

Analysis of Impediments to Fair Housing

Chapter 1

Executive Summary

A. Purpose

The purpose of the Analysis of Impediments to Fair Housing (AI) is

- (a) To identify barriers to housing choice
- (b) Recommend local strategies to overcome those barriers.

The final rule of the Consolidated Plan requires that all entitlement communities complete this Analysis.

The Analysis and the recommended actions should identify local area impediments that might prevent individuals of similar income levels in like housing market areas from having identical choices in housing, regardless of protected class status. The AI and its implementation also serve as a means to carry out the mandate of Section 808(e) (S) of the Fair Housing Act, and ensure positive outreach and informational efforts to those who are least likely to know about basic housing rights.

The City of Idaho Falls, Planning and Building Division has the responsibility for administering the Community Development Block Grant Program (CDBG). The Division has developed the Citizens Participation Plan, 2011-2015 Strategic Plan, Annual Action Plan, and this Analysis.

B. Background

The Federal Fair Housing Act, as amended in 1988,

- (a) Prohibits discrimination in marketing sale, rental, or financing of dwellings or in the provision of other services related to housing
- (b) On the basis of race, color, religion, sex, handicap, familial status or national origin.

Since every person can be identified by almost every category everybody is protected by the Fair Housing Act.

Section 808(e) (S) of this law mandates that the U. S. Department of Housing and Urban Development (HUD) administer its programs in a manner to affirmatively further fair housing. The 1988 amendment not only extended coverage of the law to persons with disabilities and families with children, but also strengthened the law by adding an administrative and judicial enforcement process for cases where discriminatory housing practices cannot be resolved informally. The amendment also provides monetary penalties in cases where housing discrimination are found. In addition, the 1988 amendment established certain accessible and adaptable design and construction requirements for new construction of residential buildings built for first occupancy after March 13, 1991. It also provided a limited exemption from the nondiscrimination provisions based on familial status.

C. Methodology

The Division utilized the guidance contained in HUD's Fair Housing Planning Guide

Volume 1 in developing the methodology for the Analysis.

It is important to note that HUD directed entitlements to prepare the AI using existing data and information sources. As such, the City's AI is limited to those existing housing and demographic studies and reports, ordinances and codes, and other relevant data and information that could be identified during the research phase of the fair housing planning process. Some comparison data about Bonneville County were included where deemed appropriate. Additional sources of pertinent data and information may be available at a later date and will be included in the AI as the Fair Housing Plan is periodically updated with the Strategic Plan. Other data and information may be needed to adequately complete the AI, but may not exist. The data and information needed, but which may not be available, has been identified as an impediment to fair housing and will be listed as an activity to be completed under the Action Plan component.

The Analysis process included the following:

1. A collection of specific information and statistical data from organizations, associations, agencies, and services providers were compiled. Information was extrapolated from the Strategic Plan, Idaho Vital Statistics, HMDA data and HUD's Complaint Activity Reports. A review was conducted of the data to determine the extent of documented impediments. Review of this AI was requested of agencies and organizations whose mission has an impact on fair housing choice. Representatives of consumer groups, service organizations and community leaders were also interviewed. These interviews provided access to other existing reports and information pertinent to the Analysis.
2. Affordable Housing Task Force— a working group was formed in the fall of 1999 of representatives from agencies, commissions, and organizations. There are currently twenty-one members. These individuals share some level of involvement in housing issues, homeless issues and collectively support the Fair Housing Law. The members of this group share responsibilities that impact the provision of housing throughout the City, and were asked to provide direction and support in developing the Analysis. Each member has a different role to play in contributing to fair housing, and each possesses important information and experiences relevant to the study. They meet the first Thursday of the month at the United Way office.
3. A Potential Impediments Questionnaire was developed and distributed throughout the community to non-profit organizations, service providers, and special interest groups. Questions relating to public policy, neighborhood conditions, banking, financing, insurance, real estate practices, and socioeconomic conditions were asked. More detailed questions regarding zoning ordinances, comprehensive planning, rental housing, financing for the purchase of a home, adequate availability of housing, and acts of known discrimination were also asked. A total of thirty-six questionnaires were returned.
4. The draft Analysis and Plan were presented to the public for input throughout a 30-day comment period along with the 2011-2015 Strategic Plan in December, 2010. The Affordable Housing Task Force assisted with the drafting of this plan, public input was considered before submitting a final version to the City Council for approval. Copies of the Analysis and Plan are available at the Grand Administrator's office within the Planning and Building Division.

D. Areas of the Analysis

The following issues were researched to determine potential impediments to fair housing:

- Demographic Data Including Income and Employment

- Housing Statistics
- Fair Housing Activities
- Public and Private Sector Involvement Including:
 - Public Policies and Housing
 - Affordable Housing
 - Accessible Housing
 - Zoning and Land Use Policy
 - Building Codes
 - Demolition and Displacement
 - Lending Practices
 - Sales and Rental Practices
 - Appraisals
 - Insurance Practices
 - Transportation

E. General Identified Impediments

From the information gathered through the three-step process, the following barriers were identified:

1. There is a lack of understanding by potential home renters, buyers, and the general public about the requirements of the Fair Housing Act.
 - A. There continues to be a need for pre-housing counseling so that renters or buyers understand the costs and responsibilities of buying or renting a home.
 - B. As the sub prime housing bubble collapse has demonstrated, the costs and responsibilities of buying or renting and residence is not well understood and not factored into decision making.
 - C. Obviously, low and moderate income persons or families have limited resources to obtain housing. Housing and land professionals should be helpful to clients advising them of choices that will match their financial abilities.
2. There is a continuing need for vouchers under the Section 8 Rental Assistance Program. Many people cannot afford housing without a subsidy. Cost of housing continues to rise—the housing available for low-income families now starts in the \$80,000-\$90,000 range.
3. There continues to be a lack of understanding by developers and landlords about housing accessibility requirements under the Americans with Disabilities Act (ADA) and the Building Codes standards that apply.
4. This imposes a greater burden on Realtors, Lenders, Property managers, etc to explain and analyses a persons’ abilities. Knowledge and financial- to manage housing decisions. Housing counseling programs or requirements may be a good idea.

F. Conclusion

Fair housing choice means having equal and open access to those affordable residential opportunities that are fundamental to meeting individual and family needs.

Because housing choice is so important to individual and community well-being, government officials, business leaders, and private citizens must strive for the goal of fair housing if equality of opportunity is to be achieved.

G. Summary of Actions to Address the Identified Impediments

The overall goal of the recommended actions is to increase the understanding of fair housing by:

- A. expanding opportunities through education and counseling, information technology, media communications, and community involvement;
- B. supporting the efforts of the Affordable Housing Task Force;
- C. fostering conditions in which individuals of similar income levels, regardless of race, color, national origin, disability, etc., have the same opportunity to purchase or rent in the same housing market areas.
- D. Supporting the Idaho Fair Housing Forum.

To accomplish the goals, the City will:

- Utilize the Community Development Block Grant Program to assure that responsibilities to affirmatively further fair housing are met and to increase the understanding and awareness of the Fair Housing Act.
- Promote education and outreach to the general public that will increase the level of understanding of costs pertaining to renters and buyers.
- Continue to support the local Affordable Housing Task Force and statewide Idaho Fair Housing Forum as a forum to allow communication and coordination among the various agencies.
- Increase understanding of the procedures, processes, terminology, resources and requirements of fair housing.

Chapter 2

Introduction to the Analysis Process

A. Requirements for the Analysis

The Fair Housing Act not only bans discrimination in private housing markets, but also calls upon the Secretary of HUD to administer programs and activities relating to housing and community development in a manner that *affirmatively* promotes the basic tenets of the Act.

HUD is committed to eliminating racial and ethnic segregation and other discriminatory practices in housing, and will use all of its programmatic and enforcement tools to achieve this goal. The fundamental goal of the HUD fair housing policy is to make housing choice a reality through Fair Housing Planning.

