

Economic Development Department

San Diego Regional Analysis of Impediments to Fair Housing Choice (2020-2025)

Consolidated Plan Advisory Board

July 22, 2020

Requested Actions

THE CONSOLIDATED PLAN ADVISORY BOARD (CPAB) IS ASKED TO:

- Recommend City Council approval of the San Diego Regional Analysis of Impediments to Fair Housing Choice (2020-2025)

Objectives

TODAY'S PRESENTATION | ANALYSIS OF IMPEDIMENTS

- Background and purpose for the Analysis of Impediments
- Definitions and requirements for fair housing
- Summarize outreach and engagement efforts
- Highlight findings, impediments and actions to remediate

Background

INTRODUCTION TO THE ANALYSIS OF IMPEDIMENTS

- Jurisdictions receiving federal funds from HUD are required to:
 - Administer grants according to the Fair Housing Act
 - “Affirmatively Further Fair Housing”
- Complete a regional update | 2020 - 2025



Background

AFFIRMATIVELY FURTHER FAIR HOUSING

- Conduct a study to identify impediments to fair housing choice
- Take appropriate actions to overcome impediments
- Sign an annual certification to receive federal funds
- Maintain records



Background

PARTNERS IN THE SAN DIEGO REGION



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

County of San Diego

Purpose

ANALYSIS OF IMPEDIMENTS | CONTENTS

- Demographic characteristics and housing market conditions
- Practices in the housing market
 - Rental and For-Sale markets
 - Lending patterns
- Public policies
- Fair housing profile
- Potential impediments and recommendations to address them



Definition | Fair Housing

WHAT IS FAIR HOUSING?

- Fair housing describes 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 a protected class status
- Prohibits discrimination in housing choice because of protected class status

Definition | Protected Status

SOURCES OF LAW

Federal Fair Housing Act – Civil Rights Act of 1968
(42 USC Section 3601 *et. seq.* “Title VIII” /
24 CFR Part 14 *et. al.*)

