



# 2015 – 2019 FAIR HOUSING PLAN

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## Community Development Block Grant Program

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**Mayor**

Danny Dunn

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**City Council**

Tim Davis  
Judy Morales  
Perry Cloud  
Mike Pilkington

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**City Manager**

Jonathan Graham

Division of General Services  
Adopted Date: August 18, 2016



# FAIR HOUSING PLAN

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## EXECUTIVE SUMMARY

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**Community Involvement:** The City of Temple has routinely encouraged participation by all residents, particularly persons of low- to moderate-income, those in the East Temple Revitalization Area, and members of a Fair Housing protected class. During the PY 2015-2019 Consolidated Planning process, the City of Temple conducted a number of activities to involve residents in the development of both the Consolidated Plan and Fair Housing Plan. As a result, more than 500 individuals and groups were directly invited to at least one public meeting and all other public participation opportunities were publicized in the general circulation newspaper and on the City's website.

**Assessment of Past Goals and Actions:**

In our most recently completed AI (2010), the City identified the following as impediments to fair housing choice:

- Resident Income Disparity
- Rising Homeownership Costs
- Lack of Educational Attainment

During the 2015-2019 Consolidated Plan period, the City will continue to implement and support the following actions to overcome the impediments identified:

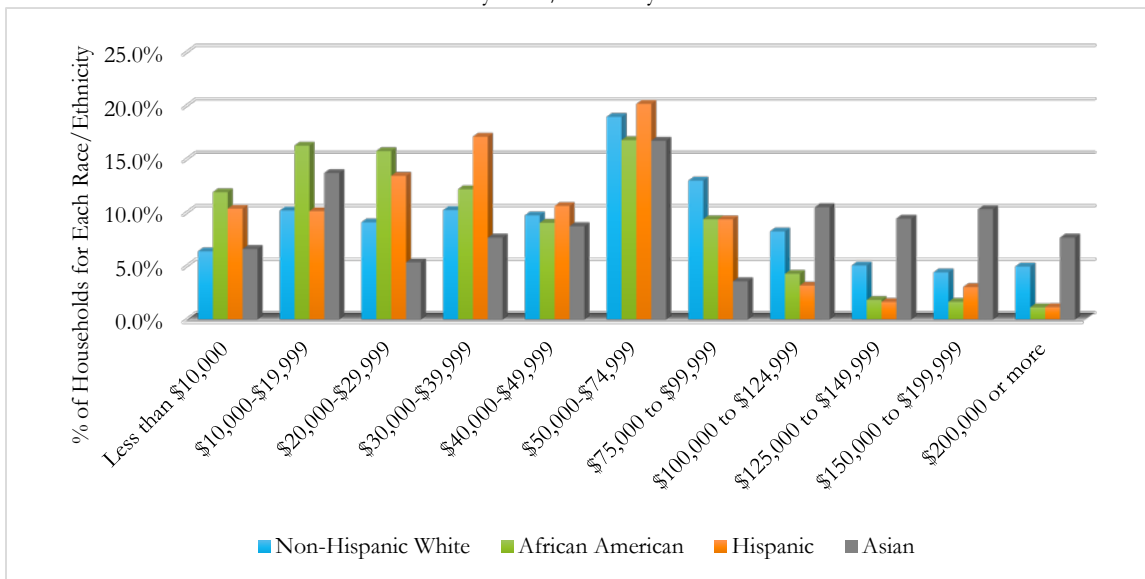
- The City and multiple area non-profits will leverage local funding to provide down-payment assistance to an average of 5 families per year – this works to address the income disparity and the rising costs of homeownership.
- The City's transit system will continue to ensure that routes and times serve the needs of LMI residents using public transportation to get to work, shopping and social services – this works to address the income disparity in that public transportation allows exurban and suburban homeowners to access employment centers after moving from more centrally located apartments.
- The City will continue to work with the Temple Housing Authority to offer assistance to those seeking affordable housing in the area – these services work to address the rising homeownership costs.
- The City Council annually appoints the month of April as Fair Housing Month. This city proclamation serves to highlight available resources within the city that support fair and affordable housing access.
- The City provides financial support to area non-profits that provide job-training skills, workforce development, training, and educational attainment services to low and moderate income residents – this work supports an increase in educational attainment and a decrease in the community income disparity.

**General Demographics:** The geographic coverage for this plan is the city limits of the City of Temple. Temple had an official 2010 population of 66,102, a 21.3% increase over 2000. The estimated population from the 2010-2014 American Community Survey (ACS), the Census Bureau's annual survey product, was 68,877. Temple is located in central Texas in Bell County on Highway 35 between Austin and Waco. The City is just 25 miles east of Fort Hood Army Military Base, the largest active duty military installation in the free world, with a financial impact on the local area of more than \$3.7 billion.

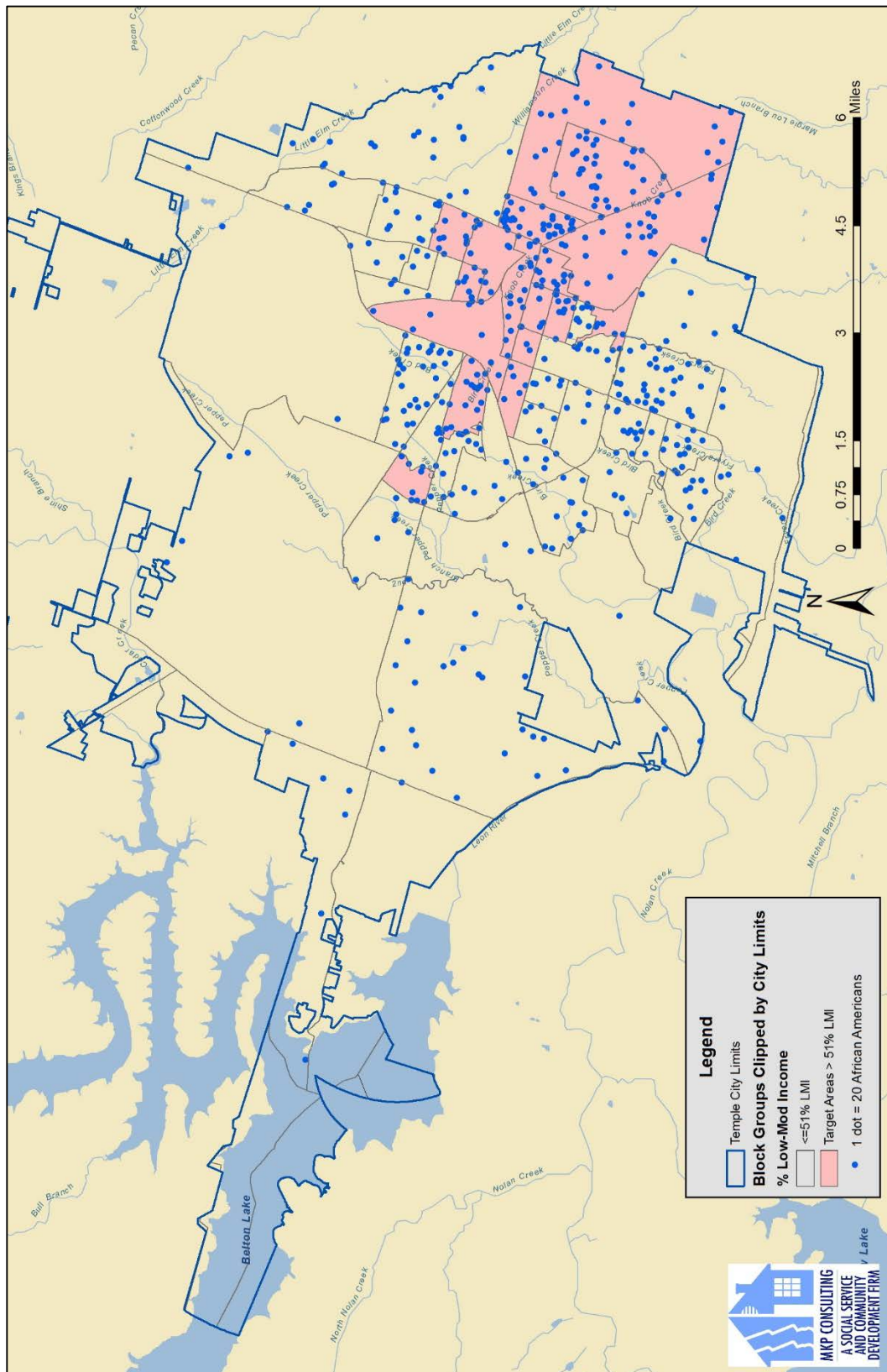
During the PY 2015 Consolidated Planning Process, the City established the East Temple Revitalization Area (ETRA) east of Highway 35 where the older neighborhoods and lower income residents are. Most of the CDBG and local funds will be used in this area to elevate to an equal level with the city as a whole. Maps 4-6 in the body of the document shows the ETRA boundaries.

Incomes throughout Temple and by race/ethnicity vary, particularly at the very low- and very high-end of the income ranges. Incomes by race/ethnicity are shown in the Chart below, followed by maps that delineate the low- to moderate-income areas and the distribution of African Americans and Hispanics.

Chart 1 – Income by Race/Ethnicity from 2010-2014 ACS

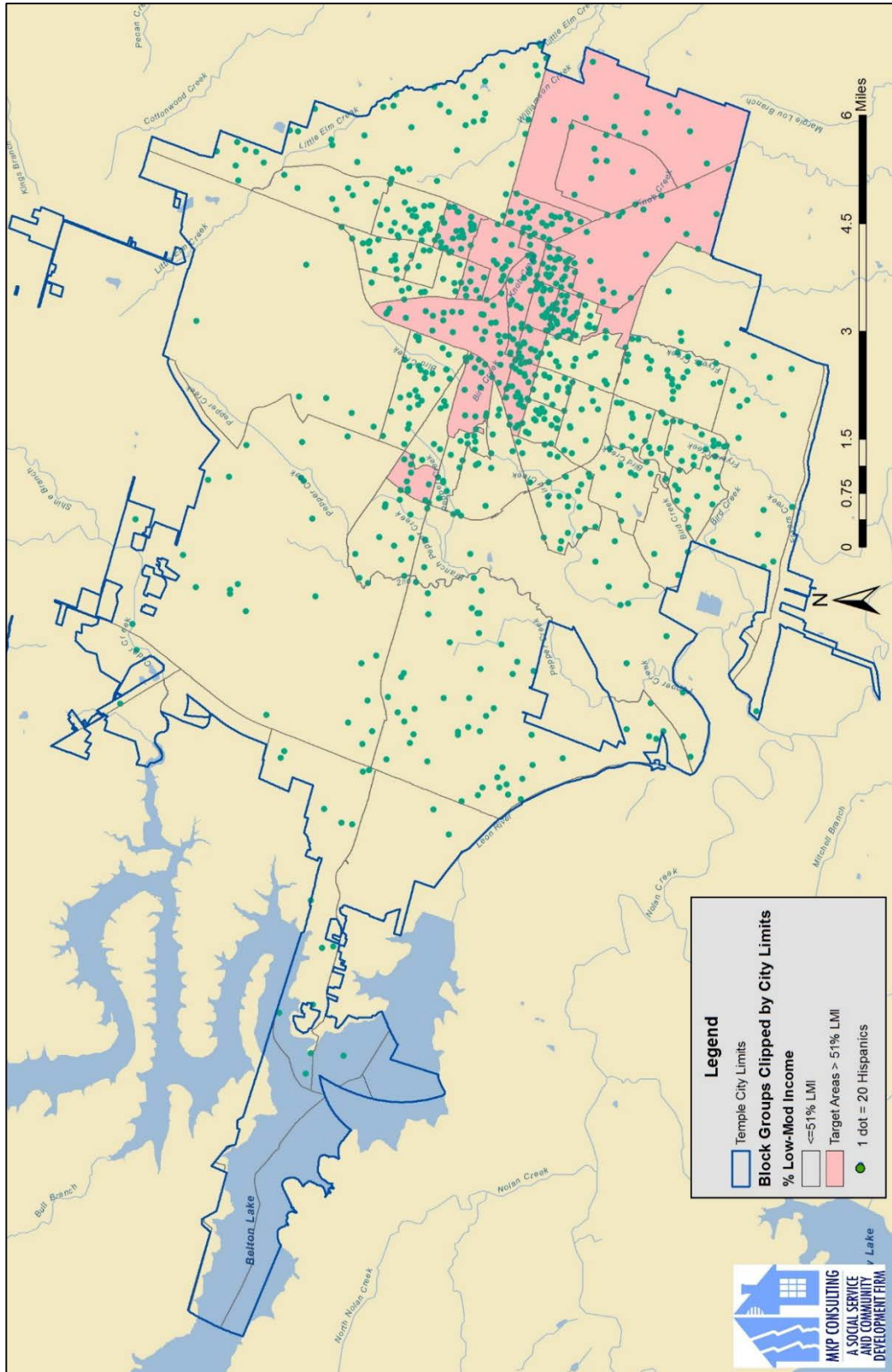


Map 1 – Location of African American Population by Census Block Group





Map 2 – Location of Hispanic Population by Census Block Group



**Diversity, Segregation and Integration:** Based on the methodology and data reported by HUD, Temple has low segregation regardless of the comparison between whites and other racial/ethnic groups. The Black/White dissimilarity has declined from a moderate segregation level to low segregation, though barely into the low range, between 2000 and 2010 while all other indices have been in the low segregation level since 1990 or before. With the exception of Hispanic/White dissimilarity, Temple has a lower segregation index than the region, though the region's Hispanic/White index has risen since 1990.

**Disproportionate Housing Needs:** For all household types and income levels, housing cost burden is by far the most common housing problem. Less than 1% of total households and less than 5% of low- to moderate income households live in housing lacking complete plumbing and/or kitchen facilities. Less than 2% of total households are in overcrowded conditions, with just under 12% of low- to moderate-income households living in overcrowded conditions.

As would be expected, the lower the income the more likely the greater the housing cost burden and/or living in substandard and over-crowded conditions. The extremely low-income renters, with incomes of 30% or less of the area median income (AMI), are the most affected by housing problems. Nearly three-fourths (72%) of the extremely low-income renters have a severe housing problem, while 38% of the very-low income renters (30.1-50% AMI) and 10% of the low/moderate-income renters (50.1-80% AMI) have severe housing problems, classified as substandard housing, severe overcrowding, and severe housing cost burden. Overall, 29.1% of renters at or below AMI have severe housing problems and 64.6% have some level of housing problems.

Looking at the disparities among various racial/ethnic groups, the March 2016 Affirmatively Furthering Fair Housing data from HUD indicates that there are significant differences between minority groups and whites. There is also a disproportionately higher rate of housing problems among large households and non-family households than households with 4 or less household members. The table below compares the total households with problems and severe problems among households by race/ethnicity. Additionally, the table shows the percent of large households and non-family households with housing problems compared to those with 4 or fewer household members.

**Housing Market:** The City of Temple has somewhat of a different housing market than Texas as a whole. The median self-disclosed housing value in Temple is \$123,300, as reported in the 2014 American Community Survey (ACS), compared with \$139,600 in the state as a whole. Likewise, Temple's self- median gross rent, as reported in the 2014 ACS, is \$838, up from \$793 five years prior, compared with \$896, up from 834 five years prior for Texas.

The age of the housing stock in Temple is predominately either less than 15 years old (23.8%), with 6.5% being built between 2010 and 2014, or more than 54 years old (33.5%), with 5.8% being built before 1940. The graph below shows the distribution by age for owner and renter occupied units. The Texas building boom of the late 1960s through 1970s has resulted in a large percentage of apartment complexes being built quickly with less quality. Cities, including Temple, are seeing more rapid decline in the quality of these multi-family units than in those built before 1970 or after 1980.

The vast majority of the owner-occupied houses are 3- or 4-bedrooms with a few (665) having 5 or more. However, the majority of the renter-occupied units are 1- and 2-bedrooms with some 4-bedrooms and only 48 having 5 or more. This presents a problem for large families looking to rent, whether in the open market or on subsidies.



Most of the actual rents advertised through the internet, newspaper and free rental booklets exceed the FMRs in Temple. The rents in March 2016 range from:

- \$465 to \$1,113 for 1-bedroom apartments, with the majority between \$600 and \$700;
- \$500-\$1,95 for 2-bedroom apartments, with the majority between \$750 and \$850, and from \$775 to \$1,100 for single family houses;
- \$450 to \$1,600 for 3-bedroom apartments, with the majority between \$850 and \$1,050, and from \$775-\$1,450 for single family houses; and
- \$635 to \$1,250 for 4-bedroom apartments, with only 5 developments available, and from \$1,200 to \$1,895 for single family houses.

The rents in Temple place a housing cost burden on average renters who have only one household income and need 2 or more bedrooms. Single parents must earn above the average renter's income to afford a 2-bedroom unit or larger. Because female-headed households have a much lower income than married couples, male-headed households or non-family households, single mother households have a much greater risk of a housing problem. Of single mother households, 58% in Temple are living below the poverty level as opposed to 4% of married couples and 9% of single father households. Poverty levels are based on households size and a 4-person household at the poverty level can only afford an efficiency (0-bedroom) rental unit in Temple. The shortage of apartments with more than 2 bedrooms causes renters to lease single-family housing, which is traditionally more expensive for the same number of bedrooms and structural quality.

The majority of the owner occupied housing in Temple has a self-disclosed value of between \$75,000 and \$175,000. There are currently 381 homes for sale in Temple, with the vast majority being located on the west side of the city. The maps below from Zillow.com show the location of the available houses by asking price.

The Federal Financial Institutions Examination Council (FFIEC) requires, through the Home Mortgage Disclosure Act (HMDA), that all mortgage lenders to report on loan applications by whole census tract, including areas that are outside the city limits. The 2013 HMDA data for Temple's whole census tracts, reveals that there were 4,312 mortgage applications for owner-occupied housing with income and loan request amount included. The tables on the two next pages compare the distribution of the mortgage applications by race/ethnicity. Whites apply for mortgages at a much higher rate than African Americans and Hispanics. total households. These two minority groups also have a higher rate of loan denials than whites, especially when the loans are for home improvements or refinancing.

Whites far outweigh African Americans and Hispanics in the number of loan applications for almost all census tracts. City-wide, the average loan amounts requested are much higher for whites than those for African Americans which are much higher than those for Hispanics. However, the comparisons differ among census tracts. African Americans have the highest loan:income ratio, on average, followed by Hispanics and then whites. Comparing the denied applications as a percent of the total applications for each race/ethnicity, African Americans have a much higher denial rate than Hispanics, who have a much higher rate than whites. African Americans have more than twice the rate of denials than whites, while Hispanics have nearly twice the rate.

**Disparities in Access to Opportunity:** Access to the location of choice and various amenities is as important to fair housing as access to the house of choice. Through the new Assessment of Fair Housing data, HUD has identified 7 indicators that can be used to assess disparities in access to

opportunity. Each of the indices ranges from 0 to 100 with the higher the number the more equitable opportunity. The following indices were developed by HUD and the table below shows how Temple rates in total population and poverty population by race/ethnicity.

- Low Poverty Index – The higher the number, the less exposure to poverty a resident of a census tract has.
- School Proficiency Index – Using 4<sup>th</sup> grade standardized tests at the school-level, the index describes high- and low-performing schools. The higher the score, the higher the quality of the school. The predominately white census tracts have the highest school proficiency index in Temple.
- Labor Market Index – This index is a labor market engagement and human capital ranking to determine the relative level of employment, labor force participation and educational attainment in a census tract. The higher the score the higher the labor force participation and human capital in the census tracts.
- Transit Index – This index is based on the estimated transit trips taken by a family and is based on an average 3-person single-parent renter household with an income at 50% of the median area income. The higher the index, the more likely the residents are to utilize public transit.
- Low Transportation Cost Index – This index is based on the same household type and the average cost for transportation. The higher the index, the lower the transportation costs.
- Jobs Proximity Index – This index, based on a gravity model, quantifies the accessibility of a given census tract to all job locations within the CBSA, with larger employment centers weighted more heavily. The higher the index value, the better the access to employment opportunities. The HUD-provided map indicates that much of the minority population lives in census tracts with low- to moderate access to all job locations.
- Environmental Health Index – This index summarizes potential exposure to harmful toxins in a census tract. The higher the index value, the better the environmental quality of the neighborhood. Though there are areas to the south and west that are predominately white but have moderate environmental health issues, the areas with the highest minority concentration also have lower environmental health scores.

There are 13 pharmacies in Temple: 3 are located at Scott & White clinics; 2 are national chains; 2 are in HEB grocery stores; 2 are in Walmart; 1 national chain (CVS) is in Target; and 3 are private local pharmacies, including a pediatric pharmacy. The majority of the pharmacies are in or in close proximity to the areas of minority and low-income concentrations. There are few grocery stores in Temple, with only 4 non-local stores. No grocery stores exist north of Adams (highway 53) making it difficult for residents in the north half of Temple to shop. All two Wal-Marts in Temple are located outside of Loop 363, making them inaccessible to the lower-income areas where the majority of the African Americans and Hispanics live. Target has one superstore at the NE corner of Loop 363 and 35, which is also somewhat inaccessible to the lower-income areas.

With limited public transit and lack of reliable vehicular transportation, it is difficult for the low-income to access the less-expensive superstores and grocery stores. However, most of the amenities are within areas with more than 50% minority population.

**Legislative and Regulatory Assessment:** The City of Temple's Zoning Regulations and other land use policies do appear to create some barriers to minorities moving to opportunities of choice due to

the shortage of areas zoned for multi-family and the fact that most duplex and multi-family zones are inside the Loop, particularly south of IH 35, where a majority of minorities and lower-income residents live. Those multi-family parcels west of the Loop are higher priced and adjacent to single-family zones, while the areas within the Loop, for the most part, are adjacent to commercial and light industrial land uses and older development.

In general, the City follows the latest International Codes for building construction, residential construction, electrical, plumbing, mechanical, fuel/gas, property maintenance, energy conservation and fire prevention/protection.

At \$0.6298/\$100 valuation, Temple's property taxes are approximately \$0.10/\$100 valuation above the state average of \$0.4212. However, the County tax rate at \$0.4212/\$100 is more than \$0.10/\$100 valuation lower than the state average of \$0.5269. The two rates combined result in a tax rate that is in line with the state average. Within the City are other property taxes, such as school and community college, but they are in line with state averages. The City does give homestead, over-65, disabled and disabled veterans exemptions. However, the City does not defer taxes for those over 65.

In addition to the approximately \$400,000 in CDBG funds, the City of Temple dedicates approximately \$500,000 per year to Community Enhancement Grants in order to provide services and community improvements to lower-income and minority neighborhoods in Temple. Temple's City Lot program and the Jeff Hamilton Park Pilot Project provides incentives and low-cost access to land for development of new homes in the inner city. Significant general fund dollars, over and above the Community Enhancement Grants, are leveraged for code enforcement and facilities/infrastructure improves in the lower-income and minority neighborhoods.

The City does have a fair housing ordinance that is complete in its delineation of illegal and discriminatory practices. However, it does not address local processes for handling complaints or local violation penalties and remedies.

**Fair Housing Plan and Action Steps:** The City of Temple is committed to affirmatively furthering fair housing choice throughout its jurisdiction. Title VIII of the Civil Rights Act of 1968 makes discrimination based on race, color, religion, sex, national origin, familial status or handicap illegal in connection with the sale or rental of housing and any vacant land offered for residential construction or use. The City is committed to doing all in its power and legal authority to ensure that Title VIII is followed where housing is concerned.

All low- to moderate-income households, regardless of their protected-class status under the Fair Housing Act, face impediments in accessing affordable housing and housing in choice locations. This is often especially true for minority, elderly and disabled individuals. The limited stock of the housing within a price range affordable to the low- to moderate-income is, for the most part, older housing that has not been retrofitted for ADA compliance and accessibility to the physically disabled and/or may not meet Housing Quality Standards as set forth by HUD. Many middle-income residents are living in units well below their affordability limits, pushing the lower-income residents to higher-cost housing that is out of their affordability level.

As part of the City's plan to utilize Community Development Block Grant and Community Enhancement Grant funds, the City is committed to addressing issues of fair housing choice. Based on the findings of the Analysis of Impediments, as detailed above, Temple commits to the following actions:

- The City will work with the Central Texas Housing Consortium to continue to encourage higher-end market-rate apartments in areas of opportunity. It will also continue to work with the Central Texas Council of Governments to ensure that landlords in the areas of opportunity accept Section 8 Housing Choice Vouchers. The City will encourage the Central Texas COG to talk with at least 5 apartment complexes over the next 5 years that are currently refusing to accept voucher recipients.
- City staff members will attend at least 5 Affordable Housing meetings over the next 5 years and will lead or host at least 2 of them.
- The City will continue to provide CDBG and Community Enhancement Grant funding for public services that are accessible to low- to moderate-income, including protected classes. Services may be employment training/placement to increase incomes and opportunities for moving to locations of choice. Approximately 20 activities will be funded to 500 individuals over the next 5 years.
- The City will continue to use CDBG and Community Enhancement Grant funding to improve the low-income neighborhoods, to make them areas of opportunity. The City will work with major food and pharmacy chains, as well as non-profits, to increase healthy affordable goods in the low-income neighborhoods.
- Though the City is not responsible for the Central Texas Housing Consortium, it will continue to work with the agency in expanding its inventory of affordable units.
- During the next 5 years, the City will assess its current zoning ordinance to determine remedies to the shortage of multi-family zones in areas where the land is affordable for redevelopment.
- During the next 5 years, the City will continue to provide technical assistance to affordable housing developers and will review applications for approximately 2 projects.
- The City will rehabilitate or reconstruct 50 units during the next 5 years.
- The City will continue to low-cost land through the Lot program and the Jeff Hamilton Park Pilot Project for development of new homes in the inner city. During the next 5 years, it is anticipated that 25 homes will be constructed on land acquired through these two programs.
- To the extent possible, the City will encourage developers to develop housing that is affordable to moderate- and middle-income buyers.
- To the extent feasible, the City will waive or reduce fees imposed on non-profits when constructing, rehabilitating or reconstructing homes for low- to moderate-income homeowners.
- The City will alert applicants for housing rehabilitation assistance of tax-saving methods, such as ensuring they have filed for a homestead exemption, and, when eligible, for elderly/disabled exemption and/or deferring taxes. At least 50 homeowners will receive information during the next 5 years.
- The City will continue to fund Neighborhood Housing Services of Waco-Temple or other non-profits in providing homebuyer/homeowner education and financial stability/literacy and to market their services to population groups who are likely to purchase homes in these new subdivisions. Approximately 150 households will be served over the next 5 years.
- During the next 5 years, the City will use CDBG and Community Enhancement funds, along with general funds, to demolish and clear 20 blighted properties in low-income and minority neighborhoods.

- During the next 5 years, the City will conduct 2 spot blight reduction campaigns to improve conditions in low- to moderate-income neighborhoods.
- The City staff will work with Central Texas Council of Governments and the State of Texas to encourage the regional environmental work to have a focus in Temple. During the next 5 years, the City staff will meet with CTCOG and/or the State at least 2 times to determine the role each can play in reducing the emissions.
- The City will ensure that the homes in the areas in close proximity to the high levels of toxic releases that are being rehabilitated with CDBG funds are made as air-tight as possible and that the residents are given information about protection from environmental hazards.
- The City will continue to encourage the development of national and state grocery chains and big box stores in the areas of high minority and low-income concentrations. The City will negotiate with at least 2 stores during the next 5 years, providing incentives and assistance for locating in the targeted area(s).
- During the next 5 years, the City will review its taxing policies and will investigate the feasibility of granting property tax deferments to elderly homeowners.
- During the next 5 years, the City staff will host at least 2 public meetings that will include information about fair housing and housing rights.
- During the next 5 years, the City staff will attend or host 5 workshops for potential realtors, lenders, housing providers and homebuyer literacy educators that will include information about fair housing and common violations.
- In funding Neighborhood Housing Services of Waco-Temple or other non-profits in providing homebuyer/homeowner education and financial stability/literacy, the City will ensure that fair housing education is included. Approximately 150 households will be served over the next 5 years.
- During the next 5 years, the City will support the Central Texas COG in ensuring that the Section 8 voucher holders know their housing rights and that landlords are not discriminating against voucher holders. The City will meet annually with CTCOG to determine best practices in reducing rental discrimination.
- During the next 5 years, City staff, including the Fair Housing Officer, will attend 5 fair housing workshops, seminars, or on-line trainings.
- During the next 5 years, existing CDBG staff will provide to new City staff and management 5 training sessions and/or links to HUD on-line training about fair housing.
- The City will re-visit the Fair Housing Ordinance at least twice during the next 5 years to make any revisions deemed valid and viable. The City will investigate the feasibility of adding penalties for violations to the ordinance.
- The City's Fair Housing Officer will continue to maintain a Fair Housing Log that details action steps taken, dates, and outcomes as well as complaints received, steps to investigate, and disposition. The City will report the activities logged each year in the CAPER.



## INTRODUCTION TO FAIR HOUSING AND THE FAIR HOUSING PLAN

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HUD requires that all plans submitted for funding include a certification to affirmatively further fair housing. During the 5-year Consolidated Planning process, CDBG entitlement jurisdictions, such as Temple, must undertake the development of a Fair Housing Plan (FHP) to be a framework for monitoring the activities to take place in affirmatively furthering fair housing. The jurisdictions are required to:

- Examine and attempt to alleviate housing discrimination within their jurisdiction;
- Promote fair housing choice for all persons;
- Provide opportunities for all persons and neighborhoods to receive the same level of services and amenities throughout the jurisdiction;
- Promote housing that is accessible to persons with disabilities; and
- Comply with all federal laws and requirements regarding fair housing a non-discrimination.

In order to develop a Fair Housing Plan, the jurisdiction must develop an Assessment of Fair Housing (AFH) that involves and addresses the housing and living environment concerns of the entire community.

This document includes the City of Temple's Assessment of Fair Housing and the Fair Housing Plan for 2015-2019; and is an adjunct to the City's 5-Year Consolidated Plan of PY 2015-PY 2019. The document consists of the following:

1. Community involvement in developing the plan
2. Assessment of past goals and actions
3. Current assessment of fair housing
4. Fair housing priorities, goals, plan and action steps

## History and intent of the Fair Housing Act and Resulting Court Actions

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On April 11, 1968, President Lyndon Johnson signed the Civil Rights Act of 1968, which was meant as a follow-up to the Civil Rights Act of 1964. The 1968 act expanded on previous acts and prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, sex, (and as amended) handicap and family status. Title VIII of the Act is also known as the Fair Housing Act (of 1968).

The enactment of the federal Fair Housing Act on April 11, 1968 came only after a long and difficult journey. From 1966-1967, Congress regularly considered the fair housing bill, but failed to garner a strong enough majority for its passage. However, when the Rev. Dr. Martin Luther King, Jr. was assassinated on April 4, 1968, President Lyndon Johnson utilized this national tragedy to urge for the bill's speedy Congressional approval. Since the 1966 open housing marches in Chicago, Dr. King's name had been closely associated with the fair housing legislation. President Johnson viewed the Act as a fitting memorial to the man's life work, and wished to have the Act passed prior to Dr. King's funeral in Atlanta.

Another significant issue during this time period was the growing casualty list from Vietnam. The deaths in Vietnam fell heaviest upon young, poor African-American and Hispanic infantrymen. However, on the home front, these men's families could not purchase or rent homes in certain



residential developments on account of their race or national origin. Specialized organizations like the NAACP, the GI Forum and the National Committee Against Discrimination In Housing lobbied hard for the Senate to pass the Fair Housing Act and remedy this inequity. Senators Edward Brooke and Edward Kennedy of Massachusetts argued deeply for the passage of this legislation. In particular, Senator Brooke, the first African-American ever to be elected to the Senate by popular vote, spoke personally of his return from World War II and inability to provide a home of his choice for his new family because of his race.

With the cities rioting after Dr. King's assassination, and destruction mounting in every part of the United States, the words of President Johnson and Congressional leaders rang the Bell of Reason for the House of Representatives, who subsequently passed the Fair Housing Act. Without debate, the Senate followed the House in its passage of the Act, which President Johnson then signed into law.

The power to appoint the first officials administering the Act fell upon President Johnson's successor, Richard Nixon. President Nixon tapped then Governor of Michigan, George Romney, for the post of Secretary of Housing and Urban Development. While serving as Governor, Secretary Romney had successfully campaigned for ratification of a state constitutional provision that prohibited discrimination in housing. President Nixon also appointed Samuel Simmons as the first Assistant Secretary for Equal Housing Opportunity.

When April 1969 arrived, HUD could not wait to celebrate the Act's 1st Anniversary. Within that inaugural year, HUD completed the Title VIII Field Operations Handbook, and instituted a formalized complaint process. In truly festive fashion, HUD hosted a gala event in the Grand Ballroom of New York's Plaza Hotel. From across the nation, advocates and politicians shared in this marvelous evening, including one of the organizations that started it all -- the National Committee Against Discrimination In Housing.

In subsequent years, the tradition of celebrating Fair Housing Month grew larger and larger. Governors began to issue proclamations that designated April as "Fair Housing Month," and schools across the country sponsored poster and essay contests that focused upon fair housing issues. Regional winners from these contests often enjoyed trips to Washington, DC for events with HUD and their Congressional representatives.

