

# **Analysis of Impediments to Fair Housing Choice**

**2020**

*Temple, Texas*



# ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

City of Temple, Texas

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## EXECUTIVE SUMMARY

The City of Temple has prepared an Analysis of Impediments to Fair Housing Choice to satisfy requirements of the Housing and Community Development Act of 1974, as amended. This act requires that any community receiving Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds affirmatively further fair housing. Additionally, HUD entitlement communities must comply directly with HUD rules and regulations designed to uphold the Housing and Community Development Act of 1974, as amended. The responsibility of compliance with the federal Fair Housing Act extends to nonprofit organizations and other entities, including units of local government, which receive federal funds through the City.

Entitlement communities that receive CDBG and HOME funds 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 to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin
- Promote housing that is accessible to and usable by persons with disabilities, and
- Comply with the non-discrimination requirements of the Fair Housing Act.

These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice (AI). The AI is a review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice.

Entitlement communities have specific fair housing planning responsibilities. These include:

- Conducting an Analysis of Impediments to Fair Housing Choice
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support the jurisdictions' initiatives to affirmatively further fair housing.

The following observations were noted throughout the AI. These issues are based on the primary research collected and analyzed and the online survey conducted for this report. They help to establish context for the impediments to fair housing choice.

- **Temple's population increased 11.4% from 2000 to 2017, while the population of Bell County grew at a slightly faster rate of 12.4% during the same period.** Texas grew in population at a slightly slower rate of 9% in between 2000 and 2017.
- **Changes in population were not uniform throughout the City.** While most of the City experienced increases in population, the values for Census tract-level changes ranged from -13% to 50.2%. The largest population gains were mainly experienced in two R/ECAPs.
- **Total unemployment in the City is 6.6% with differences by race and ethnicity.** Compared to all other racial and ethnic groups Black and American Indian/Alaska Native persons experience higher than average unemployment at rates of 8.6% and 22.4%, respectively.
- **While the population is comprised of 17.33% Black persons, 29.46% of persons living in poverty are Black indicating that they are disproportionately affected by poverty.** Black persons may be disproportionately below the poverty line in part due to unemployment rates slightly higher than the City average.
- **While approximately 16% of the population aged 18-64 have one or more disabilities, the rate more than triples to 50.5% among residents age 65 and older.** Among residents ages 18-64 with a disability, the most prevalent types are cognitive and ambulatory. Among those age 65 and older, ambulatory and independent living difficulties are the most common at 34.9% and 22.4%, respectively.
- **Family households in Temple comprise 63.8% of all households and consist mostly of married couple households.** Of the 16,687 households with children, 44.8% are married couples. Single female-headed households make up 14.6% of all households, while single-male households make up 4.5%.
- **The majority (54.0%) of households in Temple own their homes.** Married families comprise more than half of homeowners. Of the 46.0% of renter-occupied units, most are

comprised of non-families (46.9%). Married couples are renting at higher rates than single male- and female-headed families.

- **According to the ACS, the overall vacancy rate among both owners and renters dropped to 2.3% and 12.6%, respectively.** Homeowner units show the greatest changes in vacancy rate from 2010 to 2017 from 1.8% to 2.3%.
- **Median home values have increased by 9.8% when adjusted for inflation.** The median home value was slightly higher than \$130,000 in 2017, which is 68% of the median home value across the United States and 87% of the median home value in Texas.
- **Median gross rent in Temple has been relatively stable, when adjusted for inflation, increasing 3% between 2010 and 2017.** Median gross rents are relatively low in the four R/ECAP areas and higher in the outlying areas.
- **In 2017, a household with one wage earner earning minimum wage would need to work 96 hours per week to afford a rental unit at the median gross rent and not be cost burdened.** Texas' state minimum wage is \$7.25 per hour. Last increased in 2008, this wage applies to most employees with few exceptions.
- Approximately 3,210 owners in the City of Temple – or 23% of owner households - are spending more than 30% of their income on housing costs. **For renters, 61.5% of households are spending more than 30% of their income on housing costs.** There is a discrepancy between owners and renters in the City cost burden computations.
- HUD defines R/ECAPs as census tracts with a non-White population of at least 50% and a poverty rate that either exceeds 40% or is three times the average tract poverty rate for the metropolitan/micropolitan area, whichever is lower. **Of Temple's 18 census tracts, four meet the criteria of a racially or ethnically concentrated area of poverty (R/ECAP).**
- Overall, the highest opportunity areas are found in the western part of the City while **R/ECAPs provide residents with the lowest level of opportunity overall.**

A summary of the impediments to fair housing choice that emerged from the data analysis, public engagement initiatives, and policy review were identified. They are the results of

primary and secondary research that define the underlying conditions, trends, and context for fair housing planning in Temple.

| 1 | <b>Impediment: There is a lack of transportation and infrastructure that creates disparities in accessing areas of opportunity.</b> |  |  |           |
|---|---|--|--|-----------|
|   | Action  | Discussion   | Metric for Success   | Timeframe |
|   | Expand public transportation to include additional bus stops and/or additional service hours.                                       | <p>There is a lack of reliable and frequent public transportation in the City of Temple. Map 24 shows HOP Bus stop locations across the community. Most are located downtown area and toward the south of the downtown area. There are very few stops in the eastern part of the community. Stakeholders note transportation as a major concern in Temple. Bus services have been reduced, with a majority of the stops closed in the low-income neighborhoods.</p> <p>Public transportation is shared passenger transport service available for use by the general public, including buses, light rail, and rapid transit. Public transportation includes paratransit services for persons with disabilities. The availability, type, frequency, and reliability of public transportation affect which households are connected to community assets and economic opportunities.</p> | Maps and summary data analysis showing targeted investment to improve transportation in low-income and minority neighborhoods. | Ongoing   |
|   | Invest in improving the City's infrastructure including sidewalk repair, pedestrian   | During stakeholder meetings it was noted many public buildings, sidewalks, pedestrian crossings, or other infrastructure components are inaccessible to individuals with disabilities including persons with mobility impairments, individuals who are deaf or hard of hearing, and persons who are blind or have  | Maps and summary data analysis showing targeted investment to improve infrastructure in low-income                             | Ongoing   |

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|          | crossings, and curb cuts.  | low vision. These accessibility issues can limit realistic housing choice for individuals with disabilities. Inaccessibility is often manifest by the lack of curb cuts, lack of ramps, and the lack of audible pedestrian signals.  | and minority neighborhoods<br><br>Committing CDBG funds to finance these items                                  |           |
| <b>2</b> | <b>Impediment: Sections of the City's Zoning Code create barriers to creating affordable housing and providing housing choice to protected groups.</b>                   |  |   |           |
|          | Action   | Discussion   | Metric for Success  | Timeframe |
|          | Amend the City's Zoning Code to clearly define a group home as a residence for up to six unrelated persons with disabilities as defined by the federal Fair Housing Act. | <p>As per the Joint Statement of the Department of Housing and Urban Development and the Department of Justice's State and Local Land Use Laws and Practices and the Application of the Fair Housing Act:</p> <p><i>The Fair Housing Act prohibits discrimination on the basis of disability, and persons with disabilities have the same Fair Housing Act protections whether or not their housing is considered a group home. A household where two or more persons with disabilities choose to live together, as a matter of association, may not be subjected to requirements or conditions that are not imposed on households consisting of persons without disabilities.</i></p> <p><i>In this Statement, the term "group home" refers to a dwelling that is or will be occupied by unrelated persons with disabilities.</i></p> | Amended and adopted City Zoning Code that is consistent with the federal Fair Housing Act regarding group homes | 2024      |
|          | Amend the City's Zoning Code to expand zoning areas that   | Zoning Regulations restricting small lot sizes and/or multi-family development across the community create barriers to   | Amended and adopted City Zoning Code that   | 2024      |

|          |  |   |   |           |
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|          | support smaller, more affordable housing such as multi-family zones.   | protected classes' ability to move to opportunities of choice due to the shortage of areas where smaller, more affordable housing can be developed or most multi-family zones are located in areas where a majority of minorities and lower-income residents live, causing barriers to movement into other areas in the community.  | incorporates higher densities in zoning districts where multi-family housing could be developed   |           |
| <b>3</b> | <b>Impediment: Persons with lower incomes, who are disproportionately members of the protected classes, are less able to afford safe, decent affordable housing.</b> |   |   |           |
|          | Action   | Discussion  | Metric for Success  | Timeframe |
|          | Preserve and increase the number and quality of affordable housing throughout the City   | <p>The City should continue to invest federal, state and local funds in a manner that is consistent with the Neighborhood Studies. The dual strategies of improving the quality of live and living environments in areas of high poverty while increasing access to affordable housing in areas of higher opportunity are consistent with the Fair Housing Act and affirmatively further fair housing choice. The recommendation is based on the analysis of CDBG funds in the Public Policy Analysis section which indicated that the City is affirmatively furthering fair housing choice in its CDBG investments.</p> <p>To ensure that the City continues to invest funds in ways that affirmatively further fair housing choice, the City should continue to carefully monitor expenditures for mapping and data analysis purposes on an annual basis. <i>To the extent possible</i>, the City should also monitor the benefit to members of the protected classes</p> | <p>Maps and summary data analysis showing investment locations and beneficiaries.</p> <p>Commitment of CDBG and HOME funds on an annual basis to assist low to moderate income households</p> | Ongoing   |



|          |  |   |   |           |
|----------|--|---|---|-----------|
|          |  | (i.e. collect race/ethnicity, disability status, etc. to the extent possible).  |   |           |
|          | Amend the current City Council LIHTC project selection criteria to remove the need for support from neighborhood organizations.                            | The opposition of community members to proposed or existing developments—including housing developments, affordable housing, publicly supported housing (including use of housing choice vouchers), multifamily housing, or housing for persons with disabilities—is often referred to as “Not in my Backyard,” or NIMBY-ism. Community opposition, when successful at blocking housing options, may limit or deny housing choice for members of the protected classes based on reasons related to their protected class status.  | Modified LIHTC project selection criteria.              | 2024      |
| <b>4</b> | <b>Impediment: There is a need for additional education and outreach as related to fair housing.</b>   |   |   |           |
|          | Action   | Discussion  | Metric for Success                                      | Timeframe |
|          | Strengthen fair housing investigation, enforcement, and outreach through workshops, seminars, paired testing, etc. in partnership with community partners. | <p>Based on the Fair Housing Profile and HMDA analysis, there is evidence of perceived and actual housing discrimination in the rental and owner markets.</p> <p>While the City does not have jurisdiction over the private market, it is incumbent upon the City, as a HUD grantee, to affirmatively further fair housing choice, which includes education and outreach related to housing discrimination in both the rental and owner markets. This includes providing education to potential homebuyers, real estate agents, lenders and mortgage brokers, landlords, property managers and owners, tenants, agents who assist in finding rental properties, and lawyers and</p> | Education and outreach including paired testing results | Ongoing   |

|          |  |  |  |           |
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|          |  | judges working with persons being evicted.<br><br>Paired testing was not conducted in the years since the last AI was completed. It is recommended that the City partner with a local agency to conduct paired testing.  |  |           |
|          | Conduct the four-factor analysis   | Although the City has a relatively small population of persons with limited English proficiency (LEP), as a CDBG grantee is it required to conduct this analysis to determine the extent to which it must provide language assistance services to ensure persons with LEP are able to access programs and services.  | Adopted Language Access Plan   | 2020      |
| <b>5</b> | <b>Impediment: There are a greater number of deteriorated and abandoned buildings in low-to-moderate income neighborhoods</b>                                      |  |  |           |
|          | Action   | Discussion   | Metric for Success   | Timeframe |
|          | The City should target reinvestment activities such as rehabilitation and, as necessary, demolition of vacant housing and the construction of replacement housing. | Deteriorated and abandoned properties may be signs of a community's distress and disinvestment and are often associated with crime, increased risk to health and welfare, plunging decreasing property values, and municipal costs. Demolition without strategic revitalization and investment can result in further deterioration of already damaged neighborhoods. | Maps and summary data analysis showing investment locations and beneficiaries.<br><br>Report on the number of demolished structures annually | Ongoing   |

# INTRODUCTION

## Background

The City of Temple has prepared an Analysis of Impediments to Fair Housing Choice to satisfy the requirements of the Housing and Community Development Act of 1974 and HOME Program, as amended. This act requires that any community receiving Community Development Block Grant (CDBG) funds affirmatively further fair housing. As a result, the City is charged with the responsibility of conducting its CDBG programs in compliance with the federal Fair Housing Act. The responsibility of compliance with the federal Fair Housing Act extends to nonprofit organizations and other entities, including local units of government that receive federal funds through Temple.

Entitlement communities receiving CDBG and/or HOME entitlement funds 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 to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status or national origin,
- Promote housing that is accessible to and usable by persons with disabilities, and
- Comply with the non-discrimination requirements of the Fair Housing Act.
- These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice.

The Analysis of Impediments to Fair Housing Choice (AI) is a review of a jurisdiction's laws, regulations and administrative policies, procedures and practices affecting the location, availability and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice.

## Purpose of the Analysis of Impediments

Equal and free access to residential housing (housing choice) is a fundamental right that enables members of the protected classes—defined in the Fair Housing Act below—to pursue personal, educational, employment or other goals. Because housing choice is so critical to personal development, fair housing is a goal that government, public officials, and private citizens must embrace if equality of opportunity is to become a reality.

The federal Fair Housing Act prohibits discrimination in housing based on a person's race, color, religion, sex, disability, familial status, or national origin. In addition, HUD issued a Final Rule on February 3, 2012, that prohibits entitlement communities from discriminating on the basis of actual or perceived sexual orientation, gender identity, or marital status. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

This Analysis encompasses the following five areas related to fair housing choice:

- The sale or rental of dwellings (public and private),

- The provision of financing assistance for dwellings,
- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing,
- The administrative policies concerning community development and housing activities, which affect opportunities of minority households to select housing inside or outside areas of minority concentration, and
- Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by the U.S. Department of Housing and Urban Development (HUD) regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570 (i.e., the CDBG program regulations) and/or 24 CFR Part 92 (i.e., the HOME program regulations).

As a federal entitlement community, Temple has specific fair housing planning responsibilities. These include:

- Conducting an Analysis of Impediments to Fair Housing Choice,
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support the jurisdictions' initiatives to affirmatively further fair housing.

HUD interprets these three certifying elements to include:

- Analyzing housing discrimination in a jurisdiction and working toward its elimination,
- Promoting fair housing choice for all people,
- Providing racially and ethnically inclusive patterns of housing occupancy,
- Promoting housing that is physically accessible to, and usable by, all people, particularly individuals with disabilities, and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

This Analysis will:

- Evaluate population, household, income, and housing characteristics by protected classes in each of the jurisdictions,
- Evaluate public and private sector policies that impact fair housing choice,
- Identify blatant or de facto impediments to fair housing choice where any may exist, and
- Recommend specific strategies to overcome the effects of any identified impediments.

HUD defines an impediment to fair housing choice as any actions, omissions, or decisions that restrict or have the effect of restricting the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin.

This Analysis serves as the basis for fair housing planning, provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates, and assists in building public support for fair housing efforts. The elected governmental bodies are expected to review and approve the Analysis and use it for direction, leadership, and resources for future fair housing planning. The Analysis will serve as a point-in-time baseline against which future progress in terms of implementing fair housing initiatives will be evaluated and recorded.

## The Relationship between Fair Housing and Affordable Housing

As stated in the Introduction, fair housing choice is defined as the ability of persons, regardless of race, color, religion/ creed, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices.

This AI analyzes a range of fair housing issues regardless of a person's income. To the extent that members of the protected classes tend to have lower incomes, then access to fair housing is related to affordable housing. In many areas across the U.S., a primary impediment to fair housing is a relative absence of affordable housing. Often, however, the public policies implemented in towns and cities create, or contribute to, the lack of affordable housing in these communities, thereby disproportionately affecting housing choice for members of the protected classes.

This document goes well beyond an analysis of the adequacy of affordable housing in Temple. This AI defines the relative presence of members of the protected classes within the context of factors that influence the ability of the protected classes to achieve equal access to housing and related services.

# The Federal Fair Housing Act

## What housing is covered?

The Federal Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

## What does the Fair Housing Act prohibit?

### IN THE SALE AND RENTAL OF HOUSING

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

- Refuse to rent or sell housing,
- Refuse to negotiate for housing,
- Make housing unavailable,
- Deny a dwelling,
- Set different terms, conditions or privileges for the 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, religion, sex, disability, familial status, or national origin:

- 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.

### OTHER PROHIBITIONS

It is illegal for anyone to:

- 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, religion, sex, disability, familial status, or national origin. This prohibition against discriminatory advertising applies to single family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

## Additional Protections for People with Disabilities

If someone 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, or has a record of such a disability, or is regarded as having such a disability, a landlord may not:

Refuse to let the disabled person make reasonable modifications to a dwelling or common use areas, at the disabled person's expense, if necessary, for the disabled person to use the housing. Where reasonable, the landlord may permit changes only if the disabled person agrees to restore the property to its original condition when he or she moves, and

Refuse to make reasonable accommodations in rules, policies, practices, or services if necessary, for the disabled person to use the housing.

### Housing Opportunities for Families with Children

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 the age 18 live with:

- A parent, or
- 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 age 18.

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% of the occupied units and adheres to a policy that demonstrates the intent to house persons who are 55 or older, as previously described.

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.

## 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. The Texas Fair Housing Act follows the federal Fair Housing Act closely, except in Section 301.003 (6).

Section 301.003 (6) defines a disability as “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.”

This definition excludes persons currently with or recovering from substance use disorders as being considered having 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.

Specifically, the Texas Fair Housing Act prohibits the following practices:

#### IN THE SALE & RENTAL OF HOUSING

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Advertise housing to preferred groups of people only
- Show apartments or homes in certain neighborhoods only
- Say that housing is unavailable for inspection, sale or rental when in fact it is available
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Deny access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing
- Refuse to make certain modifications or accommodations for persons with a mental or physical disability

#### IN MORTGAGE LENDING

- 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
- Deny property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to purchase a loan
- Set different terms of conditions for purchasing a loan

In addition, unless a building or community qualifies for older persons, the owner or manager may not discriminate based on familial status. These prohibitions include the following:

- Families in which one or more children under age 18 live with
- A parent



- A person who has legal custody of the child or children
- Designees of the parent or legal custodian, with parent or custodian's written permission
- Anyone securing legal custody of a child under age 18
- Pregnant women

Housing for older persons is exempt from the prohibition against familial status discrimination if any of the following are true:

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

The law also explicitly regulates the following manner for persons with disabilities:

A Landlord may not

- Make an inquiry to determine if an applicant for a dwelling, or a person intending to reside in the dwelling, or any person associated with that person has a disability.
- Refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if necessary, for the disabled person to use the housing. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary, so that the disabled person may have equal opportunity to use and enjoy the housing, including public and common-use areas. For example:
  - In a building with a "no pets" policy, a visually impaired tenant must be allowed to keep a guide dog.
  - At an apartment complex that offers tenants ample, unassigned parking, management must honor a request from a mobility-impaired tenant for a reserved space near their apartment if necessary, to assure that they can have access to the unit.

The Civil Rights Division of the Texas Workforce Commission Civil Rights Division (TWCCRD) enforces the Texas Fair Housing Act. Complaints are investigated by TWCCRD and coordinated with The U.S. Department of Housing and Urban Development (HUD).

The first step when a complaint is filed is to determine who has jurisdiction to investigate. If TWCCRD has jurisdiction, they work with the person who contacted them to complete the complaint. Once they receive all the required information, they will draft the complaint and send it to the person who contacted them for review and signature. After the signed complaint is returned to TWCCRD, they will notify the person or persons who allegedly discriminated, explain the investigation and conciliation processes, permit that

person to submit a response, and invite all parties to a formal settlement meeting (mediation).

If both parties agree to mediation, a professional mediator will arrange a mediation meeting. If all parties can agree to a settlement with the assistance of the mediator, the matter will be resolved, all parties will sign an agreement, and the complaint will be resolved.

If a complaint cannot be resolved through mediation, an investigation of the complaint is conducted. If a TWCCRD investigation finds no reasonable cause of discrimination, they will notify in writing and inform of the right to file a civil suit, in Federal or State District Court within two years of the alleged violation. If TWCCRD believes there is reasonable cause of discrimination, the Director will issue a Charge of Discrimination and request the Texas Attorney General's office to file a lawsuit against the parties who discriminated against the person.

Throughout the process, the investigator will try to reach an agreement with all parties through conciliation. A conciliation agreement considers the interests of all parties, as well as the public interest. If an agreement is signed by all parties, they will take no further action on your complaint and the investigation is concluded. If the agreement is breached, TWCCRD may recommend that the Texas Attorney General file suit.

## Recent Changes to HUD Program Regulations

As of a Final Rule effective March 5, 2012, HUD implemented policy with the intention of ensuring that its core programs are open to all eligible individuals and families regardless of sexual orientation, gender identity or marital status. In response to evidence suggesting that lesbian, gay, bisexual and transgender individuals and families were being arbitrarily excluded from housing opportunities in the private sector, HUD's aim was to ensure that its own programs do not allow for discrimination against any eligible person or household, and that HUD's own programs serve as models for equal housing opportunity.

This change to HUD program regulations does not amend the Fair Housing Act to prohibit all discrimination in the private market on the basis of sexual orientation, gender identity, or marital status. However, it prohibits discrimination of those types by any housing provider who receives HUD funding, including public housing agencies, those who are insured by the Federal Housing Administration, including lenders, and those who participate in federal entitlement grant programs through HUD.

### Comparison of Accessibility Standards

There are several standards of accessibility that are referenced throughout the AI. These standards are listed below along with a summary of the features within each category or a direct link to the detailed standards.

#### FAIR HOUSING ACT

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

- There must be an accessible entrance on an accessible route,
- Public and common areas must be accessible to persons with disabilities,
- Doors and hallways must be wide enough for wheelchairs, and
- All ground floor units and all units in elevator buildings 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. These requirements for new buildings do not replace any more stringent standards in state or local law.

## AMERICANS WITH DISABILITIES ACT (ADA)

Title II of the ADA applies to state and local services, including state and local housing programs. Government entities are obliged to assure that housing financed through state and local programs complies with ADA accessibility guidelines. A complete description of the guidelines can be found at [https://www.ada.gov/2010ADASTandards\\_index.htm](https://www.ada.gov/2010ADASTandards_index.htm).

## UNIFORM FEDERAL ACCESSIBILITY STANDARDS (UFAS)

UFAS accessibility standards are required for facility accessibility by people with motor and sensory disabilities for federal and federally funded facilities. These standards are to be applied during the design, construction, and alteration of buildings and facilities to the extent required by the Architectural Barriers Act of 1968, as amended. A complete description of the guidelines can be found at <https://www.access-board.gov/guidelines-and-standards>.

## VISITABILITY STANDARDS

The term “visitability” refers to single-family housing designed in such a way that it can be lived in or visited by people with disabilities. A house is visitable when it meets three basic requirements:

- At least one no-step entrance,
- Doors and hallways wide enough to navigate a wheelchair through, and
- A bathroom on the first floor large enough to get into in a wheelchair and close the door.

## UNIVERSAL DESIGN

Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without adaptation or specialized design. Seven principles guide Universal Design. These include:

- Equitable use (e.g., make the design appealing to all users),
- Flexibility in use (e.g., accommodate right- or left-handed use),
- Simple and intuitive use (e.g., eliminate unnecessary complexity),
- Perceptible information (e.g., provide compatibility with a variety of techniques or devices used by people with sensory limitations),
- Tolerance for error (e.g., provide fail-safe features),
- Low physical effort (e.g., minimize repetitive actions), and
- Size and space for approach and use (e.g., accommodate variations in hand and grip size).

## Methodology used for the AI

The firm of Mullin & Lonergan Associates, Inc. (M&L) was retained as consultants to conduct the Analysis of Impediments to Fair Housing Choice. M&L utilized a comprehensive approach to complete the Analysis for the City of Temple. The following sources were utilized:

- The most recently available demographic data regarding population, household, housing, income, and employment at the census tract and municipal level,
- Public policies affecting the siting and development of housing,
- Administrative policies concerning housing and community development,
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database,
- Agencies that provide housing and housing related services to members of the protected classes,
- Consolidated Plans, Annual Plans and CAPERs for the City of Temple,
- Fair housing complaints filed with HUD and the Texas Workforce Commission Civil Rights Division,
- Interviews and focus group sessions conducted with agencies and organizations that provide housing and housing related services to members of the protected classes.

## Use and Presentation of Data

Each dataset is subject to sampling error and non-sampling error, since statistics in census data products are based on the collection, tabulation, editing and handling of questionnaires. Non-sampling error includes confidentiality edits applied by the Census Bureau to assure that data do not disclose information about specific individuals, households, or housing units. Because of sampling and non-sampling errors, there may be discrepancies in the reporting of similar type of data. These discrepancies do not negate the usefulness of the census data.

Most of the census data used in the report is American Community Survey (ACS) sample data rather than 2010 Census Summary File 1 (SF1) data, which is 100-percent data. This was done to provide the most current data. To make the best of sample-based ACS data and reduce sampling error, data compiled at five-year increments between 2013 and 2017, were used. ACS data compiled between 2013 and 2017 were used for disability data. Five-year data is not provided by the Census Bureau for disabilities. Census 2010 Summary File 1 data were used as the most recent data source when 2013-2017 ACS data were unavailable. Additionally, 2010 Census data and earlier were used when comparing current trends with past trends.

## Public Engagement

### LEAD AGENCY

The Neighborhood Services Department within the City of Temple was the lead agency for the preparation and implementation of the AI and the 2020-2024 Consolidated Plan. Staff members identified and invited numerous stakeholders to participate in the process for the purpose of developing a thorough analysis with a practical set of recommendations to eliminate identified impediments to fair housing choice and identifying the needs and priorities over the next five years for the Consolidated Plan.

### AGENCY CONSULTATION

The City engaged in an extensive consultation process with local public agencies, nonprofit organizations and other interested entities in an effort to develop a community planning process for the AI.

In late February, the consulting team conducted a series of focus group sessions and individual interviews to identify current fair housing issues impacting the various agencies and organizations and their clients. Comments received through these meetings and interviews are appropriately incorporated throughout the AI.

A list of the stakeholders identified to participate in the AI process is included in [Appendix A](#).

### PUBLIC OUTREACH

The City conducted an extensive public outreach campaign for the AI and the Consolidated Plan. The following initiatives were undertaken:

- June 22, 2020– The Neighborhood Services Department distributed a public notice to all CDBG contracts announcing the availability of the Draft AI and Consolidated Plan for review and comment. The notice also announced the Public Meeting scheduled for July 16, 2020 at 4:00PM virtually.
- July 1, 2020 – The Draft AI and Consolidated Plan were made available for public review and the opportunities for public comment were posted on the Community Development's website.
- June 22, 2020 – A press release announcing the availability of the Draft AI and Consolidated Plan, the upcoming Public Meeting and the City Council Public Hearing was printed in the Temple Daily Telegram.

