

# Analysis of Impediments to Fair Housing Choice

Contra Costa Consortium



May 26, 2010

City of Antioch, City of Concord, City of Pittsburg, City of Richmond,  
City of Walnut Creek, Contra Costa County



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# EXECUTIVE SUMMARY

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As recipients of funds from the U.S. Department of Housing and Urban Development (HUD), the members of the Contra Costa Consortium are required to conduct an Analysis of Impediments to Fair Housing Choice (AI) and to periodically review that analysis and update it as necessary. This AI is being completed in concert with the 2010–2015 Consolidated Plan. The AI will be reassessed and reevaluated with each Consolidated Plan.

Together, the CDBG entitlement communities of Contra Costa County and the Urban County have formed the Contra Costa Consortium to jointly plan for the housing and community development needs of the County. The Consortium develops a single five-year Consolidated Plan and has an established process to request funding and to evaluate requests for funds. The Consortium maximizes the impact of available resources and assures a more efficient distribution of funds. This is most notable in the provision of countywide services and the ability to fund large housing projects (using HOME funds) that would be beyond the capacity of any single member.

This AI is one of several ways in which Consortium members are fulfilling their obligation to affirmatively further fair housing. This document includes an analysis of local factors that may impact fair housing choice, the identification of specific impediments to fair housing choice, and a plan to address those impediments. The Consortium must also assure equal access to services and programs it provides or assists.

Please note that each member jurisdiction prepares its own annual Action Plan as well as its own Consolidated Annual Performance Evaluation Report (CAPER). These Action Plans and CAPERs include a description of the efforts made each year to affirmatively further fair housing. These documents may be consulted for an evaluation of actions taken by individual jurisdictions.

## WHAT IS AN IMPEDIMENT TO FAIR HOUSING CHOICE?

As defined by the U.S. Department of Housing and Urban Development (HUD) Fair Housing Planning Guide (1996), impediments to fair housing choice are:

Any actions, omissions, or decisions taken because of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor which restrict housing choices or the availability of housing choices; or

Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race,

color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor.

To affirmatively further fair housing, a community must work to remove impediments to fair housing choice.

## PURPOSE OF THE ANALYSIS OF IMPEDIMENTS

The purpose of an AI is to review conditions in the jurisdiction that may impact the ability of households to freely choose housing and to be treated without regard to race, ethnicity, religion, gender, national origin, source of income, age, disability, or other protected status. The AI reviews the general state of fair housing, the enforcement of fair housing law, efforts to promote fair housing, access to credit for the purpose of housing, and general constraints to the availability of a full range of housing types.

An AI examines the affordability of housing in the jurisdiction with an emphasis on housing affordable to households with annual incomes classified as low income and less. (Low income is defined as equal to or less than 80 percent of the adjusted Area Median Income as most recently published by the U.S. Department of Housing and Urban Development.)

The document has three major goals:

- **To provide an overview of the Consortium and current conditions as they impact fair housing choice.**
- **To review the policies and practices of the Consortium as they impact fair housing choice and the provision of housing, specifically affordable housing and housing for special needs households.**
- **To identify impediments to fair housing choice and actions the Consortium will take to remove those impediments or to mitigate the impact those impediments have on fair housing choice.**

Fulfilling these goals includes the following:

- **A review of the laws, regulations, and administrative policies, procedures, and practices of the Consortium.**
- **An assessment of how those laws affect the location, availability, and accessibility of housing.**
- **An assessment of conditions, both public and private, affecting fair housing choice.**

## IMPEDIMENTS IDENTIFIED

This analysis has identified the following impediments and actions to address those impediments. Section 6 of this document “Identification of Impediments and Actions to Address” includes a summary of findings.

### IDENTIFICATION OF IMPEDIMENTS AND ACTIONS TO ADDRESS

#### **Affordable Housing**

##### **1. IMPEDIMENT: Lack of sufficient affordable housing supply.**

- 1.1. Action:** Provide assistance to preserve existing affordable housing and to create new affordable housing. Assistance will be provided through the Consolidated Plan programs of the Consortium member jurisdictions. These include CDBG, HOME, and HOPWA.
- 1.2. Action:** Offer regulatory relief and incentives for the development of affordable housing. Such relief includes that offered under state “density bonus” provisions. (See housing element programs.)
- 1.3. Action:** Assure the availability of adequate sites for the development of affordable housing. (See housing element programs.)