Provisions to affirmatively further fair housing are principal and long-standing components of HUD's regulatory requirements for all states that receive federal funds to operate housing and community development programs. These provisions flow from the mandate of Section 42 U.S.C. §3608(e)(5) of the Fair Housing Act that requires the Secretary of HUD administer the Department's housing and community development programs in a manner to affirmatively further fair housing.

Since this section was enacted, both HUD and Congress have consistently required certain recipients of HUD financial assistance to "affirmatively further fair housing." These recipients include participants in the HUD Community Planning and Development Programs: CDBG, HOME, ESG, and HOPWA.

Although the obligation to "affirmatively further fair housing" has never been defined statutorily, HUD defines it as requiring a grantee to: (1) conduct an analysis to identify impediments to fair housing choice within the jurisdiction, (2) take appropriate actions to overcome the effects of any impediments identified through the analysis, and (3) maintain records reflecting the analysis and actions in this regard.

In 1995, HUD published its Consolidated Plan Regulation (24 CFR Part 91). Those regulations consolidated the requirements for the CHAS, the community development plan required for the CDBG program, and the submission and reporting requirements for the four community planning and development programs into a single planning document, the Strategic Plan. As a part of that plan, Idaho Falls is required to submit a certification affirming that they have undertaken fair housing planning through the three actions listed above. One intended outcome of an Analysis is to encourage local entities to work together to develop approaches to removing impediments to fair housing, and to share resources and information.

City staff will use this study as a basis for carrying out planning. The plan will include actions required to affirmatively further fair housing, written as measurable objectives. The Analysis also will be useful to provide "essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates, (and to assist) in building public support for fair housing efforts as envisioned by the City and HUD."

B. Definition of Impediments

The definitions and categories serve below as a guide to assist the City in ascertaining what barriers to fair housing choice actually exist.

Impediments to fair housing as defined by HUD are:

- Violations such as 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 choice;
- Barriers such as policies, practices, or procedures that appear neutral at face value, but operate to deny or adversely affect the availability of housing to persons because of race, color, religion, sex, disability, familial status, or national origin.

Impediments to fair housing choice include actions or omissions that:

- Constitute violations, or potential violations, of the Fair Housing Act.
- Are counter-productive to fair housing choice for a protected class.
- Have the effect of restricting housing opportunities for a protected class.

The list below provides more concrete examples of potential violations. It is illegal to do the following based on a person's identity within a protected class:

1. Misrepresent that a house or apartment is unavailable by:
 - providing false or misleading information about a housing opportunity,
 - discouraging a person of a protected class from applying for a rental unit or home making an offer of sale, or
 - Discouraging or refusing to allow a protected class person to inspect available units.
2. Refuse to rent or sell or to negotiate for the rental or sale of a house or apartment or otherwise make unavailable by:
 - failing to effectively communicate or process an offer for the sale or rental of a home,
 - utilizing all non-minority persons to represent a tenant association in reviewing applications from protected class persons, or
 - Advising prospective renters or buyers that they would not assimilated with the existing residents.
3. Discriminate in the terms, conditions or facilities for the rental or sale housing by:
 - using different provisions in leases or contracts for sale,
 - imposing slower or inferior quality maintenance and repair services,
 - Requiring a security deposit (or higher security deposit) of protected class persons but not for others.
 - assigning persons to a specific floor or section of a building, development or neighborhood; or
 - evicting a protected class person but not others for late payments or poor credit;
4. Make, print, publish or post (direct or implied) statements or advertisements that housing is not available to persons of a protected class.
5. Persuade or attempt to persuade people, for profit, to rent or sell their housing due to a person identified by a protected class groups moving into the neighborhood by:
 - Real estate agents notifying existing homeowners in a neighborhood with a listing of the homes recently sold to persons identified by a protected

- class.
 - Notices that the "neighborhood is changing" and now is a good time to sell or noting the effect of the changing demographics on property values.
6. Deny or make different loan terms for residential loans due to identified in a protected class by:
 - using different procedures or criteria to evaluate credit worthiness,
 - purchasing or pooling loans so that loans identified by a protected class are excluded,
 - Applying different procedures (negative impact) for foreclosures on protected class members.
 7. Deny persons the use of real estate services.
 8. Intimidate, coerce against a person based upon an identity of a protected class interfere, or retaliate.

The following activities are special violations of Fair Housing law regardless in a person's identity of a protected class:

- Refuse to make or allow reasonable handicap accommodations to persons with disabilities; or
- Retaliation against a person for filing a fair housing complaint.

C. Goals and Objectives

The City as a member of the Affordable Housing Task Force co-sponsor and facilitate information gathering meetings. The Task Force is made up of representatives from various agencies, commissions and organizations that share concerns about fair, affordable housing and homelessness housing, or whose areas of responsibility touch upon housing issues.

As part of the Strategic Plan, the City established three (3) major objectives in completing the intended requirements of the plan:

Completion of the Analysis of Impediments to Fair Housing Choice:

The City will conduct the Analysis, to include an Action Plan, and will update the Analysis at least once every five years (as part of the Strategic Plan cycle).

Implement Fair Housing Planning by Identifying Actions/Steps to Overcome the Effects of Identified Impediments to Include:

- c. Milestones, timetables, and measurable results and;
- b. Actions to be undertaken by the City following completion/update of the Analysis; and
- a. Strategies to address the impediments identified in the Analysis.

Maintain records and supporting documentation to support the affirmatively Affirming Fair Housing certification, which includes:

- a. The Analysis of Impediments.
- b. Actions undertaken to eliminate any identified impediments.
- c. Transcripts of public hearings and citizen comments/input.
- d. Reports which are available for public review.

D. Framework of the Analysis

The framework of the study requires that the following measures be included:

- Use of 2000 Census and the Strategic Plan as the basis for data and information included in the Analysis.
- Utilize and strengthen relationships with community and regional Organizations in the process.
- Review and utilize existing studies.
- Review actions taken in the City that further fair Housing choices.
- Present the issues/impediments and recommendations for removing or Lessening the impact of the impediments.
- Develop the Analysis report.
- Communicate the results.

1. General and Specific Procedures in Developing the AI

General procedures were developed in order to obtain input into the process. The general procedures were intended to:

- Accommodate diverse views and interests.
- Provide for input from persons who have only a limited time to meet, deliberate, review written materials, and any other necessary functions.
- Provide for convenient, accessible meeting places and times.
- Gather information and data (i.e., Census information, other studies, interview agency and service providers).

2. Use of the 2000 Census and the Strategic Plan

The 2000 Census was used to provide information on the numbers of identified classes of people in Idaho Falls. Whenever possible, updated Census data was used to ensure as accurate data as possible.

The Census provides information on such areas as: total population by census track and blocks, protected classes (i.e., African-Americans, Hispanics, persons with disabilities, etc.), income levels, education levels, and other information necessary for forming the basis of the AI.

The Strategic Plan consolidates into a single document the submission requirements for the CDBG program. The Strategic Plan clearly ties the needs assessment, housing market analysis, and the strategy for addressing needs and achieving housing and community development objectives to the use of the program funds. Many of the fair housing-related problems revolving around the issue of choice in low- and moderate-income housing programs are already addressed in the Strategic Plan.

The Strategic Plan provides data and information used in the Analysis by profiling:

- Affordable housing needs for different categories of residents.
- Homeless needs.
- Public housing needs.
- Lead-based paint removal needs.
- Housing market analysis (housing market characteristics in terms of supply, demand, condition, type, and housing cost).
- Barriers to affordable housing.

- Citizen comments relating to housing and community development.
- Areas of income concentration.
- Areas of minority concentration.
- Identification of special needs populations.

3. Utilize and Strengthen Relationships

It is important to note that an expanded mailing list was used to announce the activities of the Analysis. The Affordable Housing Task Force had already been formed and after being notified, other interested social services providers came forth to participate. Thus, the informational gathering meetings became increasingly valuable in helping to establish consensus and a framework for cooperative action on fair housing issues.

The Task Force members, by their own unique purpose and function, have some level of responsibility to encourage compliance of the law. The group came together with the common interest of supporting equal opportunities in housing and helping to develop a document that accurately reflects the situations in Idaho Falls.