- July 16, 2020 – The Public Meeting on the Draft AI and Consolidated was held at 4:00pm via Zoom; [X] people were in attendance.
- August 16, 2020 – A Public Hearing was duly advertised and held before Temple City Council at 7:30 pm; [comments] Following the hearing, City Council voted [vote count] to endorse the AI and Consolidated Plan.

## SURVEY

As part out the public outreach process, an online resident survey was conducted.

The survey was made available in English and Spanish. There were 111 responses received in total. There were no responds to the Spanish version.

Participants were asked if they have **felt they were discriminated against** when looking for housing in Temple. Of the 102 respondents, 11.76% stated **yes**. Of these, 38.46% stated a **landlord or property manager** was the person who may have discriminated against them.

Fourteen (14) respondents, more than those who reported being discriminated against, reported the location where the act of the discrimination may have occurred was in a **neighborhood with mostly single-family homes**. When asked on what basis they believe they were discriminated against, 38.46% reported **race** and **other**. When describing other, the most common response was **age**. None of the thirteen respondents reported the incident of possible discrimination. The main reasons for not reporting were “**didn’t know who to report it to**” and “**didn’t think it would make a difference.**”

The survey also asked participants if they had ever been denied “reasonable accommodation” by a landlord. Of the 94 responses, 6.38% reported yes and 3.19% responded not sure. Of those who responded yes, the majority **requested a ramp** for their home.

Participants were asked what they would do if they felt they were discriminated against while seeking housing, and 32.63% replied “**do nothing and look for other housing.**” When asked who they would report the discrimination to, most respondents stated they **did not know or were unsure**, followed by U.S Department of Housing and Urban Development (HUD).

# SOCIOECONOMIC CONTEXT AND HOUSING CHARACTERISTICS

## Socioeconomic Context

### Introduction

This section of the Analysis of Impediments to Fair Housing Choice (AI) analyzes the socioeconomic and housing characteristics of Temple, TX, focusing on members of the protected classes. The data utilized in the AI is primarily the 2013-2017 Five-Year estimates from the American Community Survey (ACS) published by the United States Census Bureau.

### POPULATION TRENDS

**Temple's population increased 11.4% from 2000 to 2017, while the population of Bell County grew at a slightly faster rate of 12.4% during the same period.** Texas grew in population at a slightly slower rate of 9% in between 2000 and 2017.

**Figure 1 Population, 2000-2017**

|             |        | 2000    | 2010    | 2017    |
|-------------|--------|---------|---------|---------|
| Temple      | Number | 66,102  | 65,438  | 71,795  |
|             | Change | -       | -4.0%   | 11.4%   |
| Bell County | Number | 310,235 | 294,689 | 336,506 |
|             | Change | -       | -5.2%   | 12.4%   |

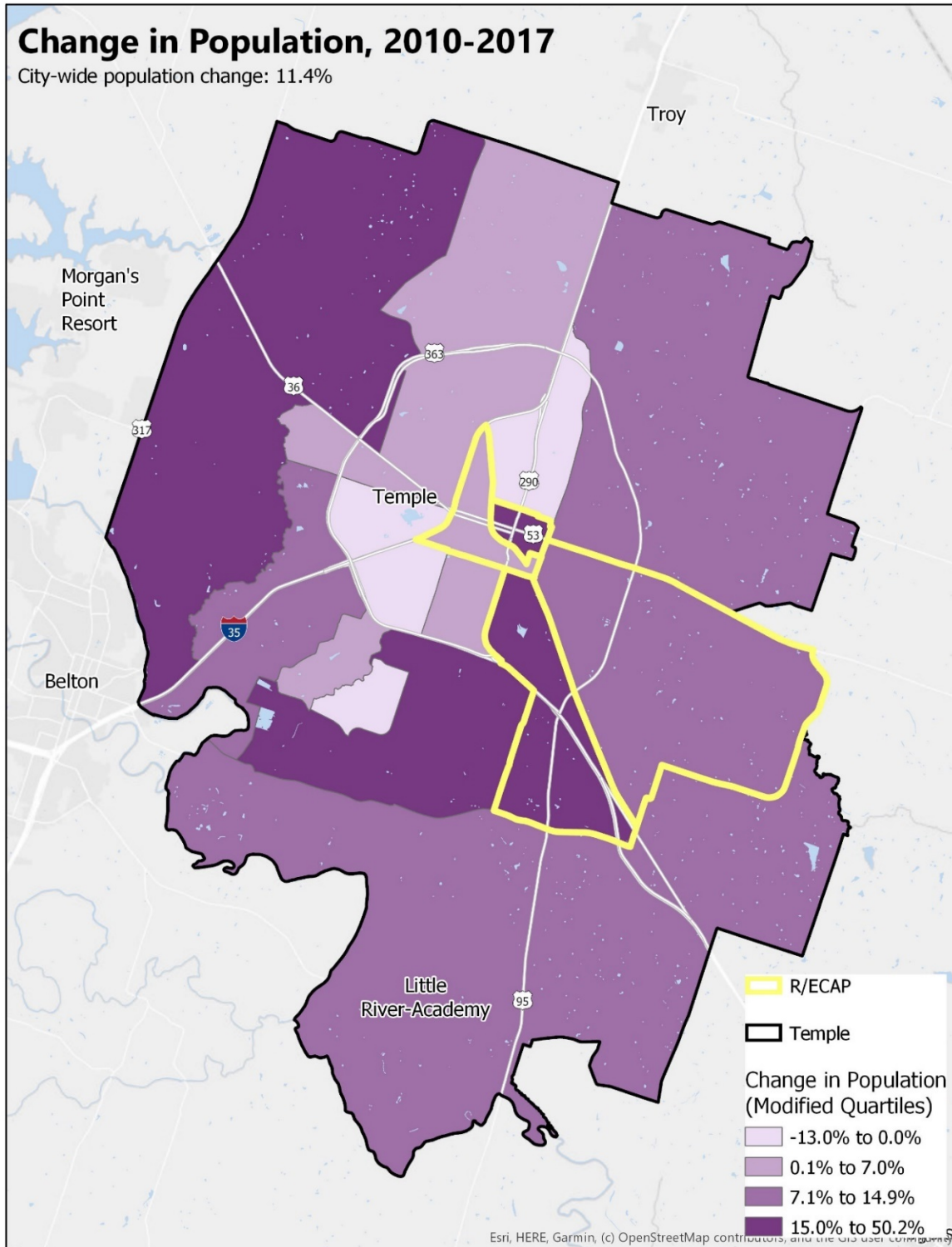
Source: U.S. Decennial Census, 2000-2010; American Community Survey, 2013-2017

### Geographical Pattern

Changes in population were not uniform throughout the City. While most of the City experienced increases in population, the values for Census tract-level changes ranged from -13% to 50.2%. The largest population gains were mainly experienced in the Northwest and portions of the Center of the City, while losses were limited to three tracts in the Central part of the City.



Map 1 Change in population, 2010-2017





## RACE AND ETHNICITY

**The City's racial diversity increased.** There were increases in the number of Black, Asian, and Hispanic residents. The American Indian/Alaska Native population also increased between 2010 and 2017 by 248%. Overall, the increase in total population can likely be attributed to increases in the number of Black and White persons. Other race refers to all other races that are not included in the table as well as multi-racial persons.

**Figure 2 TX Race and Ethnicity, 2010-2017**

|                                   | 2010   |         | 2017   |         | Percent Change |
|-----------------------------------|--------|---------|--------|---------|----------------|
|                                   | Number | Percent | Number | Percent |                |
| White                             | 47,855 | 75.3%   | 53,517 | 74.5%   | 11%            |
| Asian                             | 1,195  | 1.9%    | 1,402  | 1.9%    | 17.3%          |
| Black                             | 9,844  | 15.5%   | 12,392 | 17.6%   | 25.8%          |
| American Indian/<br>Alaska Native | 79     | 0.1%    | 274    | 0.3%    | 246.8%         |
| Other                             | 4,575  | 5.6%    | 4,210  | 5.8%    | -7.9%          |
| Hispanic*                         | 13,722 | 21.6%   | 19,072 | 25.6%   | 38.9%          |
| Total                             | 63,548 |         | 71,795 |         | 12.9%          |

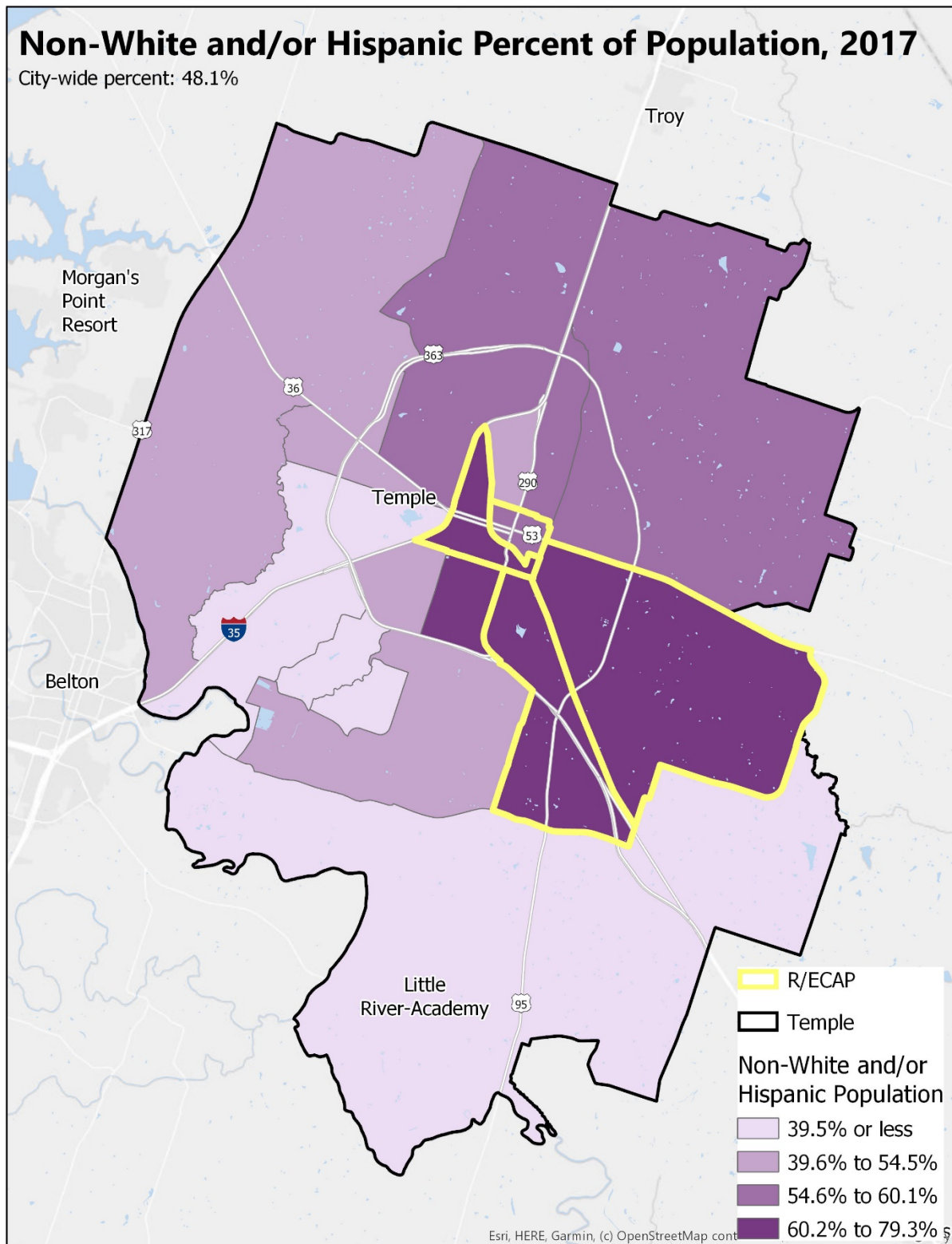
\* Hispanic is considered an ethnicity by the U.S. Census Bureau so the numbers in the Number columns will not add to the total.

Source: U.S. Decennial Census, 2010; American Community Survey, 2013-2017

## Geographical Pattern

Non-White and/or Hispanic residents comprise the majority of residents in more than half of the City's Census tracts. Tracts in the Central-Eastern portions of the City have the largest concentrations of Non-White and/or Hispanic residents.

Map 2 Non-White and/or Hispanic Percent of the Population, 2017



Source: American Community Survey, 2006-2010; American Community Survey, 2013-2017

## SEGREGATION/INTEGRATION

Residential segregation is a measure of the degree of separation of racial or ethnic groups living in a neighborhood or community. Latent factors such as attitudes, or overt factors, such as real estate practices, can limit the range of housing opportunities for non-White persons and other members of the protected classes. A lack of racial or ethnic integration in a community creates other problems, such as reinforcing prejudicial attitudes and behaviors, narrowing opportunities for interaction, and reducing the degree to which community life is considered harmonious. Areas of extreme minority isolation often experience poverty and social problems at rates that are disproportionately high. Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates and increased homicide rates.

Segregation can be measured using a statistical tool called the dissimilarity index.<sup>1</sup> This index measures the degree of separation between racial or ethnic groups living a community. For this analysis, the racial statistics for each census tract in the City of Temple were compared to totals for the City as a whole. Since White and non-Hispanic residents are the majority, all other racial and ethnic groups were compared to these populations as a baseline.

The dissimilarity index allows for comparisons between subpopulations (i.e. different races/ethnicities) indicating how much one group is spatially separated from another within a community. In other words, it measures the evenness with which two groups are distributed across the neighborhoods that comprise a community. The index of dissimilarity is rated on a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation. According to HUD, a score under 40 is considered low, between 40 and 54 is moderate, and above 55 is high segregation.

**Using the HUD scale, segregation in Temple, TX is low. Black and White segregation is the highest of the Race/Ethnicity Pairs in the City with a score of 34.**

**Figure 3 Racial/Ethnic Dissimilarity Trends, 2010-2017**

| Race/Ethnicity Pairs          | 2017 |
|-------------------------------|------|
| Black/White                   | 34   |
| Hispanic/Non-Hispanic         | 21   |
| All Other Racial Groups/White | 25   |

Source: U.S. Decennial Census, 2010; American Community Survey, 2013-2017

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<sup>1</sup> For a given geographic area, the index is equal to  $\frac{1}{2} \sum_i^N \left| \frac{a_i}{A} - \frac{b_i}{B} \right|$ , where  $a_i$  is the population of subgroup  $a$  in census tract  $i$ ,  $A$  is the total population of the subgroup in the jurisdiction, where  $b_i$  is the population of subgroup  $b$  in census tract  $i$ ,  $B$  is the total population of the subgroup in the jurisdiction.

## LABOR FORCE AND UNEMPLOYMENT

The labor force consists of persons who are either employed or looking for work. The unemployment rate is the percentage of people in the labor force without a job. This means that a retired person who has stopped looking for work will not be counted as unemployed because they are not in the labor force.

**Total unemployment in the City is 6.6% with differences by race and ethnicity.** Compared to all other racial and ethnic groups Black and American Indian/Alaska Native persons experience higher than average unemployment at rates of 8.6% and 22.4%, respectively.

**Figure 4 Unemployment by Race and Ethnicity, 2017**

|                                  | Population<br>(16 years and older) | Labor Force<br>Participation Rate | Unemployment<br>Rate |
|----------------------------------|------------------------------------|-----------------------------------|----------------------|
| White                            | 40,925                             | 62.2%                             | 5.9%                 |
| Asian                            | 1,045                              | 54.6%                             | 6.7%                 |
| Black                            | 8,970                              | 66.8%                             | 8.6%                 |
| American Indian/Alaska<br>Native | 274                                | 48.9%                             | 22.4%                |
| Other                            | 2,714                              | 74.1%                             | 6.4%                 |
| Hispanic*                        | 12,891                             | 72.7%                             | 6.5%                 |
| Total                            | 53,928                             | 63.4%                             | 6.6%                 |

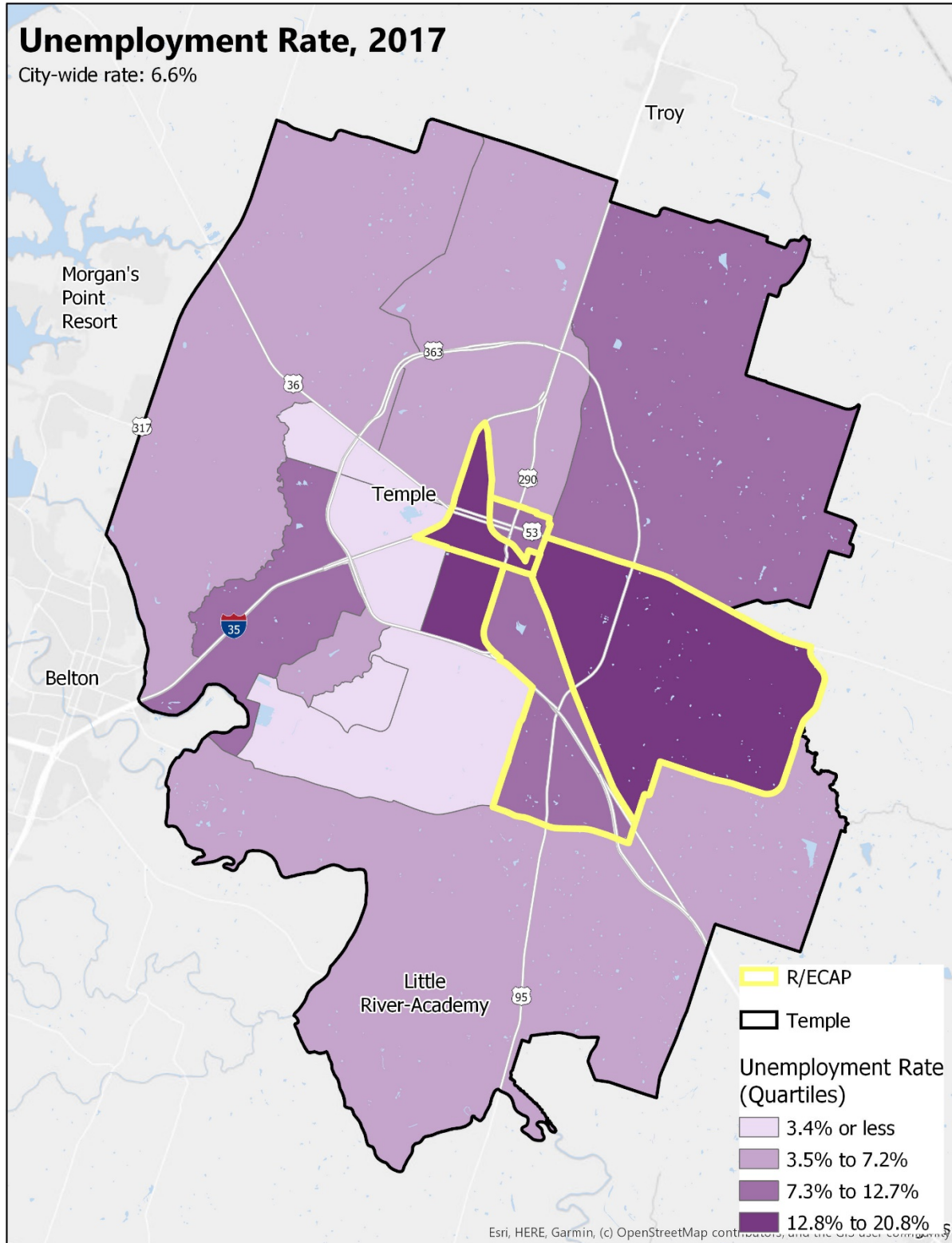
Source: American Community Survey, 2013-2017

\* Hispanic is considered an ethnicity by the U.S. Census Bureau so the numbers will not add to the total.

### Geographical Pattern

**Higher unemployment rates are concentrated in the Central-Eastern portion of the City.**

Map 3 Unemployment Rate, 2017



## POVERTY

**According to ACS estimates, 19.2% of Temple residents live below the poverty level.**

Tract-level poverty rates vary from 6.2% to 51.1%. The City's highest poverty rates are found in Census tracts in its Central-Eastern portion.

**While the population is comprised of 17.33% Black persons, 29.46% of persons living in poverty are Black indicating that they are disproportionately affected by poverty.** Black persons may be disproportionately below the poverty line in part due to unemployment rates slightly higher than the City average. Persons whose race is Other or American Indian/Alaska Native persons are proportionally represented among those below the poverty line. Hispanic persons, who comprise 26% of the population, experience lower rates of proportional poverty in Temple, despite higher rates of unemployment.

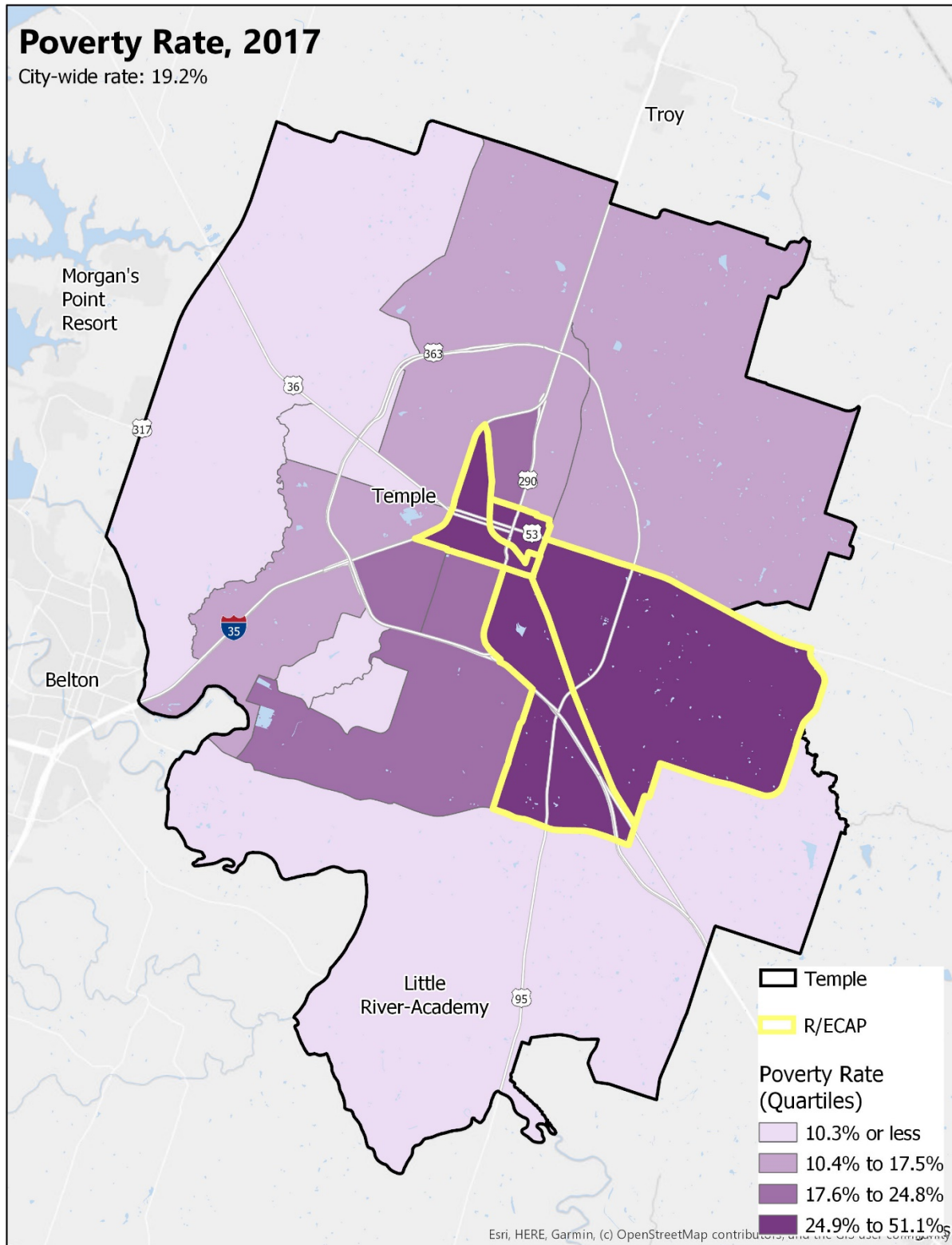
**Figure 5 Poverty Status by Race/Ethnicity, 2017**

| Race/Ethnicity                | Total Population for whom Poverty Status is Determined |                       | Population in Poverty |                                  |
|-------------------------------|--|-----------------------|-----------------------|----------------------------------|
|                               | Number   | Percent of Population | Number                | Percent of Population in Poverty |
| White                         | 52,520   | 74.39%                | 8,094                 | 59.77 %                          |
| Asian                         | 1,391  | 1.97%                 | 453                   | 3.35%                            |
| Black                         | 12,234   | 17.33%                | 3,990                 | 29.46%                           |
| American Indian/Alaska Native | 263  | 0%                    | 47                    | 0.35%                            |
| Other                         | 4,194  | 5.94%                 | 958                   | 7.07%                            |
| Hispanic*                     | 18,941   | 26.83%                | 4,294                 | 31.71%                           |

Source: American Community Survey, 2013-2017



Map 4 Poverty Rate, 2017



## RACIALLY AND ETHNICALLY CONCENTRATED AREAS OF POVERTY

**Of Temple's 18 census tracts, four meet the criteria of a racially or ethnically**

**concentrated area of poverty (R/ECAP).** HUD defines R/ECAPs as census tracts with a non-White population of at least 50% and a poverty rate that either exceeds 40% or is three times the average tract poverty rate for the metropolitan/micropolitan area, whichever is lower. By combining these data, it is possible to determine geographic patterns where there are concentrated areas of poverty among racial/ethnic minorities. In Temple, the definition of R/ECAPs uses the 40% poverty threshold.