##### **2. IMPEDIMENT: Concentration of affordable housing.**

- 2.1. Action:** Housing Authorities within the County (Contra Costa County, Richmond and Pittsburg) will be encouraged to promote wide acceptance of Housing Choice Vouchers, and will monitor the use of Housing Choice Vouchers to avoid geographic concentration.
- 2.2. Action:** Consortium member jurisdictions will collaborate to expand affordable housing opportunities in communities in which they are currently limited.
- 2.3. Action:** A higher priority for the allocation of financial and administrative resources may be given to projects and programs which expand affordable housing opportunities in communities in which they are currently limited.
- 2.4. Action:** Member jurisdictions will report on the location of new affordable housing in relation to the location of existing affordable housing and areas of low-income, poverty and minority concentration.

## **Mortgage Lending**

### **3. IMPEDIMENT: Differential origination rates based on race, ethnicity and location.**

- 3.1. **Action:** Member jurisdictions will periodically monitor Home Mortgage Disclosure Act (HMDA) data and report significant trends in mortgage lending by race, ethnicity and location.
- 3.2. **Action:** When selecting lending institutions for contracts and participation in local programs, member jurisdictions may prefer those with a Community Reinvestment Act (CRA) rating of "Outstanding." Member jurisdictions may exclude those with a rating of "Needs to Improve," or "Substantial Noncompliance" according to the most recent examination period published by the Federal Financial Institutions Examination Council (FFIEC). In addition, member jurisdictions may review an individual institution's most recent HMDA reporting as most recently published by the FFIEC.

### **4. IMPEDIMENT: Lack of knowledge about the requirements of mortgage lenders and the mortgage lending/home purchase process, particularly among lower income and minority households.**

- 4.1. **Action:** Member jurisdictions will support pre-purchase counseling and home buyer education programs.
- 4.2. **Action:** Member jurisdictions will support home purchase programs targeted to lower income (low and very low), immigrant, and minority households. Minority households include Hispanic households.
- 4.3. **Action:** Member jurisdictions will encourage mortgage lenders to responsibly market loan products to lower income (low and very low), immigrant, and minority households. Minority households include Hispanic households.

### **5. IMPEDIMENT: Lower mortgage approval rates in areas of minority concentration and low-income concentration.**

- 5.1. **Action:** Member jurisdictions will support home purchase programs targeted to households who wish to purchase homes in Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.
- 5.2. **Action:** Member jurisdictions will encourage mortgage lenders to responsibly market loan products to households who wish to purchase homes in Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.

## **Fair Housing Education and Enforcement**

### **6. IMPEDIMENT: Lack of knowledge of fair housing rights.**

- 6.1. **Action:** Support efforts to educate tenants, and owners and agents of rental properties regarding their fair housing rights and responsibilities.

### **7. IMPEDIMENT: Discrimination in rental housing.**

- 7.1. **Action:** Support efforts to enforce fair housing rights and to provide redress to persons who have been discriminated against.
- 7.2. **Action:** Support efforts to increase the awareness of discrimination against persons based on sexual orientation.

### **8. IMPEDIMENT: Failure to provide reasonable accommodation to persons with disabilities.**

- 8.1. **Action:** Support efforts to educate tenants, and owners and agents of rental properties regarding the right of persons with disabilities to reasonable accommodation.
- 8.2. **Action:** Support efforts to enforce the right of persons with disabilities to reasonable accommodation and to provide redress to persons with disabilities who have been refused reasonable accommodation.