Each entity is aware of the importance of conducting an Analysis and agreed to cooperate in its development. Through discussions of their experiences, this group brought forth helpful information and insights. With their respective responsibilities and experiences, the group members developed the study through a true team effort. There were a number of individuals and/ or organizations that provided technical assistance and valuable time to this process. They include:

Karen Cornwell, United Way of Idaho Falls and City Council Member
 Craig Stoddard, Idaho Housing & Finance Association
 Sue Shadley, Greater Idaho Falls Real Estate Association
 Michael Hinman, Idaho Legal Aid
 Mardee Harper, Ex. Dir, CLUB, INC
 Russ Spain, Ex. Dir, EICAP

4. Review and Use of Existing Studies

Identifying impediments included remodeling studies that relate to fair housing, access to housing, discriminatory housing patterns or practices and other housing problems. To determine if other studies exist, fair housing and other organizations such as regional councils of governments were contacted.

A number of general and national studies were made available through the HUD USER. As part of this process the City carefully considered the conclusions and recommendations of existing housing studies, dealing with such issues as lead-based paint hazards, cultural barriers, discrimination in housing, barriers to persons with disabilities, lending and insurance, problems with Section 8 housing, and other considerations.



Chapter 3

Demographic Data and Housing Profile

A. Demographic Data – Idaho Falls Population

Idaho Falls and the surrounding Bonneville County is a growing area and will continue to grow, according to projections. The 1990 Census reports that 43,929 citizens lived in the City of Idaho Falls and 72,207 citizens in Bonneville County. In 2000, there were 50,730 people in Idaho Falls and 82,522 people in Bonneville County. 2010 estimates for Idaho Falls population is 58,077 people. This increase can be attributed to a stable agricultural sector with a growing manufacturing, processing and service-sectors, resulting in important changes in the population.

Age

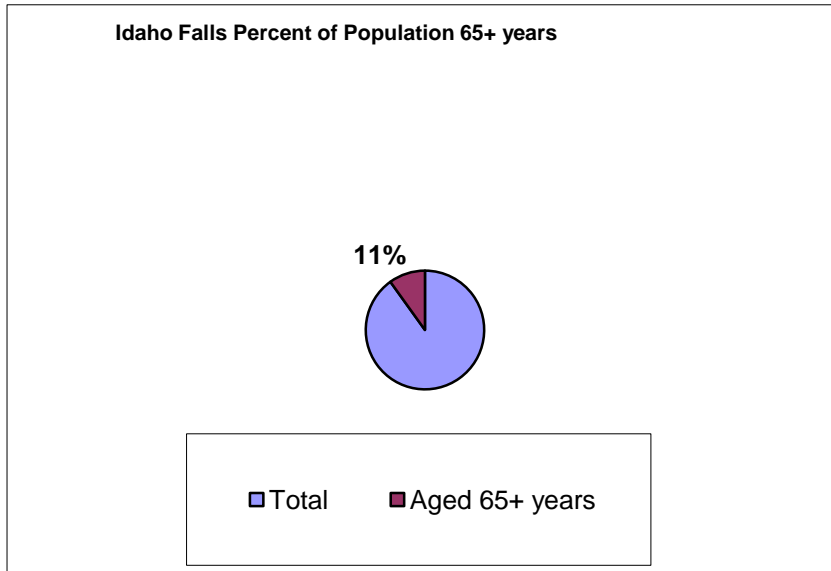
The largest age group in Idaho Falls is between the ages of 18-64; which represents 58.6% of the City's population.

Elderly Persons

Of the 50,730 Idaho Falls' citizens in 2000, 6,577 or 13% are 62 and older. Idaho Falls, like the United States as a whole, is experiencing aging, and thus the increase of its elderly population. Since 1980 the number of persons 65 and older has increased by more than 300%. In 1980, 1,803 of the City's population were 65 years of age or older. In 1990, 4,509 persons were 65 years or older. In 2000, this amount increased even more to 5,643 persons 65 or older. There are also a higher number of females in this Age group. Females represent about 60% of the elderly population.

According to the U.S. National Center for Health Statistics, the average life span increased from 70.8 years in 1970 to 75.7 in 1992. By comparing the 1980 and 2000 Census populations, it becomes evident that the City's population is becoming older. This increase in the elderly population spurs the growth in household formation and the need for alternative housing formation. (I.e. non-traditional, assisted living, single resident occupancy).

Idaho Falls is also the nine county region's medical center. This concentration of medical services will attract seniors and attract additional senior housing and services for seniors.

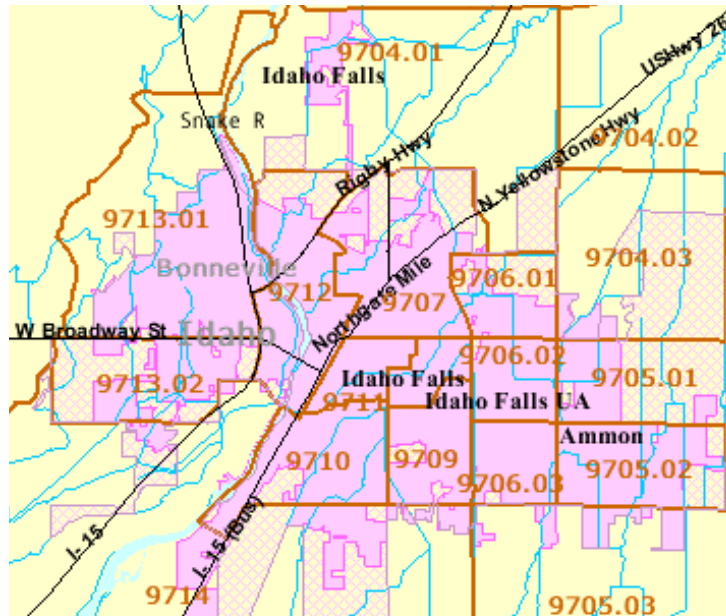


Race

Idaho Falls has a small racial minority population with a total of 5,529 or 10.9% citizens who are either one race or in combination with one or more other races. This population category is largely Hispanic, constituting 66% of the group or 7.2% of the overall City’s population (50,730). The remainder of the minority population is 0.6% African American (315), 0.8% American Indian and Alaska Native (385), 1.1% Asian (533), and .01% Native Hawaiian and Other Pacific Islander (32).

Of the reported 3,641 Hispanic population, 76.2% came from Mexico (2,776), 1.6% came from Puerto Rico (58), 0.4% came from Cuban (16) and 21.7% came from other Latin American countries (792).

The Hispanic population seems to be primarily located in three Census Tracts with the percentage of Tract population being of 15% in Tract Code 9704, 12% in Tract Code 9707, and 21% in Tract Code 9712. In each of the other Census Tracts a range of 2-8% were represented. These 3 tracts are the oldest subdivisions in the city and have the lowest family incomes.



Families

According to the 2000 Census, the household structure of Idaho Falls is predominantly made up of families. Of the 18,805 households, 13,188 or 70% are families, and 5,617 or 30% are non-family households.

Of the 13,188 families, 10,616 (80%) are married couple families, and 1,937 (15%) are female householders with no husband present.

Marital Status

The 2000 Census reports that of the population 15 years old and older in Idaho Falls (38,238), 22.1% (8,453) never married, 58.5% (22,356) are now married, 1.1% (412) is separated, 5.6% (2,125) are widowed, and 12.8% (4,892) are divorced.

People with Disabilities

According to the 2000 Census, there were 506 children between the ages of 5 and 15 who recorded disabilities. A total of 4,885 individuals between the ages of 16-64, or 15% of the City's population, have disabilities that impact their ability to work and live independently. Of this group, aged 16-64, 6.3% (2,433) of the males reported disabilities; 6.4% (2,452) of women also reported disabilities.

Of the two types of disabilities, physical and mental, physical disabilities represented the highest number 2,822 with mental disabilities totaling 1,602. According to the 2000 census 2,177 or 5.6% of the citizens over the age of 65 recorded a disability. Of this group, 864 (40%) were male and 1,313 (60%) were female.