Under former Secretaries James T. Lynn and Carla Hills, with the cooperation of the National Association of Homebuilders, National Association of Realtors, and the American Advertising Council these groups adopted fair housing as their theme and provided "free" billboard space throughout the nation. These large 20-foot by 14-foot billboards placed the fair housing message in neighborhoods, industrial centers, agrarian regions and urban cores. Every region also had its own celebrations, meetings, dinners, contests and radio-television shows that featured HUD, state and private fair housing experts and officials. These celebrations continue the spirit behind the original passage of the Act, and are remembered fondly by those who were there from the beginning.

### **Protected Classes Under the Fair Housing Act, Enforcement and HUD Rules/Regulations**

The Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, disability and familial status (such as presence of children in the household). Though not specifically outlined as a "protected class" in the law, HUD regulations have expanded the definition to include HIV/AIDS under the disability protection; and lesbian, gay, bisexual or transgender (LGBT) persons under the familial status and sex protections.

The provisions of the Fair Housing Act are enforced by HUD and the Housing and Civil Enforcement Section of the Civil Rights Division of the U.S. Department of Justice.

### **Housing Choice for the Disabled and “Reasonable Accommodations”**

The Act prohibits housing providers from discriminating against applicants or residents because of their disability or the disability of anyone associated with them and from treating persons with disabilities less favorably than others because of their disability. The Act’s protection covers not only the home seekers with disabilities but also buyers and renters without disabilities who live with or are associated with individuals with disabilities who will also live in the home or frequent the home. 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.” A physical or mental impairment includes:

- Hearing
- Mobility
- Visual impairments
- Chronic or severe illness, such as cancer, heart disease, diabetes, multiple sclerosis
- HIV/AIDS or AIDS related complex
- Chronic substance use disorder, other than current illegal use of a controlled substance
- Chronic mental illness, such as PTSD, autism, epilepsy, bipolar, schizophrenia
- Intellectual disabilities

HUD regulations pertaining to reasonable accommodations may be found at 24 C.F.R. § 100.204.

The Act does not protect individuals with a disability whose residency would constitute a “direct threat” to the health or safety of other individuals or result in substantial physical damage to the property of others unless the threat can be eliminated or significantly reduced by reasonable accommodation. Individuals cannot be excluded based upon fear, speculation or stereotype about a particular disability or persons with disabilities in general. A determination that an individual poses a direct threat must be based on reliable objective evidence, such as current conduct or a recent history of overt acts. The determination must consider the nature, duration and severity of the risk of injury; the probability that injury will actually occur, and; whether there are any reasonable accommodations that will eliminate the direct threat.

If a person’s disability is obvious, or otherwise known to the provider, and if the need for the requested accommodation is also readily apparent or known, then the provider may not request any additional information. If the disability and/or the disability-related reason for the requested accommodation is not known or obvious, the requesting individual, medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability may also provide verification of a disability. In most cases, an individual's medical records or detailed information about the nature of a person's disability is not necessary for this inquiry.

In certain circumstances, the Act requires that housing providers allow residents to make reasonable structural modifications to units and public/common areas in a dwelling when those modifications may be necessary for a person with a disability to have full enjoyment of the dwelling.

Reasonable accommodations include a change, exception or adjustment to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including the public and common use spaces. Housing providers may not require persons with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation. Examples of such accommodations may include, but not be limited to:

- Providing an assigned accessible parking space close to the entrance of the dwelling unit;
- Providing an exception to the requirements to pay rent in person if it is impractical for the disabled tenant to go to the office or other location where rents are collected;
- Allowing service and assistance animals, including emotional support animals, whether specially trained/certified or not, even though the property has a “no pet” policy;
- Allowing the tenant to make reasonable structural modifications at his/her own expense, such as installing a ramp into the building/unit, lowering the entry threshold of the unit, installing grab bars in the bathroom(s); or
- Allowing live-in caregiver even though the property requires all unrelated residents to be on the lease or property title or when Section 8 Housing Choice Vouchers are used for rentals.

With certain limited exceptions, the Act applies to privately and publicly owned housing, including housing subsidized by the federal government or rented through the use of Section 8 Housing Choice Vouchers. Not only does the provisions apply to those involved in providing housing and residential lending, but the courts have also applied the Act to state and local governments in the context of exclusionary zoning or other land use decisions.

Under specific exceptions to the Act, the reasonable accommodation requirements do not apply to a private individual owner who sells his home so long as he does not own more than three single-family homes; does not use a real estate agent; does not employ any discriminatory advertising or notices; has not engaged in a similar sale of a home within a 24-month period; and is not in the business of selling or renting dwellings. The reasonable accommodation requirements of the Act do not apply to owner-occupied buildings that have four or fewer dwelling units. Additionally, a housing provider can deny a request for a reasonable accommodation if the request:

- Was not made by or on behalf of a person with a disability or if there is no disability-related need for the accommodation;
- Would impose an undue financial and administrative burden on the housing provider;
- Would fundamentally alter the nature of the provider’s operations; or
- When alternative accommodations are available that would address the requester’s disability-related needs.

Fair housing lawsuits have been filed extensively throughout the country as a result of some landmark decisions by the Supreme Court. One of the first recent decisions is a result of the lawsuit filed by the Anti-Discrimination Center of Metro New York against Westchester County, NY citing that the County failed to fulfill its obligation to affirmatively further fair housing, as contracted by its certification signed prior to receiving its HUD entitlement funds. The lawsuit alleged several deficiencies in carrying out compliance with the Fair Housing Act, but the suit was based on their failure to fulfill their contract, rather than on direct fair housing violations. In essence, by certifying each year that they would affirmatively further fair housing, they entered into a sworn statement and

contract with HUD. As such, the jurisdiction must take whatever action necessary to reduce or eliminate impediments to fair housing choice and must not provide funds to any locale or group that undermines the jurisdiction's contractual obligation to affirmatively further fair housing. The Westchester County case moved from a position of ruling on housing discrimination to ruling on contractual obligation and perjury by signing the certificate to affirmatively further fair housing.

### **Disparate Impact**

A policy or action may be considered discriminatory if it has a disproportionate "adverse impact" against any protected class or perpetuates or exacerbates residential segregation, regardless of the intent of the policy or action. HUD's Rule regarding the implementation of the Fair Housing Act's Discriminatory Effects Standard (disparate impact) became final in 2013, and the Supreme Court upheld it in 2015. The rule and the court decision establish a consistent standard for assessing practices that on their face value or intent are neutral but the results are in violation of the Fair Housing Act. The HUD rule defines a practice with a discriminatory effect as one that actually or predictably results in a disparate impact on a group of persons within the definition of protected class; or has the effect of creating, perpetuating, increasing or reinforcing segregated housing patterns based on protected class. The new rule solidifies the prohibition of actions that are not directly linked to the rights of the individual in securing housing, but of actions that are locational in nature and can exclude or segregate particular communities/groups in practice.

The landmark decision of the Supreme Court in 2015 was that the Texas Department of Housing and Community Affairs (TDHCA) reinforced residential segregation by "consistently" approving affordable housing, such as Low Income Housing Tax Credit properties, in African American neighborhoods instead of fairly distributing that housing across all communities to promote integration. Other types of disparate impact are tied to environmental justice issues prohibiting the placement of certain negative infrastructures/facilities in close proximity to neighborhoods that are predominately minority, low-income or otherwise disadvantaged. Zoning and land use ordinances, as well as other housing restrictions, though not by intention, may unfairly exclude minorities or other protected classes, and thus would have a disparate impact and be illegal. Redlining is another form of disparate impact whereby lenders or insurers refuse to provide mortgages or insurance to otherwise qualified households based on the location of the property, usually in a high minority area.

Under the Court's ruling in the 2015 case, in order to prove a case of disparate impact housing discrimination, the following must occur:

- First, a plaintiff must make a prima facie case, drawing an explicit, causal connection between a policy or practice and the disparate impact or statistical disparity. As Justice Kennedy wrote, "A disparate-impact claim relying on a statistical disparity must fail if the plaintiff cannot point to a defendant's policy or policies causing that disparity." Justice Kennedy also noted that "policies are not contrary to the disparate-impact requirement unless they are artificial, arbitrary, and unnecessary barriers."
- Second, a defendant must have the opportunity to prove that the policy is necessary to achieve a valid interest. If a defendant can't not prove that, then a plaintiff's claim of disparate impact must prevail.
- Finally, if a defendant has shown that the policy is necessary to achieve a valid interest, the plaintiff must then show that there is "an available alternative . . . practice that has less disparate

impact and serves the [entity's] legitimate needs.” If a plaintiff cannot do so, then their disparate impact claim must fail.

The TDHCA case and *Olmstead v. L.C.* have prompted HUD to dramatically change the way its programs and activities have worked in the past and to commit to offering HUD-supported housing in the most integrated settings possible.

### **Environmental Justice**

Environmental Justice focuses on the fair and equitable distribution of environmental benefits and burdens regardless of the income or protected class status of the area residents. This means the distribution of quality amenities equally throughout all communities in a city, county or region as well as the prevention of an imbalance in the location of environmental hazards where protected classes and low-income live. Environmental discrimination can occur when a local government allows potentially hazardous or highly-pollutant land uses to move near an area where protected classes and low-income live. It can also occur when local governments allow public housing authorities, low-income housing tax credit properties, centers for the disabled and other land uses aimed to serve the protected classes and low income to build near existing unsafe land uses or away from community amenities. Nimbysism (Not in my backyard) has relegated new unsafe land uses to areas away from neighborhoods with a majority of residents with a political voice. The result is that the land uses have nowhere else to go but near areas where residents have little political clout – i.e. the low-income and protected classes. Conversely, NIMBYISM keeps new housing for low-income and protected classes out of middle-income white neighborhoods, leaving only areas near existing environmental hazards for new construction.

Attorney General Eric Holder stated in 2011 that “in 2005, a report based on EPA data showed that African Americans were almost 80 percent more likely than white Americans to live near hazardous industrial pollution sites. Today, poor families of color are more likely to have a landfill proposed in their community. Their neighborhoods are more likely to have polluted water and soil. Their children are more likely to breathe polluted air and suffer from asthma. In 2011, the burden of environmental degradation still fall disproportionately on low-income communities and communities of color – and most often, on their youngest residents: our children. This is unacceptable. And it is unconscionable. But through the aggressive enforcement of federal environmental laws in every community, I believe we can – and I know we must – change the status quo.”

Businesses exist to turn a profit and many businesses such as grocery stores, pharmacies, medical offices and big box stores locate near more affluent neighborhoods where profits are higher or in far suburban and exurban areas where land costs are lower, but where the stores are accessible to those with private transportation. As a result, many inner city neighborhoods where low-income and protected classes live are termed “grocery deserts” because of the lack of quality stores with equitable pricing.

### **Relationship between Fair Housing and Affordable Housing**

The Fair Housing Act’s list of protected classes does not include low-income and the Analysis of Impediments (AI) determines the extent to which members of protected classes experience discrimination regardless of their income. However, historically, members of the protected classes have lower incomes and in that case housing affordable to low-income members becomes a fair housing issue. As a result, it is vital that the relationship between protected classes and income be

explored as part of the AI. Public policies that contribute to the lack of affordable housing or that relegate affordable housing to areas of the community with limited amenities, near undesirable land uses or with high concentrations of low-income or minority households do affect equity for the protected classes. Currently, HUD is concerned about both minority concentrations and low-income concentrations, particularly as they overlap in communities.

## **Discriminatory Actions**

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The Fair Housing Act prohibits the following:

### **In the Sale and Rental of Housing:**

No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting) or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

### **In Mortgage Lending:**

No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap (disability):

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan or
- Set different terms or conditions for purchasing a loan.

### **In Addition: No one may:**

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.



### **Additional Protection for those with a disability:**

A landlord may not:

- Refuse to let a disabled tenant make reasonable modifications to his/her dwelling or common use areas, at the tenant's expense, if necessary for the disabled person to use the housing. (Where reasonable, the landlord may permit changes only if the tenant agrees to restore the property to its original condition when you move.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing.
- Example: A building with a "no pets" policy must allow a visually impaired tenant to keep a guide dog.
- Example: An apartment complex that offers tenants ample, unassigned parking must honor a request from a mobility-impaired tenant for a reserved space near her apartment if necessary to assure that she can have access to her apartment.

This protection applies for someone who:

- Has a physical or mental disability (including 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
- Has a record of such a disability or
- Is regarded as having such a disability

However, housing need not be made available to a person who is a direct threat to the health or safety of others or who currently uses illegal drugs.

### **Requirements for New Buildings:**

In buildings that are ready for first occupancy after March 13, 1991, and have an elevator and four or more units:

- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs
- All units must have:
  - An accessible route into and through the unit
  - Accessible light switches, electrical outlets, thermostats and other environmental controls
  - Reinforced bathroom walls to allow later installation of grab bars and
  - Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units.

In addition to the Fair Housing Act as it relates to the disabled, the Americans with Disabilities Act (ADA) requires that housing financed in any part through federal, state or local programs comply with ADA accessibility guidelines. The Uniform Federal Accessibility Standards (UFAS) requires that that federally-funded facilities be accessible by people with motor and/or sensory disabilities to the extent required by the Architecture Barriers Act. Some single-family housing that is built or rehabilitated

with federal funds are required to meet visitability standards with at least one no-step entrance; doors and hallways wide enough to navigate a wheelchair through; and, a bathroom on the first floor big enough to get into in a wheelchair and close the door.

None of these requirements for new or rehabilitated buildings replace any more stringent standards in State or local law.

### **Housing Opportunities for Families:**

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under 18 live with:

- A parent
- A person who has legal custody of the child or children or
- The designee of the parent or legal custodian, with the parent or custodian's written permission.

Familial status protection also applies to pregnant women and anyone securing legal custody of a child under 18.

Exemption: Housing for older persons is exempt from the prohibition against familial status discrimination if:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under a Federal, State or local government program or
- It is occupied solely by persons who are 62 or older or
- It houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates an intent to house persons who are 55 or older.

A transition period permits residents on or before September 13, 1988, to continue living in the housing, regardless of their age, without interfering with the exemption.

### **Housing Protection for Gay, Lesbian, Bisexual and Transgender:**

The Fair Housing Act does not specifically include sexual orientation and gender identity as prohibited bases. However, a lesbian, gay, bisexual, or transgender (LGBT) person's experience with sexual orientation or gender identity housing discrimination may still be covered by the Fair Housing Act.

For Example:

- A gay man is evicted because his landlord believes he will infect other tenants with HIV/AIDS. That situation may constitute illegal disability discrimination under the Fair Housing Act because the man is perceived to have a disability, HIV/AIDS.
- A property manager asks a transgender male if he is "a boy or a girl" and then denies him an apartment because he appears to be a woman but has other physical expressions that are stereotypically male. Because the landlord denied the prospective tenant housing because of non-conformity with gender stereotypes, that situation may constitute illegal sex discrimination under the Fair Housing Act.

During 2008, HUD began charging landlords with same-sex sexual harassment.

HUD investigates complaints of housing discrimination based on race, color, religion, national origin, sex, disability, or familial status at no cost to the complainant. HUD will investigate the complaint and try to conciliate the matter with both parties.

If conciliation fails, HUD will determine whether "reasonable cause" exists to believe that a discriminatory housing practice has taken place. If HUD finds "no reasonable cause," we will dismiss the complaint.

If HUD finds reasonable cause, HUD will issue a charge of discrimination and schedule a hearing before a HUD administrative law judge (ALJ). Either party may elect to proceed in federal court. In that case, the Department of Justice will pursue the case on behalf of the complainant. The decisions of the ALJ and the federal district court are subject to review by the U.S. Court of Appeals.

A copy of the current Housing Discrimination Complaint Form is included in the appendix of this document and can be downloaded from the HUD website at:

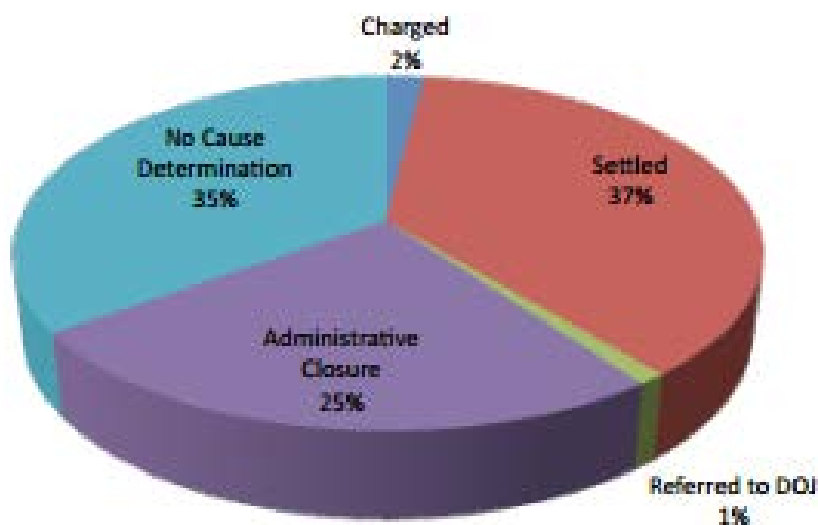
<http://www.hud.gov/complaints/housediscrim.cfm>.

The *FY 2012-2013 Annual Report on Fair Housing* by the Fair Housing Equal Opportunity office of HUD, states that only 1% of complaints were referred to the Department of Justice, down from 3% in 2008. The graph below, extracted from the annual report, shows the disposition of the cases nationwide.

The FHEO office of HUD also filed 36 HUD Secretary-initiated complaints in FY 2012-2013 and charged or reached settlements in 27.

Chart 2 – U.S. Fair Housing Cases by Case Disposition

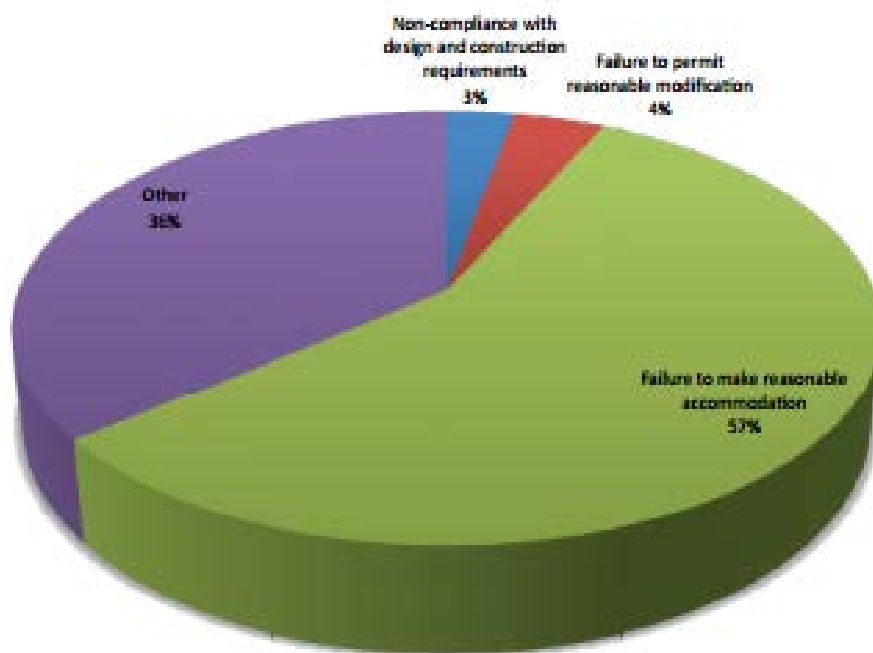
## 2013 HUD Case Disposition



Disability discrimination is the largest category of complaints that HUD receives each year. Below is a graph extracted from the HUD 2012-2013 Annual Report on Fair Housing:

Chart 3 – Reasons for U.S. Fair Housing Complaints Based on Disability

## Issues in 2013 Disability Complaints



### Texas Fair Housing Act

The Texas Fair Housing Act is codified in Chapter 301 of the Texas Property Code and prohibits housing discrimination as set forth in the federal Fair Housing Act. For the most part, the Texas Fair Housing Act follows the federal Fair Housing Act closely. However, Section 301.003(6) deviates in its definition of disability:

(6) "Disability" means a mental or physical impairment that substantially limits at least one major life activity, a record of the impairment, or being regarded as having the impairment. The term does not include current illegal use or addiction to any drug or illegal or federally controlled substance and does not apply to an individual because of an individual's sexual orientation or because that individual is a transvestite.

The federal Americans with Disabilities Act and Fair Housing Act do state that persons currently with or recovering from substance abuse disorders are considered to have a disability. The national laws have not specifically prohibited discrimination based on sexual orientation or gender identity, but HUD's more recent clarification of the Fair Housing Act does include lesbian, gay, bisexual and transgender (LGBT) individuals as part of the protected classes. At this time, Texas has not modified

its Fair Housing Act to comply with the current federal definitions of protected classes and discrimination.

The Texas Workforce Commission is the state agency responsible for enforcing the Texas Fair Housing Act, through the Texas Department of Housing and Community Affairs monitors fair housing compliance in the rental properties throughout the state that it has supported with federal funds.

## **Local Compliance and Ordinances**

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Municipalities must ensure that their ordinances, policies and procedures are not only non-discriminatory, but also affirmatively further fair housing choice to the greatest extent possible. Municipalities receiving HUD funding must have a Fair Housing Officer assigned and are encouraged to have a local fair housing ordinance. The Fair Housing Officer should be charged with enforcing the local fair housing ordinance and assisting residents in filing fair housing complaints with HUD.

The City of Temple has a fair housing ordinance to complement the Fair Housing Act and Texas Fair Housing Act. In addition, Volunteer Legal Services and Lone Star Legal Aid provide free legal assistance to those wanting to file a complaint of fair housing violations in the Belton and Waco areas. Texas Appleseed advocates for those facing discrimination for underrepresented Texans through promoting social and economic justice. Disability Rights Texas and Advocacy, Inc. provides pro bono legal assistance in disability related discrimination cases throughout Texas.

## **COMMUNITY INVOLVEMENT**

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Under the new Affirmatively Furthering Fair Housing (AFFH) rule, HUD requires that the public is involved in the development of the Fair Housing Plan and must comply with the City's Citizen Participation Plan. The City of Temple has routinely encouraged participation by all residents, particularly persons of low- to moderate-income, those in the East Temple Revitalization Area, and members of a Fair Housing protected class. During the PY 2015-2019 Consolidated Planning process, the City of Temple conducted a number of activities to involve residents in the development of both the Consolidated Plan and Fair Housing Plan. As a result, more than 500 individuals and groups were directly invited to at least one public meeting and all other public participation opportunities were publicized in the general circulation newspaper and on the City's website.

## **Survey**

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The City provided a survey in English and Spanish for residents and other interested parties to complete. The survey included questions about the community and housing needs in Temple as well as incidences of fair housing violations and discrimination. The surveys were available on-line as well as paper copies available at City Hall, the public library and community service agencies. Public notices for meetings as well as flyers about the surveys included links to the survey. Copies of the "Your Voice Your Community" flyers in English and Spanish are included in the attachments. Temple received 188 on-line surveys and 61 paper surveys. Copies of the survey in English and Spanish are included in the attachments. While all of the questions touch on fair housing and equitable distribution

of amenities, the questions focusing specifically on fair housing include the following, with the results given:

<b>Have you or others you know:</b>	<b>On-line “Yes”</b>	<b>Paper Copy “Yes”</b>
Experienced inability to rent or purchase a home due to race or ethnicity	2.8%	16.7%
Experienced inability to rent or purchase a home due to national origin or perceived national origin	2.8%	8.5%
Experienced inability to rent or purchase a home due to a physical or mental disability	5.6%	8.7%
Experienced landlords refusing to make reasonable exterior accommodations for a tenant with a physical or mental disability	7.4%	17.4%
Experienced landlords refusing to allow disabled tenant to make reasonable interior accommodations/alterations	3.7%	14.9%
Experienced landlords refusing to allow service or assistance animals for disabled tenants	6.5%	15.2%
Experienced inability to rent or purchase a home due to being over 60 years of age	4.6%	13.0%
Experienced inability to rent or purchase a home due to gender or gender identity	3.7%	9.5%
Experienced inability to rent or purchase a home to do household structure (unmarried partners, presence of children, single parents, pregnancy)	5.6%	8.9%
Experienced refusal to be shown a home or acquire a mortgage to purchase in a predominately minority neighborhood	0.9%	8.7%
Experienced inability to get homeowner’s insurance for housing in a predominately low-income or minority neighborhood	1.9%	8.2%
Refusal of landlord to accept Section 8 Housing Choice Vouchers	6.5%	16.7%

If you answered “yes” to any of the fair housing questions above, please explain the circumstance(s) and locations of the discrimination, if possible.

On-line responses:

- There is a retired businessman in the area that has a few rental properties. He told me he will only rent to white people. When a person calls, if he thinks their voice “sounds black” he will tell them the property already has a tenant.
- The house is not qualified for Section 8 and the landlord has had bad experience with Section 8 tenants.
- When my late partner and I moved down, we were turned down by a realtor who was uncomfortable with us being a lesbian couple. We also couldn’t rent another house for the same reason. Thankfully, the next realtor was easier to work with and the home seller didn’t care.
- Many landlords do not like to rent to families with small children due to the possible damage to home or landlords refuse to repair or take their time to repair when something is wrong, such as plumbing.
- Tenants of Brentwood Apartments on West Adams were subjected to some of these practices.



- Those who have animals as an emotional support have trouble finding low cost or subsidized housing that will accept animals. This can be those with mental illness or suffering from PTSD.
- Have problems with getting insurance because my house is considered an older home and they rather insured newer homes. Once I give them the address and the year of the home, I get an answer that they will not be able to offer me insurance.
- Was unable to rent because we were not married at the time.
- When I left my husband, taking my child with me and becoming a single parent, I had trouble finding a place to go because I had no current rental/purchase history. I was working with steady income but I could only prove that my husband owned the house. I was paying the mortgage, but my name wasn't on the title. It was hard finding someone to rent to me and I had a disabled child to boot. It cost me more than it should have to pay my way into the system because I lacked "history" of paying rent.
- Was simply told they do not accept Section 8.

Paper responses:

- Denied a permit to build a utility building on 1101 S. 2<sup>nd</sup> and people keep breaking in to steal working equipment.
- The reason I couldn't get homeowners is because I need a new roof on my house and it needs to be raised up. I feel discrimination because of it. My homeowner's insurance was dropped 9-23-13 because of major repairs on my home. Also I feel discrimination because I live in a big house and I feel like I don't get help because of it.
- Knowledge that not all apartment complexes will accept Section 8 vouchers – some could exceed voucher though and would be logical reason.
- Too long and too much to list.
- Wanted my own home. Wanting to purchase a small home but good credit isn't enough. One main requirement is the amount of income someone makes. Problem with financing low income help for affordable down payments and monthly payments.

<b>Please evaluate the actions or inactions of local government and Homeowners Associations (HOAs) related to fair housing issues:</b>	<b>On-line "Yes"</b>	<b>Paper Copy "Yes"</b>
Are there areas in Temple with high concentrations of low income or protected classes (minorities, disabled, etc.) that don't have the same public facilities or infrastructure as the rest of the community?	20.0%	50.0%
Are there areas in Temple with high concentrations of low income or protected classes that don't have the same police and fire protection as the rest of the community?	6.4%	40.8%
Are the negative facilities or infrastructures (landfills, toxic waste dumps, sewer treatment plants, prisons, dangerous/unhealthy industries, etc.) located in or adjacent to neighborhoods with concentrations of low income or protected classes?	16.5%	42.9%

If you answered "yes" to any of the above fair housing questions, please explain the circumstance(s) and location(s), if possible.

On-line responses:

- Waymon Manor Apartments – enough said.
- East side of Temple, landfill, sewer treatment plant, new Panda plant, ½ house on East Adams.
- Land fill and water treatment plant on Ave H.
- Sewer and City Dump on the east side.
- East side has the dump and a majority of low-income housing.
- The neighborhood streets in many low-income neighborhoods, east of S. MKP Blvd./North 8<sup>th</sup> Street are in a pitiful and permanent state of disrepair. Many houses are located just a few yards from train tracks, within range of serious damage and injury should a train car ever derail.
- The east side of Temple does not have a Target, Walmart, drug store, etc.
- Grocery stores in the east side of Temple.
- East Temple, difficult to draw businesses to the area.
- Pockets throughout the community – more prevalent in east and south.
- There are no golf courses on the East Side.
- The east side of town is primarily a protected class area and the city dump is also on that side of town.
- Facilities are located for convenience.
- W. Adams and Fowler area has water/sewer problems.
- Power plant, city dump on east side of Temple. Police firing range and city garage complex on east side as well.
- Persons in the lower income areas of town are provided greater police presence/closer fire departments than I do. Why is this fair. My tax dollars pay for this and I am not provided the same protection they are. The part near my house is old, does not have a water park and is in need of repairs and updates.
- West Temple.
- East Temple has issues with all of these but I can't speak positively on the last two – I think it is an issue but I am not certain. That area of town is very run down and crumbling. Everything needed for life, such as groceries, work, etc. are located further in. It is almost like a suburb but is run down instead of new. The new power plant is located there on the edge as is the landfill. The existing police station is close but not in the neighborhood.
- We need grocery stores so that families and individuals – particularly on the East side of town – without transportation can buy healthy foods.
- East Temple.

Paper responses:

- Tree limbs E M/37<sup>th</sup> street behind Dixon School – lots of trash – clean up needed.
- We have housing issue at the Rose Garden which houses clients who are mentally ill, mentally challenged, sex offenders, etc. They all charged \$300-\$400 for a room and the houses aren't livable. We need to change that type of housing.
- Eastside, in general, appears to have power infrastructure in place as general conditions are less than in newer sections of the city.
- Requirements of the disabled or ones who have filed for it to live on in housing of any kind.

- Trains blow their horns too much.
- Wherever it's needed.
- Eastside.
- Along Ave G and near Our Lady of Guadalupe Church. 6<sup>th</sup> St. no gutters on many streets, no sidewalks, drainage is poor, streets are dirty, few street lights, many dark areas.
- East Temple struggles with timely and appropriate police presence and protection. Fire department is not as much an issue.

### **What do you think the City's role should be in encouraging and supporting fair housing?**

On-line responses:

- The City should encourage and support fair housing laws that already exist.
- None. Just severely punish anyone who breaks the law.
- They do plenty. Why do we not concentrate efforts for the middle class.
- I think the City should require new developments to have larger lots and the park space be more established, not just a swing and slide. Partner with neighborhoods and HOAs to deal with programs in sections so that residents have ownership in the issues.
- Follow established federal, state, municipal laws. Be aggressive and respond quickly to claims of violations.
- I think they are doing a good job.
- Stop aiding to the "get rich" and truly evaluate "right from wrong".
- None. The City should concentrate on providing city services.
- I think the City should set guidelines for the landlords to follow and then monitor the landlords.
- I don't think that this is much of an issue as maybe 30 years ago. This day in age there are a small amount of people that look at others with race and ethnicity in a judgmental mind frame.
- That's HUD's job, not the city's.
- I believe the city is a government entity. They should encourage and support fair housing. They should report any unfair practices. The government should not get involved with private practices of property owners other than report the unfair practices.
- Owners should not be required to rent to people they don't consider as responsible to maintain the property. Owners should be able to choose who they rent to.
- Not be a bar to it. Seek out funding when needed.
- Major role in improving social and economic problems by increasing community programs.
- Caring for our people in our community.
- Educating citizens on Fair Housing practices for consumers as well as quality and legal checks on people renting property to the public. I know for a fact that if no one is checking on landlord practices, some illegal things are happening.
- Educating landlords.
- Be aware and investigate and pursue violations if it's within the City's purview to do so.
- I believe the city is on course for what they should be doing.
- Let the city know that police and fire have a vital role in providing initial services.

- If the City wants to improve its image or get rid of the homeless from sleeping in the street, allies or under bridges, the City has to become involved.
- City whenever possible should always support fair housing.
- Make no income tenants get a job.
- Creating regulations and having someone spot check paperwork to make sure everyone is having an equal opportunity.
- Not sure this is the City's responsibility.
- I think the city does plenty.
- The city should do what it can do about this and should be active.
- Strong.
- In all areas the city should make every attempt to follow fair housing standards. In situations that require intervention, the city should seek qualified counsel to represent the city and the public in the best interest of fair housing.
- Public campaigns regarding the support of fair housing. If the housing businesses do not comply or violate the provisions, heavily fine or close them.
- Leader.
- Leadership.
- Build more affordable housing.
- Make landlords aware of the laws. Enforce the laws.

Paper responses:

- 916 not sure of the address but it needs clean up. Trash, tire, etc.
- The city should discourage housing.
- By all means, major job is to govern, protect citizens and meet the needs of all people.
- The city should check on homes when owner becomes too old to maintain home –Give information and what they can do as far as repairing or advise on what can the homeowner do without being scared of fraud.
- It should seek to provide affordable housing for all of its residents.
- City should encourage and support fair housing.
- Demolish old houses and put in new homes or apartments.
- Offer deals to building owners (lower taxes).
- Education of landlords who don't fix interior and exterior of home being rented. Just want money but don't fix home – who does the resident go to for a complaint?
- City should hold workshops that deal with job training. GED/ESL classes – hold them in churches/community centers in their neighborhoods instead of TC. Due to transportation hold classes in morning and evenings.
- Shining a light on the issue assisting landlords and tenants understand roles.
- There should be more emphasis, public messages, website and Facebook comments/articles on continuous basis.
- Getting the funds.
- Get more involved.