### **9. IMPEDIMENT: Lack of information on the nature and basis of housing discrimination.**

- 9.1. **Action:** Monitor the incidence of housing discrimination complaints and report trends annually in the CAPER.
- 9.2. **Action:** Improve the consistency in reporting of housing discrimination complaints. All agencies who provide this information should do so in the same format with the same level of detail. Information should be available by the quarter year.
- 9.3. **Action:** Improve collection and reporting information on discrimination based on sexual orientation and failure to provide reasonable accommodation to persons with disabilities.

**Government Barriers**

**10. IMPEDIMENT: Lack of formal policies and procedures regarding reasonable accommodation.**

- 10.1. Action:** Jurisdictions which have not done so will adopt formal policies and procedures for persons with disabilities to request reasonable accommodations to local planning and development standards.

**11. IMPEDIMENT: Transitional and supportive housing is not treated as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zone, and is not explicitly permitted in the zoning code.**

- 11.1. Action:** Jurisdictions which have not done so will amend their zoning codes to treat transitional and supportive housing types as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zone, and to explicitly permit both transitional and supportive housing types in the zoning code.

**12. IMPEDIMENT: Permanent emergency shelter is not permitted by right in at least one appropriate zoning district.**

- 12.1. Action:** Jurisdictions which have not done so will amend their zoning codes to permit transitional and supportive housing by right in at least one residential zoning district.



# INTRODUCTION

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As recipients of funds from the U.S. Department of Housing and Urban Development (HUD), the members of the Contra Costa Consortium are required to conduct an Analysis of Impediments to Fair Housing Choice (AI) and to periodically review that analysis and update it as necessary. This AI is being completed in concert with the 2010–2015 Consolidated Plan. The AI will be reassessed and reevaluated with each Consolidated Plan.

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## GEOGRAPHIC TERMS

Throughout this document the following geographic terms will be used. To assist the reader, below is an explanation of each.

- **Contra Costa County “County” (countywide):** Includes all 19 jurisdictions within the County as well as the unincorporated area of the County (Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pleasant Hill, Pittsburg, Richmond, San Pablo, San Ramon, the unincorporated area of the County, and Walnut Creek).
- **Urban County:** Includes all jurisdictions which are not entitlement jurisdictions (Brentwood, Clayton, Danville, El Cerrito, Hercules, Lafayette, Martinez,

Moraga, Oakley, Orinda, Pinole, Pleasant Hill, San Pablo, San Ramon, and the unincorporated area of the County).

- **Unincorporated County:** Includes unincorporated area of the County (this area is not a part of any municipality).
- **Entitlement Cities:** The CDBG entitlement cities in the County are Antioch, Concord, Pittsburg, Richmond and Walnut Creek.
- **HOME Consortium:** The members of the HOME Consortium are Antioch, Concord, Pittsburg, and Walnut Creek.

## WHAT IS FAIR HOUSING?

Federal law prohibits discrimination in the provision of housing or access to housing based on membership in certain protected classes of persons or personal status. These protections apply to race, color, national origin or ancestry, sex, religion, familial status, and mental and physical handicap (disability).

California state law codifies the federal protections and adds sexual orientation, marital status, use of language, source of income, HIV/AIDS, and medical condition. State law also prohibits discrimination based on any arbitrary status (the Unruh Act).

Equal access to housing is fundamental to each person in meeting essential needs and pursuing personal, education, employment, or other goals. Federal and state fair housing laws prohibit discrimination in the sale, rental, lease, or negotiation for real property based on a person's protected status.

Fair housing is a condition in which individuals of similar income levels in the same housing market have a like range of choice available to them, regardless of personal status.

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- **An assessment of conditions, both public and private, affecting fair housing choice.**

## CONTRA COSTA CONSORTIUM CONSOLIDATED PLAN

This AI has been prepared in coordination with the 2010–2015 Consolidated Plan for the Contra Costa Consortium. The Consolidated Plan outlines the Consortium’s priority housing and community development needs, as well as the objectives and strategies for meeting those needs. The Consolidated Plan is a requirement of recipients of housing and community development funds from HUD.