**Figure 6 Census Tracts Designated as R/ECAPs, 2017**

|                    | Percent Non-White and/or Hispanic | Poverty Rate |
|--------------------|-----------------------------------|--------------|
| Census Tract 208   | 59.8%                             | 47.9%        |
| Census Tract 207.1 | 67.4%                             | 48.3%        |
| Census Tract 207.2 | 79.3%                             | 51.1%        |
| Census Tract 209   | 65.6%                             | 46.5%        |

Source: American Community Survey, 2013-2017

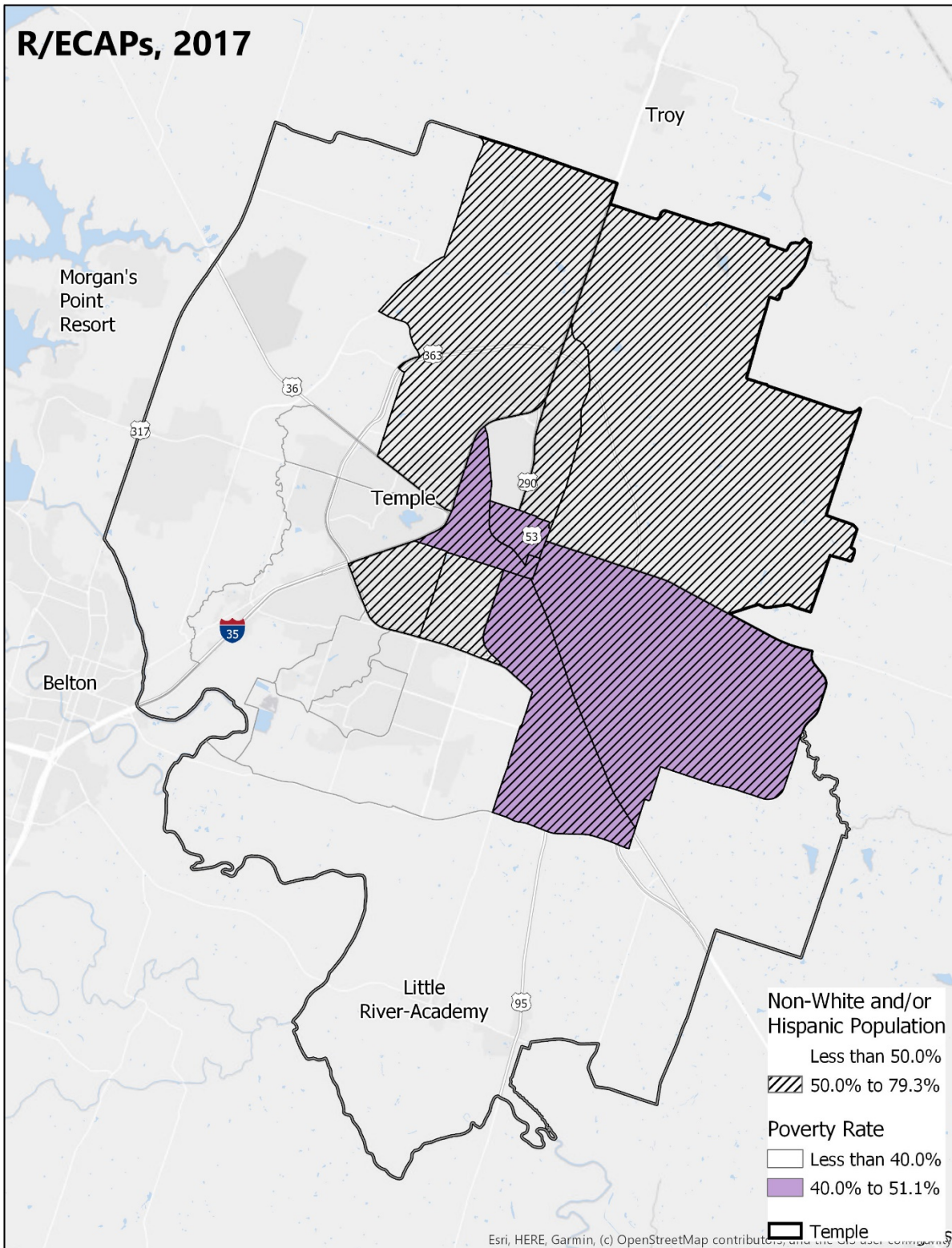
As mentioned prior, changes in population were not uniform throughout the City. While most of the City experienced increases in population, the largest losses were limited to three tracts in the Central part of the City, two of which are R/ECAPs.

Non-White and/or Hispanic residents comprise the majority of residents in more than half of the City's Census tracts. R/ECAPs have the largest concentrations of Non-White and/or Hispanic residents.

Higher unemployment rates and poverty rates are concentrated in the City's R/ECAPs.



Map 5 R/ECAPs, 2017



Source: American Community Survey, 2013-2017

## ANCESTRY AND NATIONAL ORIGIN

Data for citizenship and national origin is not available for Temple because the number of sample cases is too small. A minimum of 50 unweighted sample cases of an iteration group is required to release a data table. Ancestry information is available for all individuals, not separated by citizenship or national origin. The largest ancestral groups are of Eastern European descent.

**Figure 7 Ancestry, 2017**

|         | Number | Percent of<br>Total Population |
|---------|--------|--------------------------------|
| German  | 9,545  | 4.2%                           |
| Irish   | 5,671  | 1.9%                           |
| Italian | 1,808  | 1.6%                           |

Source: American Community Survey, 2013-2017

## FAMILIAL STATUS

The Census Bureau divides households into family and non-family households. Family households are married couples (with or without children), single-parent families, and other families comprised of related persons. Non-family households are either single persons living alone, or two or more non-related persons living together.

**Family households in Temple comprise 63.8% of all households and consist mostly of married couple households.** Of the 16,687 households with children, 44.8% are married couples. Single female-headed households make up 14.6% of all households, while single-male households make up 4.5%.

Among non-family households, 30.3% are single-person households. There are over twice as many married-couple households, 31.6% of which have children under the age of 18, than single-persons. This may indicate that units with two or more bedrooms are likely suitable for a significant number of households.

**Figure 8 Tenure by Bedrooms, 2017**

|                    | Owner Occupied | Percent of<br>housing stock | Renter Occupied | Percent of<br>housing stock |
|--------------------|----------------|-----------------------------|-----------------|-----------------------------|
| No bedroom         | 40             | 0.28%                       | 484             | 4.03%                       |
| 1 bedroom          | 90             | 0.64%                       | 2,843           | 23.66%                      |
| 2 bedrooms         | 1,539          | 10.91%                      | 4,394           | 36.57%                      |
| 3 bedrooms         | 8,774          | 62.18%                      | 3,615           | 30.08%                      |
| 4 bedrooms         | 3,259          | 23.10%                      | 640             | 5.33%                       |
| 5 or more bedrooms | 409            | 2.90%                       | 40              | 0.33%                       |

Source: American Community Survey, 2013-2017 B-25042

**Figure 9 Familial Status by Household Type, 2017**

|                                 | Number        | Percent of all households |
|---------------------------------|---------------|---------------------------|
| <b>Family Households</b>        | <b>16,687</b> | <b>63.8%</b>              |
| Married couples                 | 11,705        | 44.8%                     |
| <i>with children under 18</i>   | 5,201         | 19.9%                     |
| Single male                     | 1,167         | 4.5%                      |
| <i>with children under 18</i>   | 561           | 2.2%                      |
| Single female                   | 3,815         | 14.6%                     |
| <i>with children under 18</i>   | 2,486         | 9.5%                      |
| <b>Non-family Households</b>    | <b>9,440</b>  | <b>36.1%</b>              |
| Unmarried same sex partners     | X             | 0.2%                      |
| Unmarried opposite sex partners | X             | 5.3%                      |
| Living alone                    | 7,917         | 30.3%                     |
| <i>65 years or older</i>        | X             | 11.3%                     |
| Other                           | X             | 36.4%                     |
| <b>Total Households</b>         | <b>26,127</b> | <b>100.0%</b>             |

Source: American Community Survey, 2013-2017

Note: "X" indicates that information was not available from the Census.

## DISABILITY STATUS

As defined by the Census Bureau, a disability is a long-lasting physical, mental, or emotional condition that can make it difficult for a person to engage in activities such as walking, climbing stairs, dressing, bathing, learning or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

The Fair Housing Act prohibits discrimination based on physical, mental, or emotional disability, provided "reasonable accommodation" can be made. This may include changes to address the needs of persons with disabilities, such as adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal).

## DISABILITY BY TYPE

Among residents for whom disability status is determined, 18.2% of residents have one or more disabilities with the most common types, in descending order, being independent living, ambulatory, and cognitive. Each of these three disability types affects between 8% to 35% of the population.

**Figure 10 Disability Type, 2017**

|                                       | Number | Percent of Population |
|---------------------------------------|--------|-----------------------|
| With a hearing difficulty             | 3,181  | 4.5%                  |
| With a vision difficulty              | 2,642  | 3.8%                  |
| With a cognitive difficulty           | 5,122  | 8.0%                  |
| With an ambulatory difficulty         | 7,023  | 11.0%                 |
| With a self-care difficulty           | 2,663  | 4.2%                  |
| With an independent living difficulty | 3,989  | 35.7%                 |

Source: American Community Survey, 2013-2017

## DISABILITY BY TYPE BY AGE

**While approximately 16% of the population aged 18-64 have one or more disabilities, the rate more than triples to 50.5% among residents age 65 and older.** Among residents ages 18-64 with a disability, the most prevalent types are cognitive and ambulatory. Among those age 65 and older, ambulatory and independent living difficulties are the most common at 34.9% and 22.4%, respectively. Older individuals with these types of disabilities may need units without stairs or accessibility modifications to allow a person to age in place.

**Figure 11 Disability Status by Type by Age, 2017**

|                                       | Number        | Percent of Population |
|---------------------------------------|---------------|-----------------------|
| <b>Population 18 to 64 Years</b>      | <b>41,316</b> | <b>61.91%</b>         |
| Without a disability                  | 34,472        | 83.40%                |
| With a disability                     | 6,844         | 16.50%                |
| With a hearing difficulty             | 1,282         | 3.10%                 |
| With a vision difficulty              | 1,284         | 3.11%                 |
| With a cognitive difficulty           | 2,951         | 7.14%                 |
| With an ambulatory difficulty         | 3,518         | 8.51%                 |
| With a self-care difficulty           | 1,091         | 2.64%                 |
| With an independent living difficulty | 1,833         | 4.44%                 |
| <b>Population 65 Years and Older</b>  | <b>9,616</b>  | <b>15.38%</b>         |
| Without a disability                  | 4,759         | 49.40%                |
| With a disability                     | 4,857         | 50.50%                |
| With a hearing difficulty             | 1,623         | 16.88%                |
| With a vision difficulty              | 918           | 9.55%                 |
| With a cognitive difficulty           | 1,423         | 14.80%                |
| With an ambulatory difficulty         | 3,360         | 34.94%                |
| With a self-care difficulty           | 1,385         | 14.40%                |
| With an independent living difficulty | 2,156         | 22.42%                |

Source: American Community Survey, 2013-2017

## Income and Poverty

### **People with disabilities have a lower earning capacity than people without disabilities.**

According to the ACS, the median earnings for persons with a disability is \$20,055 compared to \$28,994 for persons without disabilities. Among the population with a disability, 21.3% of persons have incomes that are less than 100% of the poverty level compared to 13.6% of the population without a disability. Lower earnings contribute to the higher poverty rates among persons with disabilities and, to the extent that housing choice is linked to the availability of affordable housing, persons with disabilities have restricted housing choice.

**Figure 12 Median Earnings by Disability Status, 2017**

|                 | Population with a disability<br>(16 years and over) | Population without a<br>disability<br>(16 years and over) |
|-----------------|---|---|
| Median Earnings | \$20,055  | \$28,994  |

Source: American Community Survey, 2013-2017

**Figure 13 Poverty Level by Disability Status, 2017**

|                                     | Percentage of the<br>population among those<br>with a disability | Percentage of the<br>population among those<br>without a disability |
|-------------------------------------|--|---|
| Less than 50% of the poverty level  | 8.0%   | 6.3%  |
| Less than 100% of the poverty level | 21.3%  | 13.6%   |
| Less than 125% of the poverty level | 28.2%  | 17.9%   |

Source: American Community Survey, 2013-2017

# Housing Characteristics

This section begins with an overview of the Temple's housing market characteristics and, where possible, includes occupancy characteristics by protected class status.

## OVERVIEW OF THE HOUSING STOCK

### Housing Occupancy

According to the ACS, there was an increase of more than 1,600 total housing units in 2017. As it stands, the supply of units exceeds demand; there are approximately 29,662 units and only 26,127 households. **Among the units lost, the vast majority were larger structures with 3 to 9 units or mobile homes.** Most units lost were older structures built earlier than 1970.

The majority of units are owner-occupied detached, single unit homes. As noted in Figure 8, only 30.08% of rental occupied units are 3 bedrooms compared to 62.18% of owner-occupied units. This difference could make it more difficult for large, lower income families to find affordable rental housing that meets their needs.

**Figure 14 Physical Characteristics of Housing Stock, 2010-2017**

|                        | 2010   | 2017   | Change  |
|------------------------|--------|--------|---------|
| HOUSING OCCUPANCY      |        |        |         |
| Total housing units    | 28,005 | 29,662 | 5.92%   |
| Occupied housing units | 23,359 | 26,127 | 11.85%  |
| Vacant housing units   | 4,646  | 3,535  | -23.91% |
| UNITS IN STRUCTURE     |        |        |         |
| Total housing units    | 28,005 | 29,662 | 5.92%   |
| 1-unit, detached       | 18,100 | 19,247 | 6.34%   |
| 1-unit, attached       | 409    | 581    | 42.05%  |
| 2 units                | 1,293  | 1,398  | 8.12%   |
| 3 or 4 units           | 1,392  | 1,243  | -10.70% |
| 5 to 9 units           | 2,775  | 2,247  | -19.03% |
| 10 to 19 units         | 1,772  | 1,940  | 9.48%   |
| 20 or more units       | 1,658  | 2,323  | 40.11%  |
| Mobile home            | 656    | 655    | -0.15%  |
| Boat, RV, van, etc.    | 0      | 28     |         |
| YEAR STRUCTURE BUILT   |        |        |         |
| Total housing units    | 28,005 | 29,662 | 5.92%   |
| Built in 2000 or later | 4,768  | 8,262  | 73.28%  |
| Built 1990 to 1999     | 3,351  | 3,323  | -0.84%  |

|                       |        |        |         |
|-----------------------|--------|--------|---------|
| Built 1980 to 1989    | 4,530  | 4,617  | 1.92%   |
| Built 1970 to 1979    | 5,925  | 4,727  | -20.22% |
| Built 1960 to 1969    | 3,314  | 3,237  | -2.32%  |
| Built 1950 to 1959    | 2,949  | 2,967  | 0.61%   |
| Built 1940 to 1949    | 1,512  | 1,076  | -28.84% |
| Built 1939 or earlier | 1,656  | 1,453  | -12.26% |
| <b>BEDROOMS</b>       |        |        |         |
| Total housing units   | 28,005 | 29,662 | 5.92%   |
| No bedroom            | 365    | 671    | 83.84%  |
| 1 bedroom             | 3,552  | 3,683  | 3.69%   |
| 2 bedrooms            | 7,545  | 7,242  | -4.02%  |
| 3 bedrooms            | 12,804 | 13,464 | 5.15%   |
| 4 bedrooms            | 3,352  | 4,128  | 23.15%  |
| 5 or more bedrooms    | 387    | 474    | 22.48%  |

Source: American Community Survey, 2006-2010 and 2013-2017

## TENURE

**The majority (54.0%) of households in Temple own their homes.** Married families comprise more than half of homeowners. Of the 46.0% of renter-occupied units, most are comprised of non-families (46.9%). Married couples are renting at higher rates than single male- and female-headed families.

**Figure 15 Tenure by Family Type, 2017**

|                             | Number of Households | Percent of Households |
|-----------------------------|----------------------|-----------------------|
| <b>Total</b>                | <b>26,127</b>        | <b>100%</b>           |
| Owner-occupied              | 14,111               | 54.0%                 |
| Married-couple family       | 8,344                | 59.1%                 |
| Single male-headed family   | 630                  | 4.5%                  |
| Single female-headed family | 1,337                | 9.5%                  |
| Non-family                  | 3,800                | 26.9%                 |
| Renter-occupied             | 12,016               | 46.0%                 |
| Married-couple family       | 3,361                | 28.0%                 |
| Single male-headed family   | 537                  | 4.5%                  |
| Single female-headed family | 2,478                | 20.6%                 |
| Non-family                  | 5,640                | 46.9%                 |

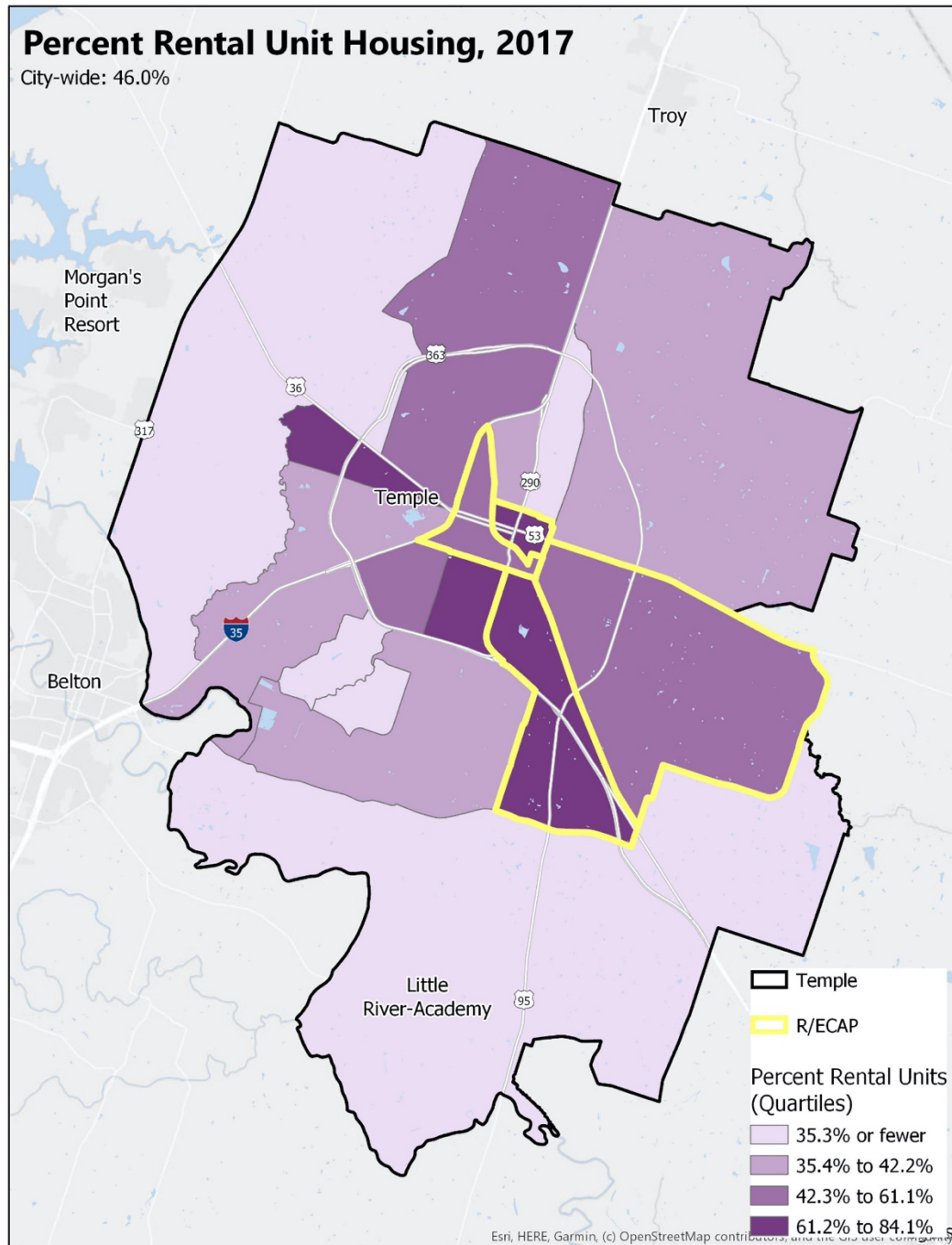
Source: U.S. Decennial Census, 2010; American Community Survey, 2013-2017



## Geographical Pattern

The highest concentrations of rental unit housing are in the Central areas of the City, including two of the R/ECAPs.

Map 6 Percent of Rental Units, 2017



Source: American Community Survey, 2013-2017

Citywide, there has been a decrease in the homeownership rate from 60.4% to 54.0%; this trend is evident in Temple's minority populations as well. The decrease is evident in almost all racial groups, although Blacks have marginally increased their ownership rates by 1.4%.

Figure 16 Temple Housing Tenure and Race, 2010-2017

|                               | 2010                 |                       |                        | 2017                 |                       |                        | Change in Owner Rate 2010-2017 |
|-------------------------------|----------------------|-----------------------|------------------------|----------------------|-----------------------|------------------------|--------------------------------|
|                               | Owner-Occupied Units | Renter-Occupied Units | Percent Owner-Occupied | Owner-Occupied Units | Renter-Occupied Units | Percent Owner-Occupied |                                |
| White                         | 11,588               | 6,671                 | 82.2%                  | 11,703               | 8,203                 | 82.9%                  | 0.7%                           |
| Asian                         | 258                  | 92                    | 1.90%                  | 171                  | 307                   | 1.2%                   | -0.7%                          |
| Black                         | 1,497                | 1,845                 | 10.6%                  | 1,691                | 2,793                 | 12.0%                  | 1.4%                           |
| American Indian/Alaska Native | 56                   | 9                     | 0.4%                   | 44                   | 39                    | 0.3%                   | -0.1%                          |
| Other                         | 692                  | 618                   | 4.0%                   | 502                  | 674                   | 1.85%                  | -2.15%                         |
| Hispanic*                     | 1,921                | 1,679                 | 13.6%                  | 2,482                | 2,698                 | 17.6%                  | 0.4%                           |
| Total                         | 14,132               | 9,227                 | 60.4%                  | 14,111               | 12,016                | 54.0%                  | -5.6%                          |

Source: U.S. Decennial Census, 2010; American Community Survey, 2013-2017

\* Hispanic is considered an ethnicity by the U.S. Census Bureau so the numbers in the columns will not add to the total.

## AVERAGE NUMBER OF OCCUPANTS PER ROOM

**Overcrowding is not a significant housing problem in Temple.** Overcrowding is defined as having more than 1.0 persons per room while severe overcrowding indicates more than 1.5 persons per room. Among owners and renters, 98.5% and 94.0% of households, respectively, are not overcrowded. When overcrowding does exist, it is more likely to be among renter households than owner households.

**Figure 17 Occupants per Room by Tenure, 2017**

|                                 | Number of Households | Percent of Households |
|---------------------------------|----------------------|-----------------------|
| Owner-occupied                  | 14,111               |                       |
| 0.5 or fewer occupants per room | 10,477               | 74.25%                |
| 0.51 to 1 occupant per room     | 3,424                | 24.26%                |
| 1.01 to 1.5 occupants per room  | 192                  | 1.36%                 |
| 1.51 to 2 occupants per room    | 6                    | 0.04%                 |
| 2.01 or more occupants per room | 12                   | 0.09%                 |
| Renter-occupied                 | 12,016               |                       |
| 0.5 or fewer occupants per room | 6,904                | 57.46%                |
| 0.51 to 1 occupant per room     | 4,392                | 36.55%                |
| 1.01 to 1.5 occupants per room  | 511                  | 4.25%                 |
| 1.51 to 2 occupants per room    | 209                  | 1.74%                 |
| 2.01 or more occupants per room | 0                    | 0.00%                 |

Source: American Community Survey, 2013-2017

## VACANCY

**According to the ACS, the overall vacancy rate among both owners and renters dropped to 2.3% and 12.6%, respectively.** Homeowner units show the greatest changes in vacancy rate from 2010 to 2017. The vacancy rate as calculated by the ACS was dependent on the status at one point in time and the rate reflected could be higher or lower depending on when the survey was administered. If the surveys were not administered at the same point in the year, then it may not be possible to make a direct comparison. Changes in the vacancy rate may be attributed to an increase of units for owner-occupied homes. The tightening of the rental market between 2010 and 2017 still resulted in a relatively high vacancy rate in 2017.

