calling, epithets, distribution of hate material in public places, and the display of offensive hate-motivated material on one's property. The freedom guaranteed by the U.S. Constitution, such as the freedom of speech, allows hateful rhetoric as long as it does not interfere with the civil rights of others. Only when these incidents escalate can they be considered an actual crime.

Statistics compiled by the FBI found that a total of 714 hate crimes were committed in San Diego County from 2007 to 2013. Race based hate crimes were the most common (44 percent); though, hate crimes motivated by sexual orientation (21 percent), ethnicity (18 percent), and religion (17 percent) were also commonly reported.

During the seven-year period from 2007 to 2013, the incidence of reported hate crimes in all of San Diego County was less than one per 1,000 people (0.23 per 1,000 persons). This figure has also substantially declined from a decade earlier (the seven-year period from 1997 to 2003) when the incidence of hate crimes in the County was 0.49 per 1,000 persons. Hate crime statistics varied somewhat from jurisdiction to jurisdiction—with the cities of Solana Beach (zero incidents), Carlsbad (0.05), and El Cajon (0.06) having the lowest incidence rates and the cities of Del Mar (0.48), Santee (0.45), and Oceanside (0.45) having the highest incidence rates. It should be noted that these statistics may also reflect a higher incidence of reporting crime in certain communities, which consistently have very low overall crime rates.

J. NIMBYism

Many people agree that a variety of housing should be available for people with special needs, such as homeless shelters, affordable housing, and group homes for people with disabilities. However, whether or not these types of housing should be located within their own community is another matter. The following discussion on NIMBYism is not specific to San Diego County and is included below simply to provide context for the analysis of SB 1721 and SB 2 that concludes this chapter.

The Not-in-My-Back-Yard sentiment (NIMBYism) can serve as the most significant constraint to the development of affordable or even market-rate multi-family housing. NIMBYism describes opposition by residents and public officials alike to additional or different kinds of housing units in their neighborhoods and communities. The NIMBY syndrome often is widespread, deeply ingrained, easily translatable into political actions, and intentionally exclusionary and growth inhibiting. NIMBY sentiment can reflect concerns about property values, service levels, community ambience, the environment, or public health and safety. It can also reflect racial or ethnic prejudice masquerading under the guise of a legitimate concern. NIMBYism can manifest itself as opposition to specific types of housing, as general opposition to changes in the community, or as opposition to any and all development.

Community opposition to high-density housing, affordable housing, and housing for persons with special needs (disabilities and homeless) is directly linked to the lack of such housing options for residents in need. In particular, community opposition is typically strongest against high-density affordable housing and group homes for persons with mental disabilities.

Community residents who are especially concerned about the influx of members of racial and ethnic minority groups sometimes justify their objections on the basis of supposedly objective impacts like lowered property values and increased service costs. Racial and ethnic prejudice often is one root of NIMBYism, although NIMBY concerns still exist where racial or ethnic differences are not involved. The California legislature has passed various Anti- NIMBYism housing bills to prevent communities from rejecting affordable housing projects, including:

- SB 1721 - The bill stipulates that a local agency shall not disapprove an affordable housing development project, including agricultural worker housing, or condition

approval, including through the use of design review standards, in a manner that renders the project infeasible for development for the use of very low, low- or moderate-income households.

- SB 2- Expands the Housing Accountability Act, to prohibit localities from denying a proposal to build an emergency shelter, transitional housing or supportive housing if it is needed and otherwise consistent with the locality's zoning and development standards.

CHAPTER 7 FAIR HOUSING ACTION PLAN

AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

This chapter builds upon the previous analyses and presents a list of specific actions jurisdictions in the region are planning to undertake in order to address the impediments. Impediments and recommendations are grouped in the following categories:

A. Regional Impediments Continued from 2010 AI

The following is a summary of recommended actions to address regional impediments carried over from the 2010 AI. Impediments and recommended actions are modified to reflect current conditions, feasibility, and past efforts.

1. Education and Outreach

<u>Impediments</u>: Educational and outreach literature regarding fair housing issues, rights, and services on websites or at public counters is limited.

- The cities of Carlsbad, Imperial Beach, and Solana Beach do not have links to fair housing resources on city websites, and Coronado does not have the most up to date information on its website.

Recommended Actions:

	Timeframe												
	Carlsbad	Chula Vista	Encinitas	El Cajon	Escondido	La Mesa	National City	Oceanside	San Diego City	San Diego Urban County	San Marcos	Santee	Vista
Ensure ease of access to information about fair housing on websites with links between jurisdictions and contracted service provider. Prominently display information on public counters and other points of public contact such as libraries and community centers.	Provide link on City website by the end of 2015	Ongoing	Ongoing	Ongoing	Ongoing	Ongoing	Ongoing	Ongoing	Ongoing	2015 (work with participating jurisdictions to provide links to fair housing resources)	Ongoing	Ongoing	Ongoing
Increase knowledge of the process of reporting complaints and access/referral to government entities (i.e. DFEH/HUD/DOJ).													