One of the major focuses of the Consolidated Plan is the provision of affordable housing opportunities for lower-income households and persons with special needs, many of whom may be victims of housing discrimination. As part of the Consolidated Plan, the County and member jurisdictions must certify that they are affirmatively furthering fair housing choice for all residents by:

- Conducting an analysis to identify impediments to fair housing choice;
- Taking appropriate actions to overcome the effects of any impediments identified through the analysis; and
- Maintaining records reflecting the analysis and actions taken.

This Analysis of Impediments to Fair Housing Choice (AI) constitutes the Consortium members’ effort to identify impediments to fair housing and actions to overcome the effects of the identified impediments. Through the annual planning process, Consortium members will incorporate specific actions to be undertaken to remove impediments and to further fair housing choice.

# BACKGROUND

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This section presents a summary of the demographic profile, economic, income distribution, and housing characteristics for the County of Contra Costa.

## POPULATION

**Tables 1 and 2** demonstrate a few notable growth trends in the Bay Area and in Contra Costa County and its cities. The estimated annual percentage growth rate from 2000 to 2010 decreased with respect to the actual annual growth percentage rate from 1990 to 2000 for the County and cities.

From 1990 to 2000, the actual growth percentage rate in the County (18.1 percent), Antioch (46.0 percent), Pittsburg (19.5 percent), and Richmond (14.1 percent) exceeds the percentage growth for the Bay Area (12.6 percent) as a whole.

According to the Association of Bay Area Governments (ABAG), Projections 2007, the population in Contra Costa County is expected to reach 1,061,900 by 2010 and grow to 1,105,600 by 2015. Between 2010 and 2015 the County's population is estimated to grow by 4.3 percent.

**TABLE 1**  
**CURRENT AND PROJECTED POPULATION**

Jurisdiction	1990 <sup>1</sup>	2000 <sup>1</sup>	2010 <sup>2</sup>	2015 <sup>2</sup>	2020 <sup>2</sup>
Bay Area	6,023,577	6,783,760	7,412,500	7,730,000	8,069,700
<i>Urban County</i>					
Brentwood	7,563	23,284	51,300	56,900	67,400
Clayton	7,317	10,792	11,300	11,700	12,000
Danville	31,306	42,127	44,000	44,400	45,000
El Cerrito	22,869	23,179	23,600	23,900	24,500
Hercules	16,829	19,299	23,900	25,200	26,400
Lafayette	23,501	23,463	24,500	24,700	25,300
Martinez	32,038	36,167	37,600	38,600	39,600
Moraga	15,852	16,642	16,700	16,900	17,500
Oakley <sup>3</sup>	18,225	25,465	31,950	34,050	35,850
Orinda	16,642	17,446	18,000	18,200	18,500
Pinole	17,460	19,394	20,100	20,300	20,700
Pleasant Hill	31,585	32,847	33,900	34,400	34,900
San Pablo	25,158	30,121	31,400	31,700	32,100
San Ramon	35,303	44,477	58,200	64,400	70,300
Unincorporated County	151,690	159,650	165,550	173,050	179,050
Urban County Subtotal	377,247	427,978	592,000	618,400	649,100
<i>Entitlement Jurisdictions</i>					
Antioch	62,195	90,814	106,000	111,400	115,000
Concord	111,348	121,710	125,800	129,400	135,400
Pittsburg	47,564	56,820	65,900	67,900	71,000
Richmond	87,425	99,716	104,700	109,800	115,600
Walnut Creek	60,569	64,583	67,500	68,700	70,900
<b>Contra Costa County (countywide) Total</b>	<b>746,348</b>	<b>861,621</b>	<b>1,061,900</b>	<b>1,105,600</b>	<b>1,157,000</b>

Source: 1990 and 2000 U.S. Census, Summary File 3, Table P1; Association of Bay Area Governments, Projections 2007

Note: Due to rounding errors, total percentage of persons under 18 and over 18 for individual jurisdictions may not equal 100.

<sup>1</sup> Data provided by the 1990 and 2000 Census.

<sup>2</sup> Data provided by ABAG.

<sup>3</sup> Oakley was incorporated as a city July 1, 1999; therefore, the data under 1990 is from the Oakley Census Designated Place (CDP).