- By maintaining the flow of information to the citizens the city is supporting for fair housing.
- High, thank you.
- Need to be involved a lot more than they are now.
- Sidewalks need repaired, some streets are in great need of repair. Need more transportation.
- Make people aware of the meetings: time, place, by using other means of notification such as fliers, newsletters, and community churches.
- Do same as you do on the east side as you do on the west side.
- Make sure the East side of Temple is not neglected when it comes to street, drainage, lighting, sidewalks, or any city service.
- The city should not allow unfair housing to anyone.
- Help allocate funding to cleanup lots suitable for fair housing. Provide incentives to builders. Possibly provide resources for down payment assistance. Allocate funds to rehab existing structures in needed areas.

**Are there any other comments you have regarding discrimination or fair housing in Temple?**

On-line responses:

- 9 “no” or “none” responses.
- There is a large group of people that don’t quite fit in the poverty section but they still can’t meet the rent of an apt. and have a car and afford to eat and pay their light bill – something needs to be done to assist these people.
- I believe that the programs out now like HUD are taken advantage of by people who “know the system.” Due to generation after generation of people taking advantage of free rent or housing. Same as with welfare. I believe that should be offered and then weaned from after a period of time. It should be a onetime occurrence to get someone back on their feet not a lifetime commitment from the city and government to not work and live a life of crime.
- Discrimination is partly based on the fact that some people will not conform to the society that surrounds them. They choose to be different for the sake of being different. Their culture must also adapt to the surrounding society or that culture will be labeled as a malcontent with those of the society that do not want an upset of that society. The mindset must be changed in the young.
- Often services are greater in those neighborhoods because they are most in need of those services because they often don’t have other options.
- Is this something the City really should be regulating?
- I believe the city provides enough for person who decide they do not want to work/contribute to our community. I would appreciate the city in investing in other parts of town that pay most of the taxes. How about providing a water park in my neighborhood park, western hills. Also can something be done with the sign that is off of the loop. Either update it or tear it down.
- I don’t think there are racists institutions here so much as traditional living. People who grew up poor stay and live there. So I think the success of overcoming these issues can only be realized if we bring the programs to the neighborhood.
- We do need shelters for the homeless, particularly families.

Paper responses:

- 3 “no” or “none” responses
- Funding when I am the homeowner for sidewalks in the front.
- Fortunately I have the means but I chose to live in East Temple. Someone has to help the area.
- Not applied to me but I know there is
- The unheard voice of victims of development – wildlife – with nowhere to go when their homes are torn down. They are never relocated or left with enough area to live.
- Need fair housing for mentally ill also.
- Need to investigate this section more.
- Needs improvement in all areas.
- Well, on the east side they don’t get a lot of protection. This side don’t have a lot like the other sides.

## Meetings

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The citizen participation process specific to both the Consolidated Plan and Fair Housing Plan was kicked-off by a housing roundtable at which nine affordable housing providers and advocates discussed issues they face in addressing affordable housing needs and fair housing issues. The primary impediment to fair housing among the low- to moderate-income and protected classes indicated was landlords refusing to accept Section 8 Housing Choice Vouchers, tenant-based rental assistance clients, rapid rehousing clients and applicants with mental illness or other disabilities.

The City hosted a pre-application workshop for public service and housing agencies interested in applying for CDBG funds. The workshop not only covered the application process but afforded the attendees the opportunity to discuss the barriers to housing and services that their clientele face.

The City also hosted three public hearings to discuss the priority needs for community development and housing. Attendees were asked to complete the survey but also to comment on priority needs, possible solutions and directions the City should go in using federal funds.

During the PY 2016 Annual Action Plan process, the City hosted two public hearings which included information about the draft Fair Housing Plan. One of the meetings launched the 30-day public comment period for the PY 2016 Annual Action Plan and the Fair Housing Plan. During this process one public comment was received discussing the need to focus on improving housing infrastructure to provide suitable housing for low-income persons.

In addition to the roundtable and workshop for providers and the three formal public hearings all interested parties, the City held a housing and community development forum that was open to the public with over 300 invitations sent to neighborhood associations, residents who have shown a past interest in housing and community development issues, elected officials, advocates, and representatives of public service and housing agencies. Approximately 100 individuals attended and discussed the neighborhoods in greatest need of improvements and the programmatic areas that need to be addressed to improve the living conditions of the low- to moderate-income and protected classes in Temple.



Housing and community development stakeholders, including advocates for protected classes, public service, homeless and housing agency representatives, realtors, lenders and foundation representatives were invited to a forum on fair housing choice. Those who were unable to attend were contacted by phone and interviewed.

The City hosted a follow-up housing forum for the Fair Housing Plan to specifically address impediments to fair and affordable housing. City staff invited local agencies and individuals, ten attended. All invitees were asked to complete an on-line survey, with seven doing so. Several open-ended questions were asked along with 14 questions for which a rating was requested. The rated questions asked for a score of 0 to 9, with 0 indicating no barrier to affordable or fair housing and 9 being a significant barrier. The results were:

<b>On a scale of 0 (no barrier) to 9 (significant barrier), how much do you believe the following factors prevent affordable housing from being developed?</b>	<b>Average Rating</b>
Lack of knowledge about existence of state and federal programs, grants, funding	<b>6.86</b>
Lack of knowledge about how to access/apply for state and federal programs, grants, funding	<b>8.14</b>
Lack of capacity of nonprofit and private sector developers	<b>8.14</b>
NIMBYism	<b>6.14</b>
Lack of need/market demand	<b>0.50</b>
Land use laws that do not allow group homes	<b>4.00</b>
Land use laws that limit height and density of housing	<b>1.80</b>
Building requirements (minimum square footage requirements of homes)	<b>3.83</b>
Building and development fees	<b>5.17</b>
Lack of available infrastructure	<b>4.00</b>
Lack of support from local government to develop affordable housing	<b>6.71</b>
Environmental regulations that raise building costs	<b>4.86</b>
Policies, procedures and regulations governing the	<b>6.71</b>
Policies that prohibit flood control improvements and assistance to households located in flood plains	<b>3.67</b>

For the open-ended questions the results are summarized below. The complete set of responses are included in the attachments.

**Do you know of any situations where low income households, minorities or people with disabilities have been displaced because of redevelopment? What alternative housing options were offered to these residents? Were these located in areas that were already protected class or low income concentrated?**

- Most knew of no situations. Central Texas Housing Consortium indicated that some of their residents have been displaced during substantial rehabilitation, but were transferred to other apartments within the property. One person indicated that shelters were the alternative options.

**Do you know of any cases where subsidized/affordable/assisted housing was demolished? What happened to the residents of the housing? Were these located in areas that were already protected class or low income concentrated?**

- Most were not sure. Central Texas Housing Consortium (CTHC) has demolished/sold some apartments. These were all reconstructed with new apartments in the same location or residents were transferred to other properties owned by CTHC.

**Are community development activities in the City concentrated in certain areas? What are these areas? Are they predominately low or high income? Minority or non-minority?**

- Three respondents indicated that the activities have been mainly in non-minority, higher-income, newer areas. Others indicated that they have been in low-income minority areas, such as East Temple. Two indicated that they are not concentrated but well targeted to those with the greatest need. One stated that the City is reinvesting in community development after ignoring community problems for too long.

**To your knowledge, are there any barriers in the City to rehabilitating multifamily housing? One barrier raised in a recent jurisdictional level fair housing study was that CDBG funds were used for single family rehabilitation but not available for multifamily rehabilitation. Is this also true in your city? Do you feel that creates disparities in living conditions for renters?**

- CTHC used CDBG funds to demolish and reconstruct low income housing back in the early 90s. If funds to demolish/reconstruct was available again, that would be helpful for purchasing and renovating multi-family. East side infrastructure issues inhibit development of businesses and new housing. Lack of organizational capacity both in the city staff and groups in the community.
- There is no rehab in old parts of town, except by slumlords!

**In your opinion, is there a need for affordable housing in your city? For whom (income level, special needs)? What type (rental, single family, condos)? In what location?**

- Generally, all respondents said there is a need for affordable housing. Most indicated that it was most needed for singles, those with disabilities and seniors. The housing should be multi-family and single family/rental and for purchase.

**To your knowledge, have there been any decisions by a state board/commission/ committee that have had a negative effect on minorities and persons with disabilities?**

- All answered “no” or “don’t know” or skipped the question.

**Do you know if group homes are allowed in all residential areas?**

- Most did not know. Two responded that group homes are allowed in all residential areas.

**What types of choices do people with disabilities have in the City? Should these be broadened? What types of housing are not available? Where is housing not available?**

- Supportive community housing is not readily available. Disabled individuals making just above the poverty level are not eligible for low-income housing. Group homes and skilled nursing facilities are not available.

- People with disabilities do not have many choices at all in Temple. There is one apartment building downtown that is affordable for disabled single adults as far as I know. The single adult apartment rental market and the single family home rental should be broadened considerably to accommodate this city's needs. Single family homes in neighborhoods other than the older, more run down downtown area are desperately needed as they all seem to be concentrated in the same area, which I believe increases stigma of subsidized housing.
- CTHC has 5% of its 1,171 apartments available for people with disabilities. These are located throughout Temple. They have a certified ADA Coordinator on staff who processes in excess of 100 reasonable accommodation requests per year. Some require physical modifications but quite a few do not and need accommodations for a service animal. HOCTIL is working to promote universal design concepts but more funding is needed for more capacity.

**Do you feel there is enough accessible housing in your city? If not, how much more is needed (10%, 20%)?**

- Most respondents indicated that there are not enough accessible units in Temple, with many saying more than 50% more is needed. One person indicated that with the “baby boomers” aging and likely developing disabling conditions, they will need more units.

**What is the best way that your city can encourage more accessible and visit-able housing for people with disabilities, if it is needed?**

- The general comments revolved around giving builders incentives to provide accessible units using universal design concepts. One respondent encouraged the continuation of sidewalk and crosswalk improvements city-wide. Another indicated that those with disabilities should be more forthcoming in self-disclosing their conditions. One recommended community meetings about the topic.

**Do you feel that limited or lack of public transportation limits where people with disabilities can live? Where should transportation be provided that it is not?**

- HOP does provide door to door service for disabled individuals, but only to limited locations. Additionally, the paratransit service is much more costly than accessible fixed route service. Expanding the locations of stops would help. Additionally, extended hours of operation are needed. Service does not extend in the suburban and rural areas where low-income residents live.

**Do you feel that social services are located in areas where people with disabilities can easily access them? If not, where are they missing?**

- Most indicated that the social service agencies were accessible. However, one respondent indicated that more should be located downtown. Two indicated that they were not accessible, with one respondent commenting that currently the Department of Rehabilitative Services, the food stamp and V.A. offices are located in a strip mall that is more than a quarter mile from a bus stop. The Social Security office is on the other side of town and has one parking space for those with disability placards or plates. In addition, the HELP Center is also on the other side of town from the aforementioned offices.

**Does the location of social services influence the housing options of people with disabilities?**

- Housing options are limited because of limited transportation to social services.

**What types of programs are available to make accessibility improvements to single and multi-family homes? Is the assistance available to only owners or renters or both?**

- Some respondents knew of no programs for multi-family improvements. One respondent received federal funds and indicated that the agency has to make all improvements at no cost to the residents and with no funding available. One respondent answered that Citizens for Progress provides assistance, but didn't indicate to whom assistance was provided.

**What are the greatest strengths of these types of programs? Weaknesses? What would you change if you could to better meet the needs of persons with disabilities (e.g., make a loan program into a grant program)?**

- There are insufficient programs with long waiting lists and limited funding available. Recommendations included making loan programs on a sliding scale for homeowners of all income levels and offer programs to landlords for them to attract more individuals with disabilities.

**What types of outreach mediums are used to market the programs? Is the marketing targeted to areas with persons with disabilities and/or seniors?**

- Only one responded and stated that most of the outreach is through electronic media that is not accessible to all persons with disabilities or the elderly.

**For each of the programs, could you provide the number of people who have participated in the program in 2014?**

- No answers were provided.

**May we get examples of the types of materials used to explain and market the programs?**

- No answers were provided.

**If you could expand your accessibility modification program(s), what would you do? How much would this cost?**

- No answers were provided.

**In your opinion, how much unmet demand exists for accessibility modification programs in the City?**

- The answers ranged from "hundreds of homes" to 80% and 100%.

**Do you have any recommendations related to how the City could work with agencies to mitigate fair housing barriers and take corrective actions?**

- The recommendations included offering a mediating agency to work with individuals and available programs; providing information for all agencies that educates them on fair housing requirements and available resources to correct the problems; and provide more grants to build housing.

## Groups Consulted

The City of Temple contacted a number of agencies and organizations in the development of both the Consolidated Plan and Fair Housing Plan. The following list has been extracted from City's Consolidated Plan prepared in HUD's eCon Planning Suite.

1	<b>Agency/Group/Organization</b>	CENTRAL TEXAS HOUSING CONSORTIUM (TEMPLE HOUSING AUTHORITY)
	<b>Agency/Group/Organization Type</b>	PHA
	<b>What section of the Plan was addressed by Consultation?</b>	Public Housing needs,/market, affordable housing needs/market
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Consortium provides public housing as well as private affordable rental and homeownership housing. The Executive Director met with City staff numerous times, attended 2 housing forums, and was interviewed by the City's consultants. Their on-line PHA data was also used in the development of the plan. The anticipated outcome was for more involvement in the plan development. While the Consortium coordinates with the City, future coordination during the actual planning process will be more extensive. The Consortium will refer eligible residents to the non-profit providing homebuyer assistance.

2	<b>Agency/Group/Organization</b>	CENTRAL TEXAS COUNCIL OF GOVERNMENTS
	<b>Agency/Group/Organization Type</b>	Government
	<b>What section of the Plan was addressed by Consultation?</b>	Public Housing, homeless, special populations, community development
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	<p>The Section 8 HCV program manager attended an initial housing forum and other collaborative meetings and was interviewed by the City's consultant. The anticipated outcome was to integrate the program staff into the various housing forums and to receive necessary information about the Section 8 HCV program. Coordination was improved, however the City is committed to working for more coordination with the agency.</p> <p>The Area Agency on Aging manager and the Workforce Solutions manager were also consulted in order to secure information regarding the need and the services provided to the elderly and to those who are unemployed, underemployed, undereducated.</p>
3	<b>Agency/Group/Organization</b>	FORT HOOD AREA (BELL COUNTY) HABITAT FOR HUMANITY
	<b>Agency/Group/Organization Type</b>	Housing non-profit
	<b>What section of the Plan was addressed by Consultation?</b>	Housing needs and market assessment
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Fort Hood (Bell County) Habitat was invited to the roundtable meeting and contacted for a one-on-one interview. The anticipated outcomes, which were realized, were to determine the level of need identified by Habitat for Humanity and the plans Habitat has to meet the needs.
4	<b>Agency/Group/Organization</b>	FAMILY PROMISE OF CENTRAL TEXAS
	<b>Agency/Group/Organization Type</b>	Homeless non-profit
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless needs and market assessment



	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Family Promise staff attended one of the housing/homeless forums and was interviewed by the City's consultant. The anticipated outcome to determine Family Promise's perception of needs and activities to address the needs was met. The forum provided the agency staff with an opportunity to collaborate with housing providers in the area.
5	<b>Agency/Group/Organization</b>	SALVATION ARMY
	<b>Agency/Group/Organization Type</b>	Homeless and subsistence non-profit
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless and public service needs and market
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Salvation Army staff was contacted in order to determine the services and shelter provided. The anticipated outcome was met.
6	<b>Agency/Group/Organization</b>	HILL COUNTRY COMMUNITY ACTION AGENCY
	<b>Agency/Group/Organization Type</b>	Government
	<b>What section of the Plan was addressed by Consultation?</b>	Public service needs for general population and elderly
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Agency staff was contacted in order to determine the perceived need for utility/rental assistance, child care/Head Start, weatherization programs, senior services and other public service needs. The information on need and services provided was obtained.
7	<b>Agency/Group/Organization</b>	CENTRAL COUNTIES CENTER FOR MHMR SERVICES
	<b>Agency/Group/Organization Type</b>	Government
	<b>What section of the Plan was addressed by Consultation?</b>	Community development needs and market, specifically for special needs populations
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	A representative was interviewed with the anticipated outcomes of providing information regarding the specific needs of the mentally ill and intellectually disabled population, including the homeless as well as information regarding the services provided to address the needs. The outcome was realized and the needs, issues and impacts were articulated.

8	<b>Agency/Group/Organization</b>	OLIN E. TEAGUE VETERANS' MEDICAL CENTER/CENTRAL TEXAS VETERANS HEALTH CARE SYSTEM
	<b>Agency/Group/Organization Type</b>	Government
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless and special needs population, needs and market
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	A representative from the agency provided information regarding the services provided through the medical center and other related Veteran services. The anticipated outcome was met.
9	<b>Agency/Group/Organization</b>	Families in Crisis
	<b>Agency/Group/Organization Type</b>	
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless, domestic violence and veterans needs/services
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The director of the Families in Crisis attended one of the housing forums and the large community development forum. In addition, the director was contacted by the City and City consultants with the anticipated outcome of determining the level of need of the homeless families, victims of domestic violence and veteran families along with the funding received by and services provided by the agency, including the new SSVF grant.
10	<b>Agency/Group/Organization</b>	Disability Rights Texas
	<b>Agency/Group/Organization Type</b>	Services-Persons with Disabilities Service-Fair Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment fair housing & disability rights
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	An attorney for the agency was interviewed by Temple's HUD consultant to determine the needs of disabled persons in Waco regarding housing and services and any fair housing issues that have arisen. The anticipated outcomes were to determine how Temple could best meet the needs of disabled persons through CDBG as well as through the Fair Housing Plan. The outcome was realized and the information incorporated in the planning process of both the Consolidated Plan and Fair Housing Plan.
11	<b>Agency/Group/Organization</b>	Nancy Etzel
	<b>Agency/Group/Organization Type</b>	Individual disability advocate

	<b>What section of the Plan was addressed by Consultation?</b>	Special needs population needs and available services
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The individual advocate attended the large community development forum and the fair housing workshop, and was contacted by the City's consultant. The anticipated outcome was to secure information about the needs and barriers of the disabled community. The outcome was realized and improved coordination with Ms. Etzel was realized.
12	<b>Agency/Group/Organization</b>	LULAC
	<b>Agency/Group/Organization Type</b>	Advocacy Group
	<b>What section of the Plan was addressed by Consultation?</b>	Housing, fair housing and social service issues impacting the Hispanic Community.
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	A City Council member, who is the Vice Chair of the local LULAC chapter attended several meetings including the community development forum and fair housing workshop. The anticipated outcome was information concerning barriers to affordable and fair housing as well as equitable services that Hispanics face. The anticipated outcome was met.
13	<b>Agency/Group/Organization</b>	Heart of Central Texas Independent Living (HOCTIL)
	<b>Agency/Group/Organization Type</b>	Advocacy and supportive services
	<b>What section of the Plan was addressed by Consultation?</b>	Housing, fair housing and social service needs, issues and resources for the disabled.
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The agency attended the fair housing workshop and the community development forum. In addition, the agency was contacted and interviewed by the City's consultant. The anticipated outcome to determine the barriers to housing, services, and equitable amenities for the disabled was met.
14	<b>Agency/Group/Organization</b>	NAACP
	<b>Agency/Group/Organization Type</b>	Advocacy
	<b>What section of the Plan was addressed by Consultation?</b>	Housing and fair housing needs/barriers
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	A representative from the local NAACP chapter attended the fair housing workshop and the anticipated outcome of information concerning the barriers to housing, services, and equitable amenities for African Americans and other minorities was met.

15	<b>Agency/Group/Organization</b>	BELL COUNTY HUMAN SERVICES – TEMPLE (H.E.L.P.)
	<b>Agency/Group/Organization Type</b>	Government
	<b>What section of the Plan was addressed by Consultation?</b>	Social service needs and available services
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Staff members attended a housing forum and the community development forum and was interviewed by the City's consultant. The anticipated outcomes were information on needs and services as well as ways in which the City and County could facilitate collaborations and coordination among housing and service providers in Temple. The outcomes were met.
16	<b>Agency/Group/Organization</b>	CHURCHS TOUCHING LIVES FOR CHRIST – FEED MY SHEEP
	<b>Agency/Group/Organization Type</b>	Social service faith-based non-profit
	<b>What section of the Plan was addressed by Consultation?</b>	Public service needs and services
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The agency was contacted for information regarding participating/supporting organizations, services provided and needs in the community. The anticipated outcome was met.
17	<b>Agency/Group/Organization</b>	UNITED WAY OF CENTRAL TEXAS
	<b>Agency/Group/Organization Type</b>	Non-profit
	<b>What section of the Plan was addressed by Consultation?</b>	Community development needs and market
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The agency was consulted throughout the year as it is a subrecipient. Additionally, the agency was contacted to provide specific public service needs in Temple that are being addressed by United Way. The anticipated outcomes included additional information about the social service needs in the community and how the agency and City can best collaborate through CDBG and Community Enhancement funds to better address the needs. The anticipated outcomes were met and United Way will be funded by the City in PY 2015.

## ASSESSMENT OF PAST GOALS AND ACTIONS

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The past fair housing goals have included:

- Establishing a Fair Housing Ordinance;
- Designating a Fair Housing Officer to monitor fair housing issues and receive/investigate complaints;
- Reviewing the State of Texas' most recent Fair Housing Plan to ensure that the City was in compliance with State goals and actions;
- Meeting regularly with agencies that provide housing, supportive services, transportation, other ancillary services, and advocacy related to fair housing issues; and
- Hosting meetings and workshops for residents, realtors, housing providers, developers, fair housing advocates, and elected officials regarding fair housing issues.

**Fair Housing Ordinance:** The City established a fair housing ordinance in 2002 and during PY 2015 began reviewing it for possible changes or additions given the new HUD rulings.

**Fair Housing Officer:** As part of the fair housing ordinance, the City has designated a staff position in General Services/Community Development to be the fair housing officer. The officer maintains a log of all fair housing activities and complaints. (S)He investigates complaints and, if the complaint is justified, assists the complainant in filing a grievance with HUD or the courts.

**Complying with the State of Texas Fair Housing Plan:** The City completed the required Fair Housing Activity Statement-Texas (FHA<sup>ST</sup>) that was developed by the State in response to the lawsuits after Hurricanes Rita and Ike. The FHA<sup>ST</sup> document is required of all jurisdictions who have applied for or may in the future apply for disaster relief funds or who receive CDBG funding. Temple has completed the FHA<sup>ST</sup> form and has complied with the action steps it certified to complete in a timely manner.

**Meetings with advocates and housing/service providers:** The City has met and continues to meet at least quarterly with housing and service providers related to fair housing issues. The roundtable discussions center around improving accessibility to housing and amenities and ways to assist protected classes and low-income in moving to areas of opportunity. The City works closely with the Central Texas Housing Consortium, the public housing provider and provider of private affordable housing, as well as the Central Texas Council of Governments that manages the Section 8 Housing Choice Voucher program. As part of the collaboration with the CTCOG, as well as advocates and other providers, the City has been working to increase the number of landlords who will accept Section 8 and Rapid Re-housing vouchers. During 2015, the City hosted a roundtable and workshop for providers and a housing and community development forum on fair housing choice. Additionally, the city hosted a public forum on housing and community development issues, inviting over 300 residents, neighborhood associations, landlords, realtors, advocates, elected officials and representatives of housing and social service agencies. Over 100 attended the forum. Programmatic areas that should be addressed to improve the living conditions of the low-income and protected classes was the thrust of the forum.

The City hosted a follow-up housing forum for the Fair Housing Plan to specifically address impediments to fair and affordable housing. Ten housing providers and advocates attended. All were

asked to complete an on-line survey with the results detailed in the community involvement section of this document.

The City's 3 public hearings for the Consolidated Plan set aside time for discussing issues around fair housing and the upcoming Fair Housing Plan. In addition, a public survey in English and Spanish was developed for on-line or paper responses that the public and interested parties were asked to complete. The content of the survey and the results are part of the community involvement section of this document.

**Hosting meetings and workshops:** As a result of the positive responses to invitations to meetings and workshops during the Consolidated Planning Process, the City has continued to convene public meetings and workshops to elicit feedback on fair housing issues and to advise individuals and groups about fair housing regulations and remedies.

## ASSESSMENT OF FAIR HOUSING

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The Assessment of Fair Housing includes information based on the following elements:

- General demographics;
- Racial/Ethnic diversity, segregation and disparity;
- Housing and household characteristics and needs, including
  - Disproportionate housing problems;
  - Subsidized and public housing; and
  - Current housing market data;
- Disparities in access to opportunity;
- Environment and environmental justice issues;
- Legislative and regulatory assessment based on state and local codes, policies and procedures; and
- Outreach capacity and resources analysis.

## General Demographics

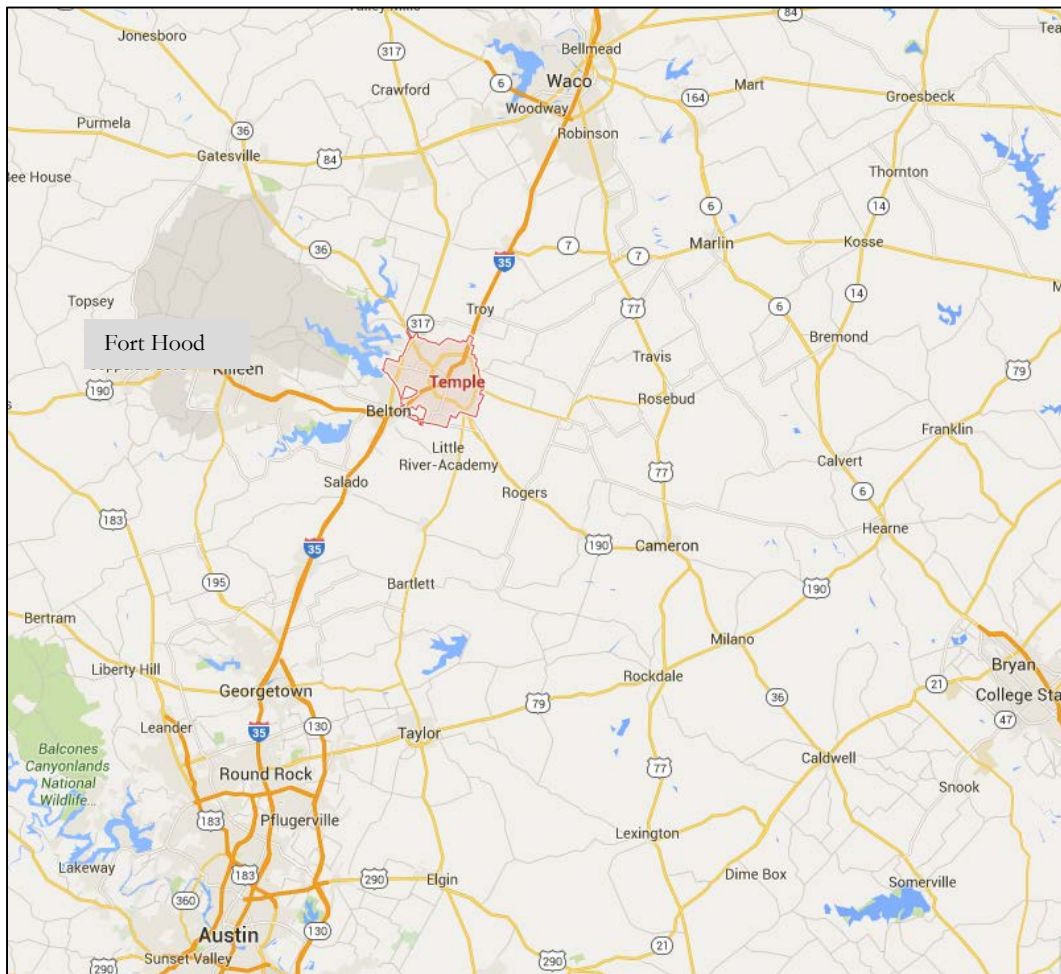
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The geographic coverage for this plan is the city limits of the City of Temple. Temple had an official 2010 population of 66,102, a 21.3% increase over 2000. The estimated population from the 2010-2014 American Community Survey (ACS), the Census Bureau's annual survey product, was 68,877. Temple is located in central Texas in Bell County on Highway 35 between Austin and Waco. The City is just 25 miles east of Fort Hood Army Military Base, the largest active duty military installation in the free world, with a financial impact on the local area of more than \$3.7 billion.

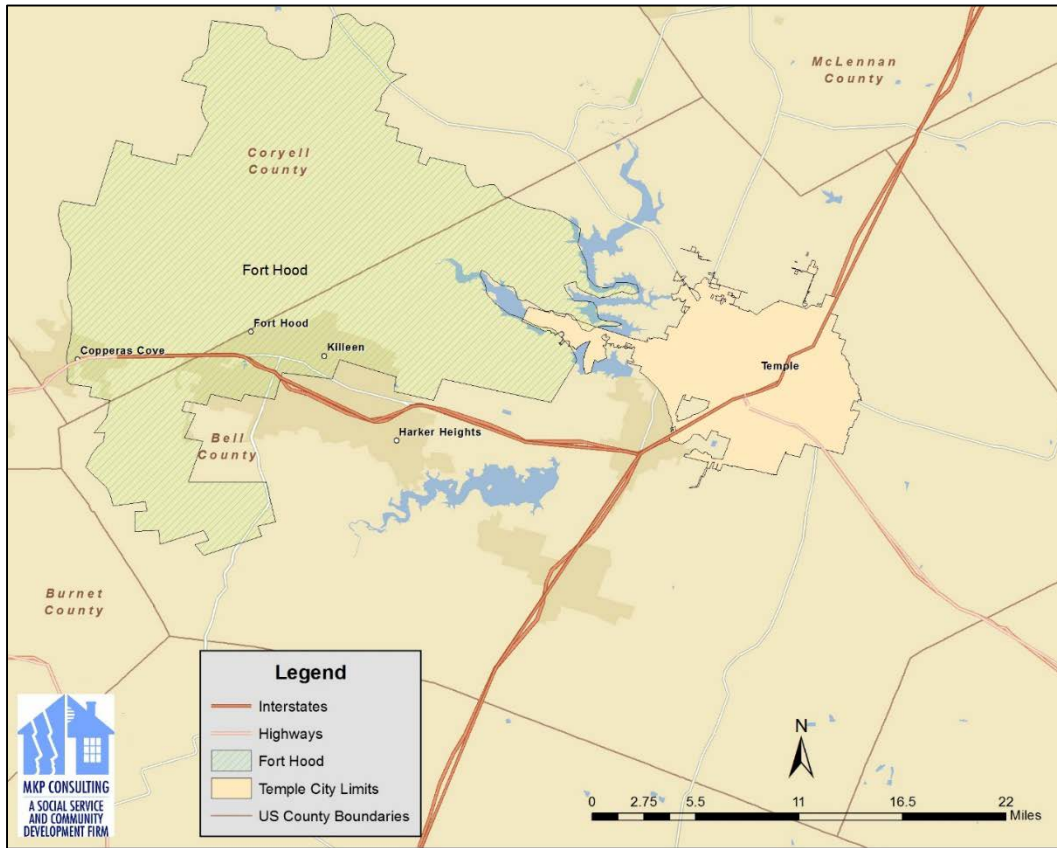
During the PY 2015 Consolidated Planning Process, the City established an East Temple Revitalization Area (ETRA) east of Highway 35 where the older neighborhoods and lower income residents are. Most of the CDBG and local funds will be used in this area to elevate to an equal level with the city as a whole. The maps below show Temple's relative location to Austin, Waco and Fort Hood, followed by additional maps of the city, zooming in to the ETRA.