**Figure 18 Vacancy Rate by Tenure, 2017**

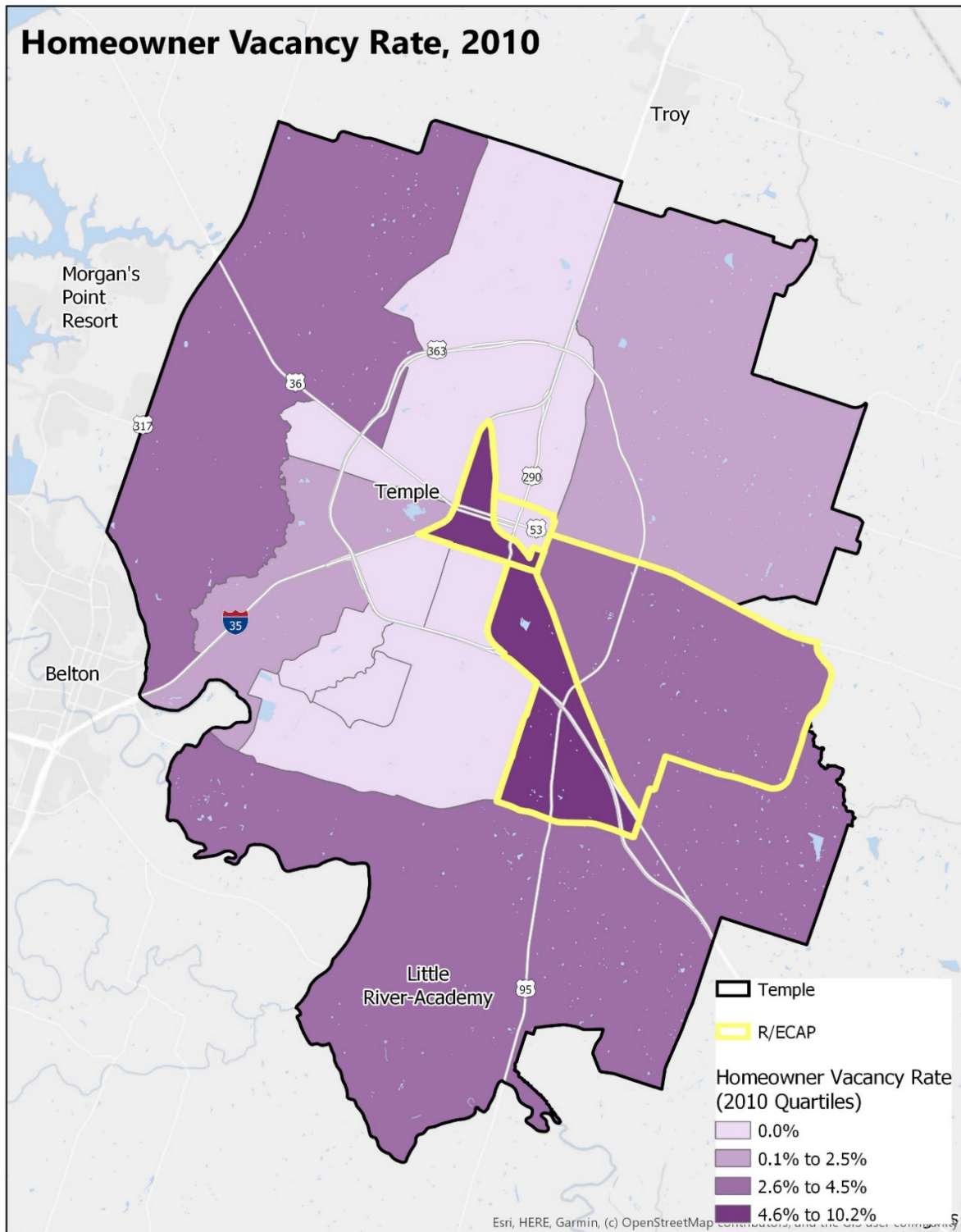
|            | 2010  | 2017  | Change in Vacancy Rate |
|------------|-------|-------|------------------------|
| Homeowners | 1.8%  | 2.3%  | 27.7%                  |
| Renters    | 20.8% | 12.6% | -39.4%                 |

Source: American Community Survey,, 2013-2017

### Geographical Pattern

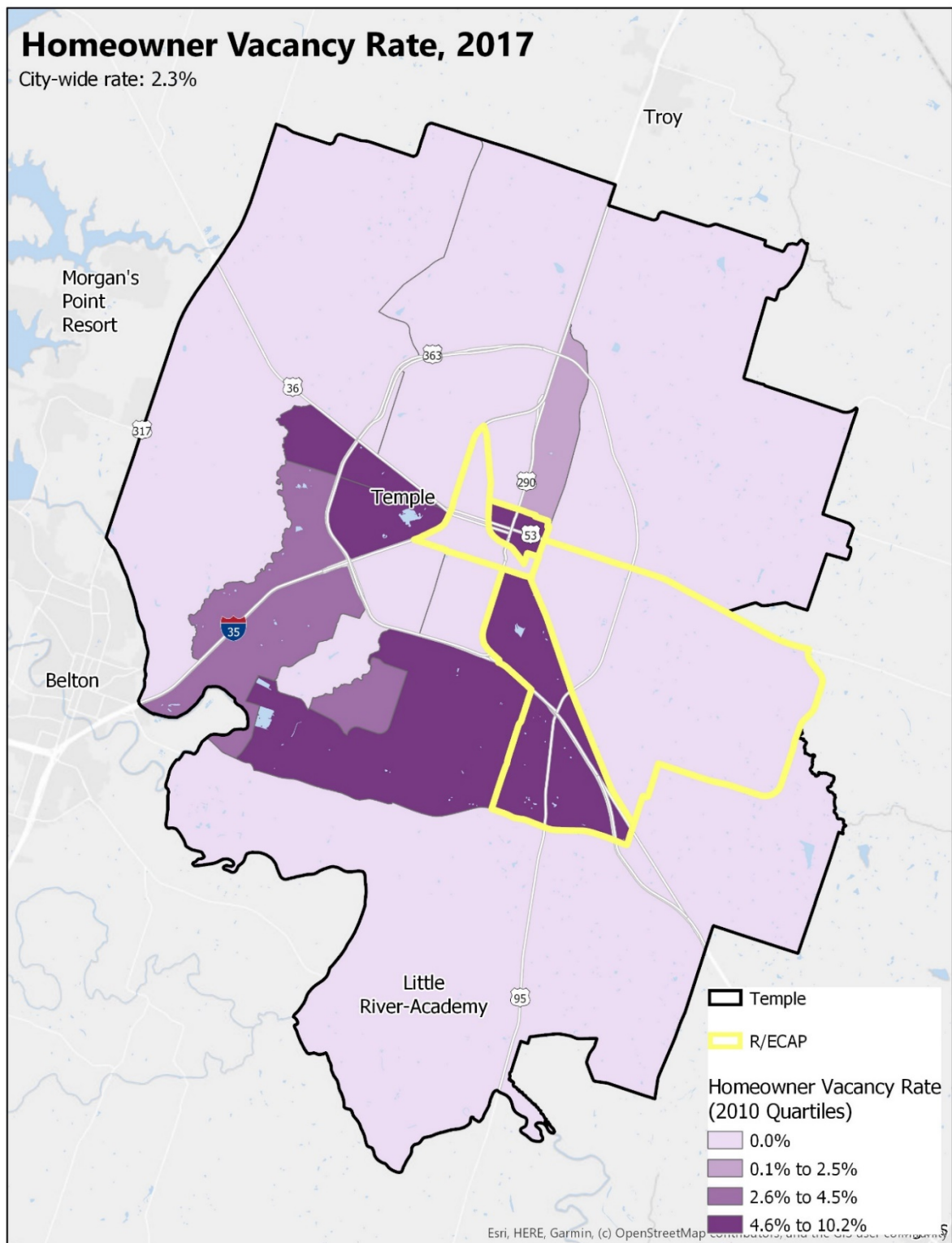
The homeowner vacancy rate has decreased in most of the City's tracts from 2010 to 2017. The rental unit vacancy rate has fallen in some tracts but increased in others during the same period, with the largest concentrations of rental vacancies in some of the City's Central tracts, including two of the R/ECAPs.

Map 7 Homeowner Vacancy Rate, 2010



Source: American Community Survey, 2006-2010

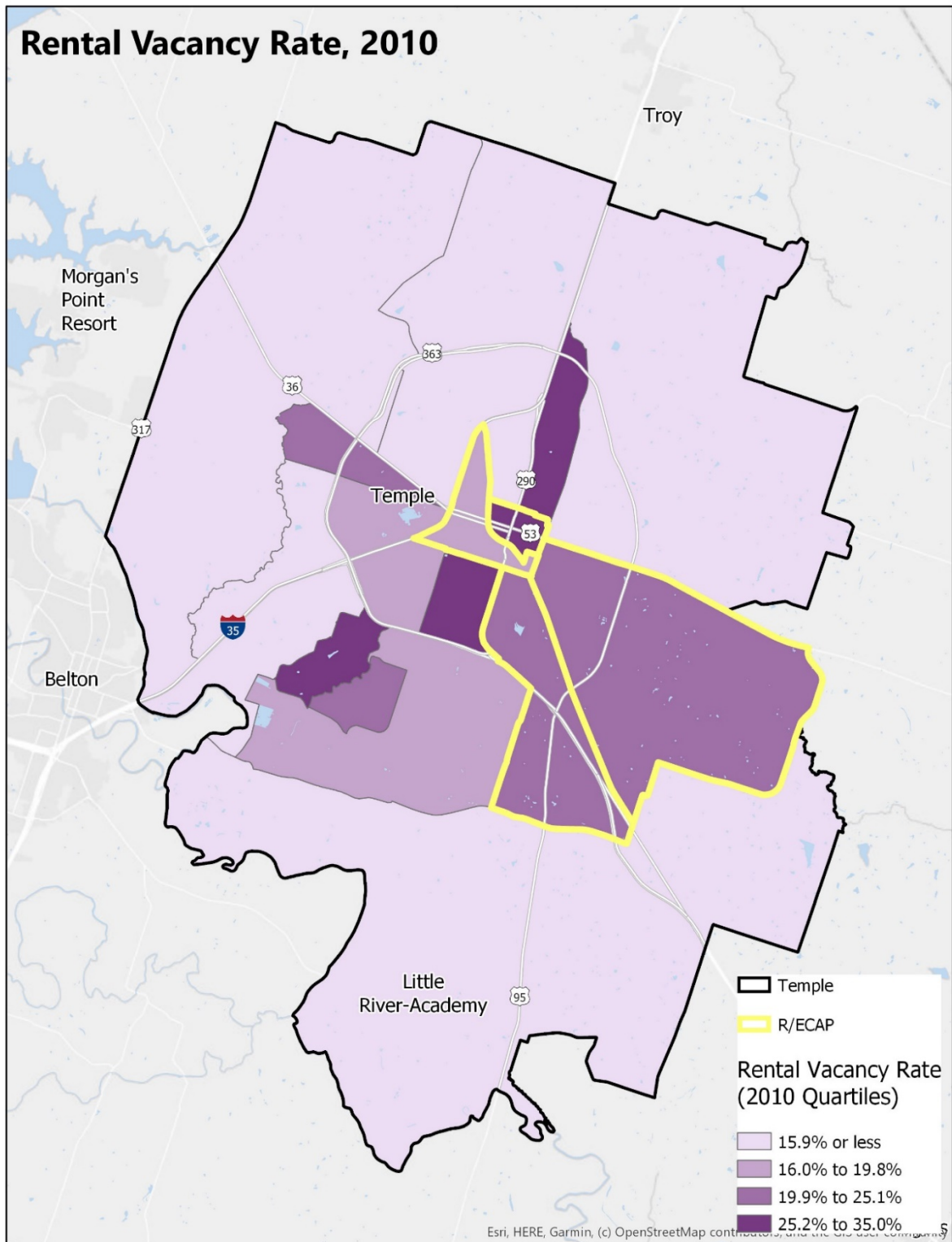
Map 8 Homeowner Vacancy Rate, 2017



Source: American Community Survey, 2013-2017



Map 9 Rental Vacancy Rate, 2010



Source: American Community Survey, 2006-2010

## MEDIAN HOME VALUE, GROSS RENT AND CHANGES IN AFFORDABILITY

### Median Home Value

**Median home values have increased by 9.8% when adjusted for inflation.** The median home value was slightly higher than \$130,000 in 2017, which is 68% of the median home value across the United States and 87% of the median home value in Texas. This indicates that housing is less expensive in Temple than in many other parts of the State; however, buying a home in Temple may be getting more challenging as median incomes decrease.

**Figure 19 Median Home Value for Owner-Occupied Units and Median Household Income, 2010-2017**

|                   | 2010<br>(in 2017 \$) | 2017      | Percent Change<br>(adjusted for inflation) |
|-------------------|----------------------|-----------|--|
| Median Home Value | \$120,361            | \$132,200 | 9.8%, adjusted                             |
| Median Income     | \$53,089             | \$49,970  | -5.8% adjusted                             |

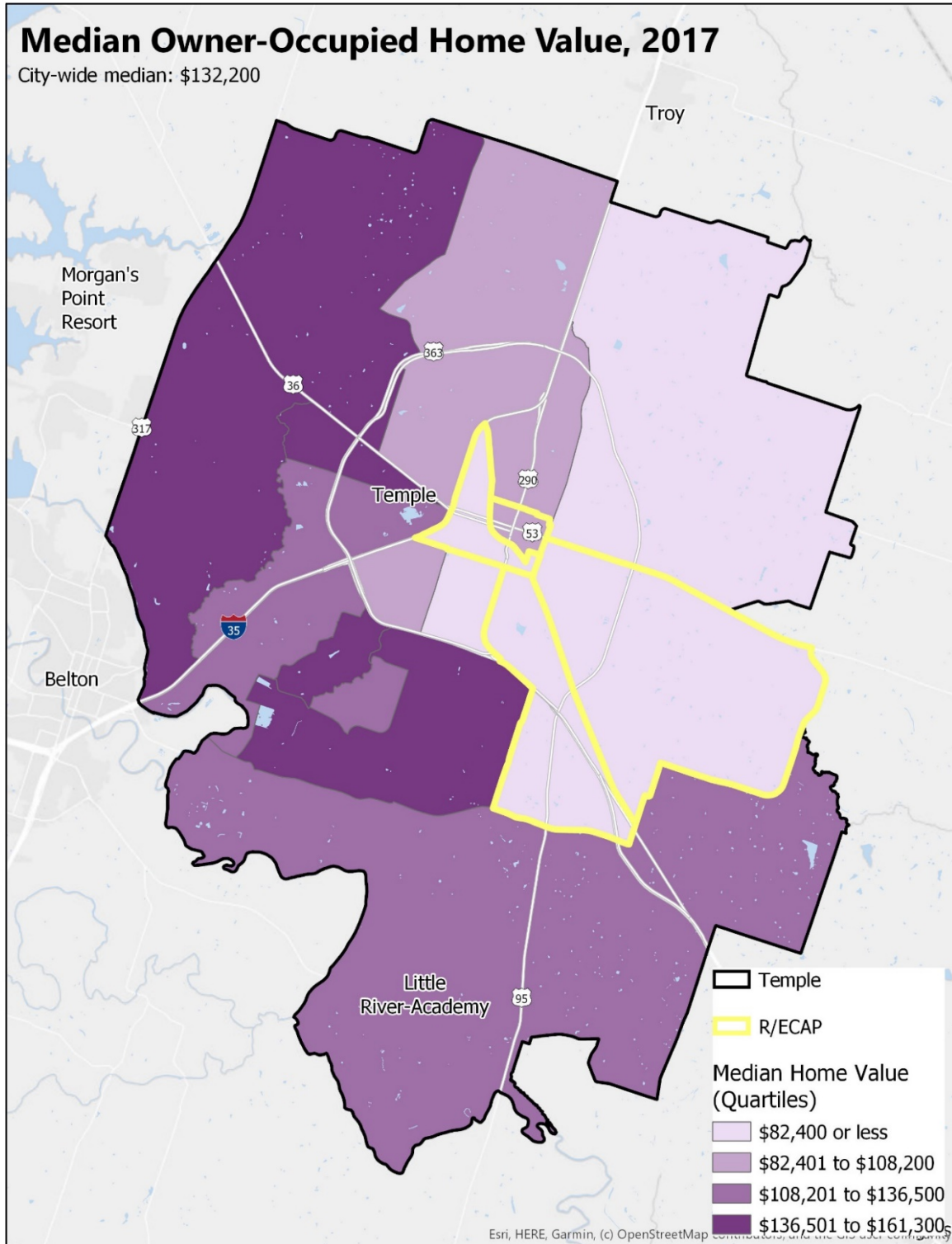
Source: U.S. Decennial Census, 2010; American Community Survey, 2013-2017 (B-25119)

### Geographical Pattern

Median owner-occupied home value is highest in the Western portions of the City, and lowest in the R/ECAPs. Home values have increased most significantly since 2010 in some of these R/ECAPs, however.

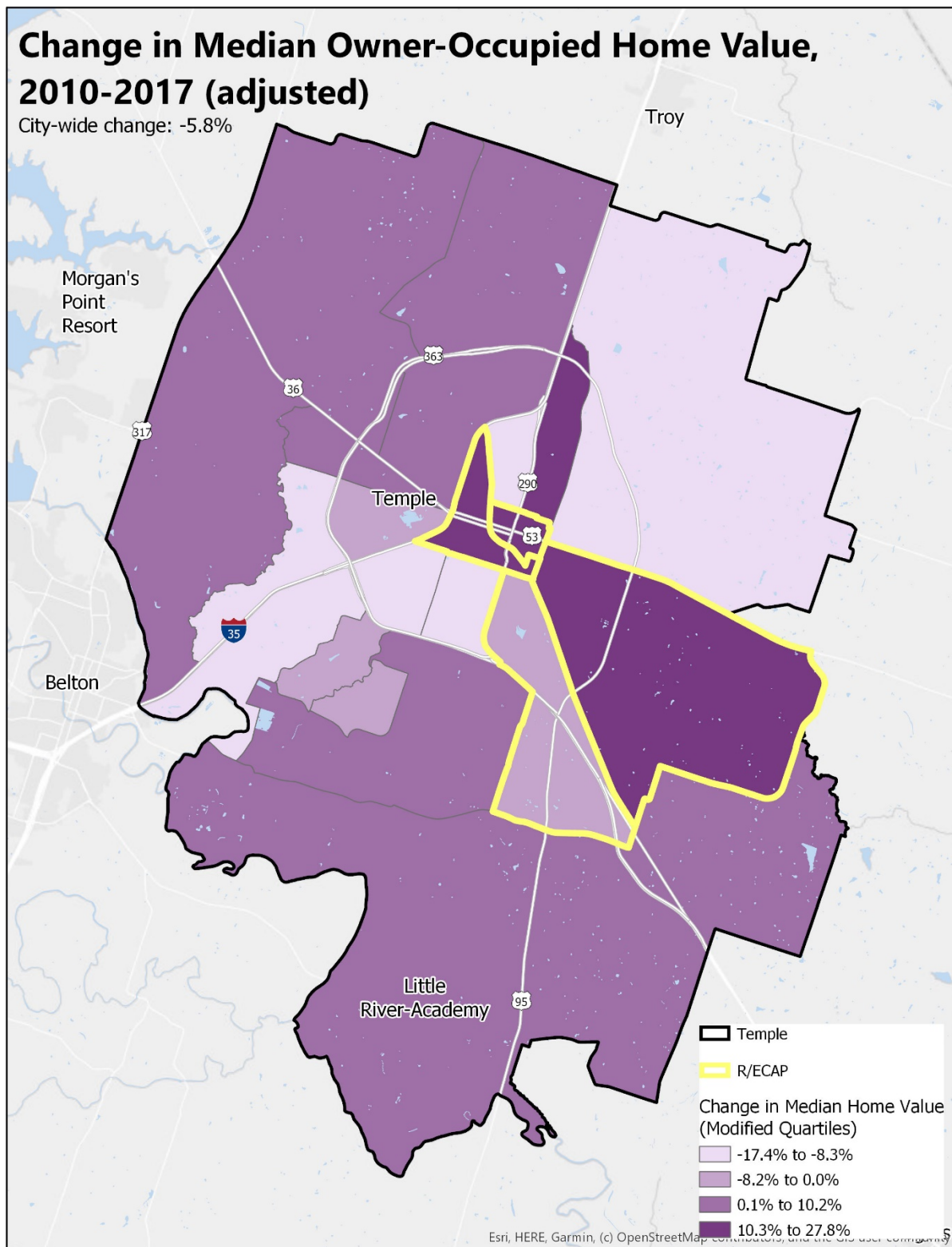


Map 10 Median Home Value, 2017



Source: American Community Survey, 2013-2017

Map 11 Change in Median Home Value, 2010-2017 (adjusted)



Source: American Community Survey, 2006-2010, American Community Survey, 2013-2017

## Median Gross Rent

**Median gross rent in Temple has been relatively stable, when adjusted for inflation, increasing 3% between 2010 and 2017.** Median gross rents are relatively low in the four R/ECAP areas and higher in the outlying areas.

**Figure 20 Median Gross Rent, 2010-2017**

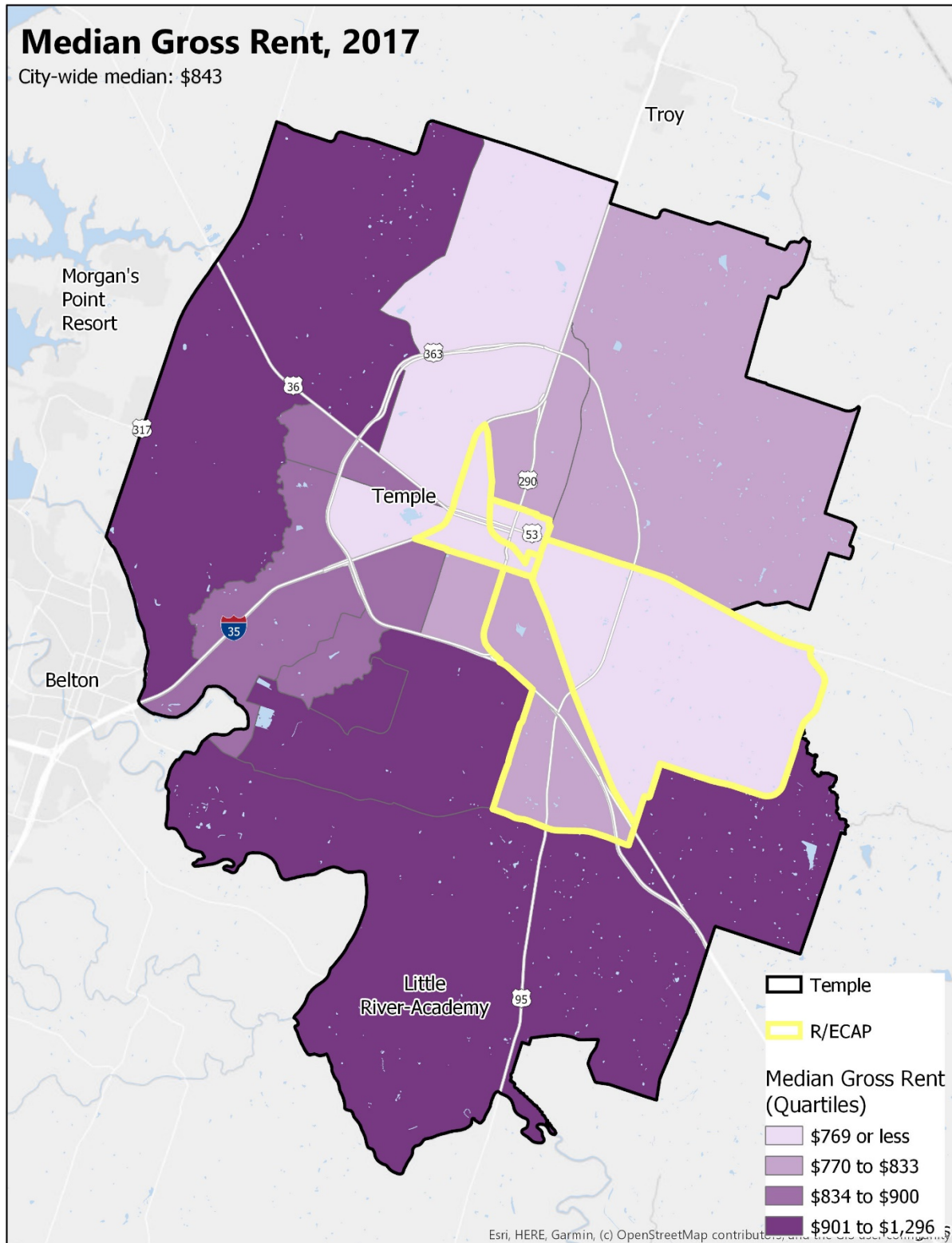
|                   | 2010<br>(in 2017\$) | 2017     | Percent Change<br>(adjusted for inflation) |
|-------------------|---------------------|----------|--|
| Median Gross Rent | \$818               | \$843    | 3.0% adjusted                              |
| Median Income     | \$53,089            | \$49,970 | -5.8% adjusted                             |

Source: American Community Survey, 2006-2010 and 2013-2017 (B-25119)

## Geographical Pattern

The highest median gross rents, and those that have experienced the largest increases since 2010, are primarily in the Southern and Western portions of the city.

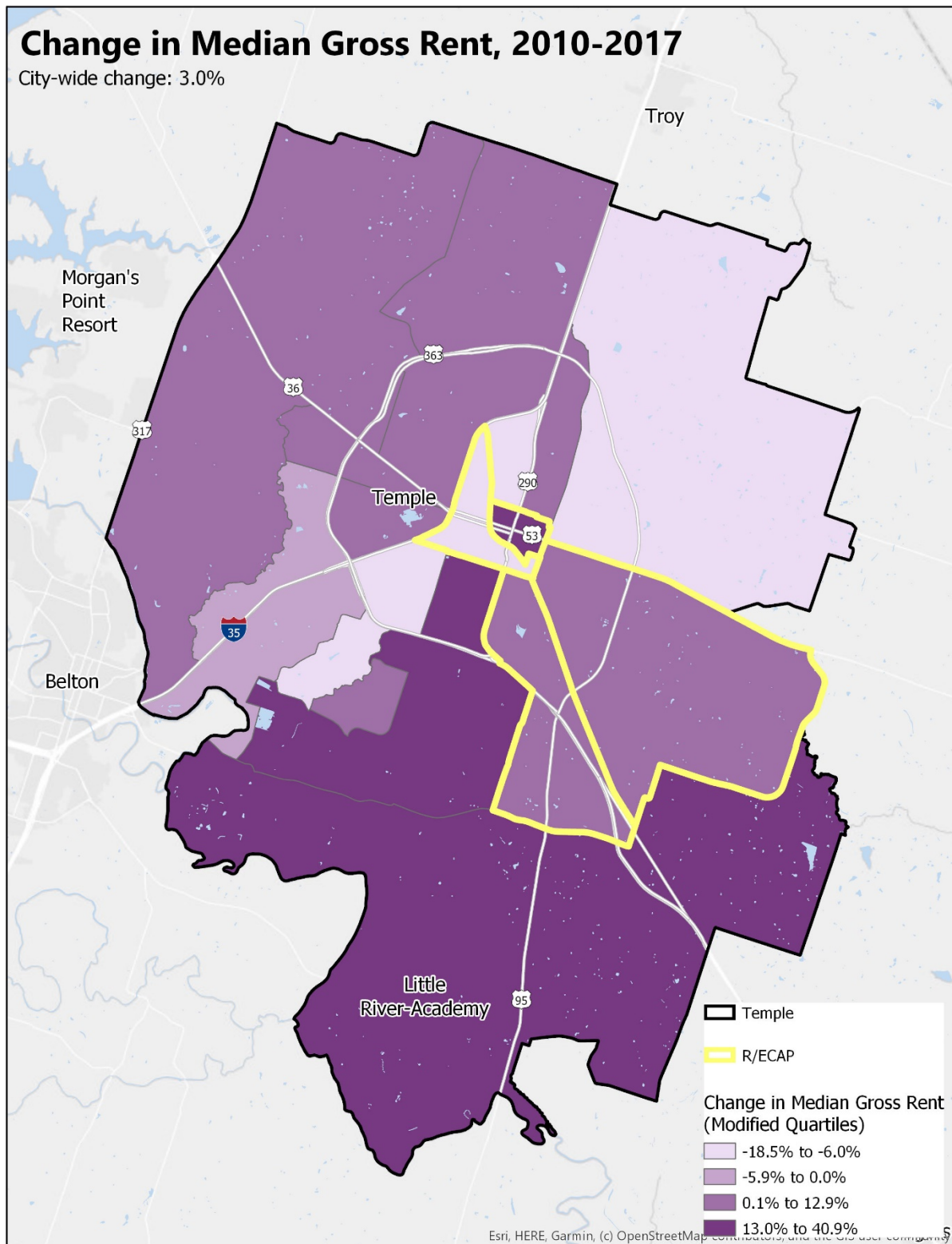
Map 12 Median Gross Rent, 2017



Source: American Community Survey, 2013-2017



Map 13 Median Gross Rent, 2010-2017 (adjusted)



Source: American Community Survey, 2006-2010, American Community Survey, 2013-2017

## CHANGES IN AFFORDABILITY

**When adjusted for inflation, the median household income of Temple increased by 10.4%.** With a median income of \$49,470, households should spend less than \$1,236 each month to avoid cost burden. Cost burden occurs when a household pays more than 30% of its gross income on housing costs. Extreme cost burden occurs when a household pays more than 50% of its gross income on housing costs. Cost burden is not pervasive within Temple; however, the ACS estimates that Selected Monthly Owner Costs (SMOC) for owner-occupied housing units with a mortgage is \$1,231, indicating that the median mortgage rate is just affordable to a median income household.

Approximately 3,210 owners in the City of Temple – or 23% of owner households – are spending more than 30% of their income on housing costs. **For renters, 61.5% of households are spending more than 30% of their income on housing costs.** There is a discrepancy between owners and renters in the City cost burden computations. The City may need to foster the development of more affordable options for renters – particularly, those falling below the median income.