**TABLE 2**  
**RATE OF CHANGE IN CURRENT AND PROJECTED POPULATION**

Jurisdiction	1990 to 2000		2000 to 2010		2010 to 2015	
	Annual Growth	Total Growth	Annual Growth	Total Growth	Annual Growth	Total Growth
<i>Urban County</i>						
Brentwood	20.8%	207.9%	12.0%	120.2%	3.2%	16.2%
Clayton	4.7%	47.5%	0.5%	5.0%	0.7%	3.5%
Danville	3.5%	34.6%	0.6%	5.5%	0.2%	0.9%
El Cerrito	0.1%	1.4%	0.2%	1.8%	0.3%	1.3%
Hercules	1.5%	14.7%	2.3%	22.7%	1.1%	5.4%
Lafayette	0.0%	-0.2%	0.3%	2.5%	0.1%	0.8%
Martinez	1.3%	12.9%	0.4%	4.8%	0.5%	2.7%
Moraga	0.5%	5.0%	0.3%	2.5%	0.2%	1.2%
Oakley	3.9%	39.5%	2.5%	24.7%	1.3%	6.6%
Orinda	0.5%	4.8%	0.2%	2.3%	0.2%	1.1%
Pinole	1.1%	11.1%	0.6%	5.6%	0.2%	1.0%
Pleasant Hill	0.4%	4.0%	0.3%	3.2%	0.3%	1.5%
San Pablo	2.0%	19.7%	0.4%	3.9%	0.2%	1.0%
San Ramon	2.6%	26.0%	3.0%	30.1%	2.1%	10.7%
Unincorporated County	0.5%	5.2%	0.9%	9.1%	0.9%	4.5%
Urban County Total	1.4%	13.6%	1.5%	14.9%	0.4%	4.46%
<i>Entitlement Jurisdictions</i>						
Antioch	4.6%	46.0%	1.7%	17.1%	0.8%	4.2%
Concord	0.9%	9.3%	0.3%	3.3%	0.6%	2.9%
Pittsburg	1.9%	19.5%	1.6%	16.1%	0.6%	3.0%
Richmond	1.4%	14.1%	0.6%	5.5%	1.0%	4.9%
Walnut Creek	0.7%	6.6%	0.5%	5.0%	0.4%	1.8%
<b>Contra Costa County (countywide) Total</b>	<b>1.8%</b>	<b>18.1%</b>	<b>1.2%</b>	<b>11.9%</b>	<b>0.9%</b>	<b>4.3%</b>

Source: 1990 and 2000 U.S. Census, Summary File 3, Table P1; Association of Bay Area Governments, Projections 2007

## POPULATION BY AGE

**Table 3** shows population by age group. Of the jurisdictions in Contra Costa County, Walnut Creek had the largest share of persons over 65 (25.0 percent), followed by El Cerrito (20.7 percent) and Orinda (18.4 percent). Oakley had the largest percentage of persons under the age of 18 (34.7 percent), followed by Brentwood (33.8 percent) and Antioch (33.7 percent). Contra Costa County had a total of 27.7 percent of persons under 18 and 11.3 percent of persons over 65.