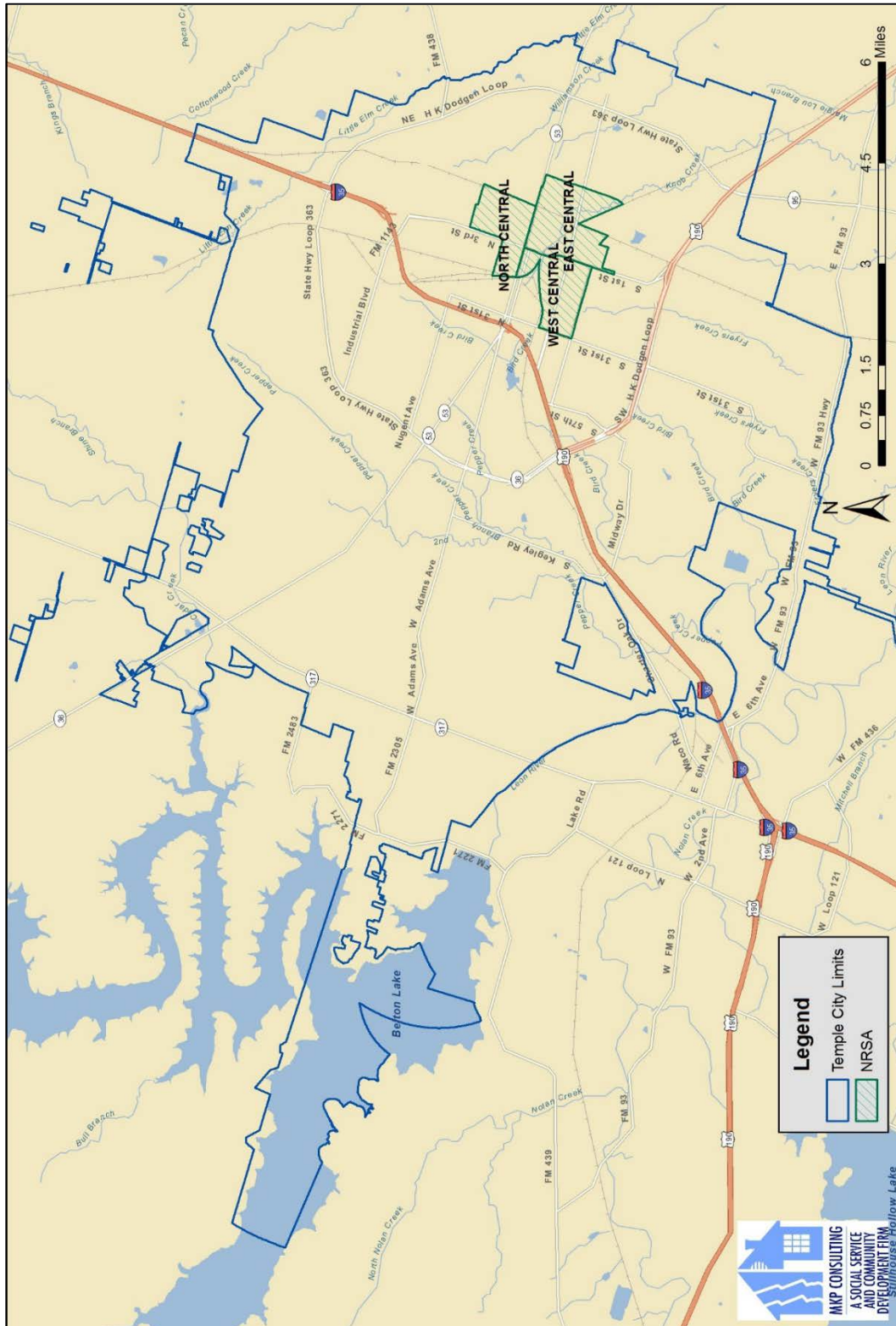
Map 3 – General Location of Temple (HUD cpdmaps)



Map 4 – General Location of Temple

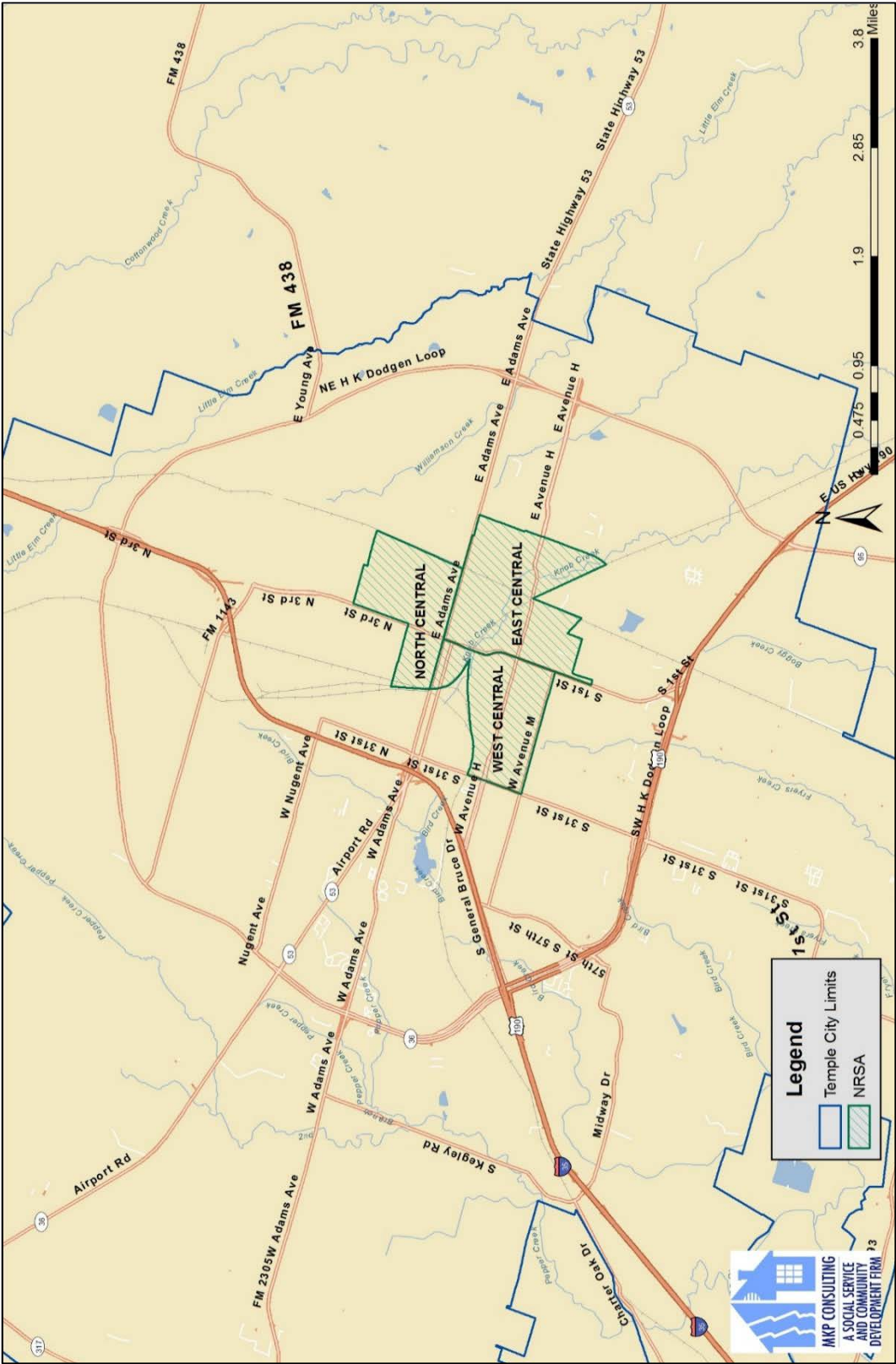


Map 5 – Temple with East Temple Revitalization Area





Map 6 – Inner Loop with East Temple Revitalization Area



The map displays the city limits of Temple, Texas, and the National Rural Small Area (NRSA) regions. The city limits are outlined in blue, and the NRSA regions are outlined in green. The map is divided into three main sections: North Central, East Central, and West Central. Major roads and highways are labeled, including E Young Ave, NE H K Dodgen Loop, E Adams Ave, E Avenue H, W Adams Ave, W Central Ave, W Avenue M, and Airport Rd. Water bodies such as Lake Polk, Lake Creek, and Williamson Creek are also shown. A legend in the bottom right corner identifies the symbols for Temple City Limits (blue outline) and NRSA (green outline). A scale bar and north arrow are located in the bottom right corner.

**Legend**

- Temple City Limits
- NRSA

Scale: 0 to 1.8 Miles

North Arrow

Map Title: Temple, Texas

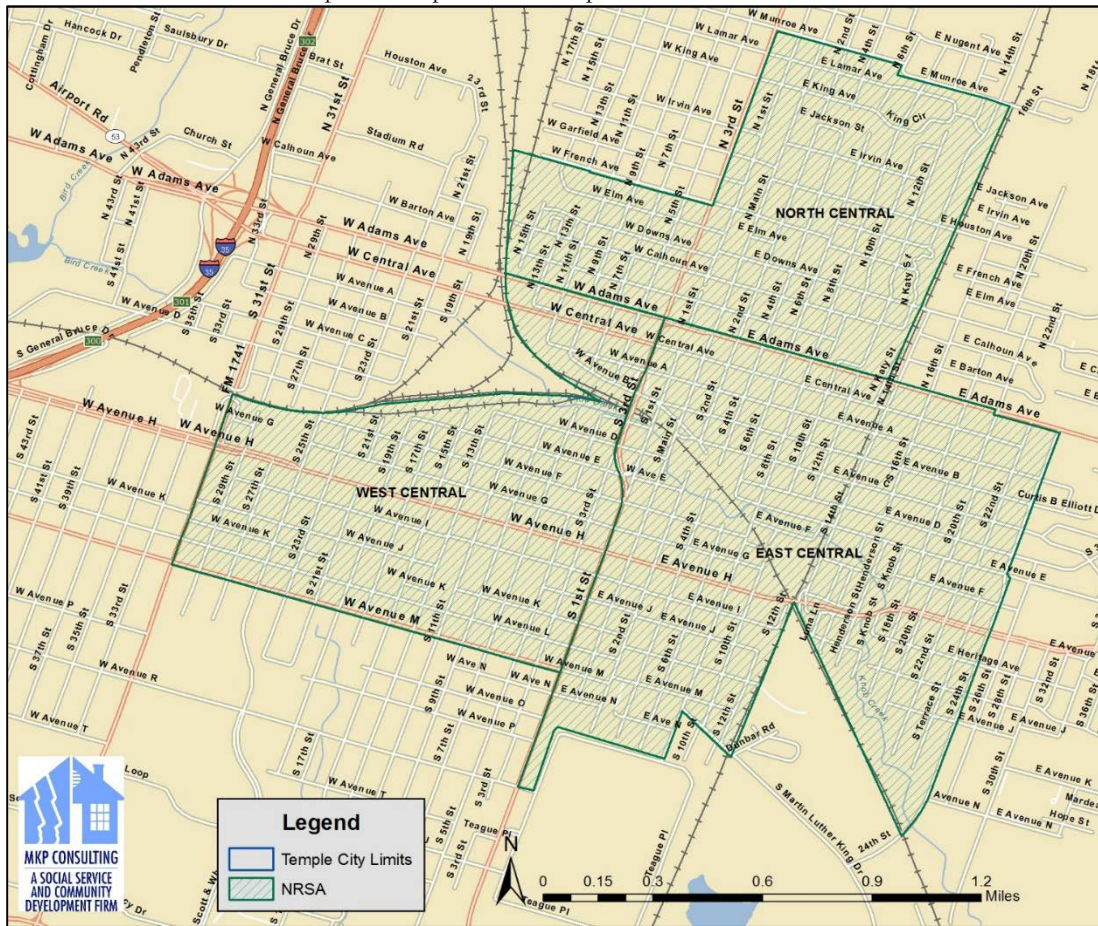
Map Date: 2010

Map Author: MKP Consulting

Map Project: A Social Service and Community Development Firm



Map 8 – Temple's East Temple Revitalization Area



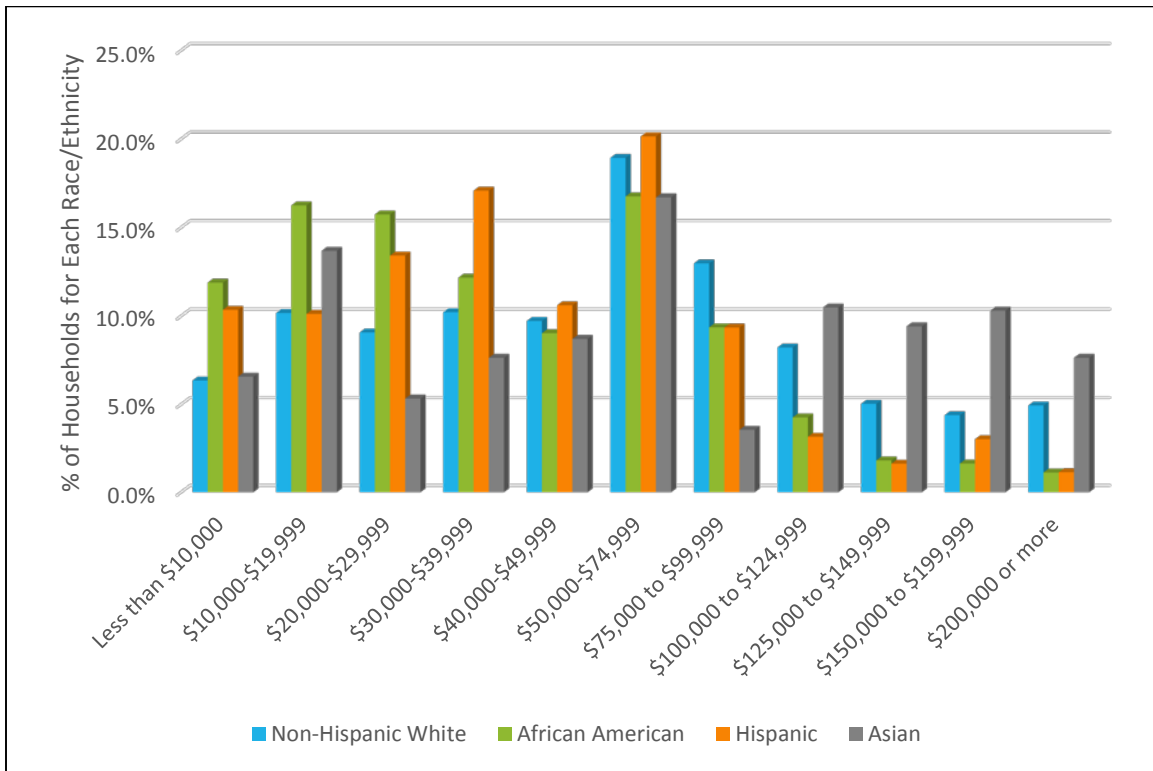


The table, chart and maps below show various demographic characteristics of the Temple population based on the Census Bureau's 2010-2014 American Community Survey (ACS) estimates.

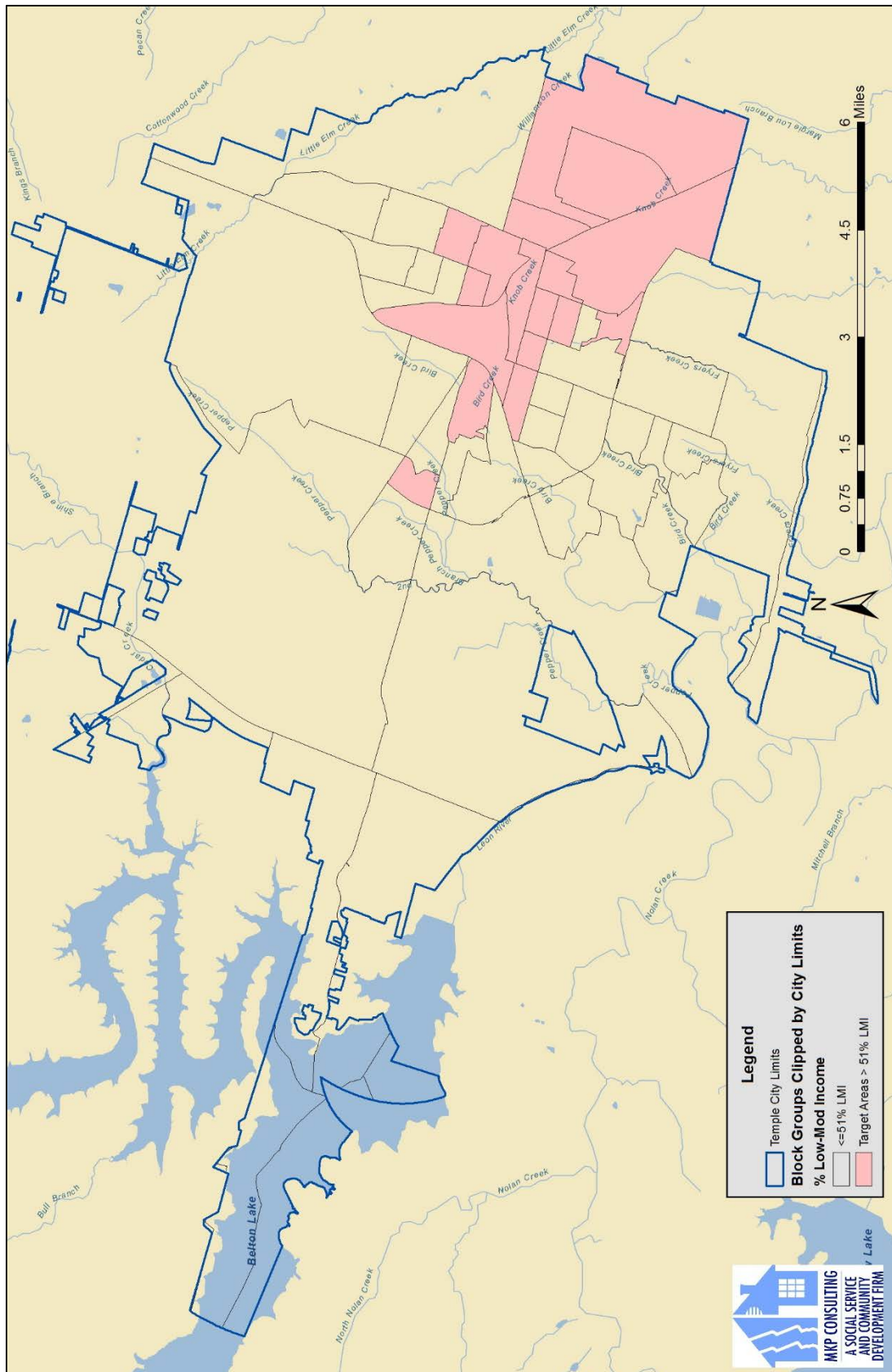
Table 1 – General Population and Housing Characteristics from 2010-2014 ACS

Characteristic	Total Count	Characteristic	Total Count
<b>Total Population</b>	68,877	<b>Total Housing Units</b>	29,670
<b>Hispanic or Latino</b>	16,022	<b>Vacant Housing Units</b>	4,974
<b>Non-Hispanic White</b>	38,145	<b>Households</b>	24,696
<b>Non-Hispanic African American</b>	11,109	<b>Owner Households</b>	14,212
<b>Non-Hispanic American Indian</b>	120	<b>Renter Households</b>	10,484
<b>Non-Hispanic Asian</b>	2,108	<b>Families</b>	16,361
<b>Other</b>	1,373	<b>Households with Children &lt; 18</b>	7,718
<b>Elderly (65+)</b>	16,068	<b>Unmarried Same Sex Partners</b>	49
<b>Disabled</b>	9,853	<b>Unmarried Opposite Sex Partners</b>	194
<b>Working Age Disabled</b>	4,782	<b>Median Household Income</b>	\$47,962
<b>Elderly Disabled</b>	4,328	<b>HHs with Cost Burden &gt;= 30%</b>	7,434
<b>Veteran</b>	7,167	<b>Owner HHs w/ Cost Burden &gt;= 30%</b>	2,416
<b>Persons Below Poverty</b>	11,050	<b>Renter HHs w/ Cost Burden &gt;= 30%</b>	5,018
<b>LEP Households</b>	878	<b>1.01-1.5 Persons Per Room</b>	352
		<b>&gt; 1.5 persons Per Room</b>	157

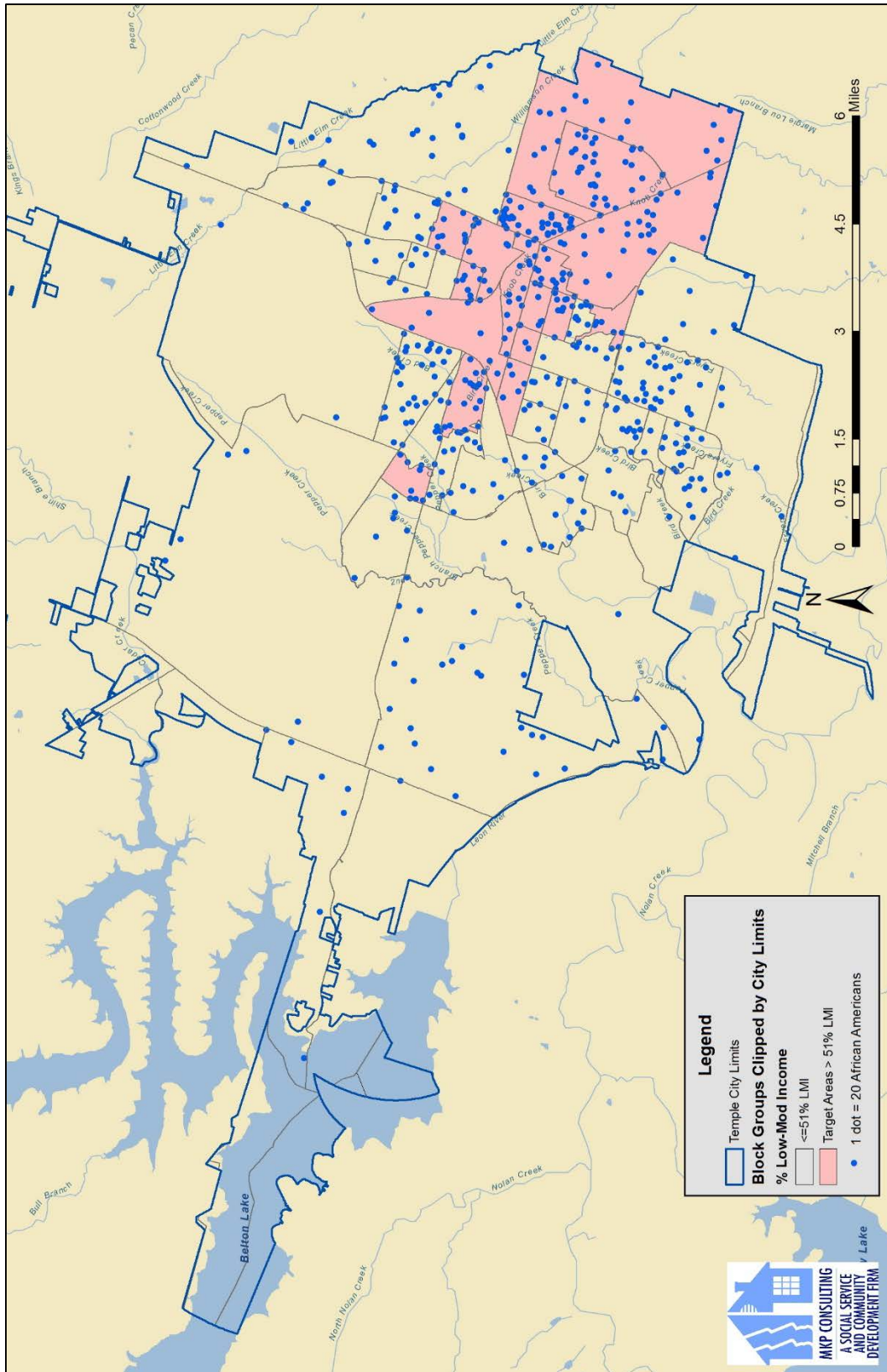
Chart 4 – Income by Race/Ethnicity from 2010-2014 ACS



Map 9 – HUD-Qualified Low- to Moderate-Income Block Groups ( $\geq 51\%$  LMI)



Map 10 – Location of African American Population by Census Block Group





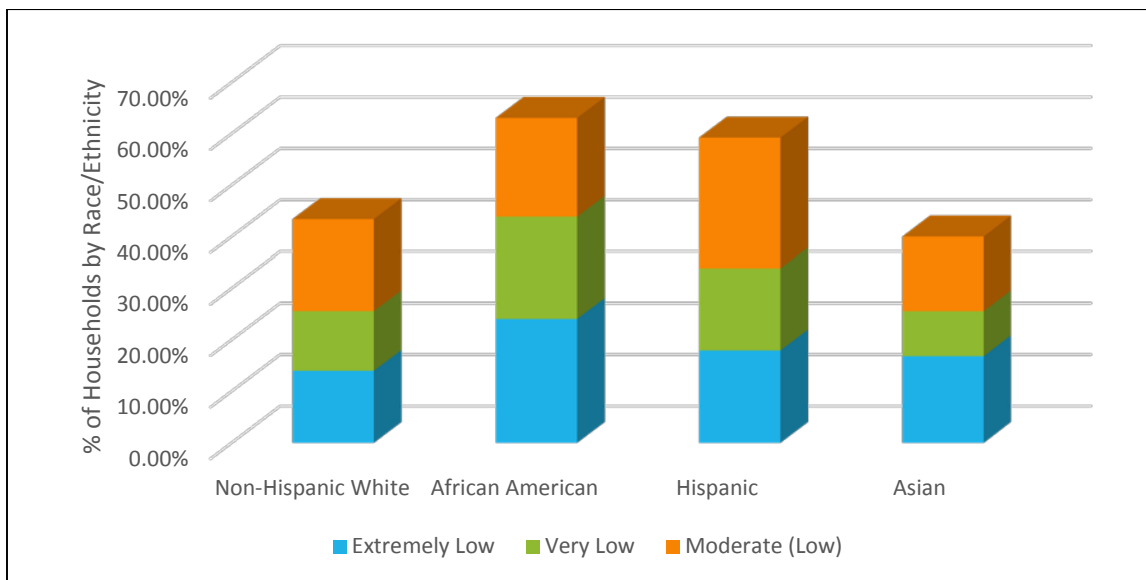
**Legend**

- Temple City Limits
- Block Groups Clipped by City Limits
- % Low-Mod Income
- ≤51% LMI
- Target Areas > 51% LMI
- 1 dot = 20 Hispanics

0 0.75 1.5 3 4.5 6 Miles

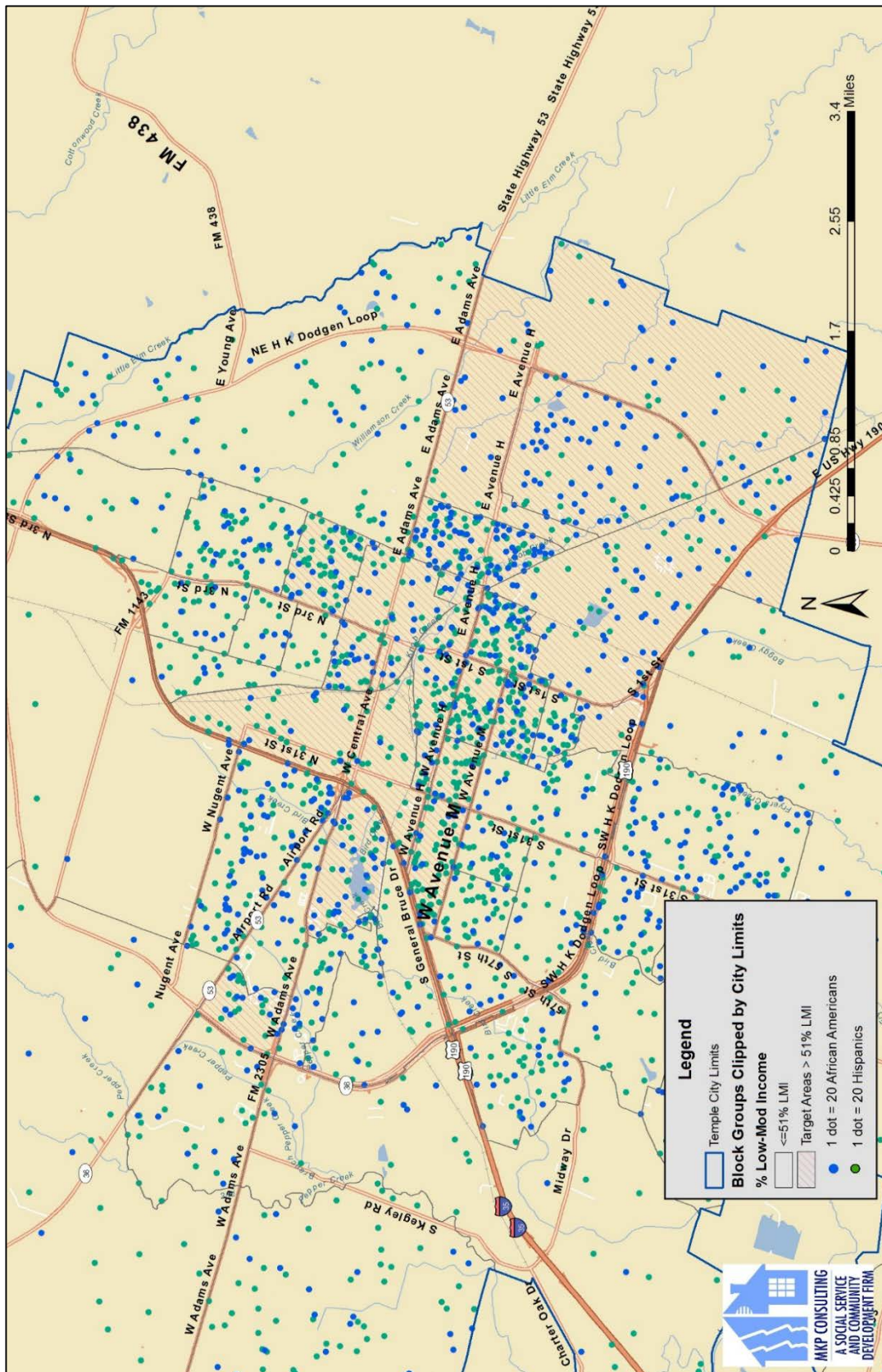
City-wide, Hispanics and African Americans have a higher percent of households in the low- to moderate-income category than non-Hispanic whites and Asians. Extrapolating from the 2010-2014 ACS and using 2014 inflation-adjusted dollars, the following chart shows the percent of households that are extremely low- ( $\leq 30\%$  of Area Median Income), very low- (30.1-50% of Area Median Income) and moderate-(or low-at 50.1-80% pf Area Median Income) income by race/ethnicity. As can be seen in the maps above, the majority of the African Americans and Hispanics reside in the eastern half of Temple, inside the H K Dodgen Loop, encompassing the HUD-designated low- to moderate-income block groups. The map below the chart shows the concentration of African American and Hispanics inside the H K Dodgen Loop and in relation to the HUD LMI areas.

Chart 5 – Low- to Moderate-Income Households by Race/Ethnicity





Map 12 – Concentration of African Americans and Hispanics Inside H K Dodgen Loop



FAIR HOUSING PLAN 57



As part of the move from HUD’s requirement for developing an Analysis of Impediments to Fair Housing Choice to the development of a Fair Housing Plan using an Assessment of Fair Housing, the agency has provided key data variables that assist in assessing disparities in the community. The table below, from the new Affirmatively Furthering Fair Housing (AFFH) Tool shows the change in minority population from 1990 to 2010. The table details the rapid growth in the Hispanic population as well as in the foreign born population, regardless of national origin.