Labor Force Participation by Persons with Disabilities

There are 4,381 working age residents (21 to 64) with disabilities in Idaho Falls. Only 2,497 or 57.9% of these disabled residents participate in the labor force. Of the 2,497 in the labor

force, (1,410 or 56%) are men. However, 1,105 (44%) women with disabilities are in the labor force.

Race and Disability

Of the City’s 445 African-American citizens, approximately 24% (105) reported disabilities. Of the City’s 3,641 Hispanic citizens, approximately 27% (967) reported disabilities. Of the City’s 46,717 White only citizens, approximately 28% (13,004) reported disabilities.

Veteran Status

Of the total residents over the age of 18 in Idaho Falls (35,349), 5,091 are veterans. Of the total number of veterans, 804 or 15.8% served in the Persian Gulf War era, 1,635 or 32.1% served in the Vietnam era, 746 or 14.7% served in the Korean War and 1,045 or 20.5% served in World War II.

B. Income Data

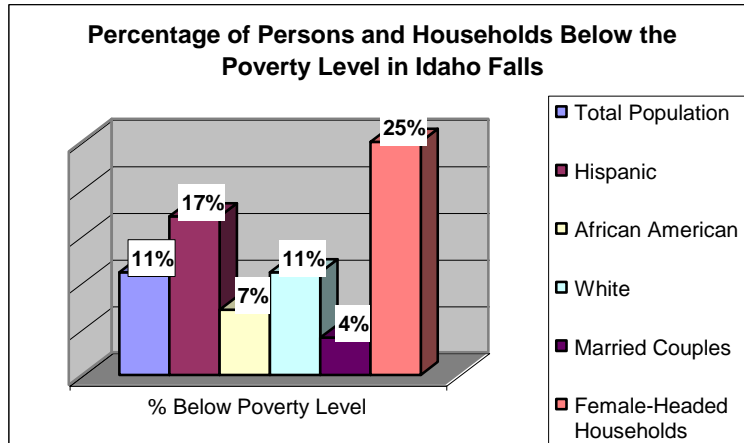
Per Capita Income: The annual per capita income in 1999 for white people living in Idaho Falls is \$19,334 per year, compared to \$11,982 for African Americans, and \$10,380 for Hispanics.

The median income for all households in Idaho Falls is \$40,512 while the mean income is \$50,101. The median income for married couple families was \$53,570 while the median income for female householders with no husband present was \$24,906. Approximately 21% of the total population make between \$60,000 -- \$99,000 annually.

Census data shows that approximately 11% of the persons in Idaho Falls live below poverty level. Of this percentage, 5% or 30 persons are African-American, 63% or 4,879 persons are white, and 7% or 590 persons are Hispanics.

Poverty among married couples within Idaho Falls is 4% while 25% of female-headed households live below the poverty level.

Of the 19 Census Tracts, 4 have the highest concentration of poverty at 74%. The 4 tracts are the low and moderate income tracts. 20% of the people in poverty lived in 9711, 19% live in tract 9707, 18% live in tract 9706.02, and 17% live in tract 9712. The remaining 26% of the population that lives in poverty is spread out among the other 15 census tracts.



Employment

According to the 2000 Census, 23,528 or 66.6% of the 37,435 people in the City over the age of 16 were employed. Of the total employed, 12,880 persons were male, and 10,648 were female. Seventy-one (71%) percent of the total employed citizens worked for private for-profit wage and salary companies.

The number of employed citizens in Bonneville County in 2000 was 40,685. Of this number, 39,482 were non-farm employees and 1,203 were farm employed. The highest number of employed citizens (13,272) works in services and misc., and in wholesale and retail trade (12,617). The rest of the employees were spread out among government and construction type industries.

The largest employers in Bonneville County are Battelle Energy Alliance, with 3,800 persons employed, the Idaho Falls School District with 1,700, CH2M Hill WG, LLC with 1,700 employees, Eastern Idaho Regional Medical Center with 1,311, and Melaleuca, Inc. with 1,300.

Unemployment

The unemployment rate in Idaho Falls area in August 2010, although much higher than previous years, was still low compared to the high unemployment rate in the rest of the country. The Bonneville County unemployment rate was 6.5% at this time compared with 9.6% nationally. The Idaho Falls area continues to have one of the lowest unemployment rates in the country..

C. Education

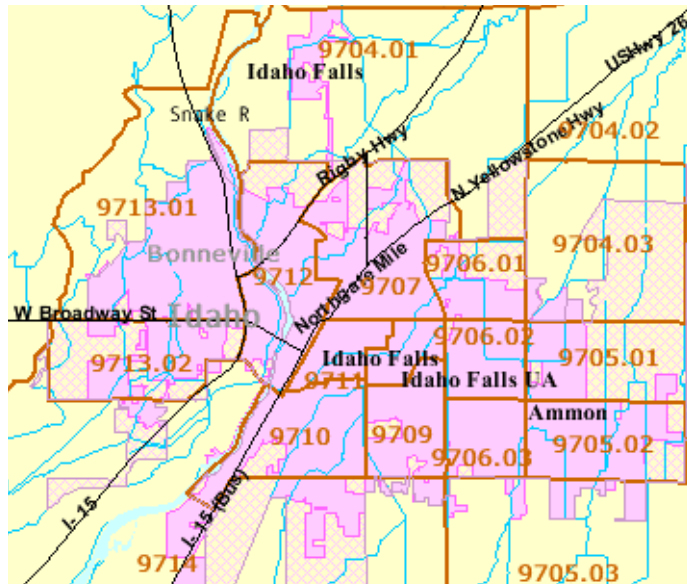
Of the population age 25 and older 87.7% are high school graduates or higher, 28.2% of this group have a bachelor's degree or higher. Only 12.3% over the age of 25 have less than a 12th grade education. Of this population with college degrees, over 7.9% have an associate's degree, 18.4% have a bachelor's degree, and 9.9% have a graduate or professional degree.

D. Housing Profile

Availability

The Census Bureau recorded that the number of housing units in Idaho Falls increased from 16,845 units in 1990 to 19,771 units in 2000. By 2000, 18,793 of these units were occupied. Of the total 18,793 occupied households, 94% (17,712) were white, 4.8% (895) were Hispanic households, 0.5% (91) was African-American, and 1.1% (201) was Asian.

Of the occupied units 68% (12,830) were owner occupied and 32% (5,963) were renter occupied. Census Tract 9706.02 had a 48% ownership rate and a 48% rental rate. Census Tract 9711 had a 45% ownership rate and a 46% rental rate, and Census Tract 9712 had a 44% ownership rate and a 48% rental rate. These are the highest rental occupied percentages in the City. The rest of the Census Tracts had mostly owner occupied housing units.



Average Household Size

Of the total owner occupied housing units (12,830), 35.5% were a two-person household, and 19.4% (2,495) were a one-person household. The percentages for 3, 4, 5, 6 and more in a household slowly diminished from 15% to 2% between 1990 and 2000. Of the total renter occupied housing units (5,963), 38% (2,264) were a one-person household while 26.2% (1,564) were a two-person household. The percentages slowly decreased with additional persons in the household.

Age of Householders

Twenty (20) percent (3,757) of the total occupied housing units (18,793) are occupied by people aged 65 and older, 20% (3,799) are occupied by persons aged 45-54 years, and 17% (3,261) are occupied by persons aged 25-34.

Of the total owner occupied housing units (12,830), 24% were aged 65 or older. Of the total renter occupied housing units (5,963), 27.9% the average age was 25-34 followed by the age group 35-44 (20.3%).

Substandard Housing

According to the 2000 Census, there are 282 housing units that lack complete kitchen facilities, and 60 that lack complete plumbing. Complete plumbing facilities are defined as hot and cold piped water, a bath- tub or shower, and a flush toilet. In earlier censuses, these facilities must have been for exclusive use of a housing unit's inhabitants; this requirement was dropped in 1990.