**Figure 21 Cost Burden by Renter and Owner Households, 2012-2016**

|                     | Cost burden > 30% | %     | Cost burden > 50% | %     | Total Households | %     |
|---------------------|-------------------|-------|-------------------|-------|------------------|-------|
| Total (Renter Only) | 4,890             | 41.3% | 2,390             | 20.2% | 11,835           | 61.5% |
| Total (Owner Only)  | 2,320             | 16.6% | 890               | 6.4%  | 13,965           | 23.0% |

Source: CHAS, 2012-2016

**Figure 22 Median Household Income, 2010-2017**

|               | 2010<br>(in 2017\$) | 2017     | Change    | Percent Change<br>(adjusted for inflation) |
|---------------|---------------------|----------|-----------|--|
| Median Income | \$53,089            | \$49,970 | (\$3,119) | -5.8%                                      |

Source: American Community Survey, 2006-2010 and 2013-2017

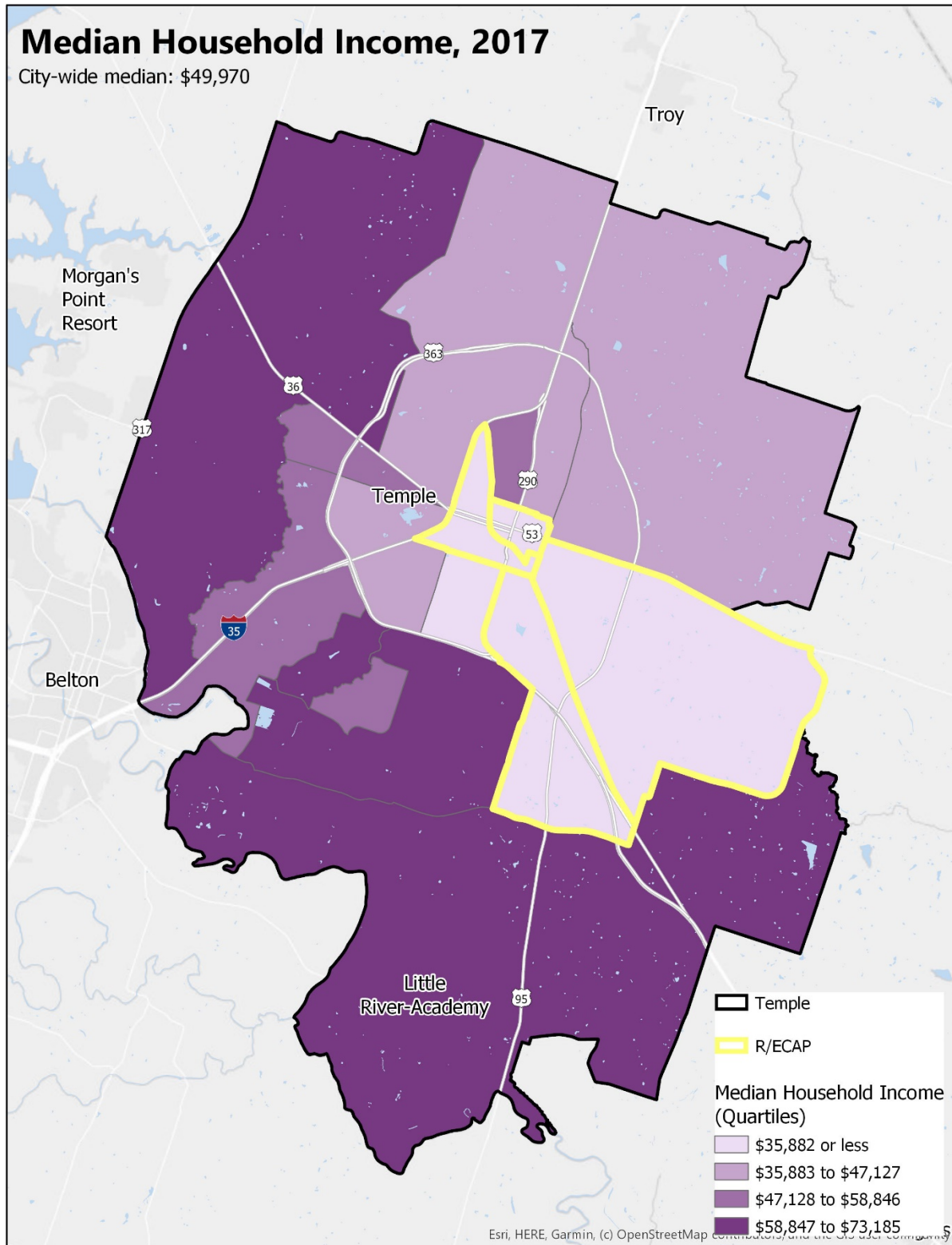
**In 2017, a household with one wage earner earning minimum wage would need to work 96 hours per week to afford a rental unit at the median gross rent and not be cost burdened.** Texas' state minimum wage is \$7.25 per hour. Last increased in 2008, this wage applies to most employees with few exceptions.

**A household with one worker earning minimum wage would need to work 141 hours weekly to pay the mortgage each month and not be cost burdened.** This does not include utilities.

### Geographical Pattern

Median household incomes are highest in the Southern and Western portions of the City and lowest in the Centrally located R/ECAP tracts.

Map 14 Median Household Income, 2017

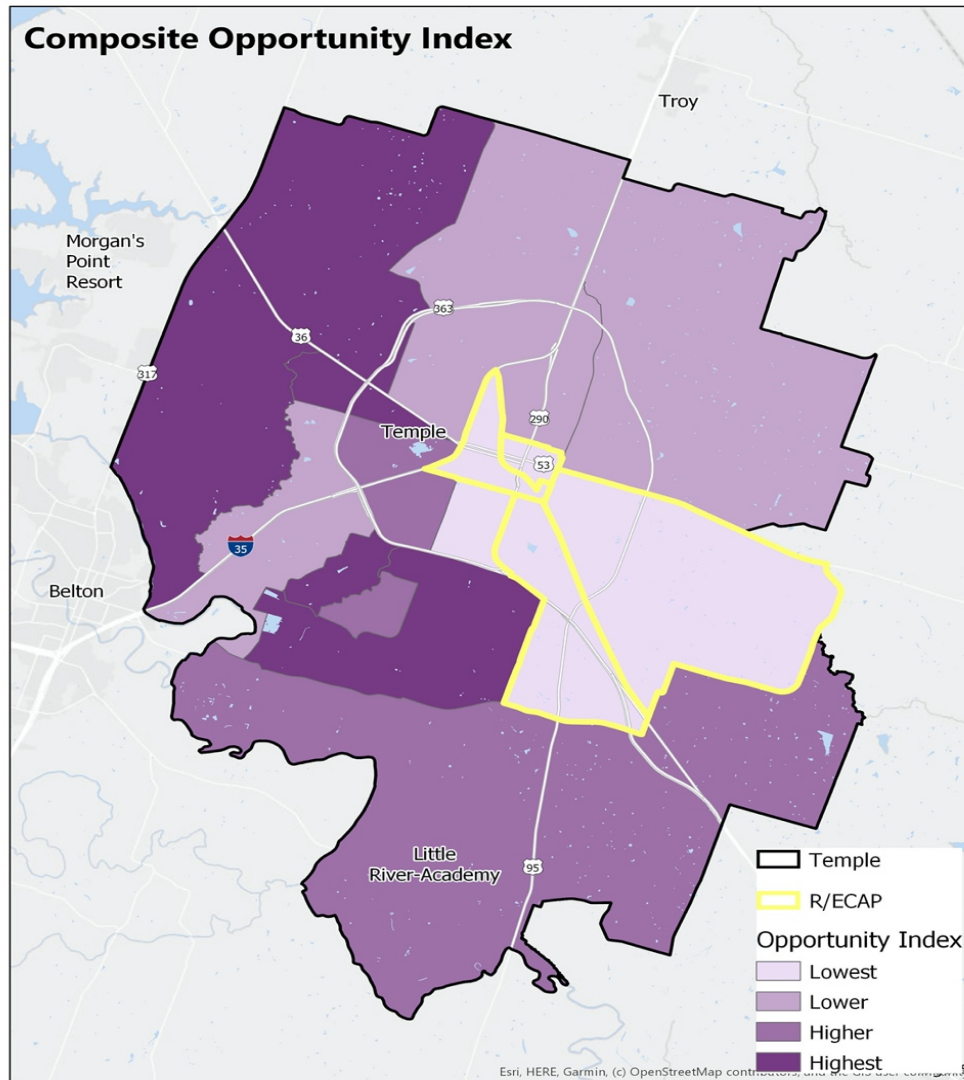


Source: American Community Survey, 2013-2017

## Communities of Opportunity

An Opportunity Index was developed to classify and visualize areas of opportunity for Temple residents. The Opportunity Index identifies areas in which new developments may be more financially feasible in the long-term due to proximity to factors that allow residents to have successful access to employment, quality education, and a healthy environment. The data is linearly normalized to values between 0 and 1, after which census tracts are classified into quintiles ranging from Very Low Opportunity to Very High Opportunity. The Composite Opportunity Index averages six indices that measure different areas of opportunity: prosperity, labor market engagement, job access, transit access, community health, and school proficiency. Overall, the highest opportunity areas are found in the western part of the City while RECAPs provide residents with the lowest level of opportunity overall.

**Map 15 Opportunity Index**

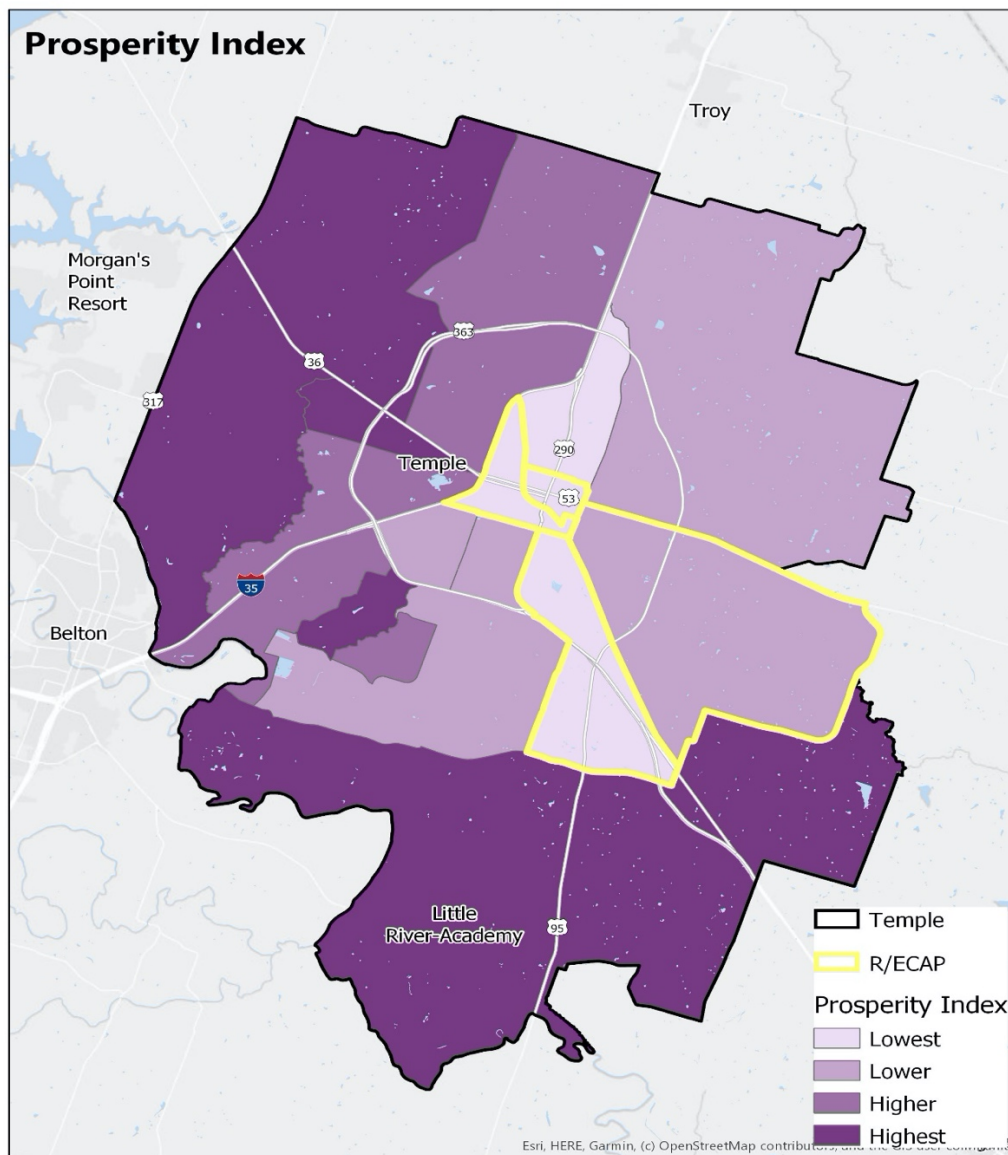




## Prosperity Index

This index is a combination of poverty rate and the percentage of households with children receiving public assistance. Public assistance includes Supplemental Security Income (SSI), cash public assistance income, or Food Stamps/SNAP. Poverty has lasting effects that can impact a wide range of factors, including public education primarily funded by the local community, job opportunities, and the ability to afford quality housing. Prosperity scores were highest on the west part of Temple while lowest in the R/ECAPs.

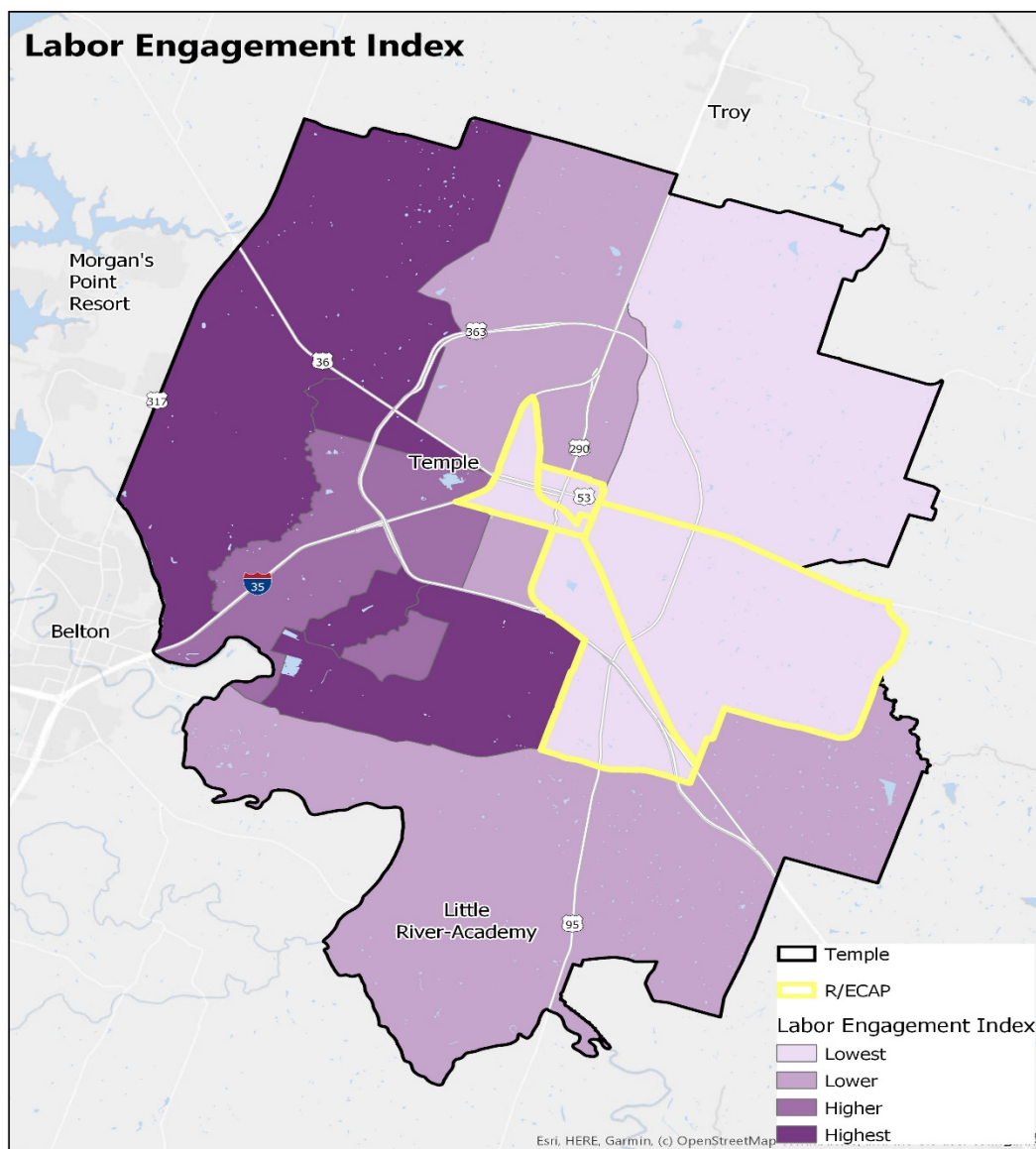
Map 16 Prosperity Index



## Labor Market Engagement Index

The Labor Force Engagement Index is a measure of the relative intensity of labor market engagement and human capital. As defined by HUD, the index is a combination of unemployment rates, labor force participation rates, and percent of the population with at least a bachelor's degree within a census tract. Employment opportunities are necessary for individuals to afford stable housing. Labor force participation represents the amount of labor resources available for the production for goods and services. The percent of the population with at least a bachelor's degree is used to estimate the availability of skilled labor. The three variables were averaged to produce the Labor Market Engagement Index. Labor engagement was highest in the western part of temple and lowest in the eastern part of Temple and R/ECAPs.

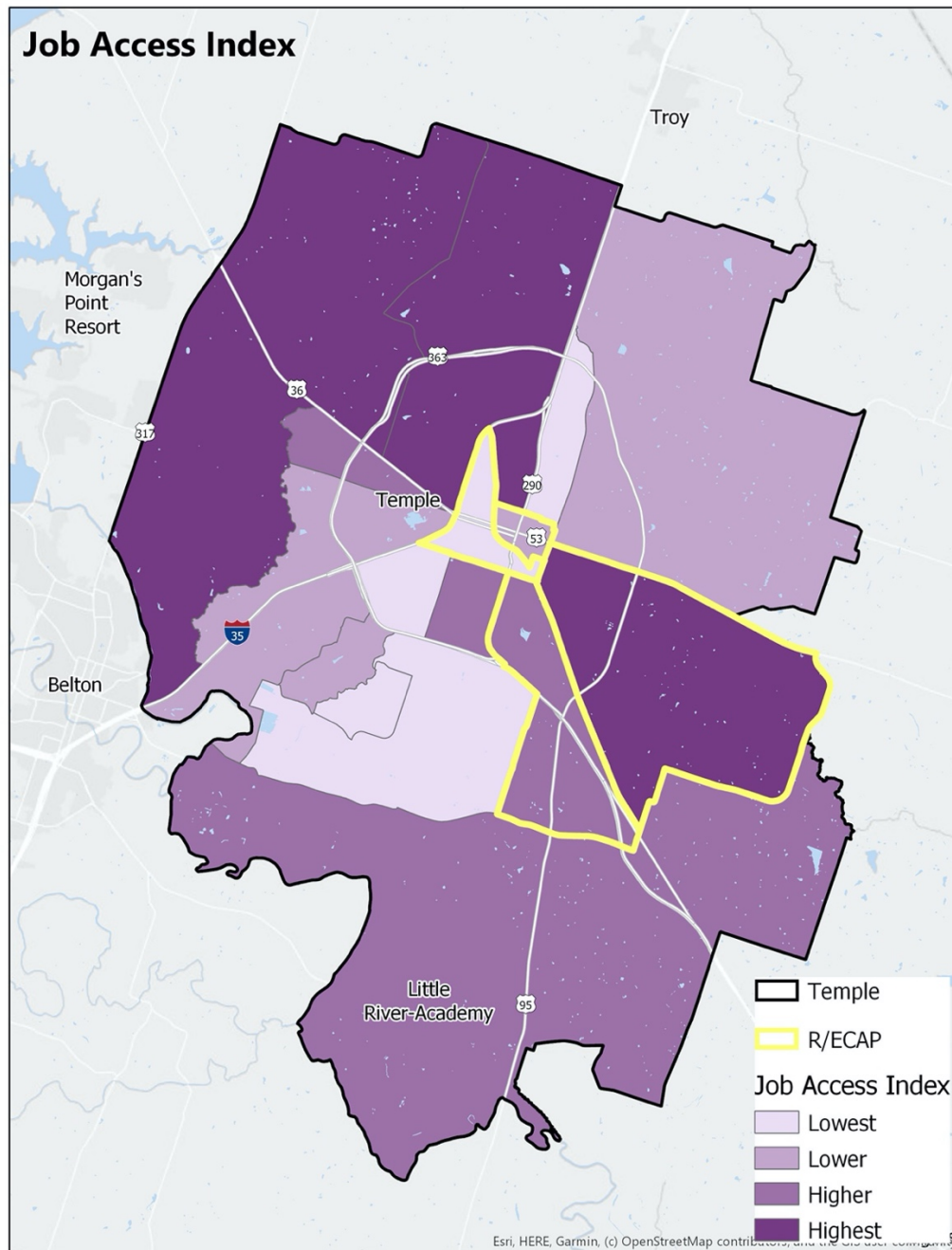
Map 17 Labor Engagement Index



## Job Access Index

Job Access was calculated based on the “as the crow flies” distance or straight-line distance from the center of a census tract from population and job centers. Areas with many jobs were positively weighted and areas with a high labor supply were inversely weighted due to increased competition. The highest scores were found near the western part of the City and near the downtown area. The Central Texas Veterans Health Care System is located in the R/ECAP that has a high job access score.

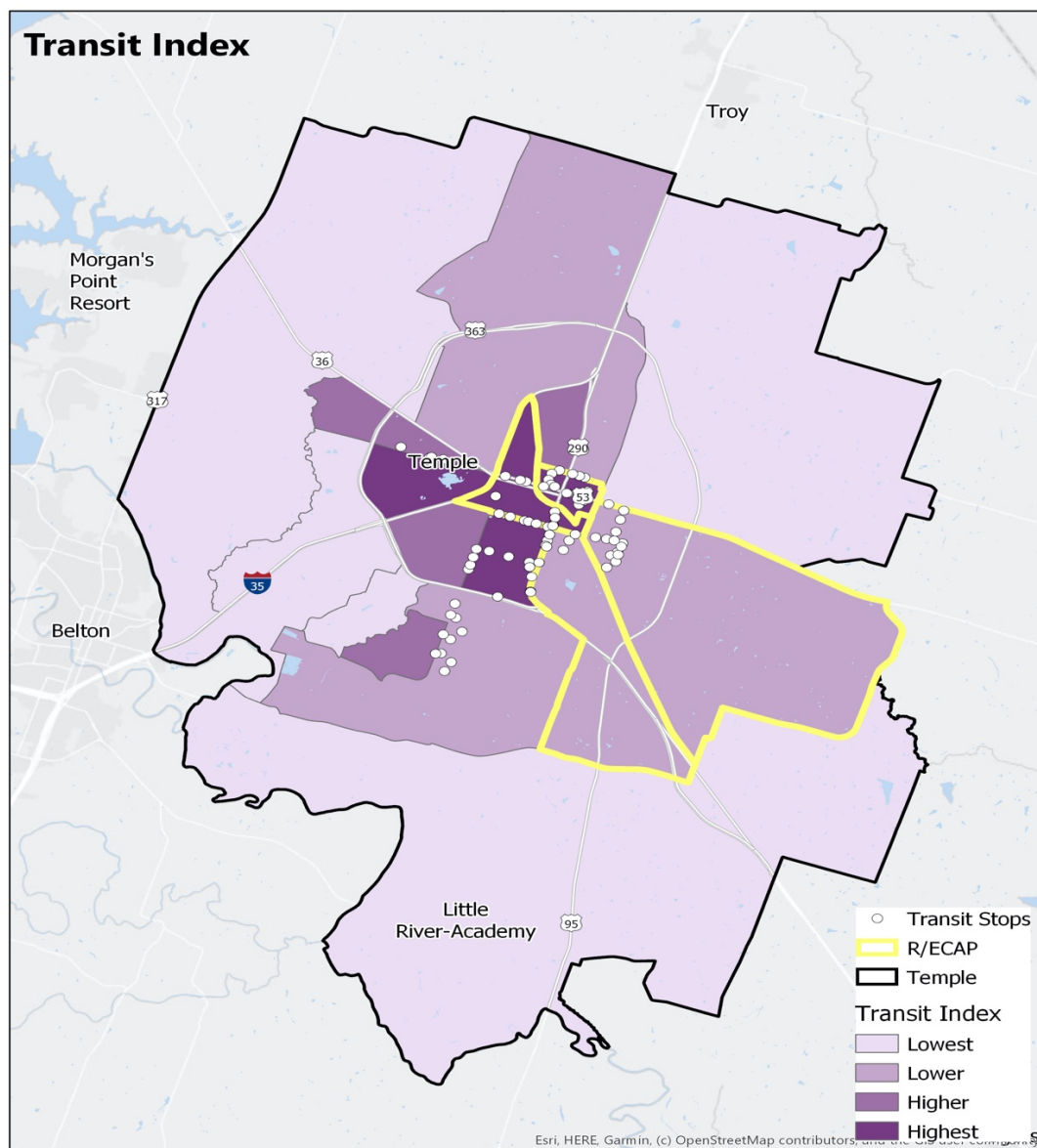
Map 18 Job Access Index



## Transit Access Index

Transit Access represents the ease with which people can access public transportation. The Federal Highway Administration (FHWA) under the US Department of Transportation, most people are willing to walk for five to ten minutes to a transit stop. FHWA uses these walking times as a proxy for distance, estimating accessible transit stops being  $\frac{1}{4}$  to  $\frac{1}{2}$  mile away from a pedestrian's starting point, typically their place of residence. To calculate accessibility,  $\frac{1}{4}$  mile and  $\frac{1}{2}$  buffers were placed around each transit stop to find the percentage of a census tract that is within walking distance to a transit stop. This percentage was averaged to produce the Transit Access Index. The R/ECAPs have a higher score due to the higher concentration of bus stops.