Table 2 – Race/Ethnicity, Foreign Born and LEP Population from HUD’s 2015 AFFH Tool

	(Temple, TX CDBG) Jurisdiction					
	1990		2000		2010	
Race/Ethnicity	#	%	#	%	#	%
White, Non-Hispanic	34,995	70.42	35,681	64.03	35,348	57.58
Black, Non-Hispanic	7,439	14.97	8,775	15.75	9,223	15.02
Hispanic	6,599	13.28	9,768	17.53	14,091	22.95
Asian or Pacific Islander, Non-Hispanic	414	0.83	964	1.73	1,332	2.17
Native American, Non-Hispanic	143	0.29	370	0.66	202	0.33
National Origin						
Foreign-born	1,430	2.88	3,148	5.65	5,041	7.62
LEP						
Limited English Proficiency	2,057	4.14	2,841	5.10	4,063	6.14

## Diversity, Segregation and Integration

There are many methods for calculating and displaying levels of diversity, segregation and integration in a community. One of the ways to show segregation, particularly trends of segregation, is by the use of a dissimilarity index. The dissimilarity index represents the extent to which the distribution of any two groups, such as racial or ethnic groups, differ across subareas of a community. HUD has provided tables detailing dissimilarity between non-Hispanic whites and minorities for 1990, 2000 and 2010. The Affirmatively Furthering Fair Housing Data Documentation from HUD explains the dissimilarity calculation and how the results are interpreted. The formula HUD has used for the index is:



D=Dissimilarity Index

WB = White to Black Dissimilarity

$j$  = the jurisdiction, or Temple and the CBSA in this case

$i$  = the subarea, in this case census block groups

$N$  = total number of subareas

$$D_j^{WB} = 100 * \frac{1}{2} \sum_{i=1}^N \left| \frac{W_i}{W_j} - \frac{B_i}{B_j} \right|$$

Measure	Values	Description
<b>Dissimilarity Index (range 0-100)</b>	< 40	Low Segregation
	40-54	Moderate Segregation
	> 55	High Segregation

Table 3 – Dissimilarity Indices for Temple and the Killeen-Temple CBSA

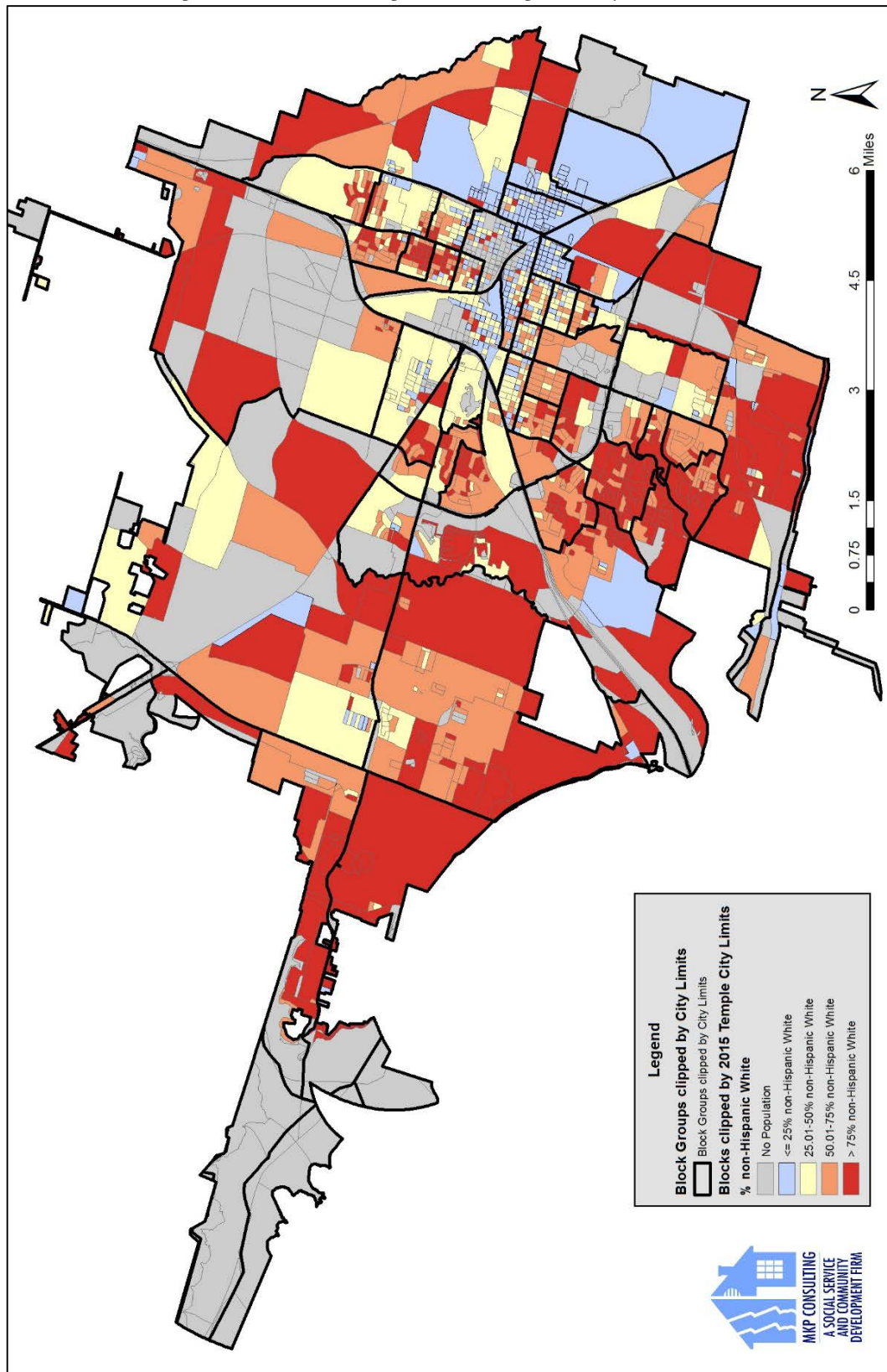
	(Temple, TX CDBG) Jurisdiction			(Killeen-Temple, TX CBSA) Region		
<b>Racial/Ethnic Dissimilarity Index</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>
<b>Non-White/White</b>	32.53	34.10	31.22	32.49	32.47	33.30
<b>Black/White</b>	45.53	47.52	39.03	42.95	42.17	43.90
<b>Hispanic/White</b>	25.29	27.88	30.96	22.89	24.45	27.49
<b>Asian or Pacific Islander/White</b>	31.11	26.57	25.29	42.09	38.86	38.08
Note 1: Data Sources: Decennial Census						
<u>Note 2: Refer to the Data Documentation for details (<a href="http://www.hudexchange.info">www.hudexchange.info</a>).</u>						

Based on the methodology and data reported by HUD, Temple has low segregation regardless of the comparison between whites and other racial/ethnic groups. The Black/White dissimilarity has declined from a moderate segregation level to low segregation, though barely into the low range, between 2000 and 2010 while all other indices have been in the low segregation level since 1990 or before. With the exception of Hispanic/White dissimilarity, Temple has a lower segregation index than the region, though the region's Hispanic/White index has risen since 1990.

The dissimilarity index is used to determine overall jurisdictional segregation or integration, but it cannot be used to determine spatial distribution of the groups. Two methods for determining the spatial distribution and level of integration include mapping the percent minority in each subarea, such as the block group, or the level of deviation a subarea's percent minority is from the total jurisdiction's percent minority. One limitation in determining the level of segregation in a community using block group data is the size of the block groups. Block groups comprise multiple neighborhoods, each of which could be highly segregated, but in combination may appear integrated. The maps below show the percent white, African American and Hispanic in each Census block with the block group boundaries superimposed to show how integrated or segregated each block group is. Following these three maps are maps that compare the block group percentages to the total county in percent white, African American and Hispanic. Because the block group data are not available at the partial block

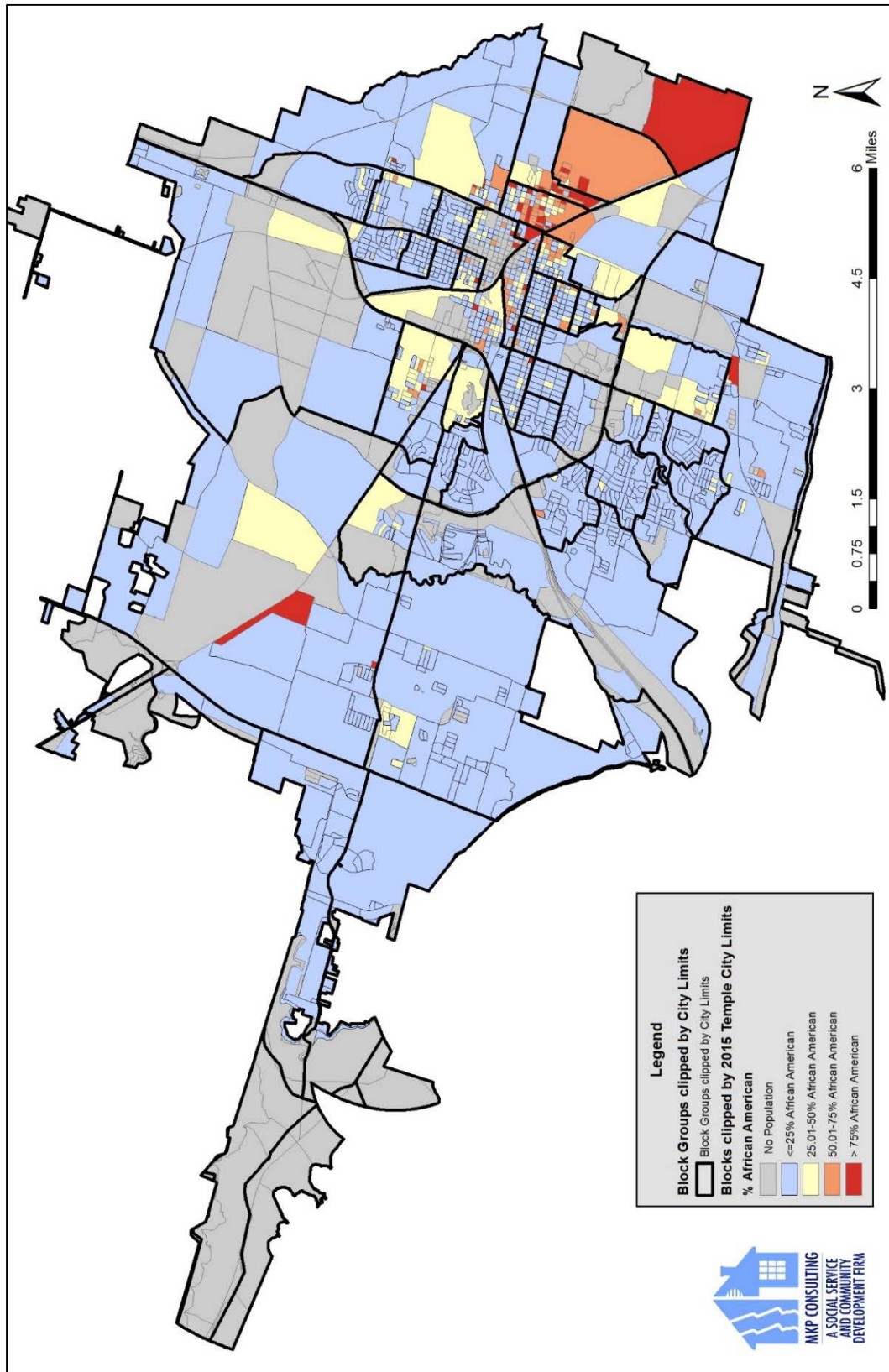
group within corporate limits, to eliminate any bias or misconceptions the comparison must be made using whole block groups and the county total. All of the maps show that the area inside Loop 363 south of US 35 has the highest concentration of minorities, but also the greatest amount of integration.

Map 14 – Percent Non-Hispanic White Population by Census Block

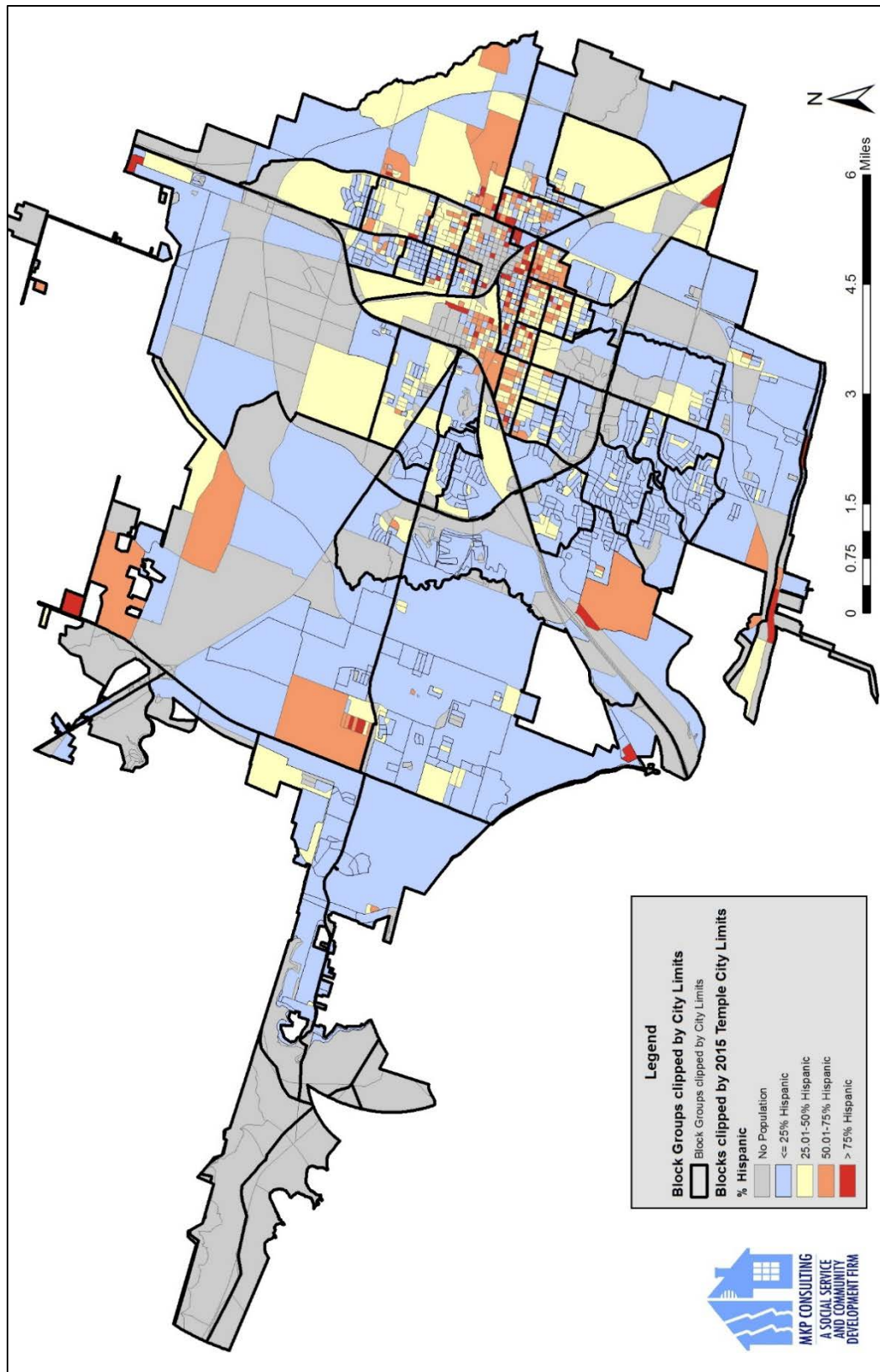




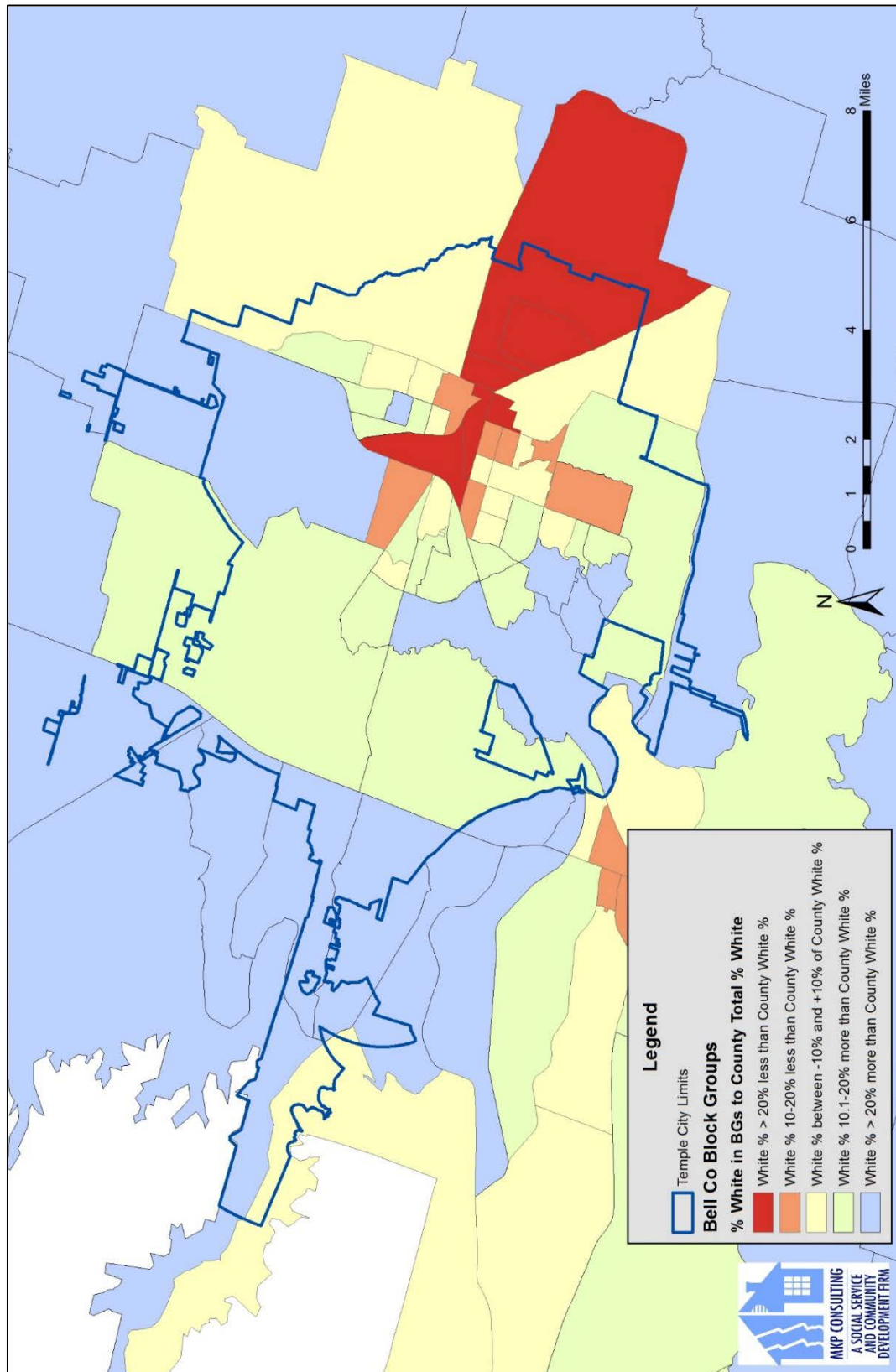
Map 15 – Percent non-Hispanic African American Population by Census Block



Map 16 – Percent Hispanic Population by Census Block

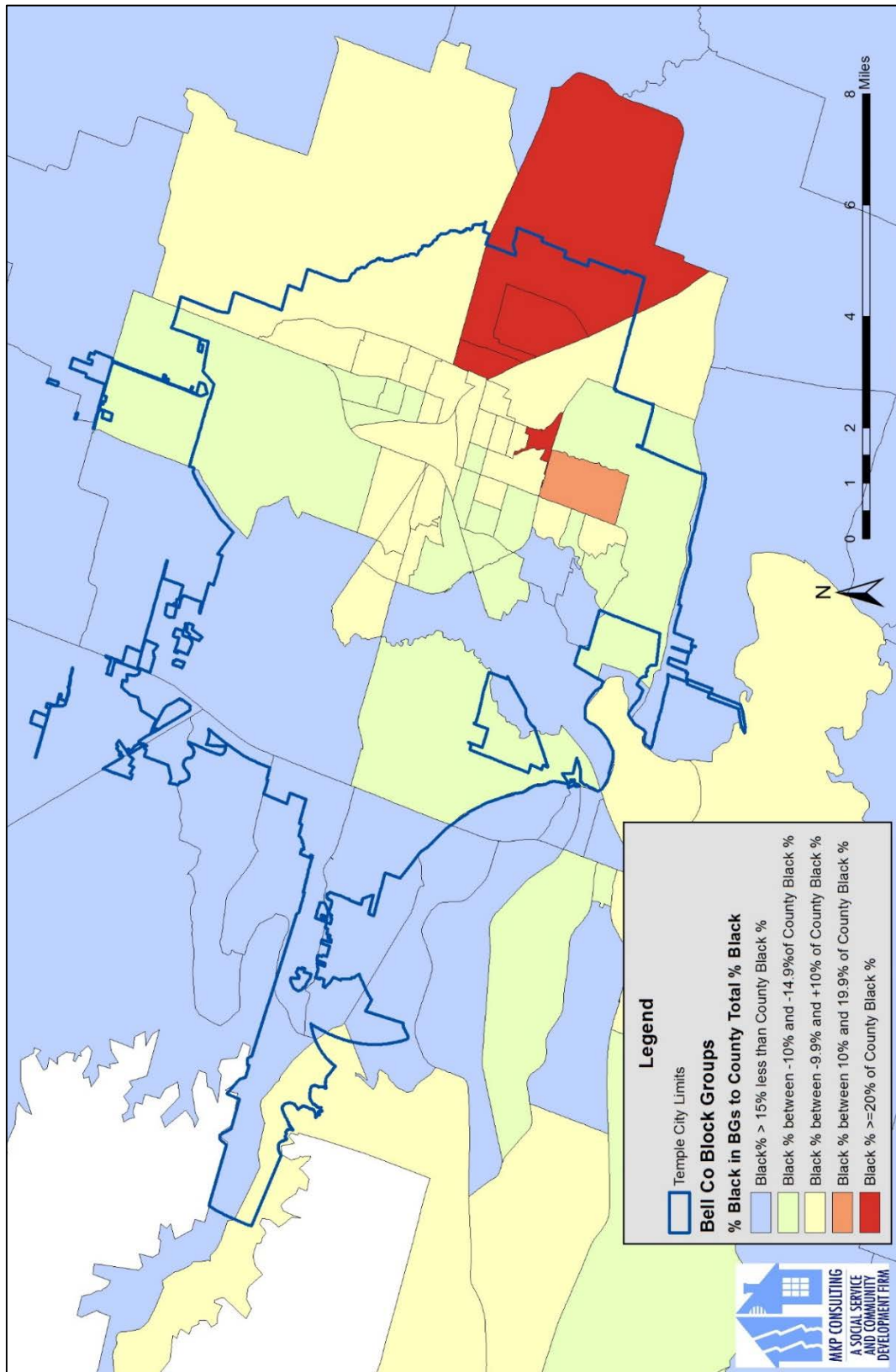


Map 17 – Block Groups' Percent Non-Hispanic White Compared with the  
County's Percent Non-Hispanic White

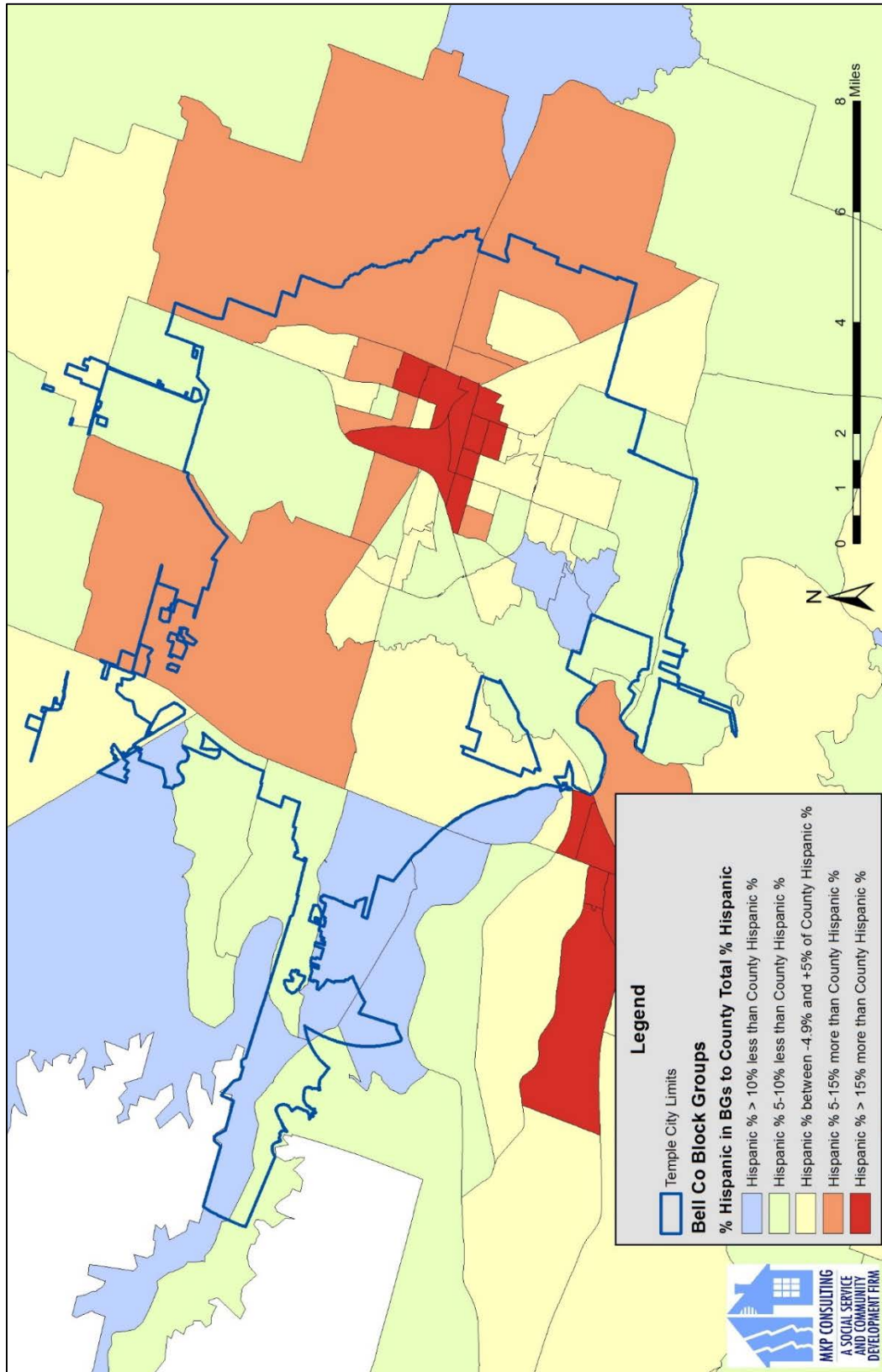




Map 18 – Block Groups' Percent African American Compared with the  
County's Percent African American



Map 19 -- Block Groups' Percent Hispanic Compared with the  
County's Percent Hispanic



## Disproportionate Housing Needs

For all household types and income levels, housing cost burden is by far the most common housing problem. Less than 1% of total households and less than 5% of low- to moderate income households live in housing lacking complete plumbing and/or kitchen facilities. Less than 2% of total households are in overcrowded conditions, with just under 12% of low- to moderate-income households living in overcrowded conditions.

As would be expected, the lower the income the more likely the greater the housing cost burden and/or living in substandard and over-crowded conditions. The extremely low-income renters, with incomes of 30% or less of the area median income (AMI), are the most affected by housing problems. Nearly three-fourths (72%) of the extremely low-income renters have a severe housing problem, while 38% of the very-low income renters (30.1-50% AMI) and 10% of the low/moderate-income renters (50.1-80% AMI) have severe housing problems, classified as substandard housing, severe overcrowding, and severe housing cost burden. Overall, 29.1% of renters at or below AMI have severe housing problems and 64.6% have some level of housing problems.

Looking at the disparities among various racial/ethnic groups, the March 2016 Affirmatively Furthering Fair Housing data from HUD indicates that there are significant differences between minority groups and whites. There is also a disproportionately higher rate of housing problems among large households and non-family households than households with 4 or less household members. The table below compares the total households with problems and severe problems among households by race/ethnicity. Additionally, the table shows the percent of large households and non-family households with housing problems compared to those with 4 or fewer household members.

Table 4 – Households with Disproportionate Housing Needs from AFF Table 9/March 2016

Disproportionate Housing Needs	(Temple, TX CDBG) Jurisdiction		
Households experiencing any of 4 housing problems*	# with problems	# households	% with problems
<b>Race/Ethnicity</b>			
White, Non-Hispanic	3,785	16,130	23.47
Black, Non-Hispanic	1,265	3,385	37.37
Hispanic	1,284	3,864	33.23
Asian or Pacific Islander, Non-Hispanic	225	600	37.50
Native American, Non-Hispanic	25	25	100.00
Other, Non-Hispanic	69	208	33.17
<i>Total</i>	<i>6,645</i>	<i>24,205</i>	<i>27.45</i>
<b>Household Type and Size</b>			
Family households, <5 people	3,045	14,485	21.02
Family households, 5+ people	620	1,915	32.38



Non-family households	2,985	7,805	38.24
<b>Households experiencing any of 4 Severe Housing Problems**</b>	<b># with severe problems</b>	<b># households</b>	<b>% with severe problems</b>
<b>Race/Ethnicity</b>			
White, Non-Hispanic	1,645	16,130	10.20
Black, Non-Hispanic	514	3,385	15.18
Hispanic	503	3,864	13.02
Asian or Pacific Islander, Non-Hispanic	110	600	18.33
Native American, Non-Hispanic	25	25	100.00
Other, Non-Hispanic	59	208	28.37
<i><b>Total</b></i>	<i><b>2,865</b></i>	<i><b>24,205</b></i>	<i><b>11.84</b></i>

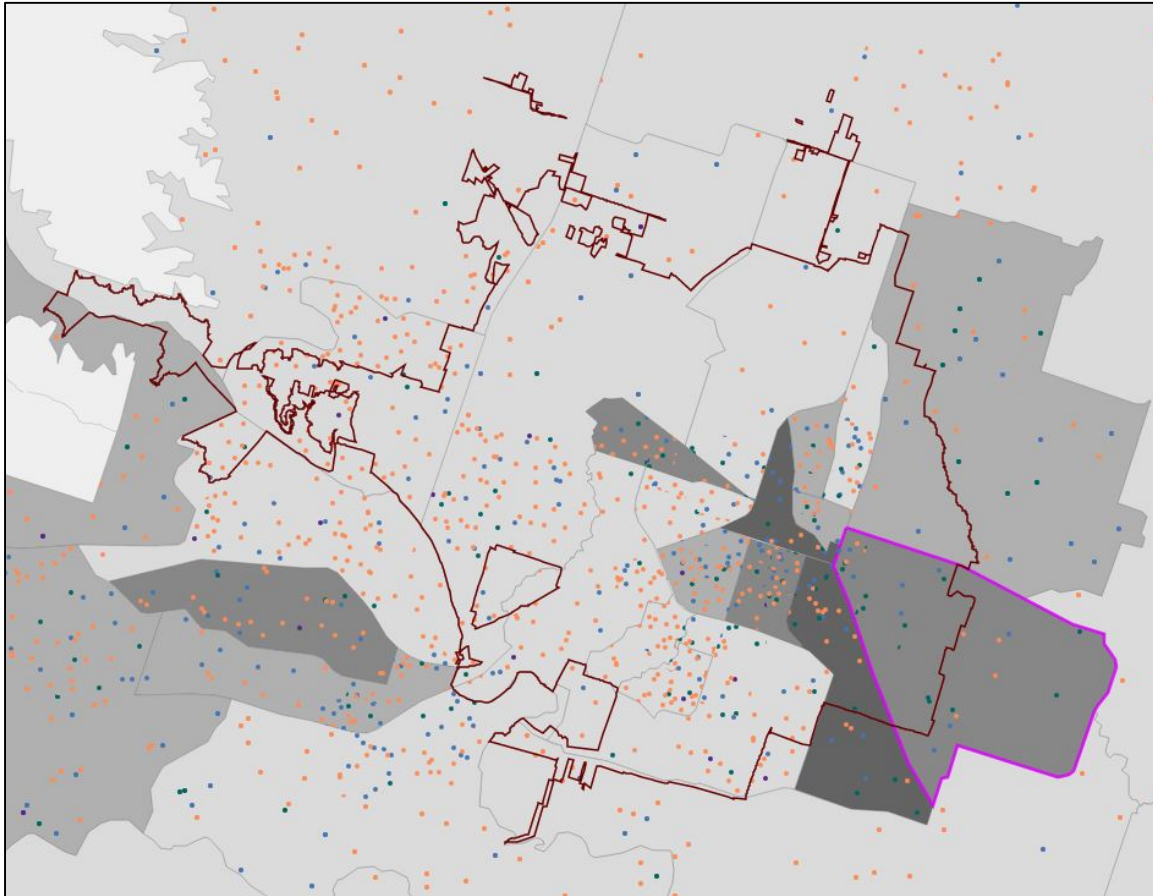
*Note 1: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%.*

*Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.*

HUD's March 2016 map from the new Assessment of Fair Housing Tool shows the distribution of households with one or more housing problems (burdens) coupled with the distribution of population by race/ethnicity. Following the map of housing problems are two maps of the location of publicly supported housing over population by race/ethnicity.