Chapter 4

Source Documentation

A. Potential Impediments Questionnaire

A questionnaire instrument was developed to help obtain information on potential impediments. (See Exhibit A) The questionnaire was hand distributed to non-profit organizations, service providers, and special interest groups, along with community leaders. An explanation as to the purpose of the questionnaire and an educational piece on the Fair Housing Act was provided.

A total of thirty-six questionnaires were returned. From the responses, it is clear that “affordable” and “fair” tend to be synonymous as do “renters” and “low income”. This is a common problem in discussing Fair Housing.

B. Fair Housing Activities

There are seven major entities that play a vital role in addressing the Fair Housing Act. They are Idaho Housing and Finance Association, Idaho Legal Aid Services, Intermountain Fair Housing Council, Idaho Commission on Human Rights, the Greater Idaho Falls Association of Realtors and HUD.

Idaho Legal Aid Services

Idaho Legal Aid Services presents local educational workshops to underserved consumers throughout the State and workshops for housing providers. All education and outreach efforts will be done in coordination with the primary enforcement agency, the Intermountain Fair Housing Council. The underserved consumers targeted are protected classes in rural areas, new immigrants, and persons with disabilities. A statewide outreach and education campaign will reach the targeted consumer populations through Idaho Legal Aid Services and key governmental and grassroots organizations that provide services to the targeted populations.

Idaho Legal Aid Web site, www.idaholegalaid.org gives our community better access to laws, legal services, and advocate agencies. The site offers informative brochures and pamphlets that can be viewed online, downloaded, or printed; links to other sites; contact information for other helpful groups; information in Spanish; and information about our services.

Idaho Falls Legal Aid Services will continue to offer fair housing training for various groups. They represent tenants and other consumers in complaint cases.

Intermountain Fair Housing Council

The Council offers targeted training on request for advocates, providers and consumer groups. In addition, housing providers may contract with the Council to conduct “self-testing” of its programs or facilities. In this case, the Council provides professional testers to evaluate compliance in policies and procedures. The Council agrees to a “grace period” within which it holds the client harmless for any areas of non-compliance discovered during self-testing. Clients may use this period to address violations. The Council does not disclose testing information and is unable to report on these activities. Contact can be made at 1-800-717-0695 or www.ihfa.org/research_fairhousing.asp.

Intermountain Fair Housing Council's mission is to ensure that all Idahoans have a full choice in housing opportunities. Their efforts rely on the twin strategies of education about and enforcement of State and Federal fair housing laws, and reaches out to those unserved and underserved rural areas, many of which have communities with less than 20,000 inhabitants. Limited English speaking Latinos, Native Americans, and recent or new immigrants from Eastern Europe, Southeast Asia, Africa, and the Middle East, plus those with physical and mental disabilities, will benefit from the statewide consumer outreach and education that is planned. In partnership with local governments, businesses, and social service agencies, the statewide toll-free hotline and referrals of all meritorious complaints to HUD will continue.

The grants are awarded by HUD's Fair Housing office to groups that will use the funds to investigate allegations of housing discrimination, educate the public and housing industry about housing discrimination laws, and work to promote fair housing.

The Council conducted several Fair Housing trainings in 2009 as requested by private landlords, realtors and management companies. April 23, 2009, the Fair Housing Council conducted a Fair Housing for the city of Idaho Falls. This event was sponsored by the City of Idaho Falls.

A total of twelve complaints were on file with the Council in FY 2009. Of those complaints the following protected classes were included.

Case Summaries (Does not represent totals, only numbers of categories filed under).

	<u>Familiar Status</u>	<u>Disability</u>
FY 2009	3	7

(After investigating, only one was referred to HUD. The others were either mediated or determined not to be supported.)

Idaho Commission on Human Rights

The Idaho Commission on Human Rights is a state agency that also responds to fair housing issues. Their purpose is:

- To secure for all individuals within the state freedom from discrimination because of race, color, religion, national origin, sex, age (40 and over) and disability.
- To investigate complaints by any persons claiming to be aggrieved by a discriminatory practice in the areas of employment, housing, education and public accommodations
- To provide for execution within the state of the policies embodied in federal Civil Rights laws.

A total of twelve complaints were filed with the Commission in the year 2009.

The most common fair housing complaints currently being reported involve national origin and disability. These two areas may be the least-commonly understood of all the protected classes. National Origin is often mistaken as race discrimination other than the nation an individual has originated from. Hispanic is not a race but is national origin.

Design and construction requirements for disabilities vary depending on the space involved and the source of development funding, and are best interpreted and implemented by experienced professionals.

While there are no guaranteed methods for avoiding complaints, the best course of action for housing providers is to educate all property or site management staff who comes into contact with tenants, prospective tenants, their agents or the general public. New hires should receive training at the earliest opportunity, and regular education should be offered to all staff.

Greater Idaho Falls Association of Realtors

The Greater Idaho Falls Association of Realtors, through its Fair Housing Affirmative Marketing Committee is instrumental in providing ongoing education to area Realtors. Each year, three to four orientation sessions are conducted for new Realtors, which include section on the Fair Housing Law. These training efforts and other activities of the Committee have been so successful that they won a HUD Best Practices Award in 2000.

Idaho Falls hosted a free Bearing Point/Fair Housing First! training in Idaho Falls in July 2009. Day One featured a presentation of the Fair Housing Act and its requirements for Realtors, property managers, developers, lenders and other providers. Day Two focused on technical design and construction requirements, and target architects, engineers, building professionals and inspectors.

The Fair Housing Committee Chair was also certified as an instructor for the National Association of Realtors' AT HOME WITH DIVERSITY classes. She has done a Fair Housing presentation for the REAL CHOICES Project in Idaho Falls. Local Realtors also are encouraged to take additional available courses on Fair Housing at state, national and franchise conventions. The Continuing Education Core Class mandated for Idaho real estate licensees also includes updates on Fair Housing laws. Local Realtors are not only well versed on the law but also strive to model the intent of the law as they list, show, sell and manage properties for the public.

Idaho Housing and Finance Association

Education and outreach are provided through the Association's Web site <http://www.ihfa.org/> and many printed pamphlets and brochures, i.e. The Fair Housing Act Protects you, the Fair Housing Act and Landlords, Accessibility Improvements Program, Rent Sense, and Cornerstones.

HUD

The U. S. Department of Housing and Urban Development (HUD) through its Seattle Fair Housing Office investigates fair housing complaints. HUD's process begins when an aggrieved person files a complaint with HUD within one year of the date of the alleged discriminatory housing or lending practice.

The complaint must be submitted in writing to HUD. However, this process can be initiated by a phone call. HUD will complete a complaint form, also known as a 903, and mail it to the complainant to sign. The complaint must contain the name and address of the complainant and respondent, address and description of the housing involved, and a concise statement of the facts including the date of the occurrence and the complainant's affirmed signature. Upon filing, HUD is obligated to investigate, attempt conciliation, and resolve the case within 100 days. Resolution can be a dismissal, withdrawal, settlement or conciliation, or a determination as to a cause sufficient to file a formal suit.

In addition to prohibiting certain discriminatory acts, the Act places no limit on the amount of recovery and imposes substantial fines. The fine for the first offense can be up to \$10,000; the second offense, up to \$25,000; and the third offense, up to \$50,000.

D. HMDA Data

Fair lending is more difficult to detect and to prove. However, there are laws other than the Fair housing Law to assist some communities in aggressively scrutinizing fair lending activity. One such law is the Home Mortgage Disclosure Act (HMDA) that requires banks to publish a record of their lending activities annually. Frequently, fair housing enforcement agencies and nonprofits will use this data to help substantiate a discrimination claim or to determine a bank's racial diversification of loans. HMDA data show the location and dollar amount of reporting lender's loans by census tract. These data also contain racial and ethnic information for borrowers. The Federal Reserve Board provides computerized HMDA reports to designated Federal depository institutions and mortgage banking institutions subject to HMDA in central Metropolitan Statistical Areas (MSAs). This process makes the data highly accessible to interested persons and organizations at the local level. HMDA reporting requirements do not apply to financial institutions located outside MSAs. Unfortunately only Boise and Pocatello hold MSA status in Idaho. HMDA data does not provide information about individuals, unsuccessful applicants or successful borrows, nor do they provide information on individual housing units or the reason for lending decisions. HMDA can provide information on the characteristics of census tracts and neighborhoods in relation to the flow of credit to each such area. These data only serves as an indicator of problems, not a full description of them.