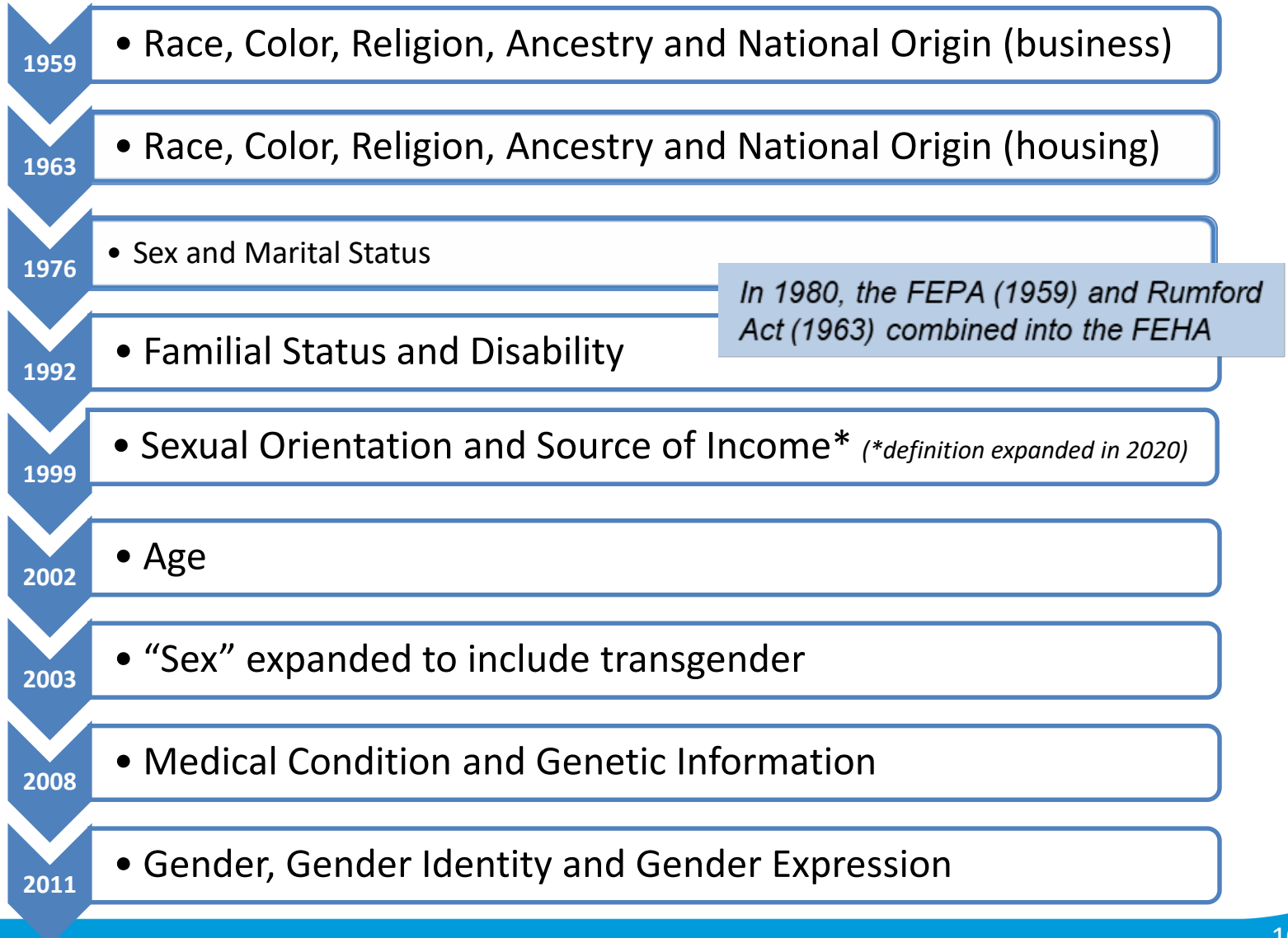


1968	1974	1988
Race Color Religion National Origin	Race Color Religion National Origin Gender	Race Color Religion National Origin Gender Familial Status Disability

Definition | Protected Status

SOURCES OF LAW

State of California
Fair Employment and Housing Act
(California Government Code Sections 12900-12996)



Definition | Protected Status

PROTECTED CLASSES (FEDERAL LAW)

Race	National Origin
Color	Familial Status
Religion	Disability
Sex (Gender)	

ADDITIONAL PROTECTED CLASSES (CALIFORNIA LAW)

Marital Status	Medical Condition
Ancestry	Sexual Orientation
Source of Income	Gender Identity/ Gender Expression
Genetic Information	Other Arbitrary Status
Age	

Definition | Fair Housing

WHAT IS NOT FAIR HOUSING?

Affordability

Affordability issues are not fair housing issues, unless affordability disproportionately impacts a protected class

Tenant/Landlord Issues

Tenant/landlord disputes are not fair housing issues, unless the disputes are based on protected classes

Outreach and Engagement

COMMUNITY WORKSHOPS AND SURVEY

- Six (6) Community Workshops
- Regional Survey | Multiple Languages
- Nine (9) Stakeholder Interviews
- Presentations to CPAB

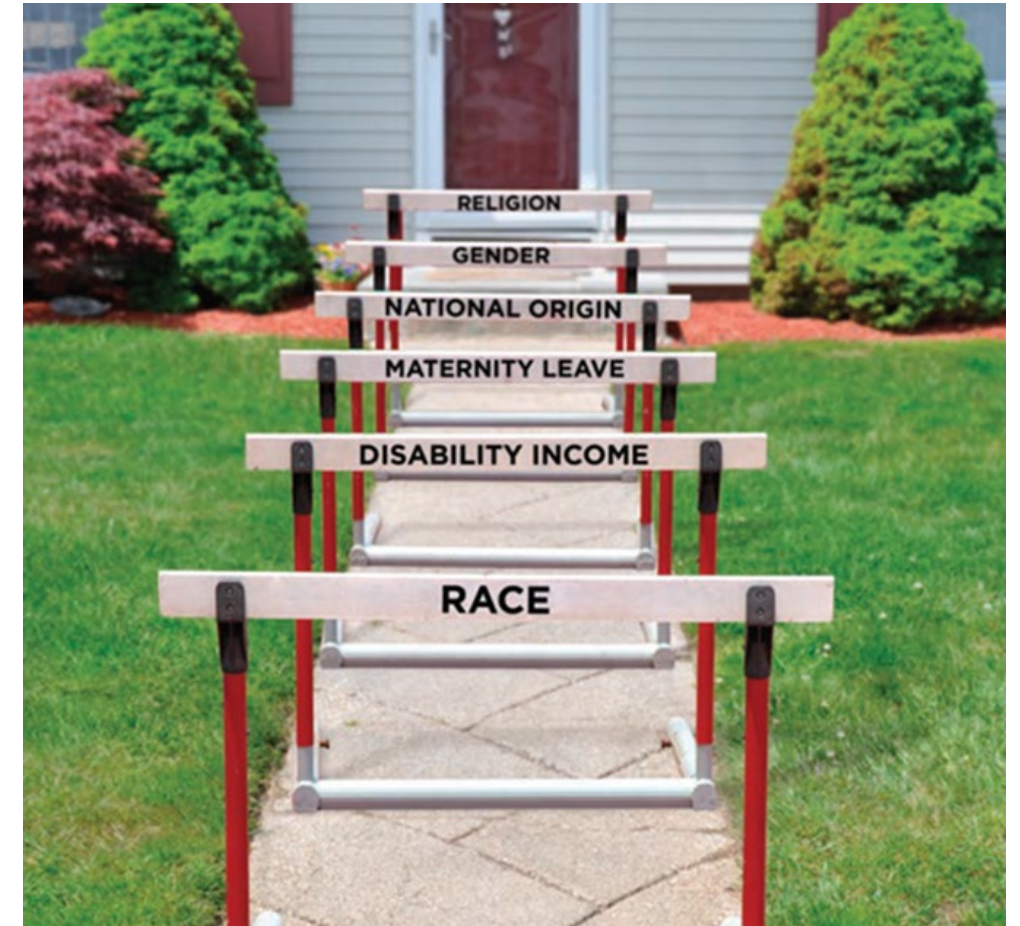
**Is discrimination keeping you out
of the home of your dreams?**