Map 19 Transit Access Index

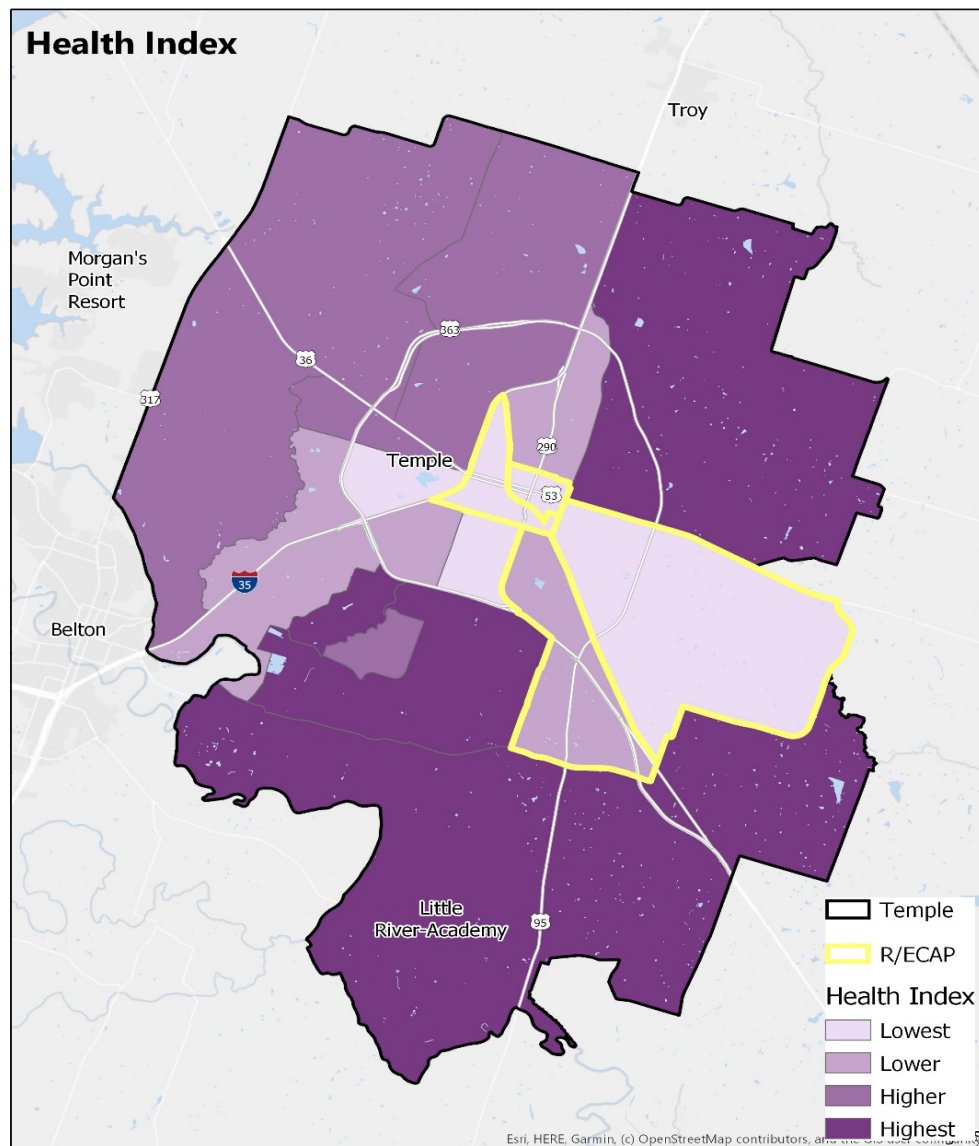




## Community Health Index

The Community Health Index is a function of the percentage of residents in a census tract without health insurance and low food access as ranked by the USDA. Low food access is defined by the USDA as where at least one-third of a census tract's population is more than a half-mile from the nearest grocery store. Health hazards have an adverse effect on children's growth and development and can limit one's ability to work. Low-income and minority individuals are also found to be disproportionately affected by health hazards, perpetuating the lack of opportunity for vulnerable populations. Community health index was lowest in R/ECAPs.

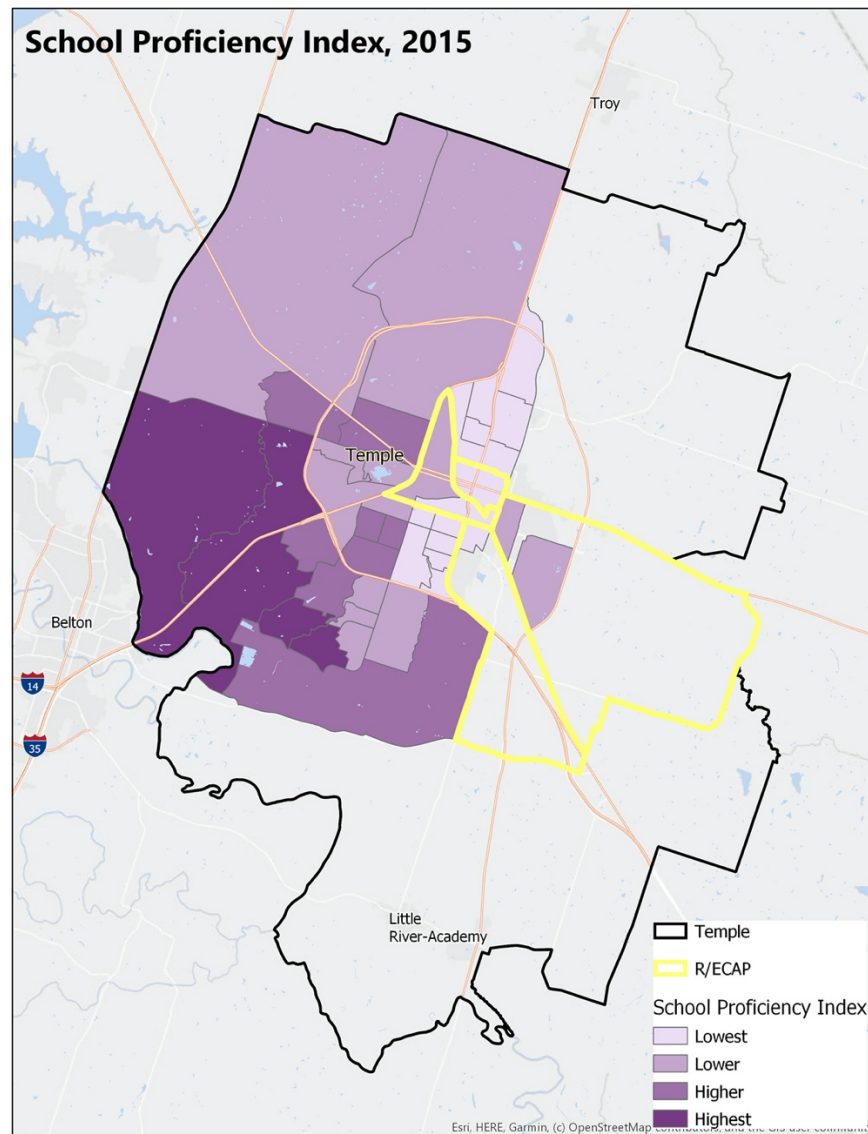
Map 20 Health Index



## School Proficiency Index

The School Proficiency Index uses school-level data on the performance of 4th grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower performing elementary schools as of 2015. Values are percentile ranked and range from 0 to 100. The higher the score, the higher the school system proficiency. The school proficiency index is a function of the percent of 4th grade students proficient in reading and math on state test scores for up to three schools within 1.5 miles of the block-group. Scores are assigned to a census tract by taking the average of the block groups. Quality education is critical for the growth and development of children and enhancing their future opportunities. The western part of Temple had the highest education index scores and R/ECAPs had the lowest. Grey areas had insufficient data.

Map 21 Education Index



## PUBLIC POLICY ANALYSIS

The AI is a review of impediments to housing choice in the public and private sector for members of the protected classes. Impediments to fair housing choice are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin that restrict housing choices or the availability of housing choices, or any actions, omissions or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status or national origin. Policies, practices or procedures that appear neutral on their face but that operate to deny or adversely affect the provision of housing to persons of a particular race, color, religion, sex, disability, familial status, or national origin may constitute such impediments.

An important element of the AI includes an examination of public policy in terms of its impact on housing choice. This section evaluates the public policies in the City to determine opportunities for furthering the expansion of fair housing choice.

### Policies Governing Investment of Federal Entitlement Funds

From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. The decline in federal funding opportunities for affordable housing for lower-income households has shifted much of the challenge of affordable housing production to state, city, and local government decision makers.

Temple's federal entitlement funds received from HUD may be used for a variety of activities to serve a variety of needs.

The primary objective of the Community Development Block Grant (CDBG) program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of low- and moderate-income levels. Funds can be used for a wide array of activities, including housing rehabilitation, homeownership assistance, lead-based paint detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers, public services, rehabilitation of commercial or industrial buildings, and loans or grants to businesses.

In FY 2019, \$536,232 was allocated for CDBG programs in Temple. CDBG funds went towards a variety of activities including housing improvements, community services, blight removal, and infrastructure projects. FY2017-2019 are listed in Figure 23.

**Figure 23 CDBG Allocations, 2016-2018**

| Eligible Activity                  | 2016      |     | 2017      |     | 2018      |     |
|------------------------------------|-----------|-----|-----------|-----|-----------|-----|
|                                    | \$        | %   | \$        | %   | \$        | %   |
| <b>Administration</b>              | \$80,000  | 19% | \$67,025  | 14% | \$26,000  | 4%  |
| Public Facilities                  |           |     |           |     |           |     |
| <b>Infrastructure Improvements</b> |           |     | \$25,000  | 5%  | \$563,000 | 78% |
| <b>Code Compliance</b>             | \$50,000  | 12% | \$60,000  | 13% | \$73,000  | 10% |
| Clearance                          |           |     |           |     |           |     |
| <b>Blight Reduction</b>            | \$70,000  | 16% | \$70,000  | 15% | \$35,000  | 5%  |
| Non-Housing Community Development  |           |     |           |     |           |     |
| <b>Main Street Program</b>         | \$50,000  | 12% | \$20,000  | 4%  | \$0       | 0%  |
| Public Service                     |           |     |           |     |           |     |
| <b>Homeless and Special Needs</b>  | \$57,500  | 14% | \$60,000  | 13% | \$0       | 0%  |
| Affordable Housing                 |           |     |           |     |           |     |
| <b>Housing Improvements</b>        | \$118,418 | 28% | \$166,934 | 36% | \$28,000  | 4%  |

The City has not allocated CDBG funds for pure fair housing activities. The provision of fair housing services is eligible as either a program administration cost per 24 CFR 570.206 (c) or as a public service per 24 CFR 570.201 (e). Such services might include educating residents of the range of available housing options, fair housing enforcement, education, outreach, testing, and other appropriate activities.

## Project Proposal and Selection

Temple's Department of Neighborhood Services Development is responsible for the administration of the City's federal entitlement programs. The Department compiles the Five-Year Consolidated Plan, which establishes policies and priorities to govern entitlement spending. The current Consolidated Plan is effective from 2015 to 2019.

In 2015], City Council approved the following goals for housing activities using CDBG funds.:

- Housing Rehabilitation and Reconstruction
- Down-payment/ Closing Cost Assistance
- New Affordable Housing



- Fair Housing Activities
- Infrastructure Improvements
- Public Facilities Improvements
- Spot Blight Reduction
- Homeless Shelter and Transitional Housing
- Public Services
- Employment Training/Placement
- Economic Development
- CDBG Administration

## Section 3 Policy

Section 3 of the HUD Act of 1968 requires that wherever HUD financial assistance is expended for housing or community development, to the greatest extent feasible, economic opportunities must be given to local public housing residents and LMI persons who live in the metropolitan area where the assisted project is located. The policy is intended to direct the employment and other economic opportunities created by federal financial assistance for housing and community development programs toward LMI persons, particularly those who are recipients of government assistance for housing.

Section 3 is the legal basis for providing jobs for residents and awarding contracts to Section 3 businesses, which include businesses that are at least 51% owned by Section 3 residents, whose permanent, full-time employees include at least 30% current Section 3 residents, or businesses that commit to subcontract at least 25% of the dollar award to a Section 3 business concern. The opportunities provided can include job, training, employment, or contracts.

Recipients of federal assistance are required, to the greatest extent feasible, to provide all types of employment opportunities to low and very low-income persons, including seasonal and temporary employment, as well as long-term jobs. HUD receives annual reports from recipients, monitors the performance of contractors, and investigates complaints of Section 3 violation, examining employment and contract records for evidence of actions taken to train and employ Section 3 residents and to award contracts to Section 3 businesses.

The City of Temple encourages firms to hire Section 3 employees and the City tries to hire Section 3 employees whenever possible. In conjunction with its annual fair housing event, the City provides certification forms for firms and individuals to complete to become Section 3 certified. In addition, the City ensures that social service agencies that serve low-income individuals distribute information about Section 3 and the Section 3 certifications. The City coordinates with the Temple Housing Authority to ensure that the same certifications for the housing authority are being used by the City.

## Language Access Plan for Persons with Limited English Proficiency

As noted earlier, Temple does not have any language groups with more than 1,000 speakers or 5% of the population with limited English proficiency (LEP). Regardless, all CDBG publications include a statement that non-English speaking persons can request language assistance.

## Anti-Displacement and Relocation Plan

In accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 Temple has created a Residential Anti-displacement and Relocation Assistance Plan that is applicable to CDBG assisted projects.

### Permanent Relocation

It is the policy of the City of Temple Community Development Block Grant (CDBG) program to take all reasonable steps to minimize displacement as a result of CDBG assisted projects, including:

- Considering whether displacement will occur during feasibility determinations Identifying potential relocation workload and resources early;
- Assuring, whenever possible, that residential occupants of buildings rehabilitated are offered an opportunity to return;
- Planning rehabilitation projects to include “staging” where this would eliminate temporary displacement;
- Following notification procedures carefully so that families do not leave because they are not informed about planned projects or their rights.

When a project does require relocation, in order to ensure the timely issuance of information notices to displaced households, etc., staff of the City of Temple will ensure that all notices are sent in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).

### Temporary Relocation

Temporary relocation can occur as the result of lead abatement and other reconstruction/rehabilitation activities in renter- and owner-occupied units. Although the City of Temple is not required to, in most cases it will consider paying for the temporary relocation of displaced renters and/or homeowners whose residences are being rehabilitated with CDBG funds. This plan meets all requirements set by HUD.

## Comprehensive Planning

A community's comprehensive plan is a statement of policies relative to new development and preservation of existing assets. In particular, the land use element of the comprehensive plan defines the location, type, and character of future development. The housing element of the comprehensive plan expresses the preferred density and intensity of residential neighborhoods within the City. Taken together, the

land use and housing elements of the comprehensive plan provide a vision desired by Temple residents.

Temple adopted their Comprehensive Plan in 2008, which was reviewed for this analysis.

The stated purpose of the Plan includes the following:

"The plan lays out a "big picture" vision for growth and enhancement of the community; considers at once the entire geographic area of the community, including potential growth areas; and assesses near- and longer-term needs and desires across a variety of interrelated topics that represent the key "building blocks" of a community."

Below is a list of the City's goals and policies directly related to fair housing:

**Urban Design and Future Land Use:** The land use plan and associated community design principles will serve as the City's policy for directing ongoing development and managing future growth, preserving valued areas and lands, and protecting the integrity of neighborhoods, while also safeguarding and enhancing community image and aesthetics.

**Land Use Policy:** The City's land use pattern should focus new development and significant redevelopment where adequate public services and utility capacity are already in place or projected for improvement.

**Land Use Policy:** Development should be focused in infill areas and areas contiguous to the existing developed area and planned to occur sequentially outward as adequate facilities are available

**Land Use Policy:** Residential areas should not be situated next to intense nonresidential uses without provisions for increased separation and buffer yards to mitigate adverse impacts

**Land Use Policy:** Neighborhoods should provide for a variety of housing types, thereby encouraging affordable living options in all areas.

**Land Use Policy:** New development or redevelopment on infill parcels should maintain compatibility with existing uses and the prevailing land use pattern in the area.

**Land Use Policy:** Multiple-family housing should be developed at a density and scale that is compatible with the surrounding neighborhood and available utilities and roadway capacity.

**Housing Policy:** Implement recommendations identified in Chapter 3, Urban Design & Future Land Use, related to use of neighborhood conservation districts, infill compatibility provisions, and identification of specific features (e.g., block patterns, lot sizes, setbacks and lot coverage, scale of homes, landscaping and streetscape, potential mixing of uses, etc.) that contribute to unique character and neighborhood charm.

**Housing Policy:** Encourage establishment of homeowner's associations (HOAs) for all new residential developments, including tenant associations for rental communities, to ensure a direct, cooperative means for residents of an area to maintain neighborhood standards. Some cities provide advice and support to such associations; utilize them to maintain

“grass roots” communication on City services, security, and capital improvement needs; and offer “mini grants” as seed money for neighborhood initiatives.

**Housing Policy:** Adopt design standards for high-density residential development, which may include provisions for building form and scale, articulated building walls, building orientation, architectural detailing, roof types and materials, façade enhancements, and acceptable building materials.

**Housing Policy:** Maintain a “rapid review” committee, consisting of key local staff, which can provide an expedited review of affordable housing projects (as well as critical economic development projects) when time/costs are crucial to the project. The City’s recently created, interdepartmental Development Review Committee (DRC) addresses this need.

**Housing Policy:** Nurture neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.

**Housing Policy:** Incorporate an inclusionary housing provision, employing density bonuses, where the development is subsidized by a state or federal affordable or low- and moderate-income housing program. Proportional limitations on the mix of units can be set based upon the total number of units in the development (e.g., no more than 45 percent for a development of 50 to 199 units).

**Housing Policy:** Incorporate accessory dwelling units in the City’s zoning code, along with appropriate provisions governing their use and compatibility. They are common and popular in some communities to accommodate elderly parents or relatives (“granny flats”), young adult family members wanting to live independently but close by, or local college students in need of basic, low-cost housing. It also provides another affordable living option within neighborhoods, and a rental income opportunity for homeowners

**Housing Policy:** To reduce potential “NIMBY” (“Not in my Backyard”) complaints about public housing sites and subsidized housing developments, ensure that renovations and/or new construction for such projects reflect Context Sensitivity principles that address compatibility, aesthetics, and safety. Examples include: - architectural elements and site layout designed to complement surrounding neighborhoods with sensitivity to bulk, scale, materials, transparency, and design style; - visible, managed parking with restrictions on automobiles belonging to nonresidents; and - a strong sense of community image.

In relation to land use development and the promotion of affordable housing, the Temple Comprehensive Plan focuses on the need for efficient neighborhood development patterns, creation of more mixed-use districts, and reducing barriers to building affordable housing.

#### **Need for Efficient Neighborhood Development Patterns:**

Often when a community promotes higher and more efficient development patterns, more affordable housing options are available through the provision of smaller dwelling units. The City views the reinvestment of previously developed areas and increased

density to be essential to ensure the design and development of neighborhoods is sustainable.

In efforts to increase density, the Comprehensive Plan calls for the promotion of diverse housing options beyond typical single-family, detached dwelling, apartment units, and manufactured housing, including various forms of attached and/or clustered housing that offer affordability with amenities. The Plan also calls for the adoption of design standards for high-density residential development.

**Increase creation of more mixed-use districts:**

Neighborhoods with multi-modal options provide less costly transportation options for lower-income residents. Typically, neighborhoods with multi-modal options have walkable residential and commercial districts, dedicated bike lanes, and access to public transportation. The Comprehensive Plan identified in addition to providing more transit service, making the community more pedestrian and bike friendly and accessible can help alleviate traffic on local streets by providing for another alternative mode of travel. Bicycle and pedestrian facilities add to the quality of life of the community and help create a cohesive environment that is interconnected not only through roadways but through a system of bike lanes, trails and sidewalks.

**Reducing Barriers to Affordable Housing:**

The desire to have a wide range of housing options for households of all income levels is highlighted in the Comprehensive Plan. The Plan notes the housing market in Temple can be summed up by the notion of “life cycle” housing. This is the idea that a community should offer an adequate range of housing types and price ranges so that residents can make lifestyle transitions as they age. The Comprehensive Plan outlines several barriers to achieving this goal and suggests approaches to make changes.

The Comprehensive Plan calls for the modification of the zoning code in several places, including increasing density, maintain a rapid review committee to approve affordable housing projects, modifying street standards that over-design, and establish an average, rather than minimum, lot size.

## Housing Plans

The City of Temple's Transform Temple Department focuses on preserving, enhancing and engaging Temple neighborhoods and helping residents to access city services and programs. The mission of the Transform Temple Department is to improve and maintain neighborhood vitality through enhanced communication and education. Four programs operate under this department: code compliance, neighborhood services, community development and downtown projects. These programs offer incentive programs to encourage redevelopment, diversify the community and improve housing stock.

**Neighborhood Service Program**

There are eighteen neighborhood development plans (NDP) for the City of Temple planned for the next four years. Currently, one plan is completed and two are under

development. These plans are intended to collaborate with residents in each neighborhood, to identify neighborhood concerns, values, vision and goals. Through this process, the City will develop long-range plans for each NPD to potentially include City Capital Improvement Program Projects, private investment, economic development, and CDBG funded projects.

A strong emphasis will be placed on improving the quality of life in each NPD while increasing access to affordable housing. City staff will work to facilitate connections to existing resources or develop new tools for citizens and match funding sources for identified projects (connectivity, infrastructure, etc.). Neighborhood Planning is used to engage the community in comprehensive planning for neighborhood stabilization, housing variety, functional arrangements, etc., and aims for a people-oriented approach to plan creation, implementation, and continued neighborhood sustainability.

Residents have the opportunity to actively participate in the planning and problem-solving processes to address matters in land use, jobs, businesses, housing, infrastructure, transportation, and resources. The City employs a defined framework and planning process with flexibility in the timing to adjust to the specific needs of each neighborhood.

Ferguson Park District (completed), Historic District (in progress), and Crestview (completed). Two of the three plans are in neighborhoods located in R/ECAP tracts.

## **Community Development**

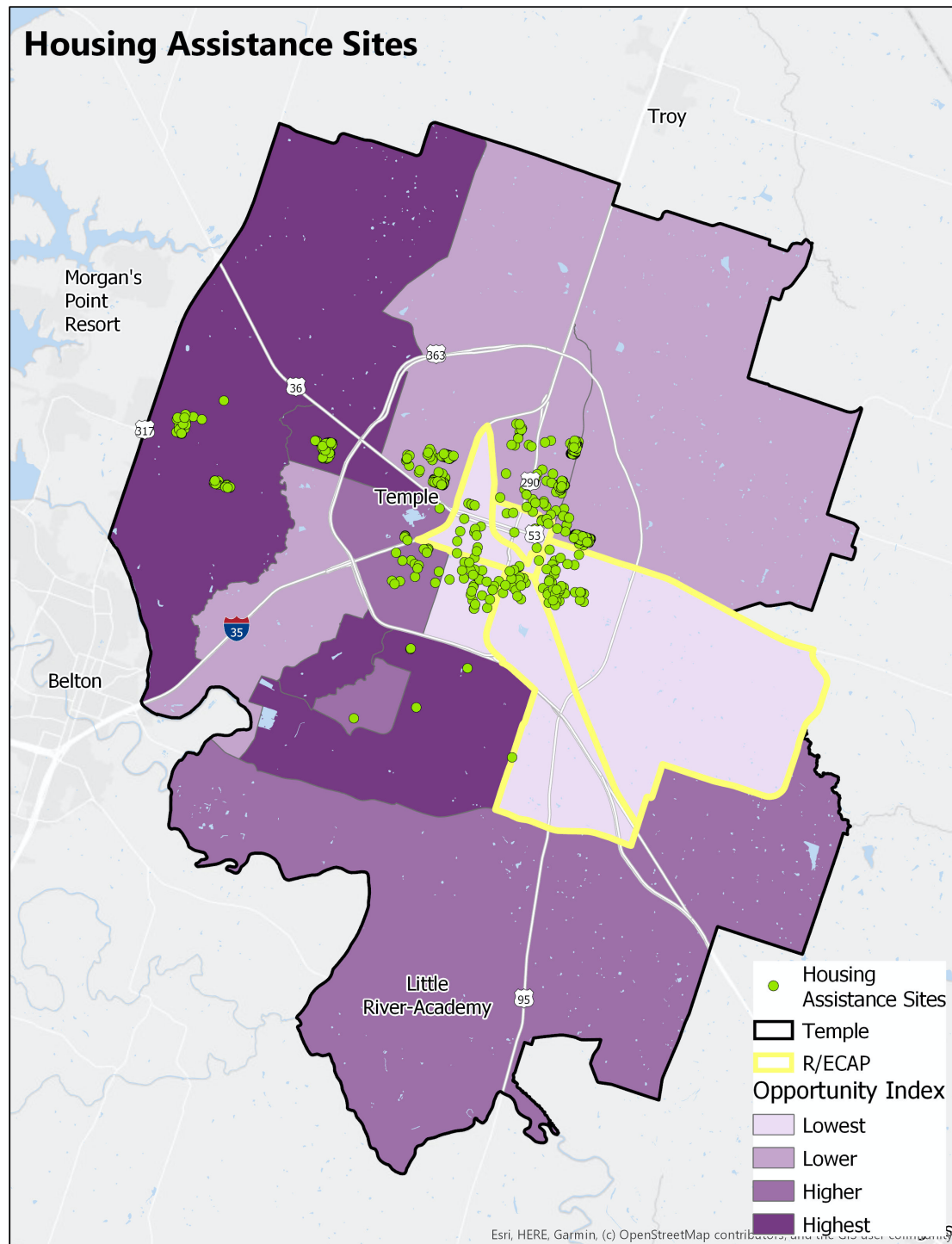
In addition to CDBG funding, the City has applied for the HOME Investment Partnerships Program through the Texas Department of Housing and Community Affairs. The purpose of the program is to expand the supply of decent, safe, affordable housing and strengthen public-private housing partnerships between units of general local governments, public housing authorities, nonprofits, and for-profit entities.

Eligible activities under the HOME program include Homeowner Rehabilitation, Homebuyer Assistance, Contract for Deed, Tenant-Based Rental Assistance, Single Family Development, and Multifamily Development. In addition, TDHCA has set aside funding for Disaster Relief and Persons with Disabilities, among other set-asides.

The City of Temple has utilized HOME funds to operate the Affordable Housing Deferred Payment Assistance Program. The map below indicates the locations across the City that have benefited from this program. A majority of the sites are located just outside of the R/ECAPs. However, many are located in the lowest and lower opportunity areas.



Map 22 Housing Assistance Sites, 1993-2020



Source: City of Temple, Transform Temple



# City of Temple Low Income Housing Tax Credit Support and Funding Assistance Policy

The Low-Income Housing Tax Credit (LIHTC) is the most important resource for creating affordable housing in the United States today. Created by the Tax Reform Act of 1986, the LIHTC program gives [State and local LIHTC-allocating agencies](#) the equivalent of nearly \$8 billion in annual budget authority to issue tax credits for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households.

The City of Temple established the LIHTC support and funding assistance policy to determine if the projects comply with certain principles and policies in the City's 5-year Consolidated Plan and Choices '08 Comprehensive Plan, as well as various other master, strategic, and redevelopment or neighborhood plans adopted by the City of Temple. The goals of this analysis are to (a) establish if LIHTC projects merit local support and/or funding assistance, and (b) prioritize LIHTC submissions if more than a single proposal is received during an evaluation period. The Office of Community Development, which is organized under the General Services Division, serves as the City's primary staff and point of contact for all LIHTC programs.