2. Lending and Credit Counseling

Impediments: Hispanics and Blacks continue to be under-represented in the homebuyer market and experienced large disparities in loan approval rates.

- White applicants were noticeably overrepresented in the loan applicant pool, while Hispanics were severely underrepresented. The underrepresentation of Hispanics was most acute in the cities of Imperial Beach (-33 percent), Vista (-35 percent), and Escondido (-36 percent).
- Approval rates for Black and Hispanic applicants were well below the approval rates for White and Asian applicants in the same income groups. Specifically, Black applicants consistently had the lowest approval rates compared to other racial/ethnic groups in the same income groups. The largest discrepancies (between loan approval rates for White and Asian applicants versus Black and Hispanic applicants) in 2013 were recorded in the cities of El Cajon, Poway, and San Diego.
- Black and Hispanic applicants continued to get higher-priced (subprime) loans more frequently than White and Asian applicants.

Recommended Actions:

	Timeframe												
	Carlsbad	Chula Vista	Encinitas	El Cajon	Escondido	La Mesa	National City	Oceanside	San Diego City	San Diego Urban County	San Marcos	Santee	Vista
Collaborate with the San Diego City-County Reinvestment Task Force to monitor lender performance and provide homebuyer education	Ongoing												

3. Overconcentration of Housing Choice Vouchers

Impediments: Due to the geographic disparity in terms of rents, concentrations of Housing Choice Voucher use have occurred.

- El Cajon and National City continue to experience high rates of voucher use.

Recommended Actions:

	Timeframe												
	Carlsbad	Chula Vista	Encinitas	El Cajon	Escondido	La Mesa	National City	Oceanside	San Diego City	San Diego Urban County	San Marcos	Santee	Vista
Expand the affordable housing inventory.	Ongoing												
Promote the Housing Choice Voucher program to rental property owners.	Ongoing												
Increase education of Housing Choice Voucher recipients as to choice and availability.	Ongoing												
Work collaboratively with local housing authorities and affordable housing providers to ensure affirmative fair marketing plans and deconcentration policies are implemented.	Ongoing												

4. Housing Options

Impediments: Housing choices for special needs groups, especially persons with disabilities, are limited.

- Housing options for special needs groups, especially for seniors and persons with disabilities, are limited. Affordable programs and public housing projects have long waiting lists.
- More than 25 percent of the applicant-households on the waiting lists for Housing Choice Vouchers or Public Housing include one disabled member.
- Approximately eight percent of the applicant-households on the waiting list for Public Housing and 10 percent on the waiting list for Housing Choice Vouchers are seniors.

Recommended Actions:

	Timeframe												
	Carlsbad	Chula Vista	Encinitas	El Cajon	Escondido	La Mesa	National City	Oceanside	San Diego City	San Diego Urban County	San Marcos	Santee	Vista
Increase housing options for special needs populations, including persons with disabilities, senior households, families with children, farmworkers, the homeless, etc.	Ongoing												
Encourage universal design principles in new housing developments.	Ongoing												

5. Regional Collaboration and Fair Housing Reporting

<u>Impediments</u>: Inconsistent reporting among fair housing service providers persists.

- As jurisdictions change their fair housing service providers, inconsistent level and format of reporting makes data collection and analysis difficult.
- Fair housing services focus primarily on outreach and education; less emphasis is placed on enforcement.

Recommended Actions:

	Timeframe												
	Carlsbad	Chula Vista	Encinitas	El Cajon	Escondido	La Mesa	National City	Oceanside	San Diego City	San Diego Urban County	San Marcos	Santee	Vista
Work with the SDRAFFH to develop a standardized reporting system for collecting fair housing data.	By July 2016												
Provide press releases to local medias on outcomes of fair housing complaints and litigation.	Semi-annually												

B. Jurisdiction-Specific Impediments Continued from 2010 AI

The following is a list of actions that will be taken to address jurisdiction-specific impediments carried over from previous AIs. Impediments and recommended actions are modified to reflect current conditions, feasibility, and past efforts.

1. Public Policies

Impediments: Various land use policies, zoning provisions, and development regulations may affect the range of housing choice available.