Regional Findings

MOST COMMON FAIR HOUSING COMPLAINTS

- Disability
 - Reasonable Accommodations
 - Reasonable Modifications
- Race
- Retaliation
- Familial Status
- Sex



Regional Findings

IMPEDIMENTS AND RECOMMENDED ACTIONS

- Lending and Credit Counseling
 - Hispanics under-represented in homeownership and mortgage applications
 - Hispanics and Blacks (regardless of income) under-represented in mortgage loan approvals
 - ✓ Action: Coordinate with the San Diego City/County Reinvestment Task Force
- Overconcentration of Housing Choice Vouchers
 - Regional overconcentration occurs primarily in El Cajon and National City
 - ✓ Action: Continue to expand affordable housing inventory
Promote the Housing Choice Voucher Program to rental property owners
Increase education regarding Source of Income protections

Regional Findings

IMPEDIMENTS AND RECOMMENDED ACTIONS

- Housing Options
 - Housing choices for special needs groups are limited
 - Over 20% of households on waiting lists for public housing and Housing Choice Vouchers include a household member with a disability
 - ✓ Action: Amend zoning codes to address new state laws
Encourage universal design principals
Educate City/County building and planning staff on accessibility requirements
Consider offering housing rehabilitation and accessibility programs
- Enforcement
 - Insufficient enforcement activities are pursued regionally
 - ✓ Action: Encourage victims to pursue litigation
Publicize favorable litigation outcomes to encourage others to come forward

Regional Findings

IMPEDIMENTS AND RECOMMENDED ACTIONS

- Outreach and Education
 - Traditional outreach methods are not adequate to meet diverse needs
 - ✓ Action: Expand outreach to include multimedia campaigns
Utilize existing networks of neighborhood groups and organizations
- Racial Segregation
 - There are Racially/Ethnically Concentrated Areas of Poverty (RECAPs) throughout the County
 - ✓ Action: Diversify and expand the housing stock to accommodate varied housing needs
- Linguistic Isolation
 - Over 15% of residents indicate they speak English “less than very well”
 - ✓ Action: Promote equal access to information
Update language access plans to reflect demographic changes

Regional Findings

IMPEDIMENTS AND RECOMMENDED ACTIONS

- Public Policies
 - Land use policies, zoning provisions and development regulations may impact the range of housing choice available
 - Several jurisdictions have yet to update zoning ordinances to address changes in California law
 - Density Bonus
 - Definition of Family
 - Accessory Dwelling Units
 - Emergency Shelters
 - Low Barrier Navigation Centers
 - Transitional and Supportive Housing
 - Farmworker Housing / Employee Housing
- ✓ Action: Implement Housing Element program commitments

Resources

CITY OF SAN DIEGO HOTLINE

- **“PRACTICE FAIR HOUSING” HOTLINE**
 - Fair Housing Center: **1-844-449-3500**
 - Speak with housing counselor
 - Referral to legal services (if merited)
 - Assistance to resolve
 - Unresolved complaints may be litigated



Milestones

NEXT STEPS

- Public comment period | June 4 – July 4, 2020
 - COVID-19 Appendix
- Regional approvals
- Submittal to HUD
- Measure progress | Consolidated Annual Performance and Evaluation Report (CAPER)

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