The City Council Policy was adopted in 2015, indicating support for LIHTC projects should be based on:

- Alignment with the priorities stated in the City's 5-year Consolidated Plan;
- Alignment with the Comprehensive Plan, Future Land Use Map, and zoning;
- Involvement and support from local stakeholders and neighborhood organizations;
- Impact on existing affordable housing in a neighborhood;
- Quality of design and construction;
- Impact on City infrastructure;
- Provision of both tax credit and market rate units;
- Level of funding assistance requested;
- Developments that pay property taxes;
- Demonstrated development team experience;
- Impact on elimination of blight;
- Impact of traffic associated with the project;
- Availability of and impact on public transit service
- Impact on area schools;
- Preservation of environmental assets and/or enhancement of landscaping;
- Impact on surrounding neighborhood(s);
- Any other factor relevant to the best interest of the City (includes consideration for fair housing)

Stakeholders noted that the "involvement and support from local stakeholders and neighborhoods organizations" can cause issues with "NIMBY" or Not In My Back Yard opposition. Neighborhood organizations often only support senior housing developments,

and do not approve of multi-family dwelling units, which typically house families with children. This could be a fair housing issue based on familial status.

## Zoning Risk Assessment

In Texas, as in most states, the power behind land development decisions resides with municipal governments through the formulation and administration of local controls. These include comprehensive plans, zoning ordinances and subdivision ordinances, as well as building and development permits.

The zoning ordinance for the City of Temple was reviewed to identify regulations that may potentially impede fair housing choice. The analysis of zoning regulations was based on the following five topics raised in HUD's Fair Housing Planning Guide, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities).
- The opportunity to develop affordable housing options.
- Minimum lot size requirements.
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e. group homes) in single family zoning districts.
- Restrictions on the number of unrelated persons in dwelling units.

The complete zoning ordinance review is located in [Appendix B](#).

## Date of Ordinance

Generally speaking, the older a zoning ordinance, the less effective it will be. Older zoning ordinances have not evolved to address changing land uses, lifestyles, and demographics. However, the age of the zoning ordinance does not necessarily mean that the regulations impede housing choice by members of the protected classes.

The Temple zoning ordinance was originally adopted in December 2010 and updated most recently in February 2018.

## Residential Zoning Districts and Permitted Dwelling Types

The number of residential zoning districts is not as significant as the characteristics of each district, including permitted land uses, minimum lot sizes, and the range of permitted housing types. However, the number of residential zoning districts is indicative of the municipality's desire to promote and provide a diverse housing stock for different types of households at a wide range of income levels.

Similar to excessively large lots, restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, discourage the development of affordable housing. Allowing varied residential types reduces potential impediments to housing choice by members of the protected classes.

There are a variety of residential districts (twelve), residential types, and densities permitted in Temple. In addition to the twelve residential districts, the City permits residential units in agricultural districts, manufactured home districts, mixed use districts and Temple Medical and Educational Districts. The existing ordinance establishes residential lot sizes for a variety of housing types and situations, ranging from rural (one acre) and urban estate (half acre) to single-family detached (7,500; 5,000; and 4,000 square feet), single-family attached (2,300 square feet), townhouse (1,800 square feet), patio home (4,500 square feet), and multi-family housing (15 to 40 units per acre).

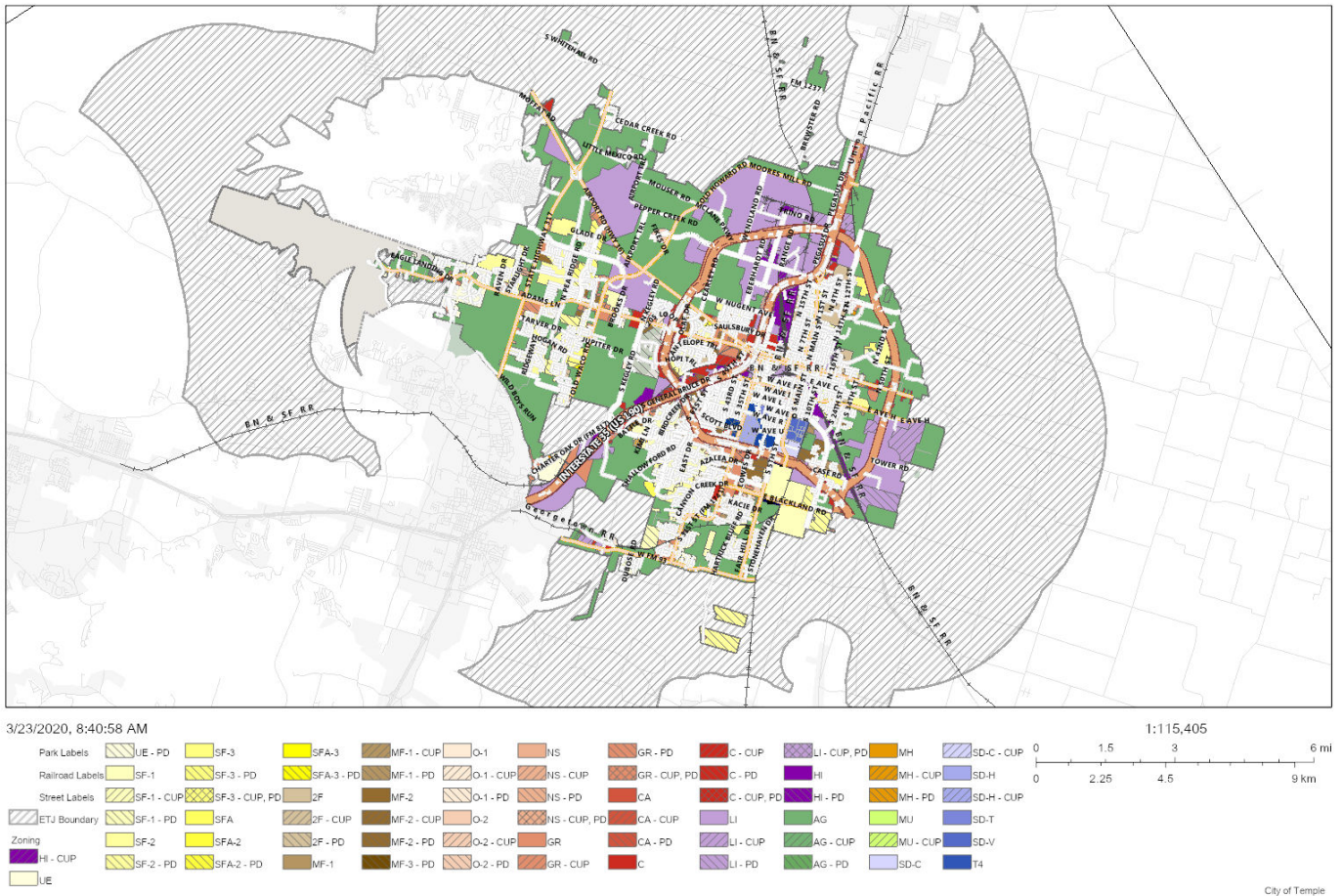
The City's lowest densities can be found in the west end of the City in Districts 4. The current zoning in this area is largely single-family dwellings, agricultural, and light industrial. Low-density residential districts permit single family home development with standard residential lot sizes. For single family dwelling 1, 2 and 3 zoning districts, lot size minimums are 7,500 sq. ft, 5,000 sq. ft and 4, 000 sq. ft, respectively.

Medium density residential districts permit single family attached homes, two family dwellings and townhomes. Densities of between 7 and 12 dwelling units are permitted per acre. High density districts permit single family, two-family dwelling, townhomes, and multi-family. Densities of 15 dwellings and 40 dwelling units are permitted per acre.

The City allows for manufactured home developments. HUD-Code manufactured homeland lease communities, single-family residences and family or group homes. Manufactured homeland lease communities require a minimum of five acres and a maximum density of 10 units per acre.

While Temple's zoning ordinance provides a variety of residential districts and dwelling unit types, single-family units dominate the majority of the City's residential districts. To promote more affordable housing options, the City could reduce areas zoned for low-density, and increase density in some districts.

## Zoning Web Map



DATA SOURCE: City of Temple

## Definition of Family

Restrictive definitions of family may impede unrelated individuals from sharing a dwelling unit. Defining family broadly advances non-traditional families and supports the blending of families who may be living together for economic purposes. Restrictions in the definition of family typically cap the number of unrelated individuals that can live together. These restrictions can impede the development of group homes, effectively impeding housing choice for the disabled (a protected class). However, in some cases, caps on unrelated individuals residing together may be warranted to avoid overcrowding, that creates health and safety concerns.

The City of Temple restricts unrelated individuals to no more than three persons per housing unit.

## Regulations for Group Homes

Group homes are residential uses that do not adversely impact a community. Efforts should be made to ensure group homes can be easily accommodated throughout the

community under the same standards as any other residential use. Of particular concern are those group homes that serve members of the protected classes such as the disabled. Because a group home for the disabled serves to provide a non-institutional experience for its occupants, imposing conditions separate from all residential uses in the zoning district is contrary to the purpose of a group home. More importantly, the restrictions, unless executed against all residential uses in the zoning district, are an impediment to the siting of group homes, which is in violation of the Fair Housing Act.

Group homes with individuals who are physically or mentally impaired or handicapped persons who are provided room and board are limited to six or fewer residents. Group homes are also limited to no more than two persons who provide supervised care and rehabilitations. This policy aligns with the Texas Human Resources Code on Community Homes for Persons with Disabilities, however, is inconsistent with the Fair Housing Act.

## Accessory Dwelling Units

There are additional tools communities can employ to expand affordable housing options. One such tool is permitting accessory residential units. Accessory units are typically smaller dwelling units that are subordinate to the main residential structure on a parcel. This can include a unit located above a garage, within the basement or attic, or as a separate structure. The Temple code requires that all accessory dwelling units must be located within the main structure of the building, explicitly prohibiting detached units in nonresidential districts. Accessory dwelling units are only permitted on lots with single-family detached structures. Accessory dwelling units are only permitted in a required garage if located on a second floor above the parking area. Accessory dwelling units must comply with all setback and coverage requirements. Accessory dwelling units count toward the maximum of one accessory structure per lot. In residential zones, two accessory dwelling units are permitted per housing unit.

## Public Housing

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires 5% of all public housing units to be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. In addition, an Authority's administrative offices, application offices and other non-residential facilities must be accessible to persons with disabilities. The Uniform Federal Accessibility Standards (UFAS) is the standard against which residential and non-residential spaces are judged to be accessible.

Central Texas Housing Consortium's (CTHC) Section 504 identified a Section 504/ADA Coordinator who is responsible for monitoring compliance with these policies. All units meet these requirements.

CTHC's Occupancy Policy outlines a Deconcentration Policy. CTHC will provide for deconcentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, CTHC will skip families on the waiting list to reach other



families with a lower or higher income. This will be accomplished in a uniform and non-discriminating manner.

The Consortium will affirmatively market housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, CTHC will analyze the income levels of families residing in each of their developments and the income levels of the families on the waiting list. Based on this analysis, it will be determined the level of marketing strategies and de-concentration incentives to implement.

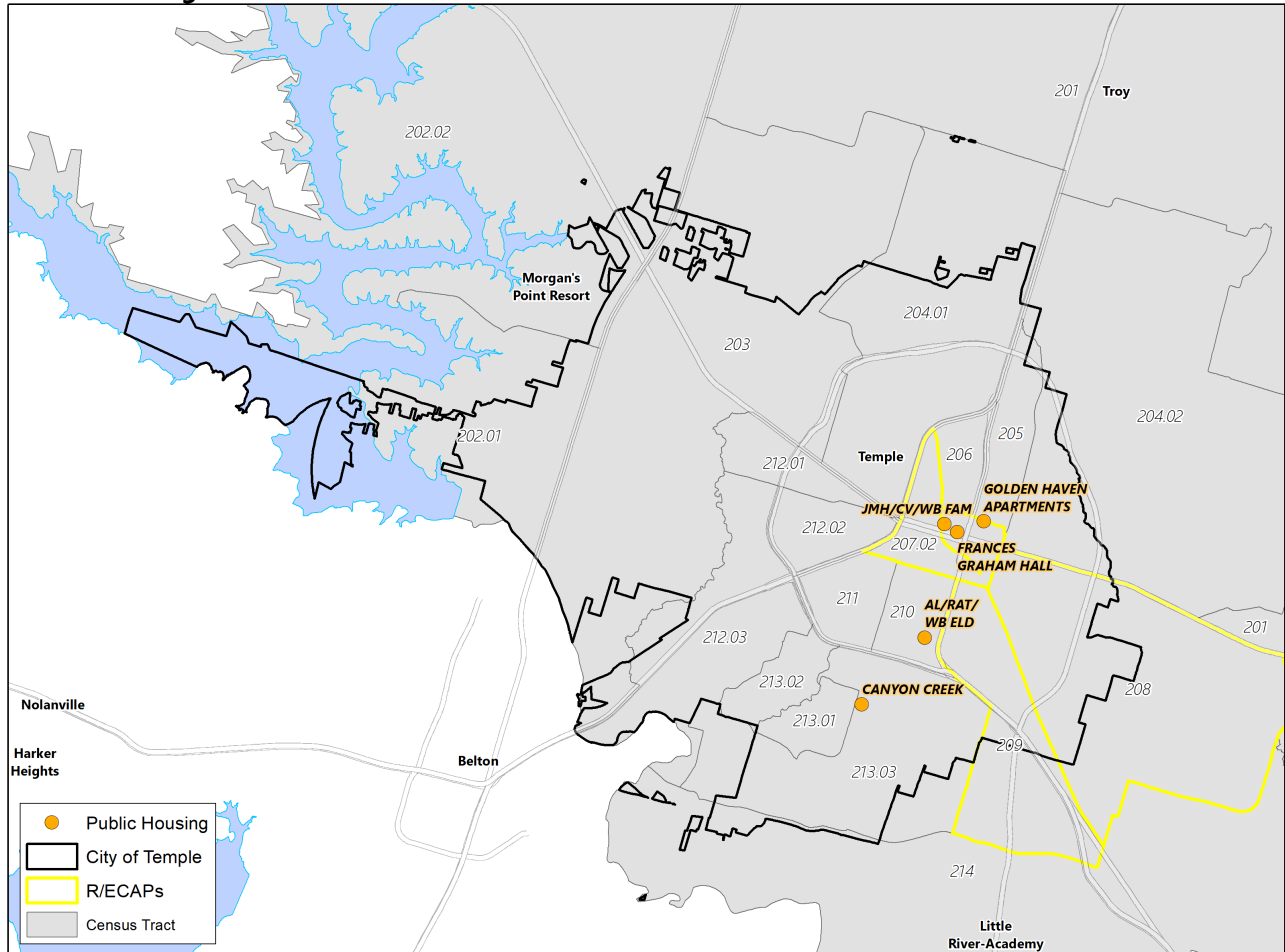
The Central Texas Housing Consortium (CTHC), which manages the Temple Housing Authority, owns and manages 482 public housing units and 160 project-based section 8 units located throughout the City.

CTHC permits public housing applicants to refuse an offer for designated housing in limited circumstances. Elderly/disabled families may refuse a designated unit when it does not fulfill their needs (e.g. a disabled family is offered a unit that does not have the appropriate accessibility features). Designated housing may also be refused for "good cause" reasons such as the applicant is willing to move but is unable to do so at the time of the offer, or the offer would lead to undue hardship not related to the application's race, color, national origin, etc. These circumstances do not lead to removal from the waiting list. Applicants who refuse an offered unit without good cause are removed from the waiting list. CTHC sends the family a notice of the removal and informs the family of their right to an informal hearing. After being removed from the list, the family is allowed to reapply when the waiting list re-opens.

Public housing units are located in the downtown area and in the eastern part of Temple. Map 22 indicates the location of public housing units and the percent of the population below the low- to moderate-income threshold.

Map 24 Location of Public Housing Units

### Public Housing



The Central Texas Council of Governments (CTCOG) administers the Housing Choice Voucher (HCV) Program, which currently has 3,162 Housing Choice Vouchers.

HUD imposes a fair market rent level that can be paid for HCV units, allowing housing authorities to set their payment standards between 90% and 110% of that threshold. CTCOG sets its threshold at 100%. While a higher threshold would increase the housing options for voucher holders, it would reduce the total number of vouchers Central Texas Council of Governments could provide.

As a condition of administering the Housing Choice Voucher program, the Central Texas Council of Governments is annually subject to HUD's Section 8 Management Assessment Program (SEMAP). SEMAP is HUD's evaluation tool for determining a housing authority's efficiency and effectiveness in administering the voucher program. For fiscal year 2018, CTCOG received a SEMAP score indicating a "high performer" designation, the highest under HUD's system.



## Taxes

Taxes impact housing affordability. While not an impediment to fair housing choice in and of themselves, real estate taxes can impact the choice that households make regarding where to live. Tax increases can be burdensome to low-income homeowners, and increases are usually passed on to renters through rent increases. Tax rates for specific districts and the assessed value of all properties are the two major calculations used to determine revenues collected by a jurisdiction. Determining a jurisdiction's relative housing affordability, in part, can be accomplished using tax rates.

However, a straight comparison of tax rates to determine whether a property is affordable or unaffordable gives an incomplete and unrealistic picture of property taxes. Local governments with higher property tax rates, for example, may have higher rates because the assessed values of properties in the community are low, resulting in a fairly low tax bill for any given property.

Texas has no state property tax. Local governments set tax rates and collect property taxes that are used to provide local services including schools, streets, roads, police, fire protection and many other services. Texas law requires property values used in determining taxes to be equal and uniform and establishes the process to be followed by local officials in determining property values, setting tax rates and collecting taxes.

The Texas property tax system has four main phases or sets of functions that occur within certain dates: appraisal, equalization, assessment and collection. This ensures that neighborhoods that are in decline will not be overtaxed, and that those that are prospering in neighborhoods of increasing value are not undertaxed.

When compared with similarly sized cities in Texas, (populations between 70,000 and 85,000), Temple had the fourth highest rate.

According to the FY2018 budget, property taxes account for 19.32% of the General Fund and is the second largest revenue source of the General Fund.

**Figure 24 Property Tax Rates by Taxing Body, 2018**

| Comparable Texas Cities | Property Tax Rate |
|-------------------------|-------------------|
| Flower Mound            | 0.43900           |
| Georgetown              | 0.4200            |
| New Braunfels           | 0.48822           |
| Longview                | 0.50990           |
| North Richland Hills    | 0.57200           |
| Missouri City           | 0.6300            |

|         |          |
|---------|----------|
| Temple  | 0.64340  |
| Pharr   | 0.649    |
| Baytown | 0.802030 |
| Mission | 1.3398   |

Data source: multiple municipality websites

Texas allows a variety of tax exemptions for property and property owners that qualify for the exemption. An exemption removes part of the property's value from taxation, which lowers the tax bill. For example, if a home is valued at \$150,000 and the property owner qualifies for a \$25,000 exemption, he or she pay taxes on the home as if it were worth \$125,000.

All or part of a disabled veteran's property (including a residence homestead) may be exempt from property taxation. A surviving spouse or surviving child may also qualify for an exemption. For persons age 65 or older or disabled, Tax Code Section 11.13(c) requires school districts to offer an additional \$10,000 residence homestead exemption and Tax Code Section 11.13(d) allows any taxing unit the option to decide locally to offer a separate residence homestead exemption. This local option exemption cannot be less than \$3,000. To qualify for the age 65 or older local option exemption, the owner must be age 65 or older and live in the house. If the age 65 or older homeowner dies, the surviving spouse may continue to receive the local option exemption if the surviving spouse is age 55 or older at the time of death and lives in and owns the home and applies for the exemption.

A disabled person must meet the definition of disabled for the purpose of receiving disability insurance benefits under the Federal Old-Age, Survivors and Disability Insurance Act.

At \$0.6434/\$100 valuation in 2018, Temple's property taxes are approximately \$0.10/\$100 valuation above the state average of \$0.5153. However, the County tax rate at \$0.4215/\$100 is more than \$0.10/\$100 valuation lower than the state average of \$0.5406. 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.

## Public Transit

Households without a vehicle, which in many cases are low-moderate income households, are at a disadvantage in accessing jobs and services, particularly when public transit is inadequate or absent. Access to public transit is critical to these households. Without convenient access, employment is potentially at risk and the ability to remain housed is threatened. The linkages between residential areas (of minority concentrations and LMI persons) and employment opportunities are key to expanding fair housing choice.

**Figure 25 Means of Transportation to Work 2011, by Race and Ethnicity**

|  | White | %   | Black | %   | Asian | %   | Hispanic | %   |
|--|-------|-----|-------|-----|-------|-----|----------|-----|
| Car, truck, or van - drove alone             | 20041 | 85% | 4217  | 78% | 443   | 83% | 7373     | 86% |
| Car, truck, or van - carpooled               | 2301  | 10% | 798   | 15% | 58    | 11% | 884      | 10% |
| Public transportation (excluding taxicab)    | 42    | 0%  | 64    | 1%  | 15    | 3%  | 17       | 0%  |
| Walked                                       | 194   | 1%  | 236   | 4%  | 9     | 2%  | 48       | 1%  |
| Taxicab, motorcycle, bicycle, or other means | 173   | 1%  | 68    | 1%  | 0     | 0%  | 60       | 1%  |
| Worked at home                               | 885   | 4%  | 10    | 0%  | 8     | 2%  | 177      | 2%  |
| Total:                                       | 23636 |     | 5393  |     | 533   |     | 8559     |     |

Source: ACS 2007-2011 Census (B08105A,B,D,I)

According to the 2007-2011 American Community Survey, there were 138 transit-dependent households in Temple, comprising 0.36% of all households. Black households were less likely to drive alone to work than White, Asian, and Hispanic households. Of all White and Hispanic households, 85% and 86%, respectively, drove to work alone. At 4%, Black households were the group most likely to walk to work and at 15%, more likely to carpool.

Asian households used public transit at much higher rates than other households. Citywide, 3% of Asian households used public transit compared to 1% or fewer of all other households.

Temple is served by the Hill County Transit District (HCTD), The HOP. HCTD also serves the nine-county Rural Division; the Killeen Urban Division consisting of Copperas Cove, Harker Heights, and Killeen; and, the Temple Urban Division consisting of Belton and Temple. Four fixed routes are provided within the Temple urbanized area. HCTD operates a fleet of 167 buses, including 27 fixed route buses and 140 paratransit buses. Buses run between 6 a.m. and 6 p.m. during the week and on Saturdays. There is no Sunday service. Most buses run on an hourly schedule. A lack of service during the evening and night creates a challenge for low-income residents who work second or third shifts.

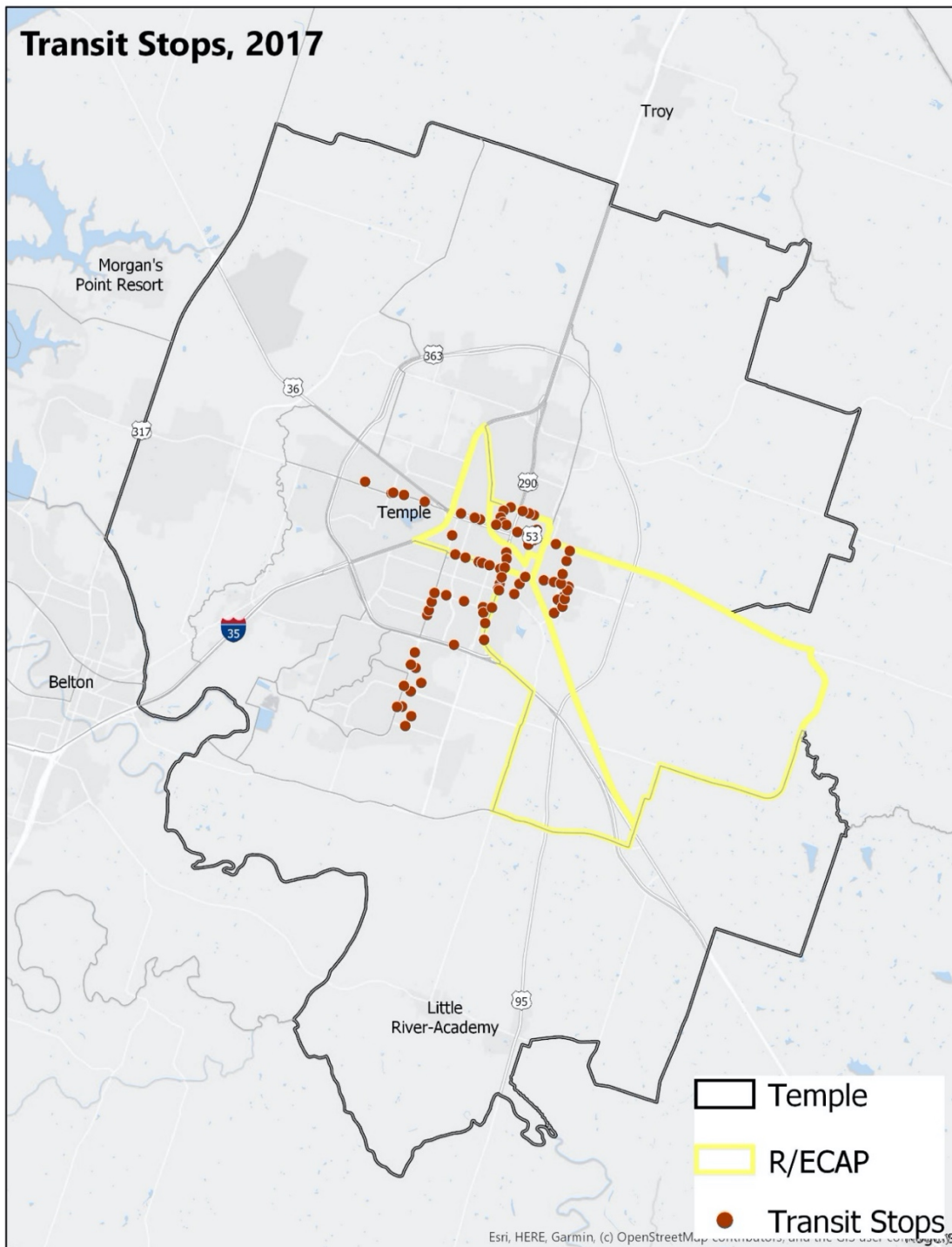
Ride one-way anywhere on the system is \$1.00. Elderly, individuals with disabilities, Medicare recipients, and students ride half fare with HOP issued eligibility card and photo ID. Reduced rates are granted on a case-by-case basis.

## Location of Routes

Fixed-route buses are limited across the City. Map 24 shows the current bus stops in Temple. The majority of the stops are located in the downtown area and toward the south of the downtown area near the U.S. Veteran's Affairs Department and Central Texas Veterans Health Care System. While there are stops within the R/ECAPs, there are very few stops in the eastern part of the community where there are more jobs.

Stakeholders note transportation as a major concern in Temple. Bus services have been reduced, with a majority of the stops closed in the low-income neighborhoods.

Map 25 Transit Stops, Temple



Data Source: The HOP, Google

## Accessibility

All HOP buses and paratransit vehicles are equipped with wheelchair lifts or ramps, in accordance with the American with Disabilities Act (ADA). All buses and paratransit vehicles also have bike racks. Stakeholders note while there are accessibility features on buses, however, sidewalks and curbs in Temple are not always accessible.