Another law frequently utilized by community organizations is the Community Reinvestment Act (CRA). When a bank wants to merge with or buy another bank or establish a new branch, the community has an opportunity to comment. Usually, the CRA commitments made by the bank are analyzed, utilizing other data such as HMDA, to determine adherence. The community may challenge the action if the bank has a poor record. Sometimes agreements can be reached wherein the bank promises a certain level of commitment to the community. Additionally, the Equal Credit Opportunity Act (ECOA) prohibits discrimination in lending.

Chapter 5

Identification and Analysis of Impediments

A. Background

When examining the issues of fair housing choice, the role of economics is an important consideration that influences every housing decision. The decision of where to live depends largely on income. The majority of housing in Idaho Falls is supplied through the private housing market giving home buyers the opportunity to select housing within their income means.

Personal choice is a second important consideration in the examination of fair housing issues. Every household regardless of race, disability, or other characteristic is free to choose where to reside. For housing laws and regulations are intended to enlarge the housing opportunities available, not mandate the choice. The concentration of minority or majority groups in certain neighborhoods or location may reflect that choice.

An analysis examining fair housing issues must yield to the importance of income and personal choice factors in every individual's housing decision. The purpose of Fair Housing Law extends beyond these two basic issues to consider whether discrimination is reflected within the housing delivery system. The goal is to minimize the housing choice available within a household's economic means.

B. Public Sector

1. Public Policies and Housing

The Idaho Housing and Finance Association (IHFA) is a key partner to the City. IHFA operates low-rent public housing, manages the Section 8 Rental Assistance and Family Self-Sufficiency Program, and offers homebuyer education, down payment assistance and residential mortgage loans. The Section 8 Certificate Rental Voucher Program is designed to give low-income families more choice in locating decent, safe, and sanitary rental housing. Having the freedom and mobility to live where they choose allows individuals and families a greater access to increased employment options, choice in schools, increased personal and property safety. IHFA has placed a total of 1,135 families under the Section 8 Program, yet there is a current waiting list containing more than 2,390 names. In 2008 the waiting list contained only 1,701 families.

The Housing Information and Resource Center (HIRC) was created in 1998 as a statewide free service for housing consumers, providers and advocates. It serves as a centralized clearinghouse for housing information. The HIRC's purpose is twofold. First, to provide information on housing options and availability as well as referrals to advocates and housing. This may include homeless service providers, rental assistance, first-time home buyer options, low-cost apartments, multifamily development financing and other resources. Second, based on data collected through the service, better defined housing needs can be identified. This information can be used by public, private and nonprofit sectors to help target resources for those areas in greatest need.

Idaho Falls is a partner with IHFA to implement the Finally Home! Home Buyer Education Program. The program covers all the steps involved in making that big investment, from qualifying for a mortgage and choosing a Realtor, to making an offer and closing costs. Participants who successfully complete Finally Home! may be eligible for the following incentives:

- Down payment and closing cost assistance.
- Programs that accept higher debt ratios.
- “Gifted funds” used at closing.

More than 9,300 students statewide have been educated through the program since its inception in 1999. Approximately 200 classes are offered each year through regional training partners. The Greater Idaho Falls Association of Realtors® is scheduled to conduct twenty-one training sessions in 2009 at the Eastern Idaho Technical College. They have been most successful during the last three years in graduating students from the program and into homeownership. The classes are marketed by area lenders and Realtors.

2. Affordable Housing

There could be owners and renters who pay more than 30 percent of their income towards rent or mortgage payments. HUD considers a household to be cost-burdened if it pays more than 30 percent of its monthly income for rent or a mortgage payment, thus making it difficult to fulfill other financial obligations such as including food, clothing, transportation and medical care. Utility fees and permits fees on a \$100,000 new home are only 3% of the cost of the house.

There are numerous minor factors that might make it difficult for private developers and builders to construct moderately priced units. However, those do not appear to be an issue in Idaho Falls zoning standards. Lot sizes and density for single-family detached housing are adequate to allow development of affordable housing. New development can be restricted because there is an adequate amount of land zoned for multi-family and other affordable housing within the City limits. Site and land development also can represent areas of cost in the production of housing. The standards for such items as width of streets curb and gutter requirements, sidewalks, landscaping, parking, right-of-way widths, water supply and service requirements are imposed to meet health, safety and environmental standards.

Basic infrastructure must be in place for land to be used for housing. The cost of providing infrastructure can have an impact on the production of affordable housing units. All new annexed areas are eligible for City utilities. All these standards provide for safety livable affordable housing.

The major costs of labor, materials, insurance, bonding and fees make the final determining factor as to affordability. Supply and demand continues to dictate the price of rentals and homeownership.

3. Accessible Housing

The Fair Housing Act, as amended, defines a disability (handicap) as a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment, or being regarded as having such an impairment, but not including illegal use of, or addiction to, a controlled substance. [42 U.S.C. S3602(h)] Although the Rehabilitation Act offers people with disabilities some protection with respect to housing involving federal financial assistance, it was not until the passage of the Fair Housing Amendments Act in 1988 that discrimination in housing on the basis of disability was recognized as a civil rights issue and specifically prohibited.

The Fair Housing Act does not require units of local government to amend their building codes to conform to the Federal Law. However, all federally assisted programs covered under FHA, Section 504, and ADA and, if it is public housing or housing developed with CDBG or HOME funds, are also covered under the Architectural Barriers Act of 1968. The City does not use its CDBG funds to develop new housing.

Both renters and home owners in Idaho Falls are eligible to apply to the Idaho Housing

and Finance Association for HUD grant funding to help make their accommodations accessible, based upon their disability needs and income eligibility. A description of the work to be completed and estimate of costs involved also are part of the application. The maximum grant is \$5,000. Upon certification by the local independent living center that the work has been completed satisfactorily, funds will be issued for payment to the contractors.

The city also provides CDBG funds for accessibility rehab of homes. From the questionnaire, it appears there is insufficient knowledge of the requirements of the various laws. A renewed marketing of the Accessibility Improvements Program could also prove beneficial.

4. Zoning and Land Use Policy

The City's zoning regulations allow for a wide range of development types and address manufactured housing, assisted living, and group homes. Items in the code that allow for affordable and fair housing include the following:

Field Code Ch

- The zoning ordinance allows and had allowed prior to state law manufactured housing on a permanent foundation in any location where site built homes are permitted. This provision includes single-wide manufactured housing.
- In 1992, the minimum lot width for single-family homes in the most prevalent residential zone was reduced to fifty feet to diminish the cost of housing.
- In 1992, road and bridge arterial fees were reduced for single-family developments where higher-density zoning and lesser setbacks were used by developers to lower housing costs.
- Retirement facilities, assisted living facilities, and group homes for more than eight clients are uses by right in three higher density zones. They are not conditional use permits in any zone.
- Under state law, group homes for eight or less elderly, mentally or physically handicapped individuals are considered single-family homes and are use-by-right in residential zones.
- Residential uses on upper floors are a permitted use in the downtown area. Apartment buildings are also permitted in the downtown area.

Zoning and land use policies originate with the Idaho Falls Planning Commission. The Commission is made up of eleven members representing various backgrounds and expertise: engineers, local business owners, architects, public employee, school board members, landlords, and property owners. Each serves for a five-year term. They meet the first Tuesday of the month and at other times deemed necessary. The Commission has jurisdiction to review and approve preliminary plats and some conditional use permits. After review and consideration of annexations, final plats, initial zoning, rezoning, planned unit development, and other conditional use permits, it is their responsibility to make recommendations to the City Council.

The Board of Adjustments, with a membership of nine, handles variances, parking, signs, moving of buildings. They meet as needed.