Map 20 – 2010 Population Over Percent Households with 1-4 Housing Problems (Burdens)

HUD's March 2016 Assessment of Fair Housing Tool



**Demographics 2010**

1 Dot = 75

- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic

**Percent Households with Burden**

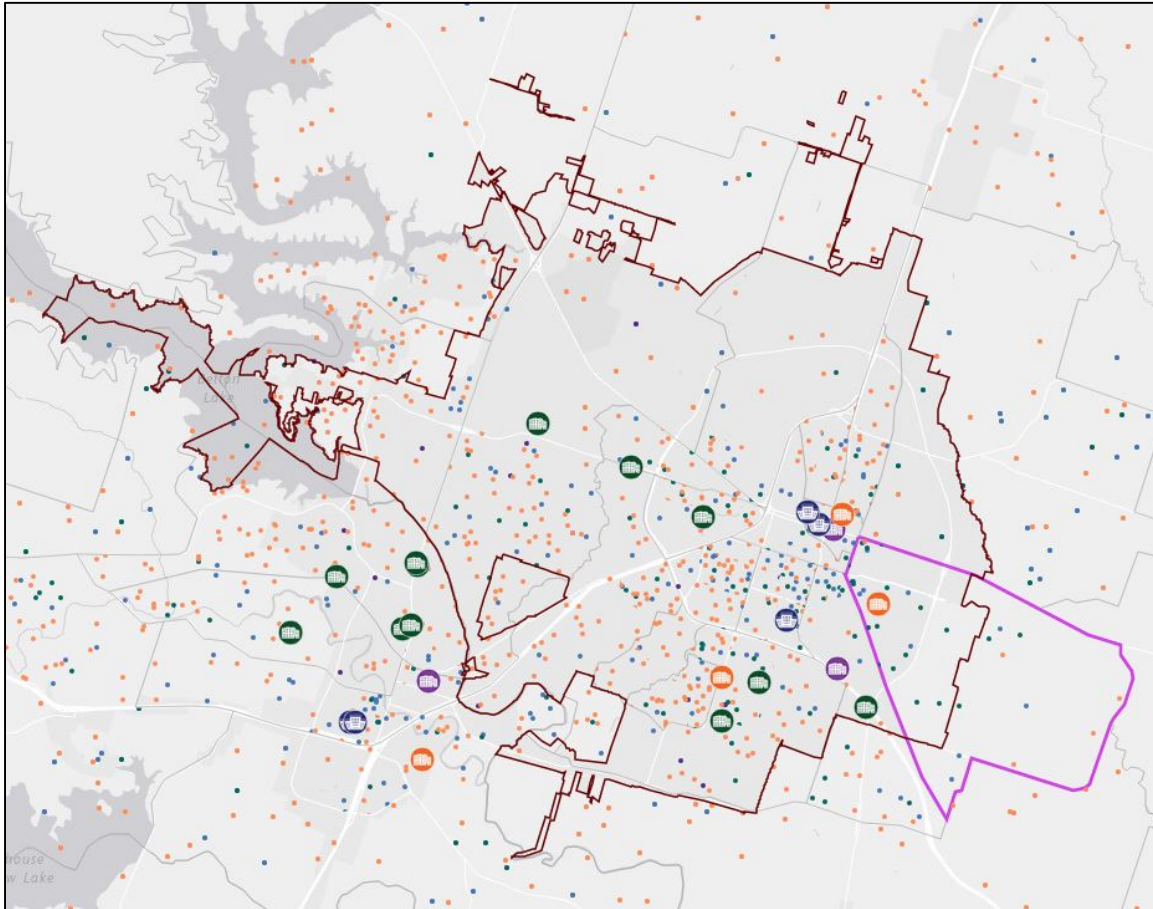
- 0% - 26.07%
- 26.08% - 35.86%
- 35.87% - 46.38%
- 46.39% - 59.74%
- 59.75% - 100%

R/ECAP



Map 21 – Location of Publicly Subsidized Housing Over Population by Race/Ethnicity

HUD's March 2016 Assessment of Fair Housing Tool



**Demographics 2010**

1 Dot = 75

-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic
-  Other, Non-Hispanic

**R/ECAP**



**Public Housing**



**Other Multifamily**



**Project-Based Section 8**

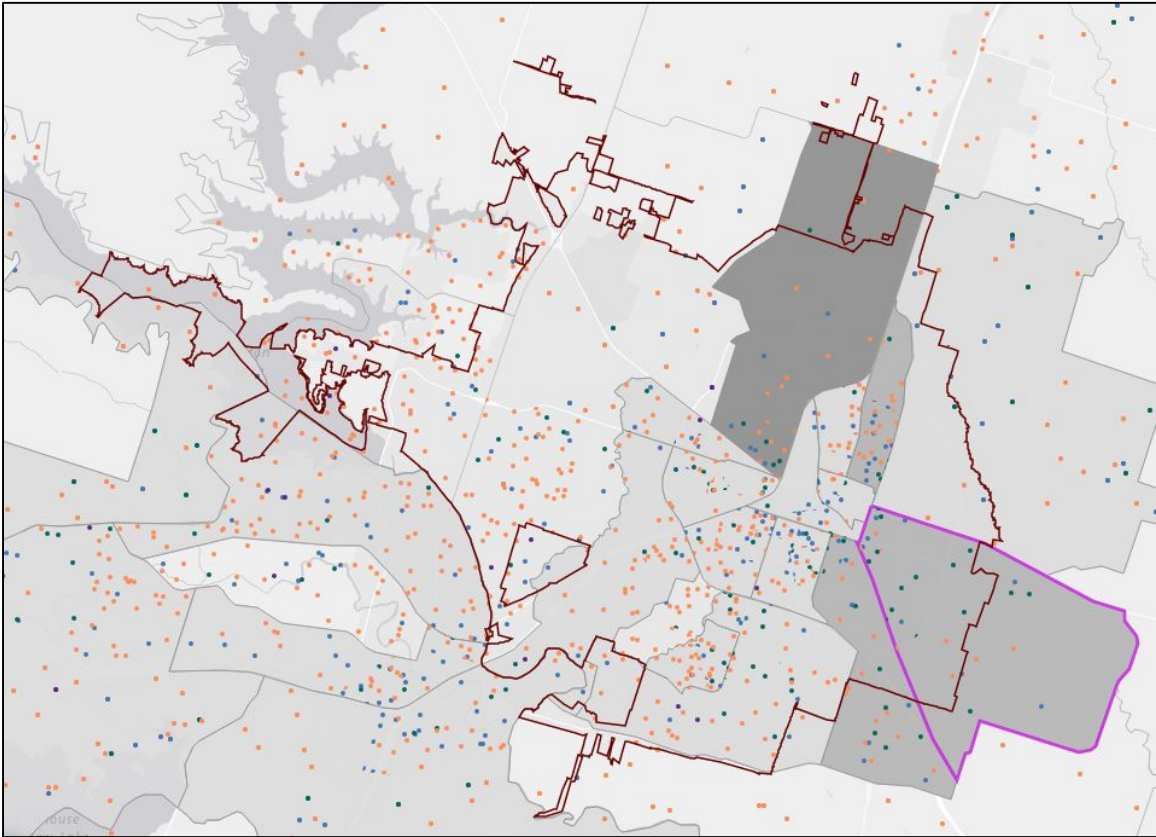


**LIHTC**



Map 22 – Population by Race/Ethnicity Over Percent of Section 8 Housing Choice Voucher Units

HUD's March 2016 Assessment of Fair Housing Tool








**Demographics 2010**

1 Dot = 75

-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic
-  Other, Non-Hispanic

**Percent Voucher Units**

-  0% - 5.99%
-  6.0% - 11.70%
-  11.71% - 20.38%
-  20.39% - 38.28%
-  38.29% - 100%

**R/ECAP**





While the area in the southeast part of Temple has the densest concentration of minorities and several of the census tracts have a high percentage of households with housing problems, there are a significant number of white households in the area also. It should be kept in mind that the information is presented by HUD at the census tract level with multiple neighborhoods within each large census tract. The choropleth (shaded) map layer shows the overall tract percentage while the dot density layer has the dots randomly distributed throughout the tract. There is no indication if the minorities and those with housing problems are clustered together in neighborhoods within a single tract.

The publicly supported housing developments are located in areas of high minority concentration while the minority population resides in tracts with relatively low to moderate percentage of housing choice vouchers (HCVs), with the exception of the more sparsely populated R/ECAP area and the area on the east side, also sparsely populated. More investigation needs to occur to determine the reason Housing Choice Vouchers are not more evenly distributed throughout the city. It may be a fair housing issue that landlords in many areas do not accept HCVs or that rents in areas with few voucher holders exceed HUD's allowable rents. In addition, there are few areas throughout Temple that are zoned multi-family, and much of the area of concentrated vouchers is currently zoned light industrial. This would indicate that any housing developments were constructed prior to the current zoning map or zoning variances were issued. On the other hand, it may be that voucher holders, particularly minority voucher holders, have chosen to live in these areas for various reasons.

## **R/ECAP**

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HUD has determined racially or ethnically-concentrated areas of poverty (R/ECAP) at the whole census tract level. For a census tract to be considered a R/ECAP it must have a non-white population of 50% or more and have 40% or more of individuals living below the poverty line or is three or more times the average census tract-level poverty rate for the metropolitan area, whichever is lower. Using the 2010 decennial census and the 2006-2010 American Community Survey (ACS), HUD has identified one R/ECAP inside the city limits. The map and table below show the location and data for the one R/ECAP area in Temple located in far southwest Temple.



Map 23 – R/ECAP Area in Temple

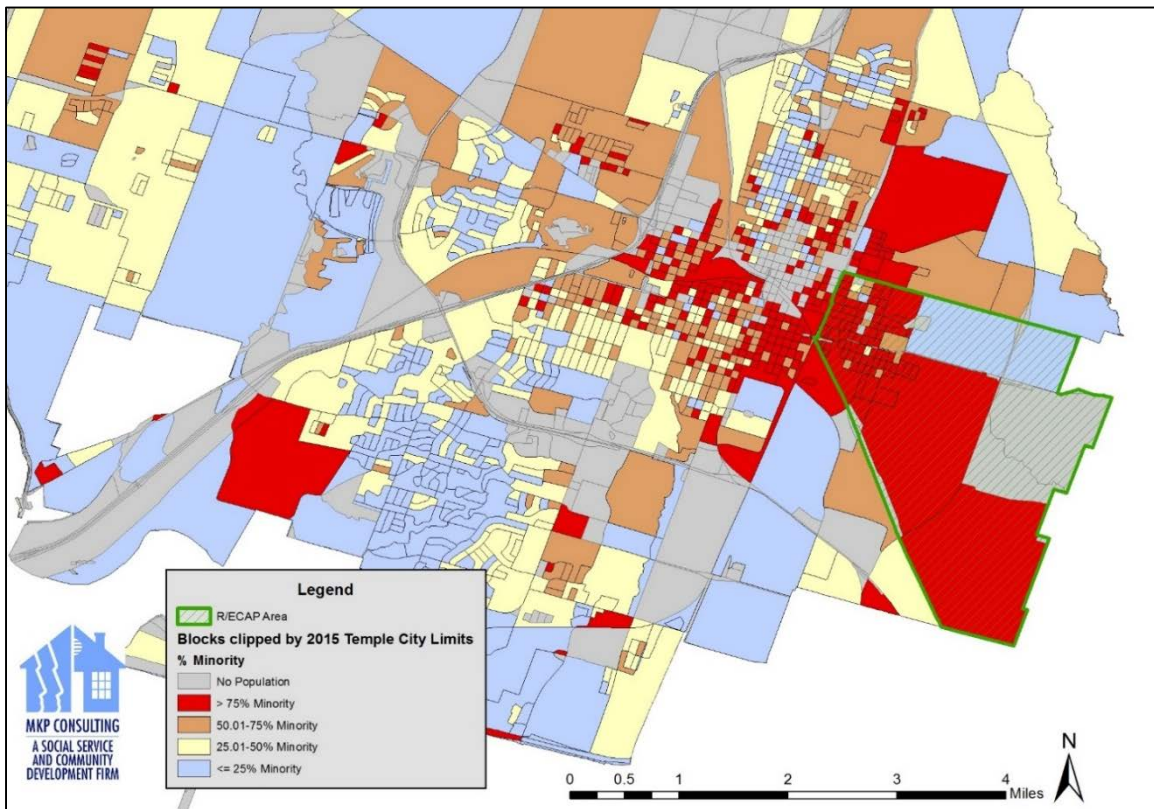


Table 5 – Racial/Ethnic Distribution in R/ECAP

R/ECAP Race/Ethnicity	#	%
<b>Total Population in R/ECAPs</b>	2,427	-
<b>White, Non-Hispanic</b>	268	11.04
<b>Black, Non-Hispanic</b>	1,367	56.32
<b>Hispanic</b>	719	29.63
<b>Other</b>	11	0.45

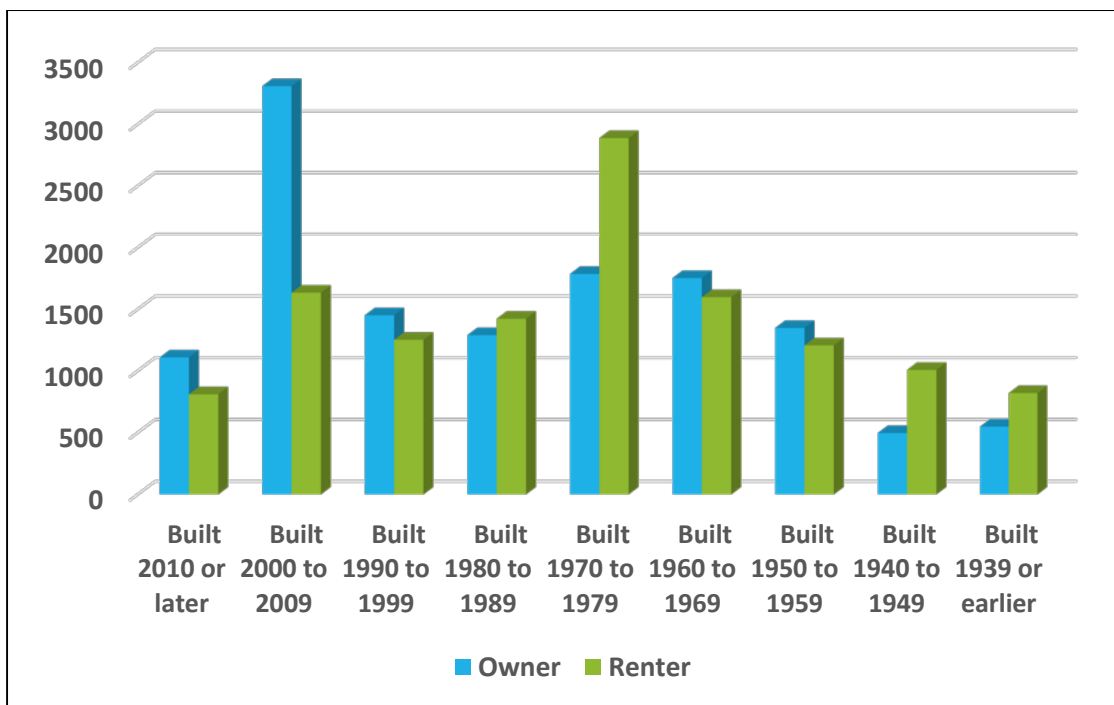
## Housing Market

The City of Temple has somewhat of a different housing market than Texas as a whole. The median self-disclosed housing value in Temple is \$123,300, as reported in the 2014 American Community Survey (ACS), compared with \$139,600 in the state as a whole. Likewise, Temple's self- median gross rent, as reported in the 2014 ACS, is \$838, up from \$793 five years prior, compared with \$896, up from 834 five years prior for Texas.

The age of the housing stock in Temple is predominately either less than 15 years old (23.8%), with 6.5% being built between 2010 and 2014, or more than 54 years old (33.5%), with 5.8% being built before 1940. The graph below shows the distribution by age for owner and renter occupied units. The Texas building boom of the late 1960s through 1970s has resulted in a large percentage of

apartment complexes being built quickly with less quality. Cities, including Temple, are seeing more rapid decline in the quality of these multi-family units than in those built before 1970 or after 1980.

Chart 6 – Age of Housing Stock by Tenure



The vast majority of the owner-occupied houses are 3- or 4-bedrooms with a few (665) having 5 or more. However, the majority of the renter-occupied units are 1- and 2-bedrooms with some 4-bedrooms and only 48 having 5 or more. This presents a problem for large families looking to rent, whether in the open market or on subsidies.

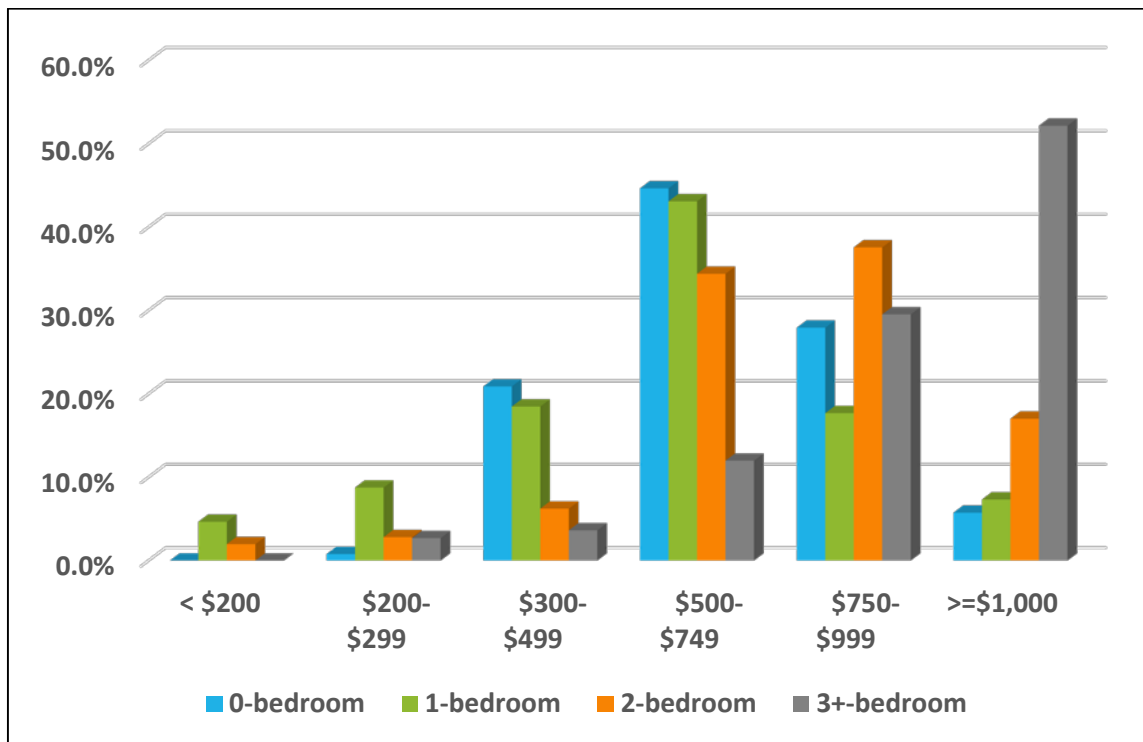
Chart 7– Number of Bedrooms by Tenure



## Rental Market

The graph below from the Census ACS shows the percent of rental units by bedroom size within rental ranges.

Chart 8 – Renter-Occupied Units by Size and Cost Range



The table below, extracted from the National Low Income Housing Coalition's 2016 Out of Reach report, shows the Fair Market Rents (FMRs) in Bell County and the income/jobs needed to afford the various size units.

Table 6 – FMRs and Incomes Required to Rent by Number of Bedrooms

	0-bedroom	1-bedroom	2-bedroom	3-bedroom	4-bedroom
<b>Fair Market Rents</b>	\$581	\$585	\$783	\$1,117	\$1,367
<b>Monthly Income Needed to Afford FMR</b>	\$1,937	\$1,950	\$2,610	\$3,723	\$4,557
<b>Hourly Wage Needed to Afford FMR</b>	\$11.17	\$11.25	\$15.06	\$21.48	\$26.29
<b>Full-time Minimum Wage Jobs Needed</b>	1.5	1.6	2.1	3	3.6
<b>Full-time Jobs at Mean Renter Wage Needed</b>	0.8	0.8	1.1	1.5	1.9

Most of the actual rents advertised through the internet, newspaper and free rental booklets exceed the FMRs in Temple. The rents in March 2016 range from:

- \$465 to \$1,113 for 1-bedroom apartments, with the majority between \$600 and \$700;
- \$500-\$1,95 for 2-bedroom apartments, with the majority between \$750 and \$850, and from \$775 to \$1,100 for single family houses;
- \$450 to \$1,600 for 3-bedroom apartments, with the majority between \$850 and \$1,050, and from \$775-\$1,450 for single family houses; and
- \$635 to \$1,250 for 4-bedroom apartments, with only 5 developments available, and from \$1,200 to \$1,895 for single family houses.

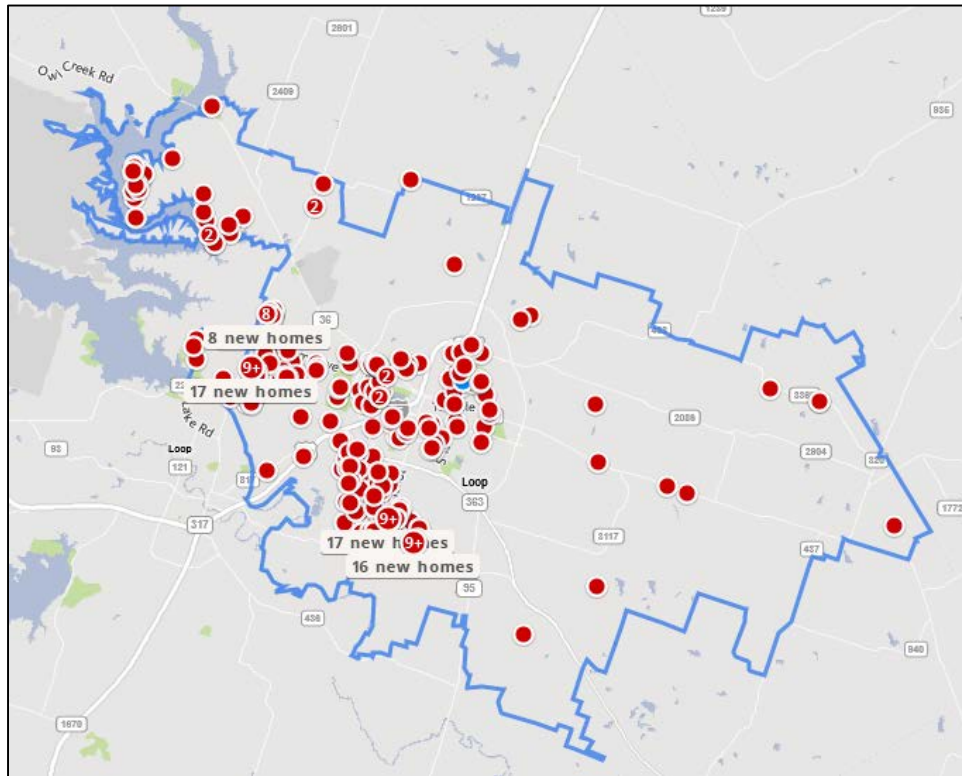
The rents in Temple place a housing cost burden on average renters who have only one household income and need 2 or more bedrooms. Single parents must earn above the average renter's income to afford a 2-bedroom unit or larger. Because female-headed households have a much lower income than married couples, male-headed households or non-family households, single mother households have a much greater risk of a housing problem. Of single mother households, 58% in Temple are living below the poverty level as opposed to 4% of married couples and 9% of single father households. Poverty levels are based on households size and a 4-person household at the poverty level can only afford an efficiency (0-bedroom) rental unit in Temple. The shortage of apartments with more than 2 bedrooms causes renters to lease single-family housing, which is traditionally more expensive for the same number of bedrooms and structural quality.

## Owner Market

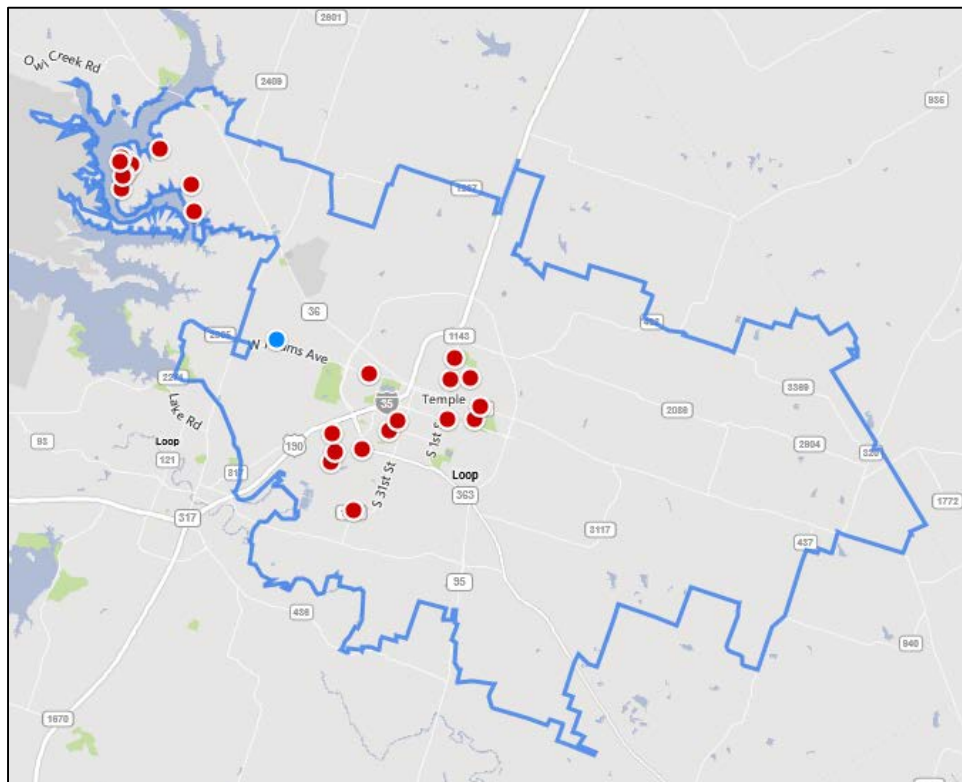
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The majority of the owner occupied housing in Temple has a self-disclosed value of between \$75,000 and \$175,000. There are currently 381 homes for sale in Temple, with the vast majority being located on the west side of the city. The maps below from Zillow.com show the location of the available houses by asking price.

Map 24 – Current Houses for Sale from Zillow.com

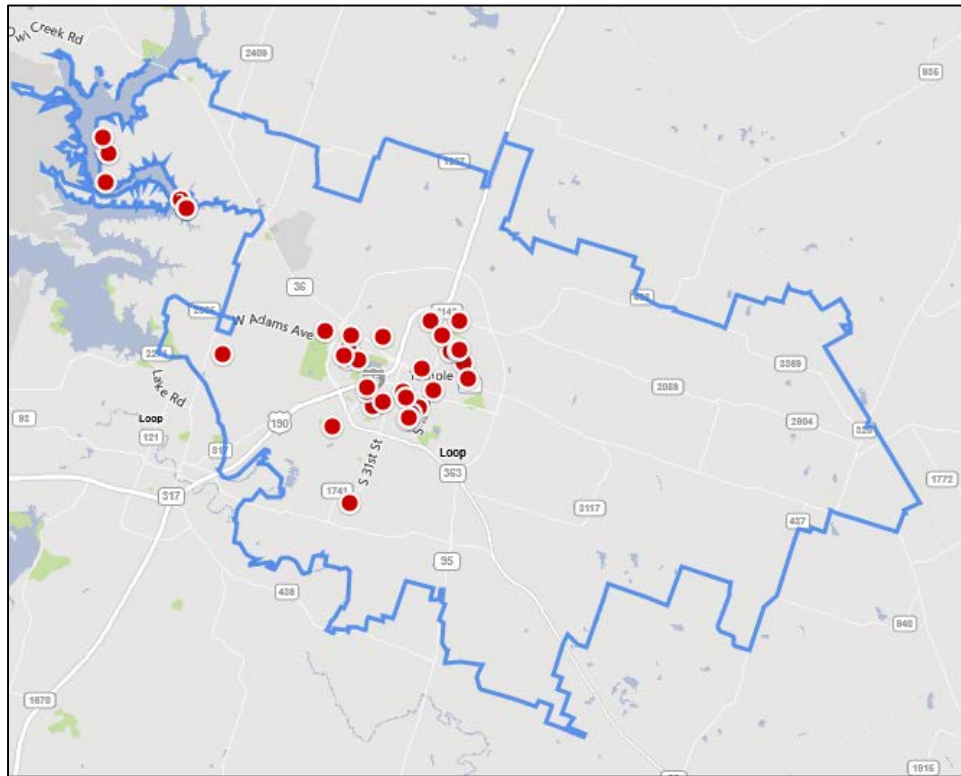


Map 25 – Current Houses for Sale at \$50,000 or Less from Zillow.com

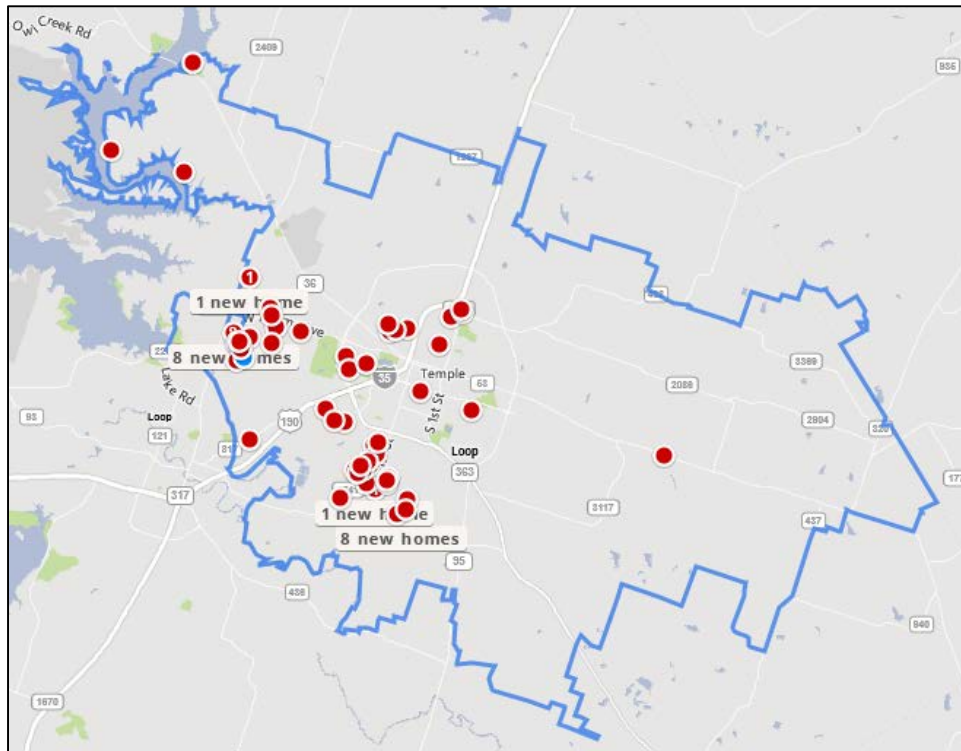




Map 26 – Current Houses for Sale at \$50,001-\$100,000 from Zillow.com



Map 27 – Current Houses for Sale at \$100,001-\$150,000 from Zillow.com



A map of the Dallas area showing the locations of 34 new homes. The homes are marked with red dots, some of which are grouped and labeled with text boxes: "7 new homes" near Lake Tawakoni, "9 new homes" near Lake Tawakoni, "9 new homes" near Lake Tawakoni, and "8 new homes" near Lake Tawakoni. The map includes major roads like O.W. Creek Rd, Loop 121, Loop 360, and Loop 35, as well as landmarks like Temple and Lake Tawakoni.

## Home Mortgage Disclosure Act Data

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The Federal Financial Institutions Examination Council (FFIEC) requires, through the Home Mortgage Disclosure Act (HMDA), that all mortgage lenders to report on loan applications by whole census tract, including areas that are outside the city limits. The 2013 HMDA data for Temple's whole census tracts, reveals that there were 4,312 mortgage applications for owner-occupied housing with income and loan request amount included. The tables on the two next pages compare the distribution of the mortgage applications by race/ethnicity. Whites apply for mortgages at a much higher rate than African Americans and Hispanics. total households. These two minority groups also have a higher rate of loan denials than whites, especially when the loans are for home improvements or refinancing.

Below the two tables are a series of maps delineating the geographic distribution of loan applications and the disparities among census tracts. Whites far outweigh African Americans and Hispanics in the number of loan applications for almost all census tracts. City-wide, the average loan amounts requested are much higher for whites than those for African Americans which are much higher than those for Hispanics. However, the comparisons differ among census tracts. African Americans have the highest loan:income ratio, on average, followed by Hispanics and then whites. Comparing the denied applications as a percent of the total applications for each race/ethnicity, African Americans have a much higher denial rate than Hispanics, who have a much higher rate than whites. African Americans have more than twice the rate of denials than whites, while Hispanics have nearly twice the rate.