## Transportation Planning

A Transportation section is included in Temple's Comprehensive Plan. Below are the goals included in the Plan:

**A regional transportation network for moving people & goods to, from & through the community in an efficient & effective manner.** Growth pressures have placed increasing demands on the transportation system, resulting in congested roadways and longer commutes. Traffic pressures in Temple are a result of a growing local economy, expanding residential market, particularly to the south and west, and increasing external pressures stemming from growth in the Austin and Waco area and across Central Texas.

**A local transportation system that moves people through the community in a safe & convenient manner:** Moving residents through the community from their homes to employment and shopping centers, schools, and places of leisure in an efficient and safe manner is essential to local quality of life in Temple. The plan specifically calls for planning for an aging population, and for the needs of others with reduced mobility and/or disabilities.

**A mobility system that offers a variety of choice in modes of travel:** Currently the private automobile is the primary form of transportation for most individuals in the Temple area. However, with an aging population, escalating fuel costs, increased environmental concerns, and the high cost of planning and building roadways, opportunities exist for providing and accommodating alternative modes of transportation including transit, "on demand" services (e.g., taxis, airport shuttle), and bike and pedestrian facilities. In addition to providing more transit service, making the community more pedestrian and bike friendly and accessible can help alleviate traffic on local streets by providing for another alternative mode of travel.

**A mobility system that is integrated with & complements neighborhood & community character:** Neighborhood development should enhance mobility and safety through appropriate street design and connections. The transportation system should connect and enhance neighborhoods and be aesthetically pleasing and compatible with the surrounding environment.

# PRIVATE SECTOR POLICY ANALYSIS

## Home Mortgage Disclosure Act

Under the terms of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (F.I.R.R.E.A.), any commercial lending institution that makes five or more home mortgage loans annually must report all residential loan activity to the Federal Reserve Bank under the terms of the Home Mortgage Disclosure Act (HMDA). The HMDA regulations require most institutions involved in lending to comply and report information on loans denied, withdrawn, or incomplete by race, sex, and income of the applicant. The information from the HMDA statements assists in determining whether financial institutions are serving the housing needs of their communities. The data also helps to identify possible discriminatory lending practices and patterns.

The most recent HMDA data available for Temple is from 2018. Reviewing this data helps to determine the need to encourage area lenders, other business leaders and the community at large to actively promote existing programs and develop new programs to assist residents in securing home mortgage loans for home purchases. The data focus on the number of homeowner mortgage applications received by lenders for home purchases of one- to four-family dwellings and manufactured housing units across the City. The information provided is for the primary applicant only. Co-applicants were not included in the analysis. In addition, where no information is provided or categorized as not applicable, no analysis has been conducted due to lack of information. Figure 5-1 summarizes HMDA data by race, ethnicity, and action taken on the applications, followed by detailed analysis.

## Home Mortgage Trends

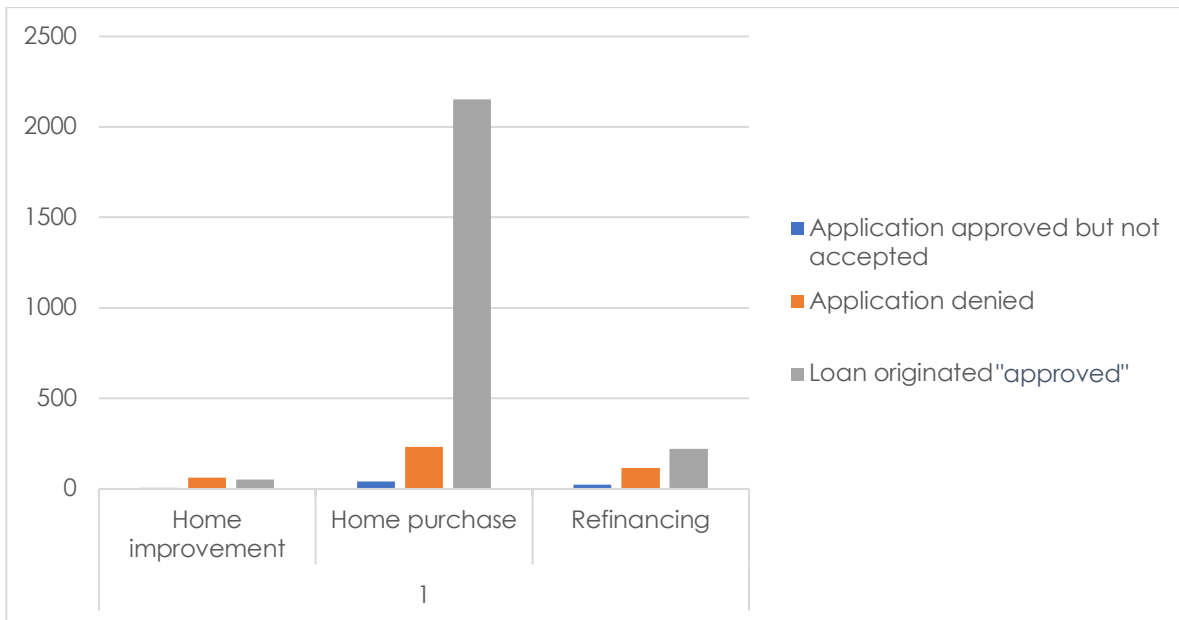
Across Temple during 2018, lenders received 3,917 home purchase mortgage applications, 594 applications for mortgage refinancing, and 148 applications for home improvement equity loans. Home improvement loans have the highest rates of denial.

Figure 26 Cumulative mortgage data summary, 2018

|  | Total Applicants |     | Originated |     | Approved, Not Accepted |    | Denied |     |
|--|------------------|-----|------------|-----|------------------------|----|--------|-----|
|  | #                | %   | #          | %   | #                      | %  | #      | %   |
| <b>Loan Purpose</b>  |                  |     |            |     |                        |    |        |     |
| Home improvement   | 122              | 4%  | 52         | 43% | 6                      | 5% | 64     | 52% |
| Home purchase  | 2429             | 83% | 2154       | 89% | 43                     | 2% | 232    | 10% |
| Refinancing  | 361              | 12% | 222        | 61% | 22                     | 6% | 117    | 32% |
| Note 1: Action taken does not include withdrawn/incomplete applications or purchased loans. Approved but not accepted means that the lender approved the loan but the applicant did not accept the loan. These are counted with the originations in the approval rate because the lender was willing to lend money to the applicant. |                  |     |            |     |                        |    |        |     |
| Note 2: The total number of applications may not be consistent from table to table depending on the filters applied and which rows of data have null values.   |                  |     |            |     |                        |    |        |     |



**Figure 27 Action taken by loan purchase, 2018**



## Denial Rates by Race and Ethnicity

HMDA data is available at the census tract level for Temple.

The overall denial rates are low (19%) and black and Hispanic applicants are more likely to be denied a mortgage than white applicants at 25% and 27%, respectively.

**Figure 28 Denial rates by race, 2018**

|                           | Originated | Approved But Not Accepted | Approval Rate | Denied | Denial Rate | Grand Total |
|---------------------------|------------|---------------------------|---------------|--------|-------------|-------------|
| City of Temple            | 6,199      | 251                       | 67%           | 1,774  | 19%         | 9,581       |
| White                     | 2,162      | 68                        | 83%           | 461    | 17%         | 2,691       |
| Black or African American | 170        | 9                         | 75%           | 59     | 25%         | 238         |
| Asian                     | 81         | 2                         | 86%           | 13     | 14%         | 96          |
| 2 or more minority races  | 5          | 0                         | 100%          | 0      | 0%          | 5           |
| Race Not Available        | 526        | 19                        | 83%           | 108    | 17%         | 653         |

Note 1: Action taken does not include withdrawn/incomplete applications or purchased loans. Approved but not accepted means that the lender approved the loan but the applicant did not accept the loan. These are counted with the originations in the approval rate because the lender was willing to lend money to the applicant.

Note 2: The total number of applications may not be consistent from table to table depending on the filters applied and which rows of data have null values.

**Figure 29 Denial rates by ethnicity, 2018**

|                         | Originated | Approved But Not Accepted | Approval Rate | Denied | Denial Rate | Grand Total |
|-------------------------|------------|---------------------------|---------------|--------|-------------|-------------|
| City of Temple          | 7,588      | 248                       | 81%           | 1,811  | 19%         | 9,647       |
| Hispanic or Latino      | 313        | 10                        | 73%           | 118    | 27%         | 441         |
| Not Hispanic or Latino  | 2,090      | 72                        | 83%           | 429    | 17%         | 2,591       |
| Ethnicity Not Available | 525        | 14                        | 85%           | 98     | 15%         | 637         |

Note 1: Action taken does not include withdrawn/incomplete applications or purchased loans. Approved but not accepted means that the lender approved the loan but the applicant did not accept the loan. These are counted with the originations in the approval rate because the lender was willing to lend money to the applicant.

Note 2: The total number of applications may not be consistent from table to table depending on the filters applied and which rows of data have null values.

## Higher Priced Loans by Race and Ethnicity

Higher priced loans are loans in which the annual percentage rate (APR) exceeds the average prime offer rate (APOR) by 1.5 or 3.5 percentage points for a first-lien or subordinate mortgage, respectively.

There is a higher incidence of higher-priced loans in Temple with Hispanic applicants. It is worth noting the small sample size in this analysis.

**Figure 30 High price loans by race, 2018**

|                           | Not High Price |     | High Price |     | NA    |     | Total  |
|---------------------------|----------------|-----|------------|-----|-------|-----|--------|
|                           | #              | %   | #          | %   | #     | %   | #      |
| In City of Temple         | 5,626          | 45% | 973        | 8%  | 5,981 | 48% | 12,580 |
| White                     | 1,560          | 48% | 388        | 12% | 1,305 | 40% | 3,253  |
| Black or African American | 134            | 45% | 26         | 9%  | 137   | 46% | 297    |
| Asian                     | 53             | 62% | 6          | 7%  | 26    | 31% | 85     |
| 2 or more minority races  | 5              | 63% | 0          | 0%  | 3     | 38% | 8      |
| Race Not Available        | 327            | 31% | 54         | 5%  | 684   | 64% | 1,065  |

Note 1: This table contains only applications for homes that will be the primary residence of the applicant.

Note 2: The total number of applications may not be consistent from table to table depending on the filters applied and which rows of data have null values.

**Figure 31 High price loans by ethnicity, 2018**

|                         | Not High Price |     | High Price |     | NA    |     | Total  |
|-------------------------|----------------|-----|------------|-----|-------|-----|--------|
|                         | #              | %   | #          | %   | #     | %   | #      |
| In City of Temple       | 6,036          | 48% | 964        | 8%  | 6,036 | 48% | 12,655 |
| Hispanic or Latino      | 247            | 46% | 78         | 15% | 247   | 46% | 536    |
| Not Hispanic or Latino  | 1,240          | 40% | 329        | 11% | 1,240 | 40% | 3,115  |
| Ethnicity Not Available | 668            | 64% | 59         | 6%  | 668   | 64% | 1,040  |

Note 1: This table contains only applications for homes that will be the primary residence of the applicant.

Note 2: The total number of applications may not be consistent from table to table depending on the filters applied and which rows of data have null values.

## FAIR HOUSING PROFILE

This section analyzes the existence of fair housing complaints or compliance reviews where a charge of a finding of discrimination has been made. Additionally, this section will review the existence of any fair housing discrimination suits filed by the United States Department of Justice or private plaintiffs in addition to the identification of other fair housing concerns or problems, if any.

Depending on the type, fair housing complaints in Texas are either resolved by the HUD Office of Fair Housing and Equal Opportunity (FHEO) or the Civil Rights Division of the Texas Workforce Commission. Fair housing complaints, which do not involve federal funding are Title VIII cases. As a participant in the HUD Fair Housing Assistance Program (FHAP), the Texas Workforce Commission can review these cases. FHAP participants are state or local agencies that enforce fair housing laws that are substantially equivalent to the federal Fair Housing Act. Fair housing complaints, which involve federal funding are Title VI cases and require review by HUD FHEO. Section 504 cases are also reviewed by HUD FHEO because they involve disability issues covered by the Rehabilitation Act of 1973.

### Existence of Fair Housing Complaints

The number of complaints reported may under-represent the actual occurrence of housing discrimination in any given community, as persons may not file complaints because they are not aware of how or where to file a complaint. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Also, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. According to the Urban Institute, 83% of those who experience housing discrimination do not report it because they feel nothing will be done. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

### U.S. Department of Housing and Urban Development

The Office of Fair Housing and Equal Opportunity (FHEO) at HUD receives complaints from persons regarding alleged violations of the federal Fair Housing Act. Fair housing complaints originating in Temple were obtained and analyzed for the period of July 2007 through the end of 2012.

### TEXAS WORKFORCE COMMISSION

The Texas Workforce Commission receives complaints from persons regarding alleged violations of the Virginia Fair Housing Act. VFHO does not conduct compliance reviews; rather, the complaints investigated by the Office are either consumer-or Board-initiated complaints.

Letters were sent to the HUD FHEO office in Fort Worth Texas and to the Executive Director of the Texas Workforce Commission requesting information regarding all fair housing complaints that have been filed in the City of Temple since the last Analysis of Impediments to Fair Housing Choice. As of the time of writing, a response has not been received.

#### TESTING

Random paired testing has not occurred in Temple.

#### EXISTENCE OF FAIR HOUSING DISCRIMINATION SUIT

There is no pending fair housing discrimination suit involving Temple.

#### DETERMINATION OF UNLAWFUL SEGREGATION

There is no pending unlawful segregation order involving Temple.

# EVALUATION OF CURRENT FAIR HOUSING PROFILE

## Fair Housing Policies and Actions since the Previous AI

Temple's last Analysis of Impediments to Fair Housing Choice was completed in 2015. The 2015-2019 Fair Housing Plan lists the follow barriers to affordable housing and remedial actions:

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

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.

### **Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice:**

**The City provided \$111,720 in financial support to Temple College, The United Way and Feed My Sheep to provide job-training skills, workforce development, training, and education attainment services to low- and moderate-income residents. These efforts support an increase in education attainment and helps to decrease community income.**

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, in increase healthy affordable goods in the low-income neighborhoods.

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

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.

**Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice:**

**The City has assessed its zoning ordinances to determine remedies to the shortage of multi-family zones in areas where land is affordable for redevelopment. The City will allow the addition of Accessory Dwelling Units on existing single-family lots.**

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

**Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice are as follows:**

**The City has committed to provide technical assistance to affordable housing developers. The City is working with developers through the Infill Development Program to navigate the City's permitting system while also providing fee waivers and lien forgiveness for any City liens that may be on file.**

Impediment 3: Shortage of affordable owner-occupied housing.

Action Step 3b: The City will continue acquire use 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.

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.

**Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice:**

**The City will reduce or waive fees imposed on developers who are constructing, rehabilitating or reconstructing homes for low- to moderate-income homeowners, through its Empowerment Zone program. The City passed an ordinance to this effect and recently increased the geographic size of the 18 Neighborhood Planning Districts.**

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.

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.

**Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice:**

**The City has provided resources and connections between non-profits, banks, realtors, etc. and residents interested in homeownership. Through the use of the Housing Resource Center, the City connects residents with a wide variety of resources depending on their specific needs. Some residents need assistance with credit counseling, while others may already be in a position to purchase a home and just need to be connected with a developer. The City works with each client individually to determine the best resource for them.**

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

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.

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.

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.

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.

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

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.

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.

**Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice:**

**As part of the City's plan, it utilized CDBG and CEG funds in its commitment to address issues of fair housing choice based on the findings from the Analysis of Impediments.**

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.

**Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice are as follows:**

**The City has and will continue to fund non-profits that provide homebuyer education and financial stability/literacy programs for first time homebuyers. The City invested \$313,799 over the past 5 years to support a variety of housing programs to include down payment assistance, closing cost assistance, new construction and home repairs.**

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.

**Actions taken to overcome the effects of impediments since the last Analysis of Impediments to Fair Housing Choice:**

**The City appointed the month of April as Fair Housing Month with a proclamation, and it served to highlight and educate citizens about available resources with the City that supports fair and affordable housing access.**

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.

## IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING ACTION PLAN

The following table provides a summary of impediments to fair housing choice as identified throughout the AI. Each impediment is identified and highlighted in blue. There are one or more goals and recommendations associated with each impediment as well as a discussion section that explains the rationale for the identified impediment and corrective course of action. The metrics for success and timeframe is included to ensure that the City is able to implement the fair housing action plan over the next five years and measure its progress.

| 1 | <b>Impediment: There is a lack of transportation and infrastructure that creates disparities in accessing areas of opportunity.</b> |  |  |           |
|---|---|--|--|-----------|
|   | Action  | Discussion   | Metric for Success   | Timeframe |
|   | Expand public transportation to include additional bus stops and/or additional service hours.                                       | <p>There is a lack of reliable and frequent public transportation in the City of Temple. Map 24 shows HOP Bus stop locations across the community. Most are located downtown area and toward the south of the downtown area. There are very few stops in the eastern part of the community. Stakeholders note transportation as a major concern in Temple. Bus services have been reduced, with a majority of the stops closed in the low-income neighborhoods.</p> <p>Public transportation is shared passenger transport service available for use by the general public, including buses, light rail, and rapid transit. Public transportation includes paratransit services for persons with disabilities. The availability, type, frequency, and reliability of public transportation affect which households are connected to community assets and economic opportunities.</p> | Maps and summary data analysis showing targeted investment to improve transportation in low-income and minority neighborhoods. | Ongoing   |



|          |  |   |   |           |
|----------|--|---|---|-----------|
|          | Invest in improving the City's infrastructure including sidewalk repair, pedestrian crossings, and curb cuts.  | During stakeholder meetings it was noted many public buildings, sidewalks, pedestrian crossings, or other infrastructure components are inaccessible to individuals with disabilities including persons with mobility impairments, individuals who are deaf or hard of hearing, and persons who are blind or have low vision. These accessibility issues can limit realistic housing choice for individuals with disabilities. Inaccessibility is often manifest by the lack of curb cuts, lack of ramps, and the lack of audible pedestrian signals.   | Maps and summary data analysis showing targeted investment to improve infrastructure in low-income and minority neighborhoods<br><br>Committing CDBG funds to finance these items | Ongoing   |
| <b>2</b> | <b>Impediment: Sections of the City's Zoning Code create barriers to creating affordable housing and providing housing choice to protected groups.</b>                   |   |   |           |
|          | Action   | Discussion  | Metric for Success  | Timeframe |
|          | Amend the City's Zoning Code to clearly define a group home as a residence for up to six unrelated persons with disabilities as defined by the federal Fair Housing Act. | As per the Joint Statement of the Department of Housing and Urban Development and the Department of Justice's State and Local Land Use Laws and Practices and the Application of the Fair Housing Act:<br><br><i>The Fair Housing Act prohibits discrimination on the basis of disability, and persons with disabilities have the same Fair Housing Act protections whether or not their housing is considered a group home. A household where two or more persons with disabilities choose to live together, as a matter of association, may not be subjected to requirements or conditions that are not imposed on households consisting of persons without disabilities.</i> | Amended and adopted City Zoning Code that is consistent with the federal Fair Housing Act regarding group homes   | 2024      |

|          |  |  |   |           |
|----------|--|--|---|-----------|
|          |  | <i>In this Statement, the term “group home” refers to a dwelling that is or will be occupied by unrelated persons with disabilities.</i>   |   |           |
|          | Amend the City's Zoning Code to expand zoning areas that support smaller, more affordable housing such as multi-family zones.  | Zoning Regulations restricting small lot sizes and/or multi-family development across the community create barriers to protected classes' ability to move to opportunities of choice due to the shortage of areas where smaller, more affordable housing can be developed or most multi-family zones are located in areas where a majority of minorities and lower-income residents live, causing barriers to movement into other areas in the community.  | Amended and adopted City Zoning Code that incorporates higher densities in zoning districts where multi-family housing could be developed   | 2024      |
| <b>3</b> | <b>Impediment: Persons with lower incomes, who are disproportionately members of the protected classes, are less able to afford safe, decent affordable housing.</b> |  |   |           |
|          | Action   | Discussion   | Metric for Success  | Timeframe |
|          | Preserve and increase the number and quality of affordable housing throughout the City   | <p>The City should continue to invest federal, state and local funds in a manner that is consistent with the Neighborhood Studies. The dual strategies of improving the quality of live and living environments in areas of high poverty while increasing access to affordable housing in areas of higher opportunity are consistent with the Fair Housing Act and affirmatively further fair housing choice. The recommendation is based on the analysis of CDBG funds in the Public Policy Analysis section which indicated that the City is affirmatively furthering fair housing choice in its CDBG investments.</p> <p>To ensure that the City continues to invest funds in ways that</p> | <p>Maps and summary data analysis showing investment locations and beneficiaries.</p> <p>Commitment of CDBG and HOME funds on an annual basis to assist low to moderate income households</p> | Ongoing   |

|          |  |  |   |           |
|----------|--|--|---|-----------|
|          |  | affirmatively further fair housing choice, the City should continue to carefully monitor expenditures for mapping and data analysis purposes on an annual basis. <i>To the extent possible</i> , the City should also monitor the benefit to members of the protected classes (i.e. collect race/ethnicity, disability status, etc. to the extent possible).   |   |           |
|          | Amend the current City Council LIHTC project selection criteria to remove the need for support from neighborhood organizations.                            | The opposition of community members to proposed or existing developments—including housing developments, affordable housing, publicly supported housing (including use of housing choice vouchers), multifamily housing, or housing for persons with disabilities—is often referred to as “Not in my Backyard,” or NIMBY-ism. Community opposition, when successful at blocking housing options, may limit or deny housing choice for members of the protected classes based on reasons related to their protected class status. | Modified LIHTC project selection criteria.              | 2024      |
| <b>4</b> | <b>Impediment: There is a need for additional education and outreach as related to fair housing.</b>   |  |   |           |
|          | Action   | Discussion   | Metric for Success                                      | Timeframe |
|          | Strengthen fair housing investigation, enforcement, and outreach through workshops, seminars, paired testing, etc. in partnership with community partners. | Based on the Fair Housing Profile and HMDA analysis, there is evidence of perceived and actual housing discrimination in the rental and owner markets.<br><br>While the City does not have jurisdiction over the private market, it is incumbent upon the City, as a HUD grantee, to affirmatively further fair housing choice, which includes education and outreach related to housing discrimination in   | Education and outreach including paired testing results | Ongoing   |

|          |  |  |   |           |
|----------|--|--|---|-----------|
|          |  | <p>both the rental and owner markets. This includes providing education to potential homebuyers, real estate agents, lenders and mortgage brokers, landlords, property managers and owners, tenants, agents who assist in finding rental properties, and lawyers and judges working with persons being evicted.</p> <p>Paired testing was not conducted in the years since the last AI was completed. It is recommended that the City partner with a local agency to conduct paired testing.</p> |   |           |
|          | Conduct the four-factor analysis   | Although the City has a relatively small population of persons with limited English proficiency (LEP), as a CDBG grantee is it required to conduct this analysis to determine the extent to which it must provide language assistance services to ensure persons with LEP are able to access programs and services.  | Adopted Language Access Plan  | 2020      |
| <b>5</b> | <b>Impediment: There are a greater number of deteriorated and abandoned buildings in low-to-moderate income neighborhoods</b>                                      |  |   |           |
|          | Action   | Discussion   | Metric for Success  | Timeframe |
|          | The City should target reinvestment activities such as rehabilitation and, as necessary, demolition of vacant housing and the construction of replacement housing. | Deteriorated and abandoned properties may be signs of a community's distress and disinvestment and are often associated with crime, increased risk to health and welfare, plunging decreasing property values, and municipal costs. Demolition without strategic revitalization and investment can result in further deterioration of already damaged neighborhoods.   | <p>Maps and summary data analysis showing investment locations and beneficiaries.</p> <p>Report on the number of demolished structures annually</p> | Ongoing   |

## SIGNATURE PAGE

By my signature I certify that the Analysis of Impediments to Fair Housing Choice for the City of Temple is in compliance with the intent and directives of the regulations of the Community Development Block Grant Program and HOME Investment Partnerships Program.

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Brynn Myers, City Manager

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Date



## APPENDIX A- LIST OF STAKEHOLDERS

City of Temple, Transform Temple Department

City of Temple Economic Development

Central County Services, MHMR

BR Management, LLC

St Vincent De Paul's

Central Texas Housing Consortium

Texas Homeless Network

Feed My Sheep



## APPENDIX B- ZONING ORDINANCE REVIEW

### ZONING RISK ASSESSMENT TOOL

City of Temple, TX Assessment of Fair Housing

Scoring: 1 – low risk for discrimination      2 – high risk for discrimination

| Zoning Ordinance Regulatory Provision  |            |                         | Score |
|--|------------|-------------------------|-------|
| 1. Ordinance defines “family” inclusively, without cap on number of unrelated persons, with focus on functioning as a single housekeeping unit<br><i>Ex: Two or more persons who live in the same dwelling unit and function as a single housekeeping unit</i> | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 2     |
| 2. Ordinance defines “group home” or similarly named land use as “a single-family dwelling unit”   | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 2     |
| 3. Ordinance allows up to 6 unrelated people with disabilities to reside in a group home without requiring a special use / conditional use permit or public hearing  | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 1     |
| 4. Ordinance regulates group homes as single family dwelling units without any additional regulatory provisions  | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 1     |
| 5. Ordinance has a Reasonable Accommodation provision or allows for persons with disabilities to request reasonable accommodation / modification to regulatory provisions  | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 2     |
| 6. Ordinance permits multi-family housing of more than 4 units/structure in one or more residential zoning districts by-right  | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 2     |
| 7. Ordinance does not distinguish between “affordable housing / multi-family housing” (i.e., financed with public funds) and “multi-family housing” (i.e., financed without any public funds)  | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 1     |
| 8. Ordinance does not restrict residential uses such as emergency housing/homeless shelters, transitional housing or permanent supportive housing facilities exclusively to non-residential zoning districts   | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 1     |
| 9. Ordinance permits manufactured and modular housing on single lots like single family dwelling units   | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 2     |
| 10. Ordinance provides residential zoning districts with minimum lot sizes of ¼ acre or less   | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 1     |

|  |            |                         |    |
|--|------------|-------------------------|----|
| 11. Ordinance does not include exterior standards for all single family dwelling units regardless of size, location or zoning district<br><i>Ex: all brick construction, minimum square footage of 2,000, etc.</i> | Yes<br>(1) | <b>No</b><br><b>(2)</b> | 2  |
| <b>TOTAL SCORE</b>   |            |                         | 17 |

To calculate Zoning Risk Score, divide TOTAL SCORE by 11.

1.00: Ordinance is at LOW risk relative to discriminatory provisions for housing and members of the protected classes.

1.01 – 1.49: Ordinance is at MODERATE risk relative to discriminatory provisions for housing and members of the protected classes.

**1.50 – 2.00: Ordinance is at HIGH risk relative to discriminatory provisions for housing and members of the protected classes.**