**TABLE 3**  
**POPULATION BY AGE**

Jurisdiction	Percentage of Persons Under 18	Percentage of Persons Over 18	Percentage of Persons Age 19–64	Percentage of Persons Over 65
<i>Urban County</i>				
Brentwood	33.8%	66.1%	56.5%	9.6%
Clayton	26.9%	72.5%	63.4%	9.1%
Danville	29.5%	70.5%	60.2%	10.3%
El Cerrito	16.6%	83.4%	62.7%	20.7%
Hercules	28.7%	71.3%	64.5%	6.8%
Lafayette	26.4%	73.6%	59.6%	14.0%
Martinez	24.0%	76.0%	65.8%	10.2%
Moraga	25.6%	74.4%	59.2%	15.2%
Oakley	34.7%	64.6%	58.8%	5.8%
Orinda	26.4%	73.6%	55.2%	18.4%
Pinole	26.6%	73.5%	59.4%	14.1%
Pleasant Hill	22.6%	77.4%	64.3%	13.1%
San Pablo	33.0%	67.0%	58.1%	8.9%
San Ramon	27.4%	72.6%	66.4%	6.2%
Unincorporated County	27.2%	72.8%	61.9%	10.9%
Urban County Total	27.4%	72.6%	60.1%	11.1%
<i>Entitlement Jurisdictions</i>				
Antioch	33.7%	66.3%	59.0%	7.3%
Concord	26.5%	72.4%	61.6%	10.8%
Pittsburg	31.3%	67.9%	59.7%	8.2%
Richmond	28.7%	71.2%	61.6%	9.6%
Walnut Creek	18.0%	81.6%	56.6%	25.0%
<b>Contra Costa County (countywide) Total</b>	<b>27.7%</b>	<b>72.3%</b>	<b>61.0%</b>	<b>11.3%</b>

Source: 2000 U.S. Census, Summary File 3, Table P8

Note: Due to rounding errors, total percentage of persons under 18 and over 18 for individual jurisdictions may not equal 100.

## RACE/ETHNICITY

Although Contra Costa County is generally diverse, the particular racial and ethnic composition varies by community. Please see **Tables 4 and 5**.<sup>1</sup> Of the nineteen cities in the County, there are eight with a White population of over 80 percent (Clayton, Danville, Lafayette, Martinez,

<sup>1</sup> Race is shown for persons who reported being of that race alone. Persons reporting more than one race are included in “two or more races.” Persons who indicated they were of only one race but did not report a race in one of the five categories shown are included in “some other race.”



Moraga, Orinda, Pleasant Hill, Walnut Creek), and six with a minority population near or greater than 50 percent (El Cerrito, Hercules, Pinole, San Pablo, Pittsburg, and Richmond).

In a similar fashion, four communities have an Hispanic or Latino population over 25 percent (Brentwood, Oakley, San Pablo, Richmond), and six have an Hispanic or Latino population of less than 6 percent (Clayton, Danville, Lafayette, Moraga, Orinda, Walnut Creek).

The communities that are predominantly White tend to be those located in the central portion of the County, in the Interstate Highway 680 corridor. The predominantly minority and Hispanic or Latino communities tend to be in the industrial and agricultural areas of the eastern and western regions of the County.

### **Areas of Minority Concentration**

Data on race and ethnicity were examined at the block group level to determine areas of minority and ethnic concentration (2000 U.S. Decennial Census, Summary File 3). Minority population is defined as the total population less those who responded “White alone” to the U.S. Census. Block group areas where the percentage of total minority population exceeds the group’s countywide total percentage by at least one percentage point are considered to be areas of “minority concentration.” Areas that have a minority population at least 1.5 times the countywide total percentage are considered to be areas of “high minority concentration.” Note that of all the entitlement jurisdictions, Walnut Creek does not have any areas of minority concentration, therefore a map was not included. Please see **Maps 1 through 5 in Appendix 1.** (Please note that although Census tract boundaries are contiguous with County boundaries, block group area boundaries within tracts may not be contiguous with current city boundaries.)

It should be noted that in all areas which show an overall minority concentration, the predominant minority group is Black/African American.

Since the U.S. Census enumerates Hispanic as a distinct ethnic category, this characteristic was examined separately. Block group areas where the percentage of total Hispanic population exceeds the countywide percentage by at least one percentage point are considered to be areas of Hispanic concentration. The average countywide percentage of Hispanic population is 17.6 percent. Areas that have a Hispanic population at least 1.5 times the countywide percentage are considered to be areas of high Hispanic concentration. Note that of all the entitlement jurisdictions, Walnut Creek does not have any areas of Hispanic concentration, therefore a map was not included. Please see **Maps 6 through 10 in Appendix 2.**