Table 7 – Loan Application Data by Race/Ethnicity for Owner-Occupied Single Family Purchases

Variable	Total Single Family	Purchase	Improvements	Refinance
<b>Total Applications</b>				
<b>Total</b>	<b>4,148</b>	2,193	288	1,667
<b>Avg. Loan Amt.</b>	<b>\$ 139,108</b>	\$ 159,213	\$ 44,115	\$ 129,071
<b>Average Income</b>	<b>\$ 86,581</b>	\$ 83,199	\$ 81,472	\$ 91,912
<b>Loan:Income Ratio</b>	<b>1.963</b>	2.263	0.667	1.793
<b>Loans Denied</b>	<b>415</b>	110	78	227
<b>% Denied</b>	<b>10.0%</b>	5.0%	27.1%	13.6%
<b>Hispanic</b>				
<b>Total</b>	<b>477</b>	272	33	172
<b>Percent Hispanic</b>	<b>11.5%</b>	12.4%	11.5%	10.3%
<b>Average Loan Amt</b>	<b>\$ 116,143</b>	\$ 133,673	\$ 34,788	\$ 104,029
<b>Average Income</b>	<b>\$ 66,249</b>	\$ 63,787	\$ 67,970	\$ 69,814
<b>Loan:Income Ratio</b>	<b>2.039</b>	2.369	0.756	1.763
<b>Loans Denied</b>	<b>63</b>	23	13	27
<b>% Denied</b>	<b>13.2%</b>	8.5%	39.4%	15.7%
<b>% of Total Denials</b>	<b>15.2%</b>	20.9%	16.7%	11.9%
<b>African American</b>				
<b>Total</b>	<b>233</b>	116	25	92
<b>Percent African American</b>	<b>5.6%</b>	5.3%	8.7%	5.5%
<b>Average Loan Amt</b>	<b>\$ 133,391</b>	\$ 159,621	\$ 28,960	\$ 128,696
<b>Average Income</b>	<b>\$ 77,189</b>	\$ 73,086	\$ 65,640	\$ 85,500
<b>Loan:Income Ratio</b>	<b>2.054</b>	2.516	0.552	1.879
<b>Loans Denied</b>	<b>48</b>	7	12	29
<b>% Denied</b>	<b>20.6%</b>	6.0%	48.0%	31.5%
<b>% of Total Denials</b>	<b>1.2%</b>	0.3%	4.2%	1.7%
<b>Non-Hispanic White</b>				
<b>Total</b>	<b>2737</b>	1544	173	1020
<b>Percent White</b>	<b>66.0%</b>	<b>70.4%</b>	<b>60.1%</b>	<b>61.2%</b>
<b>Average Loan Amt</b>	<b>\$ 145,101</b>	\$ 161,212	\$ 48,994	\$ 137,014
<b>Average Income</b>	<b>\$ 89,201</b>	\$ 84,795	\$ 84,220	\$ 96,715
<b>Loan:Income Ratio</b>	<b>1.97</b>	2.23	0.64	1.80
<b>Loans Denied</b>	<b>241</b>	66	40	135
<b>% Denied</b>	<b>8.8%</b>	4.3%	23.1%	13.2%
<b>% of Total Denials</b>	<b>5.8%</b>	3.0%	13.9%	8.1%

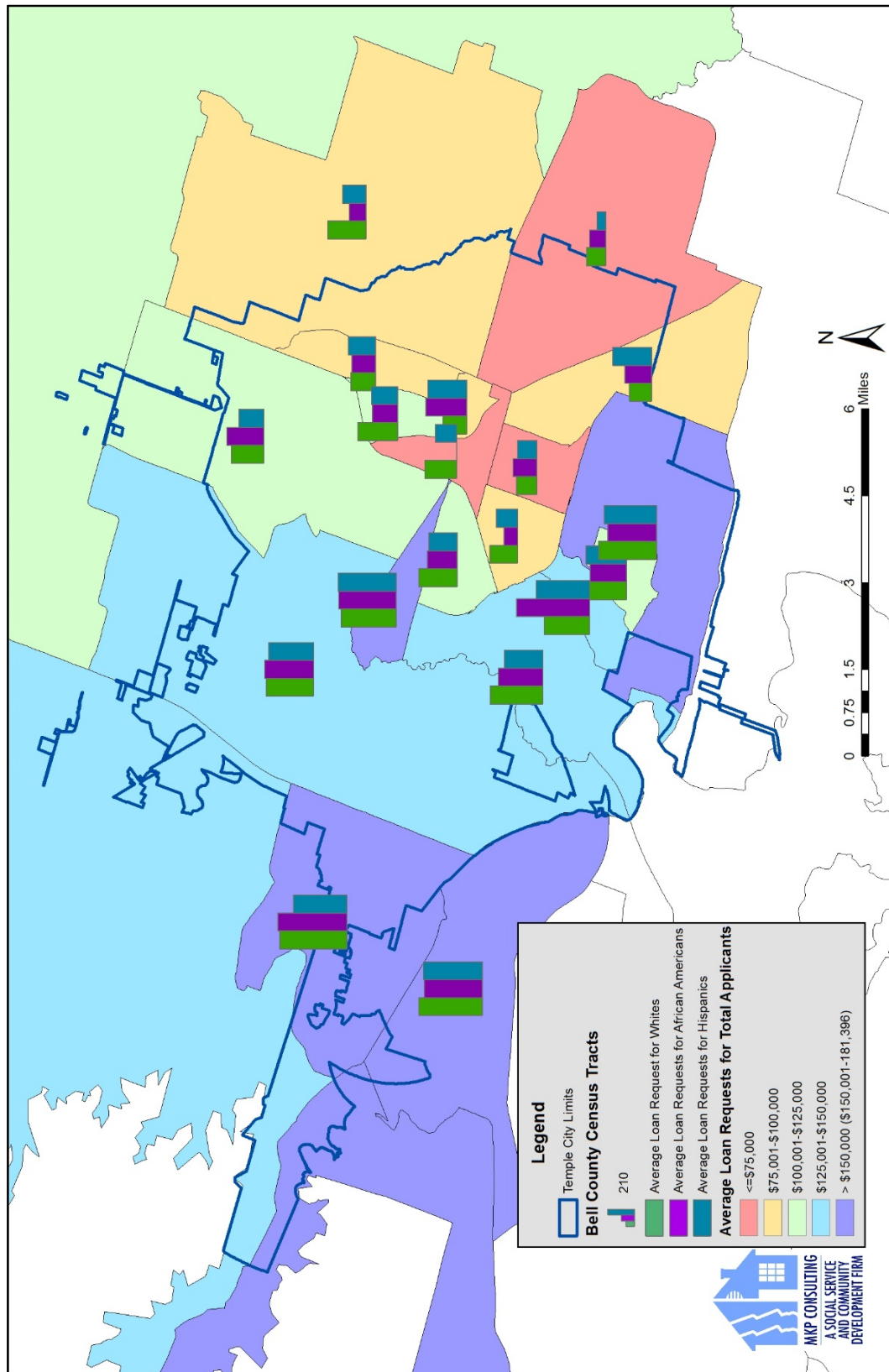
Table 8 – Loan Application Data by Race/Ethnicity for Owner-Occupied Manufactured Home Purchases

Variable	Total Manufactured	Purchase	Improvements	Refinance
<b>Total Applications</b>				
<b>Total</b>	<b>164</b>	<b>147</b>	<b>4</b>	<b>13</b>
<b>Avg. Loan Amt.</b>	<b>\$60,238</b>	<b>\$62,401</b>	<b>\$13,250</b>	<b>\$50,231</b>
<b>Average Income</b>	<b>\$45,683</b>	<b>\$45,170</b>	<b>\$66,500</b>	<b>\$45,077</b>
<b>Loan:Income Ratio</b>	<b>1.581</b>	<b>1.648</b>	<b>0.212</b>	<b>1.245</b>
<b>Loans Denied</b>	<b>20</b>	<b>17</b>	<b>2</b>	<b>1</b>
<b>% Denied</b>	<b>12.2%</b>	<b>11.6%</b>	<b>50.0%</b>	<b>7.7%</b>
<b>Hispanic</b>				
<b>Total</b>	<b>24</b>	<b>23</b>	<b>0</b>	<b>1</b>
<b>Percent Hispanic</b>	<b>14.6%</b>	<b>15.6%</b>	<b>0.0%</b>	<b>7.7%</b>
<b>Average Loan Amt</b>	<b>\$61,958</b>	<b>\$63,217</b>		<b>\$33,000</b>
<b>Average Income</b>	<b>\$43,083</b>	<b>\$43,826</b>		<b>\$26,000</b>
<b>Loan:Income Ratio</b>	<b>1.761</b>	<b>1.783</b>	<b>0</b>	<b>1.27</b>
<b>Loans Denied</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>
<b>% Denied</b>	<b>12.5%</b>	<b>13.0%</b>	<b>0.0%</b>	<b>0.0%</b>
<b>% of Total Denials</b>	<b>15.0%</b>	<b>17.6%</b>	<b>0.0%</b>	<b>0.0%</b>
<b>African American</b>				
<b>Total</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>0</b>
<b>Percent African American</b>	<b>3.0%</b>	<b>2.7%</b>	<b>25.0%</b>	<b>0.0%</b>
<b>Average Loan Amt</b>	<b>\$61,800</b>	<b>\$77,000</b>	<b>\$1,000</b>	<b>\$0</b>
<b>Average Income</b>	<b>\$67,200</b>	<b>\$70,500</b>	<b>\$54,000</b>	<b>\$0</b>
<b>Loan:Income Ratio</b>	<b>\$1</b>	<b>\$1</b>	<b>\$0</b>	<b>\$0</b>
<b>Loans Denied</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>% Denied</b>	<b>20.0%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>0.0%</b>
<b>% of Total Denials</b>	<b>0.6%</b>	<b>0.0%</b>	<b>25.0%</b>	<b>0.0%</b>
<b>Non-Hispanic White</b>				
<b>Total</b>	<b>99</b>	<b>84</b>	<b>3</b>	<b>12</b>
<b>Percent White</b>	<b>60.4%</b>	<b>57.1%</b>	<b>75.0%</b>	<b>92.3%</b>
<b>Average Loan Amt</b>	<b>\$60,616</b>	<b>\$63,440</b>	<b>\$17,333</b>	<b>\$51,667</b>
<b>Average Income</b>	<b>\$47,798</b>	<b>\$47,143</b>	<b>\$70,667</b>	<b>\$46,667</b>
<b>Loan:Income Ratio</b>	<b>1.46</b>	<b>1.54</b>	<b>0.28</b>	<b>1.24</b>
<b>Loans Denied</b>	<b>15</b>	<b>13</b>	<b>1</b>	<b>1</b>
<b>% Denied</b>	<b>15.2%</b>	<b>15.5%</b>	<b>33.3%</b>	<b>8.3%</b>
<b>% of Total Denials</b>	<b>9.1%</b>	<b>8.8%</b>	<b>25.0%</b>	<b>7.7%</b>

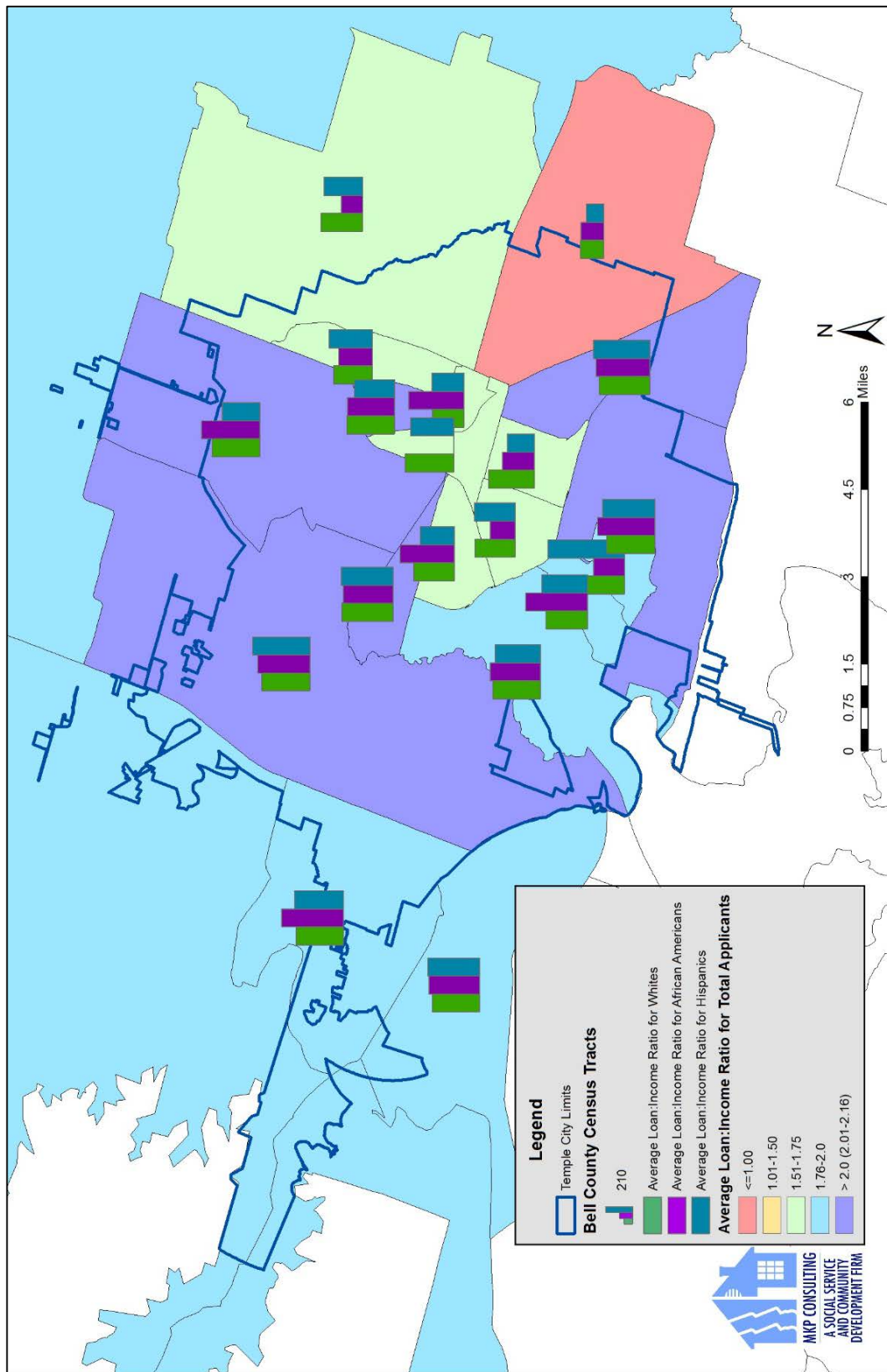




Map 31 -- Average Loan Amounts Requested by Census Tract and Race/Ethnicity

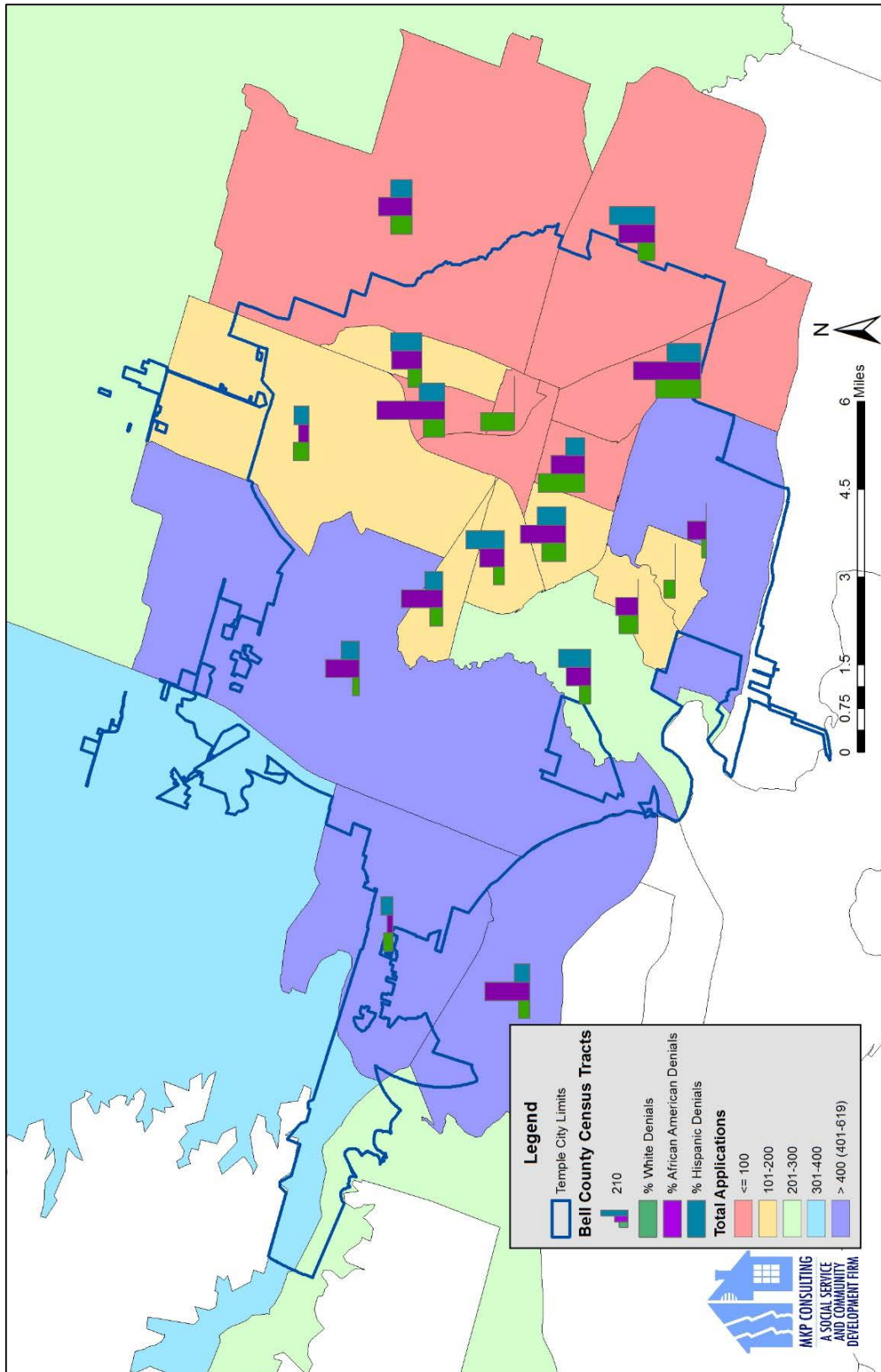


Map 32 – Average Loan:Income Ratio by Census Tract and Race/Ethnicity



Map 33 – Percent Loan Denials by Census Tract and Race/Ethnicity

(Denied Loans for each race/ethnicity divided by Total Applications for that race/ethnicity)





The primary reason for applications to be denied, regardless of race/ethnicity, is credit history, followed by a high debt:income ratio. African Americans and Hispanics are denied at a much higher rate for credit history than whites, while African Americans' debt:income ratio causes denials a half the rate as Hispanics and 75% of the rate for whites. The table below shows the primary reason for denying a loan. One potential red flag when determining discriminatory practices in loan denials is the comparison by race/ethnicity of the percent being denied for "other" reasons. However, in Temple, the percent of denials of African Americans for "other" reasons is almost half that of whites, and for Hispanics, it is nearly one third of whites. This indicates that there is not an issue of using "other" as a "catch-all" for denials of minority applications based on location or race/ethnicity. The relatively high percentage of whites having "other" as the reason for the denial possibly may be due to location, particularly whites applying for loans to purchase housing in a predominately minority neighborhood.

Table 9 – Reasons for Denying Mortgages by Race/Ethnicity of Applicant

Primary Reason for Denial	White	African American	Hispanic
Debt:Income	20.70	14.29	30.30
Employment History	1.17	0.00	3.03
Credit History	30.47	57.14	45.45
Collateral Lacking	16.80	10.20	10.61
Insufficient Cash	1.95	0.00	3.03
Unverifiable Information	3.91	2.04	0.00
Application Incomplete	12.89	10.20	3.03
Mortgage Insurance Denied	0.39	0.00	0.00
Other	11.72	6.12	4.55

For all three racial/ethnic groups, the percent of denials for refinancing is much higher than for purchasing or funding home improvements, though the average incomes are higher and the loan requests lower. While only 4.3% of purchase loan applications by whites are denied, 13.2% of refinance applications are denied. For African American applicants, 6% of purchase loans are denied while 31.5% of refinance loans are denied. Likewise, for Hispanic applications 8.5% of purchase loans are denied as opposed to 15.7% of refinance loans. Though the average loan request by whites for home improvements is higher than the average requests by African Americans and Hispanics, their denial rate is much lower. No information is given regarding the value or condition of the houses for which the improvements are requested. Based on the location of much of the minority housing, it is possible that the homes of the minorities are older, in greater disrepair and with a higher loan:value ratio.



## Disparities in Access to Opportunity

Access to the location of choice and various amenities is as important to fair housing as access to the house of choice. Through the new Assessment of Fair Housing data, HUD has identified 7 indicators that can be used to assess disparities in access to opportunity. Each of the indices ranges from 0 to 100 with the higher the number the more equitable opportunity. The following indices were developed by HUD and the table below shows how Temple rates in total population and poverty population by race/ethnicity.

- Low Poverty Index – The higher the number, the less exposure to poverty a resident of a census tract has.
- School Proficiency Index – Using 4<sup>th</sup> grade standardized tests at the school-level, the index describes high- and low-performing schools. The higher the score, the higher the quality of the school.
- Labor Market Index – This index is a labor market engagement and human capital ranking to determine the relative level of employment, labor force participation and educational attainment in a census tract. The higher the score the higher the labor force participation and human capital in the census tracts.
- Transit Index – This index is based on the estimated transit trips taken by a family and is based on an average 3-person single-parent renter household with an income at 50% of the median area income. The higher the index, the more likely the residents are to utilize public transit.
- Low Transportation Cost Index – This index is based on the same household type and the average cost for transportation. The higher the index, the lower the transportation costs.
- Jobs Proximity Index – This index, based on a gravity model, quantifies the accessibility of a given census tract to all job locations within the CBSA, with larger employment centers weighted more heavily. The higher the index value, the better the access to employment opportunities.
- Environmental Health Index – This index summarizes potential exposure to harmful toxins in a census tract. The higher the index value, the better the environmental quality of the neighborhood.

Table 6 – Access to Opportunity Indices by Race/Ethnicity

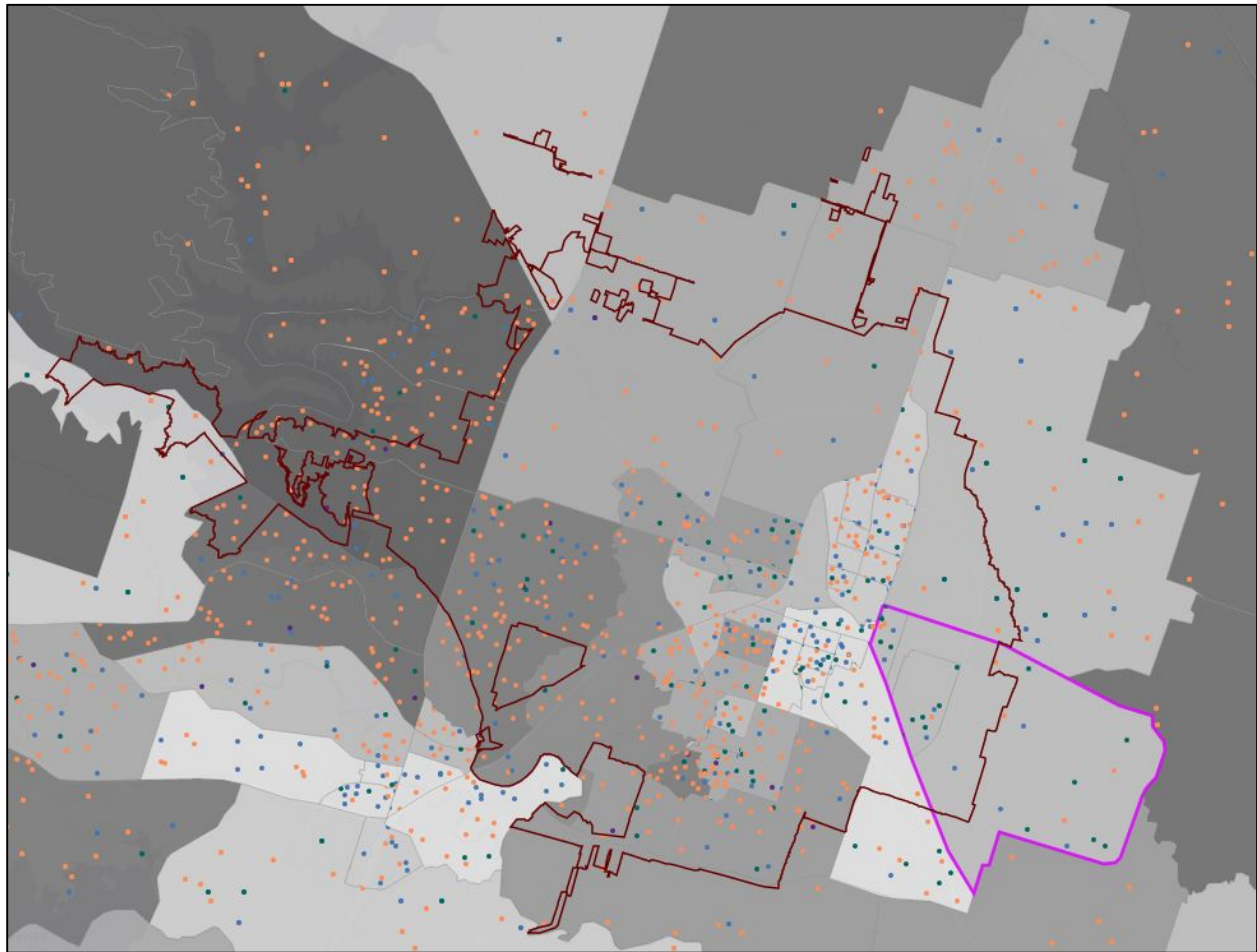
	White	African American	Hispanic	Asian	Native American
<b>Total Population</b>					
Low Poverty Index	52.96	35.51	40.56	54.05	45.40
School Proficiency Index	39.86	31.02	29.85	41.59	35.14
Labor Market Index	59.65	40.70	46.57	62.03	50.38
Transit Index	22.21	22.47	22.38	22.39	22.10
Low Transportation Cost Index	40.28	43.14	42.62	41.87	40.45
Jobs Proximity Index	52.44	54.95	57.63	56.20	54.91
Environmental Health Index	68.45	69.81	68.07	69.42	68.73
<b>Population Below Poverty</b>					
Low Poverty Index	40.47	24.63	38.98	22.00	N/A
School Proficiency Index	32.93	25.56	29.02	12.00	N/A

Labor Market Index	52.46	28.97	44.77	44.00	N/A
Transit Index	22.91	22.13	23.12	24.00	N/A
Low Transportation Cost Index	43.51	41.53	46.36	35.00	N/A
Jobs Proximity Index	54.09	48.61	54.89	46.44	N/A
Environmental Health Index	66.97	71.91	68.62	72.00	N/A

The next two HUD AFF maps are related to factors directly contributing children's well-being. The first map shows the distribution of population by race/ethnicity over a choropleth layer showing ranges of school proficiency scores by census tract. The higher the proficiency score, the better the 4<sup>th</sup> grade test scores and the darker the shading. As can be seen on the map below, the predominately white census tracts have the highest school proficiency index. Following the school proficiency index map is a map of the population by race/ethnicity over the environmental health index. The higher the index, the better the environment in the area and the darker the shading. Though there are areas to the south and west that are predominately white but have moderate environmental health issues, the areas with the highest minority concentration also have lower environmental health scores.

Map 34 – Population by Race/Ethnicity Over School Proficiency Index

HUD's March 2016 Assessment of Fair Housing Tool



**Demographics 2010**











1 Dot = 75

-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic
-  Other, Non-Hispanic

**R/ECAP**

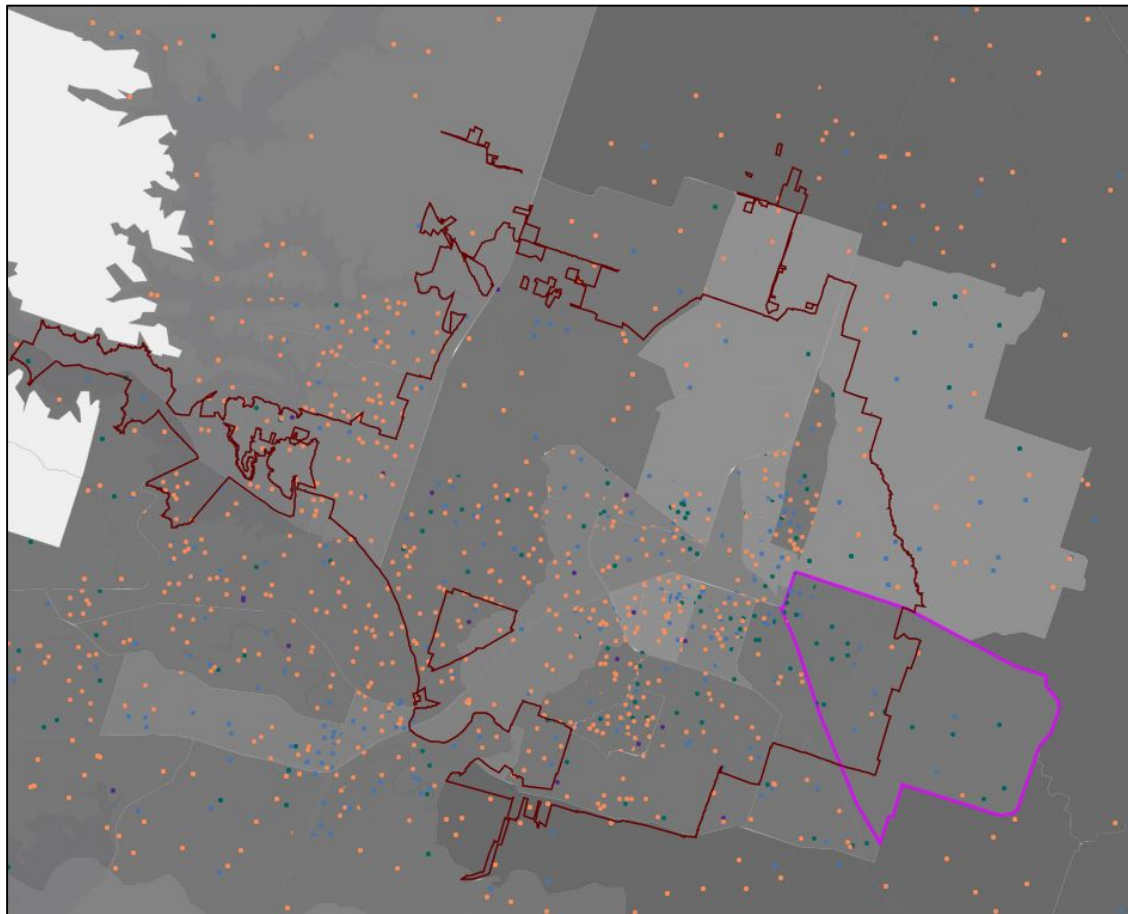


**School Proficiency Index**

-  0 - 10
-  10.1 - 20
-  20.1 - 30
-  30.1 - 40
-  40.1 - 50
-  50.1 - 60
-  60.1 - 70
-  70.1 - 80
-  80.1 - 90
-  90.1 - 100

# Map 35 – Race/Ethnicity Over Environmental Health Index

HUD's March 2016 Assessment of Fair Housing Tool



## Demographics 2010









1 Dot = 75

-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic
-  Other, Non-Hispanic

## R/ECAP



## Environmental Health Index

-  0 - 10
-  10.1 - 20
-  20.1 - 30
-  30.1 - 40
-  40.1 - 50
-  50.1 - 60
-  60.1 - 70
-  70.1 - 80
-  80.1 - 90
-  90.1 - 100

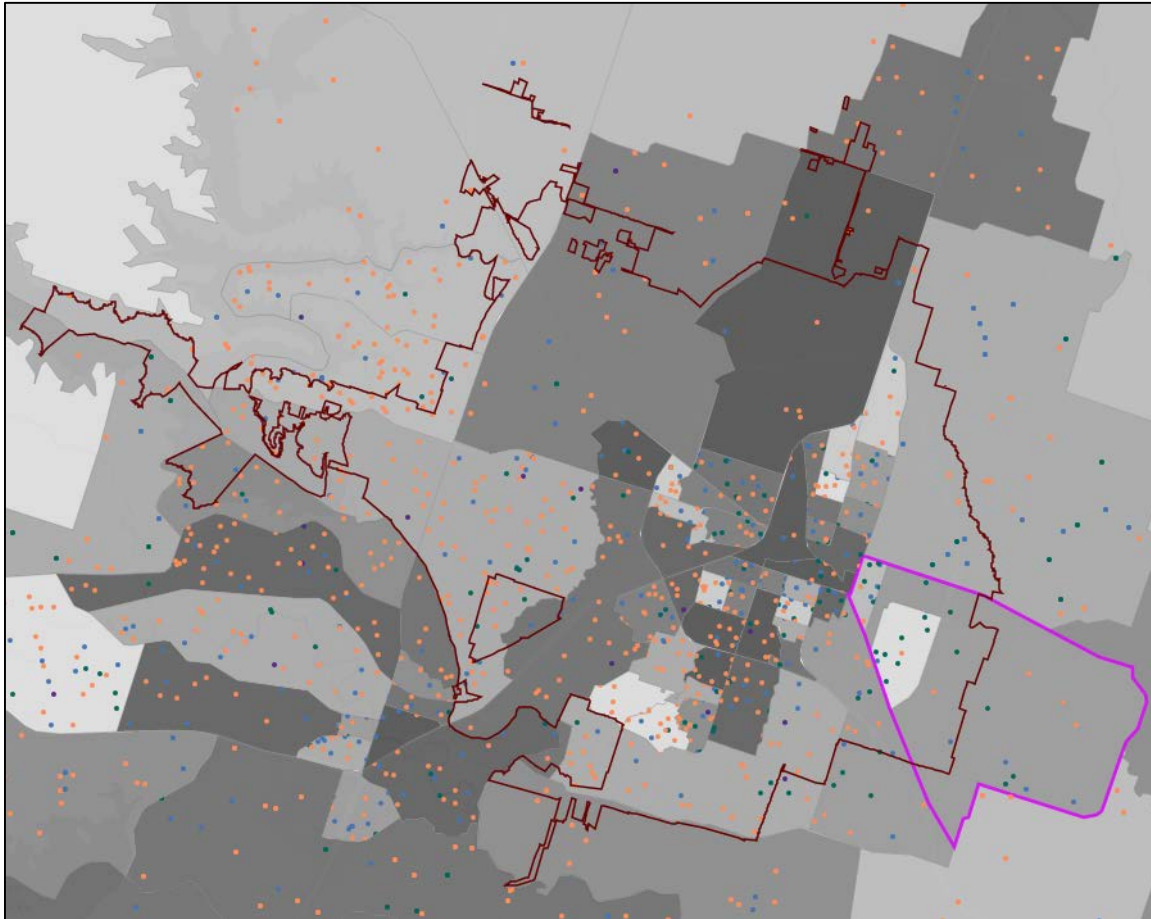
The next set of four maps are aimed at assessing the employment conditions by census tract. The indices of job proximity, labor market, transportation costs and transit trips help to assess the equity in the employment arena based on accessibility by minorities. To recap the definitions and summarize the results:

- Job Proximity Index quantifies the accessibility of a given census tract to all job locations within the CBSA, with larger employment centers weighted more heavily. The higher the index value and darker the shading, the better the access to employment opportunities. The HUD-provided map indicates that much of the minority population lives in census tracts with low- to moderate access to all job locations.
- Labor Market Index scores labor market engagement and human capital ranking to determine the relative level of employment, labor force participation and educational attainment in a census tract. The higher the score and darker the shading, the higher the labor force participation and human capital in the census tracts. The areas to the southeast, with the highest concentration of minorities, have the lowest labor market index scores. This indicates that these residents, both minority and white, have lower labor force participation and educational attainment, making them less able to secure employment at a livable wage.
- Low Transportation Cost Index is based on the same household type and the average cost for transportation. The higher the index and darker the shading, the lower the transportation costs. The transportation throughout the entire city of Temple does not vary nor is it low cost regardless of the household type or location of the households by type.
- Transit Index is based on the estimated transit trips taken by a family and is based on an average 3-person single-parent renter household with an income at 50% of the median area income. The higher the index, the more likely the residents are to utilize public transit.