- **Recent Changes to Density Bonus Law:** Most jurisdictions have amended their zoning ordinances to reflect SB 1818 requirements of Density Bonus law but have not addressed the most recent changes effective January 1, 2015 (AB 2222) regarding replacement requirements and extended affordability covenant to 55 years.
- **Definition of Family:** The zoning ordinances of Oceanside and Solana Beach contain a definition of family that may be considered discriminatory.
- **Large Residential Care Facilities (for Seven or More Persons):** The zoning ordinance of Chula Vista does not contain provisions for larger residential care facilities.
- **Emergency Shelters:** the cities of Chula Vista, Encinitas, La Mesa, Lemon Grove, Oceanside, Poway, and San Diego (City) do not have adequate provisions for emergency shelters in their zoning ordinances. The City of Encinitas anticipates amending its Zoning Ordinance by 2017.
- **Transitional and Supportive Housing:** Chula Vista, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, Oceanside, Poway, San Diego (City), San Diego (County), and Vista do not have zoning ordinances that permit transitional and supportive housing consistent with the requirements of SB 2. The City of Encinitas anticipates completing this update by 2017.
- **Farmworker Housing/Employee Housing:** Most jurisdictions in San Diego have no provisions for farmworker or employee housing in their zoning ordinances.

Recommended Actions:

	Zoning Amendments							
	Density Bonus	Definition of Family	Large Residential Care Facilities	Emergency Shelters	Transitional/ Supportive Housing	SRO Housing	Farmworker Housing	Employee Housing
Carlsbad	2017							
Chula Vista	2017		2017	2017	2017	2017	2017	2017
Coronado	2017							2017
Del Mar	2017					2017		2017
El Cajon	2017				2017	2017	2017	2017
Encinitas	2017			2017	2017	2017		2017
Escondido	2017				2017	2017	2017	2017
Imperial Beach	2017				2017	2017		2017
La Mesa	2017			2017	2017	2017	2017	2017
Lemon Grove	2017			2017	2017	2017		2017
National City	2017							2017
Oceanside	2017	2017		2017	2017	2017	2017	2017
Poway	2017			2017	2017	2017	2017	2017
San Diego City	2017			2017	2017		2017	2017
San Diego County	2017				2017			2017
San Marcos	2017						2017	2017
Santee	2017						2017	2017
Solana Beach	2017	2017					2017	2017
Vista	2017						2017	2017

C. New Regional Impediments

The following is a list of actions that will be taken to address new regional impediments that may exist in the San Diego region.

1. Outreach and Education

Impediment: Today, people obtain information through many media forms, not limited to traditional newspaper noticing or other print forms.

- Increasingly fewer people rely on the newspapers to receive information. Public notices and printed flyers are costly and ineffective means to reach the community at large.
- Frequent workshops with targeted population should be conducted to allow for meaningful discussions and dissemination of useful information.

Recommended Actions:

	Timeframe												
	Carlsbad	Chula Vista	Encinitas	El Cajon	Escondido	La Mesa	National City	Oceanside	San Diego City	San Diego County	San Marcos	Santee	Vista
Education and outreach activities need to be expanded to have a multi-media coverage, including social media such as Facebook, Twitter, and Instagram, as well as other meeting/discussion forums such as chat rooms and webinars.	Ongoing												
Involve neighborhood groups and other community organizations when conducting outreach and education activities.	Ongoing												
Include fair housing outreach as part of community events.	Ongoing												

2. Racial Segregation and Linguistic Isolation

<u>Impediment</u>: Patterns of racial and ethnic concentration are present within particular areas of the San Diego region.

- Regarding Hispanic/White segregation among the largest 200 cities in the country in 2010, San Diego County ranked 12th most segregated.
- In San Diego County, 16.3 percent of residents indicated they spoke English "less than very well" and can be considered linguistically isolated.
- The cities of National City, Vista, and Escondido have the highest percentage of total residents who spoke English "less than very well". Most of these residents were Spanish speakers.
- Within San Diego County, there are RECAPs (Racially/Ethnically Concentrated Areas of Poverty) scattered in small sections of Oceanside, San Marcos, Escondido, El Cajon, La Mesa, Lemon Grove, National City, Chula Vista and Imperial Beach. Larger RECAP clusters can be seen in the central/southern portion of the City of San Diego. In 2010, there were 173,692 persons living in a RECAP in the County, or 5.6 percent of the County's total population.

Recommendations:

	Timeframe												
	Carlsbad	Chula Vista	Encinitas	El Cajon	Escondido	La Mesa	National City	Oceanside	San Diego City	San Diego Urban County	San Marcos	Santee	Vista
Diversify and expand the housing stock to accommodate the varied housing needs of different groups.	Ongoing												
Promote equal access to information for all residents.	Ongoing												
Work collaboratively with local housing authorities and affordable housing providers to ensure affirmative fair marketing plans and deconcentration policies are implemented.	Ongoing												