5. Building Codes

The City has adopted the 2003 International Residential Code and International Building Code. These standards help ensure quality specifications are met in new construction and rehabilitation. The City has been working toward this end for many years. The Building Division is responsible for reviewing plans, and issuing construction permits. Construction inspections occur to insure that the building codes are being met. This ensures all housing is

healthy, safe and environmentally compliant.

6. Demolition and Displacement

In are situations community development activities may involve displacement of individual households and businesses. Typically these situations include revitalization of neighborhoods, property tax increases, and the construction of roads or other public improvements. All actions at the local level must be taken in accordance with acquisition and relocation requirements.

Local governments using federal funds in these situations are required to provide financial assistance to residents and businesses displaced as a result of the entity's acquisition of land for a public purpose.

When federal funds are used, assistance must be provided in accordance with the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" and the "Uniform Relocation Act Amendments of 1987." The City has adopted Anti-Displacement Policies.

C. Private Sector

1. Lending Practices

A research of the available HMDA data proved to be insufficient to identifying any lending bias patterns. Typical loan application reviews consider credit history, debt to income ratio, insufficient cash and employment history. Banks view the application denial procedures confidential. Additional information would have to be made available to determine if barriers exist in lending practices. While the evaluation of the data covered bank-based lending institutions and ranked them, it did not attribute any impediments to fair housing.

2. Sales Practices and Rental Practices

The Greater Idaho Falls Real Estate Association indicated that currently there are approximately 367 Realtors in their Association.

According to Census 2000, Idaho Falls has 19,771 housing units. This is an increase of 2,926 since 1990. Development of housing continued to accelerate until the economic crash of 2008. Statistics from the Census report that 68% of these units are owner occupied, while 32% are occupied by renters. Home ownership is up by 3.5% since 1990.

The City has continued to experience growth in both single- and multi-family units. The chart below represents the number of residential building permits issued by year. During the same period of time, the City has annexed 1,914.4 acres, an average of 212.7 acres per year to accommodate this growth. The City has continued to keep up with the demand of the essential municipal services: water, sewer, electricity, streets, and public transportation.

	RESIDENTIAL BULDING PERMITS									
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Single-family	186	172	179	220	291	309	314	312	1625	69
Multi-family	32	40	86	24	159	207	143	12	671	0

GREATER IDAHO FALLS MULTIPLE LISTING COMPARATIVE

Idaho Falls Metro	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Residential Units Sold	1,627	1,696	1,682	1,232	1,143

The Idaho Governor’s Conference on Housing is held every three years. The next conference is scheduled in 2009.

The yellow pages of the telephone book listed eight property management companies. Each work independently and handle everything from single-family residences to large multi-family complexes. There is no local association for landlords.

The Idaho Housing and Finance Association offer information to landlords through newsletters and their Web site www.ihfa.org/ The information is designed to help with tenant screening, lease agreements, rate structures, the Fair Housing Law, and ADA. Although Rent Sense was originated for Section 8 landlords, the services are available to everyone. Fair housing complaints are referred to either Idaho Legal Aid or the Idaho Human Rights Commission, the toll free number for the Intermountain Fair Housing Council is also provided.

It is important for the Affordable Housing Task Force to continue to be vigilant about any fair housing issues that need attention and improvement. Industry providers will be encouraged to continue self-assessment of their roles and performance to affirm fair housing.

3. Appraisals

If discrimination were to occur in appraisals, subsequent actions could have a profound impact on the desirability of a neighborhood, access to mortgage financing, and the availability of insurance. For this reason, fair housing advocates have continued to focus on the issues raised by the appraisal process.

The Bureau of Occupational Licensing governs the Idaho Real Estate Appraisal Board. They are responsible for the application, testing, and licensing of appraisers. Through ongoing certification requirements, appraisers must attend continuing education programs. In instances where complaints are filed and through subsequent investigation, licenses can be revoked.

Prohibitions against racial discrimination have been codified in the Uniform Standards of Professional Appraisal Practices promulgated by the Appraisal Foundation and its Appraisal Standards Board. Idaho Statute, Title 54 Professions, Vocations, and Businesses and Chapter 41 Idaho Real Estate Appraisers Act, is very clear as to the requirements of appraisers. Numerous professional appraisal associations now state as a matter of policy that racial, religious, and ethnic factors are unreliable predictors of value trends or price variance, and that the notion of racial or ethnic homogeneity as a requirement for maximum value is without empirical support.

4. Insurance Practices

The Idaho Department of Insurance ultimately has the responsibility to equitably, effectively and efficiently administer the Idaho Insurance Code and the Uniform Fire Code. The Department fulfills its mission and duties through three regulatory bureaus: Company Activities, Consumer Services, and State Fire Marshal.

They monitor the financial condition of all insurance entities conducting business in the state of Idaho to assure that each complies with Idaho law and that the financial obligations of the company to its policyholders will be met. They also review insurance policy rates and forms, collect and audit all insurance premium tax and fee returns and collect the arson, fire and fraud assessment used to fund the State Fire Marshal's Office.

The bureaus license and administer the applicable continuing education program for

insurance agents, brokers, insurance counselors, third party administrators, adjusters and managing general agents. They analyze consumer and industry complaints and provide assistance to consumers, the insurance industry and other law enforcement agencies on matters involving insurance contracts and potential violations of the Insurance Code. Information, counseling and assistance are provided to Idaho's senior citizens through a network of more than 300 senior citizen volunteers and a toll free 800 number. A growing number of personal auto and homeowners insurance companies have begun looking at consumer credit information to decide whether to issue or renew policies, or to decide what premiums to charge for those policies. Some insurance companies believe there is a direct statistical relationship between financial stability and losses. They believe that, as a group, consumers who show more financial responsibility, have fewer and less costly losses, therefore should pay less for their insurance. Conversely, they believe that, as a group, consumers who show less financial responsibility have more and costlier losses and, therefore, should pay more for their insurance.

A federal law, the Fair Credit Reporting Act (FCRA), states that insurance companies have a "permissible purpose" to receive general credit information that does not identify your relationship or experience with a particular creditor without your permission. Insurance companies must also comply with state insurance laws when using credit information in the underwriting and rating process.

Insurers that use credit and entities that have developed credit scoring models state that there is no difference in credit scores among different income levels because there are just as many financially responsible low-income consumers as there are financially responsible high-income consumers. In addition, those companies warrant that factors such as income, gender, marital status, religion, nationality, age, and location of property are not used in their credit scoring models. The Office of Consumer Services is being steered in dual directions--educating consumers in the field of insurance while simultaneously continuing their efforts to defend consumer rights against unfair and questionable insurance practices. Statistical information was not available to determine what barriers if any exist in these practices.

5. Transportation

Transportation systems facilitating access to employment, shopping, and services are crucial to the economic and social well-being of all residents.

The Bonneville Metropolitan Planning Organization (BMPO) uses a transportation model to project future traffic volumes. LOS (level of service) is a term used to describe the degree of congestion by assigning categories from A to F to reflect the characteristics of traffic flow. LOS A represents free flow while F represents failure. The goal of local roadways is to maintain a LOS of C.

Public transportation services include the Public Transit Authority, Teton Stage Lines, Eagle Rock Transport, Easy Way Taxi and Delivery and SOS Transportation, Inc.

The bus system operates Monday through Friday from 7:00 a.m. to 6:00 p.m. Monthly passes are available, children ride free, discounted fares are offered to seniors, students and disabled. The community also has initiated vanpool and carpool services primarily to deal with transportation to and from work. These services are helping to accommodate lower-income workers who may not have a vehicle.

The City has developed a Bikeway Plan and has been aggressive in its implementation. The objective of the plan is to connect employment centers, schools and parks, shopping areas, and residential neighborhoods with bikeways. Many of the recommended routes were based on input received at citizen participation events as well as programs sponsored by the BMPO.

Although transportation itself does not appear to be an impediment to housing, it is clearly an important issue in considering housing options, especially for those who cannot drive an automobile such as low- and moderate-income families, the elderly and persons with

disabilities. When some form of affordable transportation (public or private) is not available, then these classes are somewhat limited in their choice of housing and economic opportunities.