**TABLE 4**  
**RACE AS A PERCENTAGE OF TOTAL POPULATION**

Jurisdiction	White	Black or African American	American Indian or Alaskan Native	Asian	Native Hawaiian and Other Pacific Islander	Some other race	Two or more races
<i>Urban County</i>							
Brentwood	74.0%	1.5%	0.5%	3.3%	0.2%	14.0%	6.6%
Clayton	87.7%	1.2%	0.1%	5.5%	0.4%	1.3%	3.8%
Danville	86.3%	1.0%	0.2%	8.5%	0.0%	0.9%	3.0%
El Cerrito	57.0%	8.1%	0.6%	24.3%	0.5%	3.4%	6.2%
Hercules	28.0%	18.8%	0.6%	43.0%	0.2%	5.1%	4.6%
Lafayette	88.0%	0.5%	0.2%	7.0%	0.1%	0.9%	3.3%
Martinez	81.0%	3.3%	0.8%	6.4%	0.1%	3.4%	5.0%
Moraga	80.0%	1.3%	0.4%	13.0%	0.1%	1.6%	4.1%
Oakley	76.0%	3.0%	0.7%	3.0%	0.0%	11.1%	6.6%
Orinda	87.0%	0.3%	0.2%	8.7%	0.2%	0.8%	3.0%
Pinole	55.0%	10.9%	0.5%	21.1%	0.9%	5.8%	6.0%
Pleasant Hill	82.0%	1.1%	0.5%	10.0%	0.3%	1.9%	4.3%
San Pablo	31.0%	18.3%	1.1%	16.3%	0.2%	26.0%	7.0%
San Ramon	76.0%	2.1%	0.4%	15.3%	0.2%	2.2%	3.8%
Unincorporated County	66.1%	9.9%	0.8%	10.9%	0.6%	5.9%	5.7%
Urban County Total	65.3%	9.2%	0.6%	10.9%	0.4%	8.2%	5.5%
<i>Entitlement Jurisdictions</i>							
Antioch	65.2%	9.5%	0.8%	7.3%	0.4%	9.2%	7.5%
Concord	70.7%	3.0%	0.8%	9.4%	0.5%	9.7%	5.9%
Pittsburg	43.5%	18.9%	0.8%	12.7%	0.9%	16.1%	7.2%
Richmond	31.4%	36.1%	0.7%	12.3%	0.5%	13.9%	5.3%
Walnut Creek	83.9%	1.1%	0.3%	9.4%	0.2%	2.0%	3.3%
<b>Contra Costa County (countywide) Total</b>	<b>65.5%</b>	<b>9.4%</b>	<b>0.6%</b>	<b>11.0%</b>	<b>0.4%</b>	<b>8.1%</b>	<b>5.1%</b>

Source: 2000 U.S. Census, Summary File 3, Table P6

Note: Rounding may lead to row totals slightly more or less than 100%.

**TABLE 5**  
**HISPANIC ORIGIN AS A PERCENTAGE OF TOTAL POPULATION**

Jurisdiction	Hispanic or Latino (all races)	Not Hispanic or Latino (all races)
<i>Urban County</i>		
Brentwood	28.9%	71.1%
Clayton	5.7%	94.3%
Danville	4.9%	95.1%
El Cerrito	7.9%	92.1%
Hercules	10.8%	89.2%
Lafayette	4.3%	95.7%
Martinez	10.6%	89.4%
Moraga	4.6%	95.4%
Oakley	24.6%	75.4%
Orinda	3.5%	96.5%
Pinole	14.4%	85.6%
Pleasant Hill	8.2%	91.8%
San Pablo	44.5%	55.5%
San Ramon	7.2%	92.8%
Unincorporated County	20.6%	79.4%
Urban County Total	17.7%	82.3%
<i>Entitlement Jurisdictions</i>		
Antioch	22.0%	78.0%
Concord	21.9%	78.1%
Pittsburg	32.0%	68.0%
Richmond	26.8%	73.2%
Walnut Creek	5.8%	94.2%
<b>Contra Costa County (countywide) Total</b>	<b>17.7%</b>	<b>82.3%</b>

Source: 2000 U.S. Census, Summary File 3, Table P7

## INCOME

In this plan, income will be discussed using the terms as defined in **Table 6** below. These terms correspond to the income limits published annually by HUD. HUD bases these income categories on the Decennial Census with adjustment factors applied using the annual American Community Survey. Income categories take into consideration family size. The income limit for a family of four is shown for illustration.