# Map 36 – Job Proximity Index

HUD's March 2016 Assessment of Fair Housing Tool



## Demographics 2010

1 Dot = 75

- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic

R/ECAP

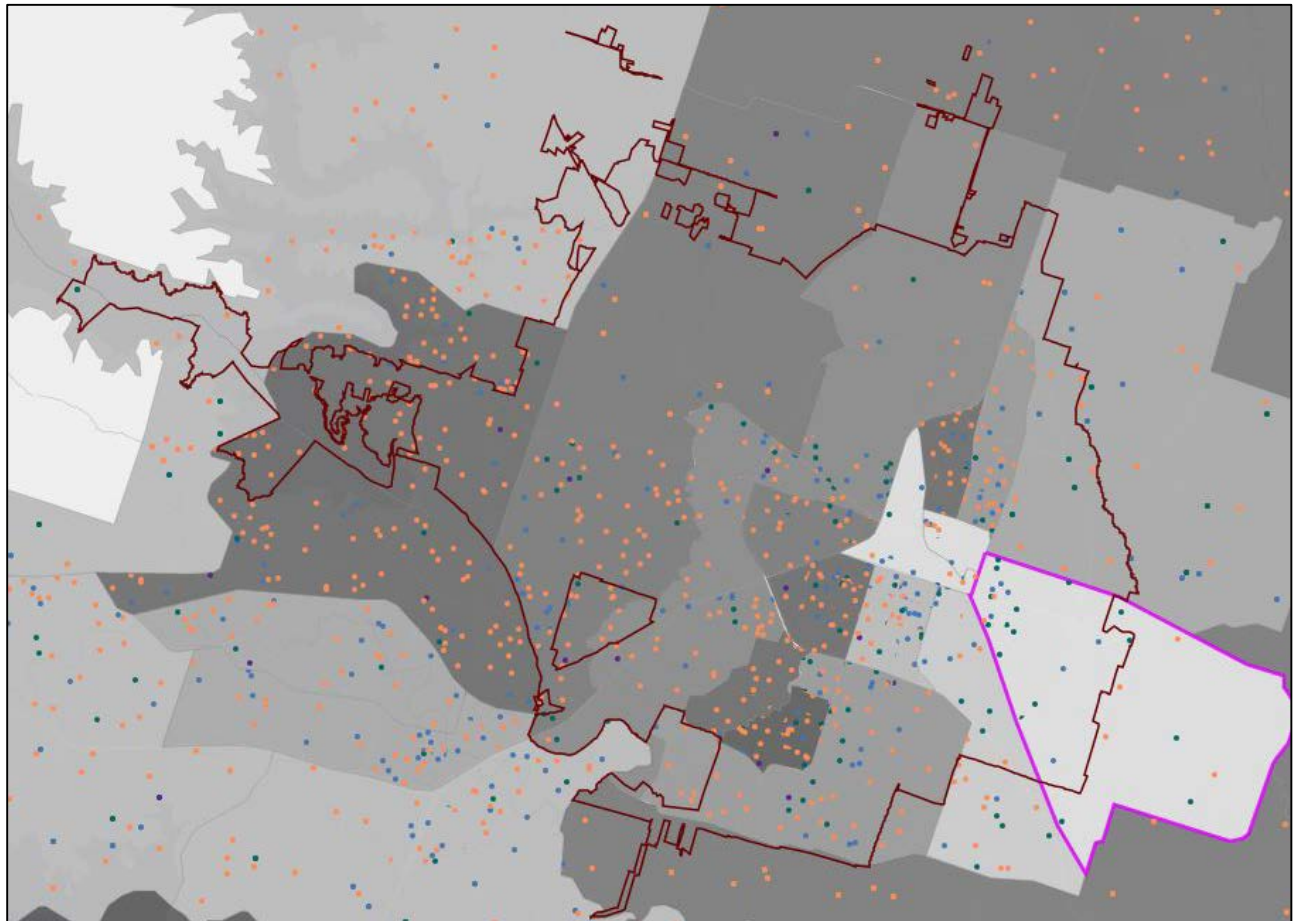


## Jobs Proximity Index

- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90

# Map 37 – Labor Market Index

HUD's March 2016 Assessment of Fair Housing Tool



## Demographics 2010








1 Dot = 75

-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic
-  Other, Non-Hispanic

## R/ECAP

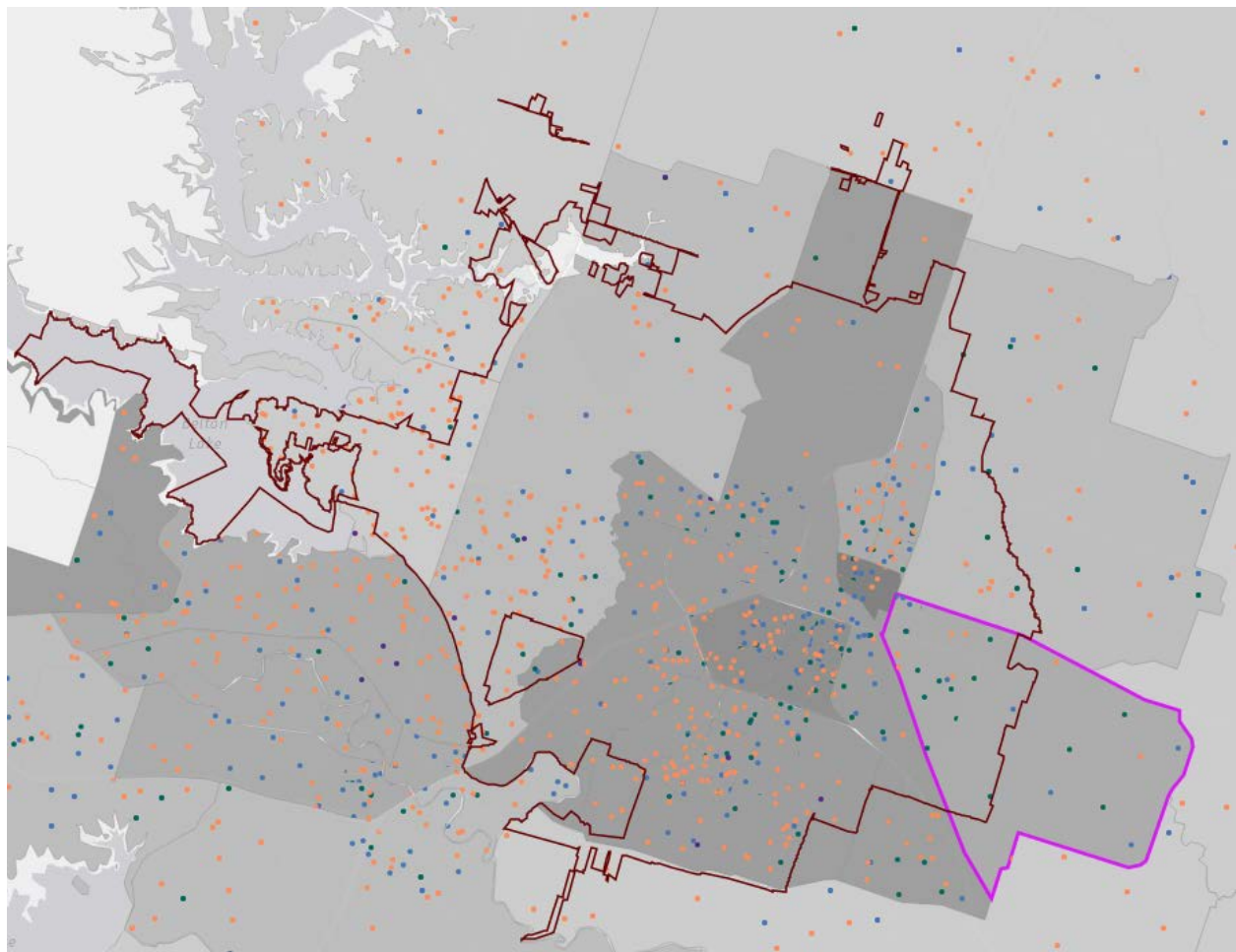


## Labor Market Index

-  0 - 10
-  10.1 - 20
-  20.1 - 30
-  30.1 - 40
-  40.1 - 50
-  50.1 - 60
-  60.1 - 70
-  70.1 - 80
-  80.1 - 90
-  90.1 - 100

# Map 38 – Low Transportation Cost Index

HUD's March 2016 Assessment of Fair Housing Tool



## Demographics 2010











1 Dot = 75

-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic
-  Other, Non-Hispanic

## R/ECAP

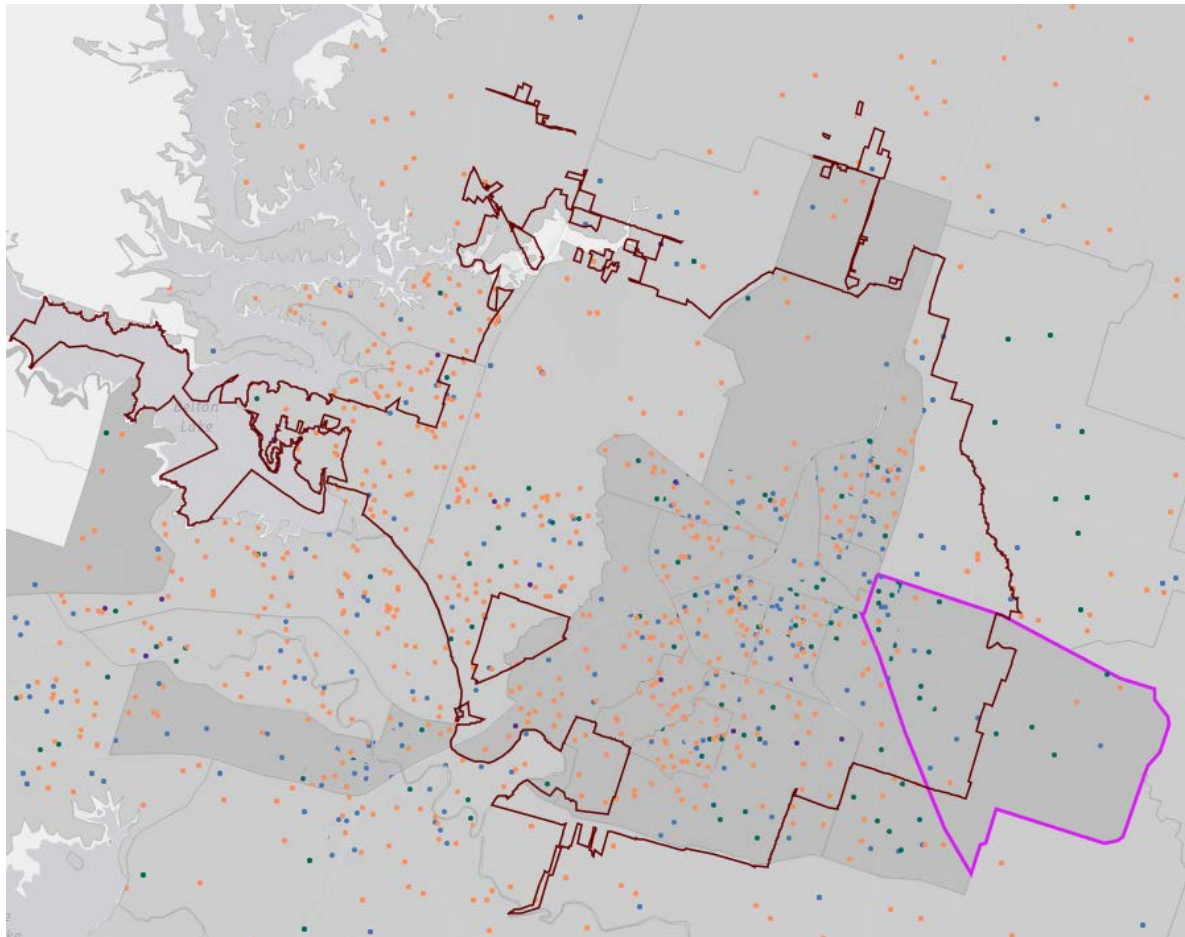


## Low Transportation Cost Index

-  0 - 10
-  10.1 - 20
-  20.1 - 30
-  30.1 - 40
-  40.1 - 50
-  50.1 - 60
-  60.1 - 70
-  70.1 - 80
-  80.1 - 90
-  90.1 - 100



Map 39 – Low-Income Transit Trip Index  
 HUD's March 2016 Assessment of Fair Housing Tool



**Demographics 2010**

1 Dot = 75

- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic

**R/ECAP**



**Transit Trips Index**

- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

### **Pharmacies, Grocery Stores and Super Stores**

There are 13 pharmacies in Temple: 3 are located at Scott & White clinics; 2 are national chains; 2 are in HEB grocery stores; 2 are in Walmart; 1 national chain (CVS) is in Target; and 3 are private local pharmacies, including a pediatric pharmacy. Eleven of the pharmacies are southeast of Highway 35, with 7 of those north of Loop 363. The majority of the pharmacies are in or in close proximity to the areas of minority and low-income concentrations.

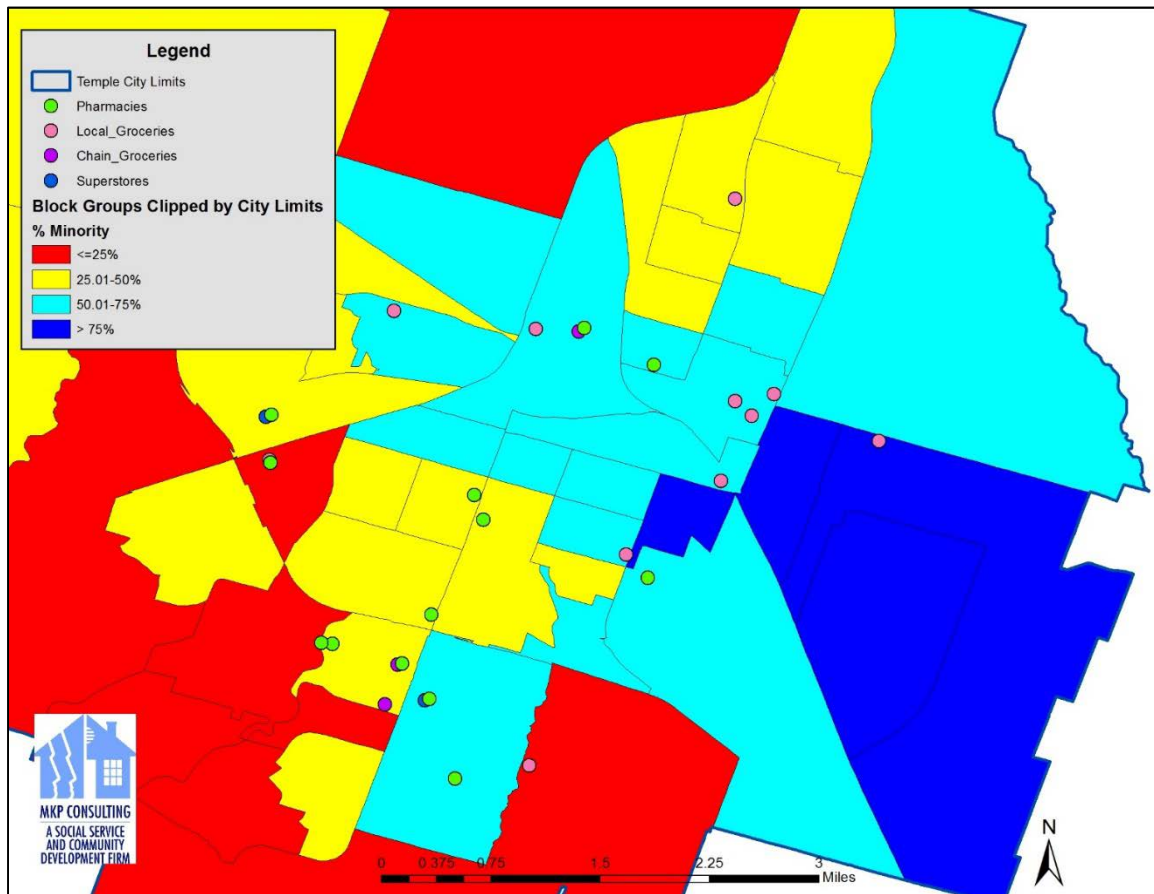
There are few grocery stores in Temple, with only 4 non-local stores. HEB has 2 stores east of Highway 35 with one inside Loop 363 and one at the Loop and 31<sup>st</sup>. An Aldi is located on 31<sup>st</sup>, just outside Loop 363 within 2 blocks of the HEB. One HEB Plus! is located in the far southwest of Temple along Highway 317. There are 12 local food stores, all located east and north of Loop 363 and south of Adams (Highway 53). Of these, one is a natural foods store and one is a Hispanic store. No grocery stores exist north of Adams (highway 53) making it difficult for residents in the north half of Temple to shop.

All two Walmarts in Temple are located outside of Loop 363, making them inaccessible to the lower-income areas where the majority of the African Americans and Hispanics live. Target has one superstore at the NE corner of Loop 363 and 35, which is also somewhat inaccessible to the lower-income areas.

With limited public transit and lack of reliable vehicular transportation, it is difficult for the low-income to access the less-expensive superstores and grocery stores. However, most of the amenities are within areas with more than 50% minority population. The map below shows the location of the amenities, not including the convenience stores, either stand alone or within gas stations, as they historically have limited selections that are overpriced.



Map 40 – Shopping Amenities Over Block Groups by Percent Minority



## Legislative and Regulatory Assessment

A review of the City of Temple's ordinances, policies and procedures was conducted to determine any areas of potential discrimination or disparate impact.

## Residential Codes

The City of Temple's Zoning Regulations and other land use policies do appear to create some barriers to minorities moving to opportunities of choice due to the shortage of areas zoned for multi-family and the fact that most duplex and multi-family zones are inside the Loop, particularly south of IH 35, where a majority of minorities and lower-income residents live. Those multi-family parcels west of the Loop are higher priced and adjacent to single-family zones, while the areas within the Loop, for the most part, are adjacent to commercial and light industrial land uses and older development.

In general, the City follows the latest International Codes for building construction, residential construction, electrical, plumbing, mechanical, fuel/gas, property maintenance, energy conservation and fire prevention/protection.

The permit fees for remodeling and new construction are in line or less expensive than most other municipalities in Texas. Fees paid by individual contractors for building, electrical and plumbing are

\$0.029 per square foot; and for mechanical is \$0.028 per square foot. This is lower or equal to the majority of fee schedules throughout Texas. For remodels, additions and alterations, the fees are \$30.00 minimum or \$3.00 per \$1,000 of job cost. A \$10,000 rehabilitation cost would result in \$30.00 in fees.

The City does not allow manufactured homes (moveable mobile homes, “tiny houses” and Recreational Vehicles) not on a slab to be parked on a property for more than 48 hours without a special permit for an accessory dwelling or for a construction or field office not used as a dwelling. The manufactured homes are allowed in land-lease communities (mobile home parks) and in manufactured home developments. Land lease communities must be at least 5 acres with no more than an average of 10 manufactured homes per acre. Lots must be at least 35 feet wide at the narrowest point, have 2 parking spaces for each home site, and 1 additional parking space per 4 lots for guest parking. At least 5% of the total area must be for recreational use and accessible to all residents. These regulations do not seem to have a disparate impact on protected classes and are not out of line with other requirements for manufactured housing throughout Texas.

## **Tax Issues**

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At \$0.6298/\$100 valuation, Temple’s property taxes are approximately \$0.10/\$100 valuation above the state average of \$0.4212. However, the County tax rate at \$0.4212/\$100 is more than \$0.10/\$100 valuation lower than the state average of \$0.5269. The two rates combined result in a tax rate that is in line with the state average. Within the City are other property taxes, such as school and community college, but they are in line with state averages. The City does give homestead, over-65, disabled and disabled veteran’s exemptions. However, the City does not defer taxes for those over 65.

## **Fair and Affordable Housing**

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In addition to the approximately \$400,000 in CDBG funds, the City of Temple dedicates approximately \$500,000 per year to Community Enhancement Grants in order to provide services and community improvements to lower-income and minority neighborhoods in Temple. Temple’s City Lot program and the Jeff Hamilton Park Pilot Project provides incentives and low-cost access to land for development of new homes in the inner city. Significant general fund dollars, over and above the Community Enhancement Grants, are leveraged for code enforcement and facilities/infrastructure improves in the lower-income and minority neighborhoods.

There are 5 LIHTC properties within Temple with 560 total units and 501 designated for low-income residents. Of these, 3 came on line since 2003. The City does not discourage the development of affordable housing and provides technical assistance to applicants.

The Central Texas Housing Consortium is responsible for managing public housing funds and provides other units of affordable rental housing for residents. The Central Texas Council of Governments is responsible for managing the HUD Section 8 Program and other programs funded by federal, state and local entities. The City works closely with both organizations to provide whatever assistance may be necessary to enhance public housing and Section 8 HCV programs.

The City does have a fair housing ordinance that is complete in its delineation of illegal and discriminatory practices. However, it does not address local processes for handling complaints or local violation penalties and remedies.

## FAIR HOUSING PLAN AND ACTION STEPS

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The City of Temple is committed to affirmatively furthering fair housing choice throughout its jurisdiction. Title VIII of the Civil Rights Act of 1968 makes discrimination based on race, color, religion, sex, national origin, familial status or handicap illegal in connection with the sale or rental of housing and any vacant land offered for residential construction or use. The City is committed to doing all in its power and legal authority to ensure that Title VIII is followed where housing is concerned.

All low- to moderate-income households, regardless of their protected-class status under the Fair Housing Act, face impediments in accessing affordable housing and housing in choice locations. This is often especially true for minority, elderly and disabled individuals. The limited stock of the housing within a price range affordable to the low- to moderate-income is, for the most part, older housing that has not been retrofitted for ADA compliance and accessibility to the physically disabled and/or may not meet Housing Quality Standards as set forth by HUD. Many middle-income residents are living in units well below their affordability limits, pushing the lower-income residents to higher-cost housing that is out of their affordability level.

As part of the City's plan to utilize Community Development Block Grant and Community Enhancement Grant funds, the City is committed to addressing issues of fair housing choice. Based on the findings of the Analysis of Impediments, as detailed above, Temple commits to the following actions:

### Demographic Impediments and Action Steps

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**Impediment 1:** Areas of segregation and minority and low-income concentration throughout Temple.

**Observation:** While using available census tract and block group data to determine levels of segregation, there are small pockets of minorities and low-income throughout the city that appear at the larger geographic level as well as areas not reflected by the large area of tracts and block groups. The minority concentrations are:

1. In more densely populated older areas where rental properties and proximity to commercial and industrial areas. These residents are lower-income and must go where they can afford to live and access jobs and amenities. These individuals and families may have a desire to move to areas of opportunity but do not have the resources to do so.
2. The more densely populated areas of Temple are located on the central core and south side of the city in older areas.
3. In newer subdivisions that are marketing to all population groups, including minorities, and in many cases providing more risky mortgages allowing minorities to move into the housing market as owners. These are areas of opportunity and the residents have

purposely moved there, however, their residency is tenuous and may result in foreclosure or eviction.

**Action Step 1a:** Though the City acknowledges the impediment, there is no remedy it can take to address the issue of enclaves of minority concentration that were created a century ago and are maintained by minorities by choice.

**Action Step 1b:** The City will work with the Central Texas Housing Consortium to continue to encourage higher-end market-rate apartments in areas of opportunity. It will also continue to work with the Central Texas Council of Governments to ensure that landlords in the areas of opportunity accept Section 8 Housing Choice Vouchers. The City will encourage the Central Texas COG to talk with at least 5 apartment complexes over the next 5 years that are currently refusing to accept voucher recipients.

**Action Step 1c:** City staff members will attend at least 5 Affordable Housing meetings over the next 5 years and will lead or host at least 2 of them.

**Action Step 1d:** The City will continue to provide CDBG and Community Enhancement Grant funding for public services that are accessible to low- to moderate-income, including protected classes. Services may be employment training/placement to increase incomes and opportunities for moving to locations of choice. Approximately 20 activities will be funded to 500 individuals over the next 5 years.

**Action Step 1e:** The City will continue to use CDBG and Community Enhancement Grant funding to improve the low-income neighborhoods, to make them areas of opportunity. The City will work with major food and pharmacy chains, as well as non-profits, to increase healthy affordable goods in the low-income neighborhoods.

## Housing Impediments and Action Steps

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**Impediment 2:** Shortage of rental housing in general, and affordable sound rental housing in areas of opportunity specifically.

**Observation:** There has always been a shortage of sound affordable rental housing in Temple. There are limited areas zoned for multi-family housing that would be affordable to low- to moderate-income residents. Additionally, as the LIHTC laws and policies are changing, it is increasingly more difficult for developers to secure funding for affordable housing.

**Action Step 2a:** Though the City acknowledges the impediment, there is no remedy it can take to directly address the issue.

**Action 2b:** Though the City is not responsible for the Central Texas Housing Consortium, it will continue to work with the agency in expanding its inventory of affordable units.

**Action 2c:** During the next 5 years, the City will assess its current zoning ordinance to determine remedies to the shortage of multi-family zones in areas where the land is affordable for redevelopment.

**Action 2d:** During the next 5 years, the City will continue to provide technical assistance to affordable housing developers and will review applications for approximately 2 projects.

**Impediment 3:** Shortage of affordable owner-occupied housing.

**Observation:** There has always been a shortage of sound affordable housing for owner occupancy in Temple. Many of the homes in Temple are falling into disrepair due to age and insufficient funds for maintenance. Additionally, low- to moderate-income renters are desiring to own their own home.

**Action Step 3a:** The City will rehabilitate or reconstruct 50 units during the next 5 years.

**Action Step 3b:** The City will continue to low-cost land through the Lot program and the Jeff Hamilton Park Pilot Project for development of new homes in the inner city. During the next 5 years, it is anticipated that 25 homes will be constructed on land acquired through these two program.

**Action Step 3c:** To the extent possible, the City will encourage developers to develop housing that is affordable to moderate- and middle-income buyers.

**Action Step 3d:** To the extent feasible, the City will waive or reduce fees imposed on non-profits when constructing, rehabilitating or reconstructing homes for low- to moderate-income homeowners.

**Action Step 3e:** The City will alert applicants for housing rehabilitation assistance of tax-saving methods, such as ensuring they have filed for a homestead exemption, and, when eligible, for elderly/disabled exemption and/or deferring taxes. At least 50 homeowners will receive information during the next 5 years.

**Impediment 4:** Possible predatory lending for homes in new subdivisions and denial of loans to minorities or moderate-income.

**Observation:** There are a number of new major single-family developments in the north and west area of the city and its ETJ where the home builders are the initial lenders and then either retain the papers or sell the mortgages to larger lenders. The HMDA data indicates that there is a higher than average loan-to-income ratio and many advertise 100% to 105% financing. This imprudent practice targets first-time homebuyers, particularly minorities, and leads to the buyers being over-extended with a housing cost burden of greater than 30%, resulting in either increased debt or foreclosure.

**Action Step 4a:** The City has no authority to recommend, much less require, builders and independent lenders to require down-payments and closing cost payments and to not over mortgage the property.

**Action Step 4b:** However, the City will continue to fund Neighborhood Housing Services of Waco-Temple or other non-profits in providing homebuyer/homeowner education and financial stability/literacy and to market their services to population groups who are likely to purchase homes in these new subdivisions. Approximately 150 households will be served over the next 5 years.



## Access to Opportunity Impediments and Action Steps

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**Impediment 5:** Quality infrastructure and facilities are limited in some areas of the City.

**Observation:** Due to the age of some areas of Temple, the public infrastructure is either inadequate or deteriorating. Though the number of parks in Temple is adequate, the condition and the amenities in some of the parks are lacking.

**Action Step 5a:** The City will continue to use CDBG funds to improve infrastructure in the older low- to moderate-income areas of Temple, serving approximately 1,000 people over 5 years.

**Action Step 5b:** During the next 5 years, the City will use CDBG and Community Enhancement funds, along with general funds, to improve 3 parks in low-income and minority neighborhoods.

**Impediment 6:** Aging neighborhoods in Temple have numerous code violations and abandoned properties that are hindering the health and safety of the residents and preventing the areas from being desirable.

**Observation:** Code Enforcement officers have identified a number of structures and in low- to moderate-income, high minority neighborhoods that need to be brought to code.

**Action Step 6a:** During the next 5 years, the City will use CDBG and Community Enhancement funds, along with general funds, to demolish and clear 20 blighted properties in low-income and minority neighborhoods.

**Action Step 6b:** During the next 5 years, the City will conduct 2 spot blight reduction campaigns to improve conditions in low- to moderate-income neighborhoods.

**Impediment 7:** There is a shortage of grocery store chains, pharmacy chains, big box stores and “dollar” stores in the areas of highest minority and low-income concentration. The assumed result is that the small stores and convenience stores have higher prices, fewer selections, fewer large-quantity packages, and more limited hours of operation.

**Observation:** There is a lack of national and state grocery chains and big box stores in the south side of Temple. While there are more national pharmacies, there is still a shortage.

**Action Step 7a:** The City will continue to encourage the development of national and state grocery chains and big box stores in the areas of high minority and low-income concentrations. The City will negotiate with at least 2 stores during the next 5 years, providing incentives and assistance for locating in the targeted area(s).

**Impediment 8:** Many of the schools in the areas of high minority and low-income concentrations have lower standardized test scores, higher student:teacher ratios and lower percent of staff with advanced degrees.

**Observation:** The schools located south of Loop 330, where there is a high concentration of minorities and low-income residents, are performing below the other schools in the district on standardized tests. In addition, the student:teacher ratio is higher, despite the fact that the at risk student counts are higher. Some of the schools in the area have significantly fewer teachers and other staff with advanced degrees.

**Action Step 8a:** The Temple Independent School District is independent of the City and the City has no power or influence over their staffing and policies.

## **Legislative and Regulatory Impediments and Action Steps**

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**Impediment 9:** There are tax issues that add to or prevent lowering the cost of housing in Temple.

**Observation:** The City tax rate is higher than the state average, though combined with the county rate, falls in line with the average. However, it poses financial strain on the low- to moderate-income homeowners and owners of affordable housing developments.

**Action Step 9a:** During the next 5 years, the City will review its taxing policies and will investigate the feasibility of granting property tax deferments to elderly homeowners.

**Impediment 10:** Fair housing rights are not generally known throughout Temple.

**Observation:** Individuals, realtors, landlords and lenders with whom the City staff come in contact are not aware of federal, state or local fair housing laws and requirements.

**Action Step 10a:** During the next 5 years, the City staff will host at least 2 public meetings that will include information about fair housing and housing rights.

**Action Step 10b:** During the next 5 years, the City staff will attend or host 5 workshops for potential realtors, lenders, housing providers and homebuyer literacy educators that will include information about fair housing and common violations.

**Action Step 10c:** In funding Neighborhood Housing Services of Waco-Temple or other non-profits in providing homebuyer/homeowner education and financial stability/literacy, the City will ensure that fair housing education is included. Approximately 150 households will be served over the next 5 years.

**Action Step 10d:** During the next 5 years, the City will support the Central Texas COG in ensuring that the Section 8 voucher holders know their housing rights and that landlords are not discriminating against voucher holders. The City will meet annually with CTCOG to determine best practices in reducing rental discrimination.

**Action Step 10e:** During the next 5 years, City staff, including the Fair Housing Officer, will attend 5 fair housing workshops, seminars, or on-line trainings.

**Action Step 10f:** During the next 5 years, existing CDBG staff will provide to new City staff and management 5 training sessions and/or links to HUD on-line training about fair housing.

**Impediment 11:** While the most stringent enforcement of fair housing legislation rests with HUD and the U.S. Department of Justice, local jurisdictions have a role in compliance and enforcement, as well as in reporting steps taken to affirmatively further fair housing.

**Observation:** The City of Temple has a Fair Housing Ordinance that needs review and possible updating to address the changing landscape and the increased role that local jurisdictions should take in affirmatively furthering fair housing.

**Action Step 11a:** The City will re-visit the Fair Housing Ordinance at least twice during the next 5 years to make any revisions deemed valid and viable. The City will investigate the feasibility of adding penalties for violations to the ordinance.

**Action Step 11b:** The City's Fair Housing Officer will continue to maintain a Fair Housing Log that details action steps taken, dates, and outcomes as well as complaints received, steps to investigate, and disposition. The City will report the activities logged each year in the CAPER.