D. Impediments

Based on the reviewed Public and Private Sector policies and practices, the following impediments have been identified:

1. There is a general lack of knowledge by potential home renters, buyers, and the general public about the requirements of the Fair Housing Act.
2. There continues to be a need for pre-housing counseling so that renters or buyers understand the costs and responsibilities of buying or renting a home.
3. The percentage of income that can be used for housing rental/purchase payments is very limited among low- and moderate-income families. Down payment, closing, utility hook-up and deposit costs are beyond the reach of many would-be low income renters and homeowners.
4. There is a continuing need for vouchers under the Section 8 Rental Assistance Program.
5. Cost of housing continues to rise—Affordability for low-income families is currently in the \$80,000-\$90,000 range.
6. There is a lack of understanding by developers and landlords about housing accessibility requirements under the Fair Housing Act and which standards apply.

According to Intermountain Fair Housing from January of 2009 to September 2009 their have been 12 complaints that in Idaho Falls have been resolved and found the owners to be in violation. 6 pending cases are also under review. 90% of those complaints against landlords or owners come from the disabled who do not have some type of accommodation provided to them by the property owner. This is a major problem and need to be addressed.

Chapter 6

Fair Housing Action Plan

The following Action Plan identifies six prioritized impediments to fair housing choice in Idaho Falls, and the action goals and objectives for mitigating and/or eliminating them. The impediments were identified in Chapter V, Identification and Analysis of Impediments. The Plan also identifies the schedule by which progress will be achieved and supporting roles in implementing the actions planned. Lastly, the Plan identifies the monitoring and evaluation criteria to be used in assessing progress.

A. Short- and Long-Term Goals

1. Impediment: There is a lack of understanding by potential home renters and buyers, and the general public about the requirements of the Fair Housing Act.

Action Goal: Promote education and outreach to the general public that will increase the level of awareness of the Fair Housing Act

Action Objective(s): Distribute informational pamphlets and other outreach materials to convey an understanding of the Act. The City Web site may also be utilized in marketing efforts. Work with the Greater Idaho Falls Association of Realtors, Idaho Legal Aid Services, Intermountain Fair Housing Council and the Affordable Housing Task Force (Fair Housing Partners) to develop, organize, and co-sponsor training and educational programs for the general public, Realtors, developers, lenders, appraisers, insurers, housing providers and others about the provisions of the Act. Provide technical assistance to help community leaders understand the range of appropriate, effective actions that might be taken to increase awareness.

The HUD funded programs will continue to provide training and technical assistance for the subrecipient requirements of the Federal Fair Housing Act.

Progress Schedule: Discuss and coordinate proposed activities with Fair Housing Partners at least twice a year (fall and spring). Partnership to provide endorsement and financial resources for conferences, seminars, and workshops planned each year. Establish an ongoing relationship with the entities sponsoring events as well as with various publications to assure an ongoing program of fair housing outreach and education.

Monitoring and Evaluation: Annual Action Plan performance review and assessment of progress by the Affordable Housing Task Force. Monitoring site visits by the U. S. Department of Housing an Urban Development. Track complaint data and protected class to see if there are changes to existing trends.

2. Impediment: There is a general lack of pre-housing counseling so that renters or buyers understand the costs and responsibilities of buying or renting a home.

Action Goal: Increase understanding among renters and new home buyers of the procedures, processes, terminology, resources and requirements of obtaining housing.

Action Objective(s): Work with local banks, mortgage companies and consumer credit counseling offices to provide informational materials that would be distributed to libraries, financial institutions, and non-profits. Support the provision of housing counseling services Finally Home! Home Buyer Education through the Greater Idaho Falls Association of Realtors hosted at the Eastern Idaho Technical College.

Progress Schedule: Help to advertise the class schedules each year. Provide information and referral to all subrecipients of these ongoing activities.

Monitoring and Evaluation: Ongoing program monitoring and technical assistance will be conducted.

3. Impediment: Percentage of income that can be used for housing rental/ purchase payments is very limited among low-and moderate-income families. Down payment, closing, utility hook-up and deposit costs are beyond the reach of many would-be homeowners.

Action Goal: Help educate financial institutions and the general public about the state and federal programs designed to help low-and moderate-income borrowers. Continue to support the provision of housing counseling services Finally Home! Home Buyer Education through the Greater Idaho Falls Association of Realtors. Help support Idaho Housing and Finance Association, public housing efforts promote the Family Self-Sufficiency Program. Assist renters and borrowers with information about security deposits, down payments, insurance requirements, budgeting, debt management, etc.

Action Objective(s): Provide educational materials explaining assistance programs and encouraging participation.

Progress Schedule: Discuss proposed activities and coordinate implementation at the Affordable Housing Task Force meetings twice a year (fall and spring).

Monitoring and Evaluation: Annual Action Plan performance review and assessment of progress will be conducted by the Affordable Housing Task Force. Any meetings held in conjunction with the Strategic Plan and performance will be used to discuss actions.

4. Impediment: There is a continuing need for vouchers under the Section 8 Rental Assistance Program.

Action Goal: Increase the number of affordable rental units in the area.

Action Objective(s): Establish a closer working relationship with Idaho Housing and Finance Association's management of the City's public housing units to explore areas of concern. Support applications for Low-income housing tax credits such as for the Parkwood Meadows Apartments.

Progress Schedule: Review each Annual Public Housing Authority Plan for an assessment of identified needs. Meet with IHFA at least twice a year to ascertain areas where the City can provide support for increasing affordable rental units.

Monitoring and Evaluation: Track the number of families being served by Section 8 Vouchers and the numbers still on the waiting list each year. Document the increase in

affordable rental units yearly. Reassess the data to determine what additional activities need to be implemented.

5. Impediment: Cost of housing continues to rise—affordability for low-income families is now in the \$80,000-\$90,000 range.

Action Goal: Increase the affordability of homeownership to low-income families.

Action Objective(s): Offer assistance to Eastern Idaho Special Services, Community Housing Development Organization (CHDO) in projects involving the HOME Program. Build a partnership with Habitat for Humanity as they engage in building and renovating affordable housing. Continue the support of the Affordable Housing Task Force and their activities in making homeownership a reality.

Progress Schedule: Be available on an ongoing basis to support and endorse HOME Program applications submitted by the CHDO. Attend the monthly Affordable Housing Task Force meetings. Meet with the Habitat for Humanity to determine needs how the City might be able to assist.

Monitoring and Evaluation: Track the number of families served by federal, state and non-profit homeownership programs.

6. Impediment: There is a lack of understanding by developers and landlords about housing accessibility requirements under the Americans with Disabilities Act and which standards apply.

Action Goal: Increase understanding of the ADA as it pertains to fair housing opportunities.

Action Objective(s): Work with recipients of federal grant funds to ensure that Section 504/ ADA requirements are implemented.

Provide guidance to the building department in their review of building plans for compliance with all applicable accessibility laws prior to issuing building permits (including the Fair Housing Act's new construction requirements and ADA).

Progress Schedule: Conduct annual training sessions to advise subrecipients and others about the requirements of the Americans with Disabilities Act.

Monitoring and Evaluation: Ongoing monitoring of subrecipient's activities will be conducted.

Fair Housing Resource Agency List

City of Idaho Falls
Community Development
Planning and Building Division
380 Constitution Way
Idaho Falls, ID 83402
208-612-8323

Idaho Housing and Finance Association
390 W. Sunnyside
Idaho Falls, ID 83402
208-522-6002

Idaho Falls Legal Aid Services

482 Constitution Way
Idaho Falls, ID 83402
208-524-3660

Intermountain Fair Housing Council

P. O. Box 1947
Boise, ID 83701
1-800-717-0695

Greater Idaho Falls Assoc. of Realtors

1388 Cambridge Drive
Idaho Falls, ID 83401
208-523-1477

Life, Inc.

2110 S. Rollandet Ave.
Idaho Falls, ID 83402
208-529-8610