**TABLE 6**  
**INCOME CATEGORIES**

Term	Percentage AMI <sup>1</sup>	2009 Income Limit, Family of 4 <sup>2</sup>
Extremely low income	30%	\$26,790
Very low income	50%	\$44,650
Low income	80%	\$66,250
Moderate income <sup>3</sup>	120%	\$107,160

1 AMI = area median family income

2 Oakland-Fremont HMFA (HUD Metropolitan FMR Area) including Contra Costa County.

3 HUD does not publish a "moderate income" limit. It is calculated as 2.4 times the published very low-income limit.

**Table 7** provides a summary of income statistics as reported by the 2000 Census for all jurisdictions within Contra Costa County except the unincorporated area of the County. The 2000 Census does not provide information for the unincorporated area but does include data for a Census-designated place (CDP). A CDP comprises a densely settled concentration of population that is not within an incorporated place but is locally identified by a name. Contra Costa County has 22 different CDPs. To get a better idea of the incomes for the unincorporated area, **Table 8** provides data for each CDP in the unincorporated County.

The communities of Contra Costa County have a significant disparity of household income between them. Four cities and three CDPs have annual median household incomes above \$100,000 (Clayton, Danville, Lafayette, Orinda, Alamo, Blackhawk-Camino/Tassajara, and Diablo). None of these communities are CDBG entitlement jurisdictions.

Three cities and eight CDPs have annual median household incomes near or below \$50,000 (San Pablo, Pittsburg, Richmond, Bay Point, Bethel Island, Byron, Crockett, El Sobrante, Pacheco, Rollingwood, and Vine Hill). Two of these communities are CDBG entitlement jurisdictions, eight are un-incorporated CDPs.

Higher income communities in the County tend to be in the central region, lower income communities are more likely to be in the industrial and agricultural communities of the eastern and western regions.

**TABLE 7**  
**INCOME CHARACTERISTICS FOR INCORPORATED JURISDICTIONS**

Jurisdiction	Median Household Income	Per Capita Income
<i>Urban County</i>		
Brentwood	\$69,198	\$24,909
Clayton	\$101,651	\$42,048
Danville	\$114,064	\$50,773
El Cerrito	\$57,253	\$32,593
Hercules	\$75,196	\$27,699
Lafayette	\$102,107	\$54,319
Martinez	\$63,010	\$29,701
Moraga	\$98,080	\$45,437
Oakley	\$65,589	\$21,895
Orinda	\$117,637	\$65,428
Pinole	\$62,256	\$25,170
Pleasant Hill	\$67,489	\$33,076
San Pablo	\$37,184	\$14,303
San Ramon	\$95,856	\$42,336
Unincorporated County	See Table 8	
Urban County Total	n/a	n/a
<i>Entitlement Jurisdictions</i>		
Antioch	\$60,359	\$22,152
Concord	\$55,597	\$24,727
Pittsburg	\$50,557	\$18,241
Richmond	\$44,210	\$19,788
Walnut Creek	\$63,238	\$39,875
<b>Contra Costa County (countywide) Total</b>	<b>\$63,675</b>	<b>\$30,615</b>

Source: 2000 U.S. Census, Summary File 3, Table P53 and P82

**TABLE 8**  
**INCOME CHARACTERISTICS FOR UNINCORPORATED AREAS**

Census Designated Place	Median Household Income	Per Capita Income
Alamo CDP	\$137,105	\$65,705
Bay Point CDP	\$44,951	\$16,743
Bayview-Montalvin CDP	\$50,750	\$16,056
Bethel Island CDP	\$44,569	\$26,739
Blackhawk-Camino Tassajara CDP	\$154,598	\$66,972
Byron CDP	\$35,938	\$21,231
Clyde CDP	\$66,875	\$30,822
Crockett CDP	\$48,574	\$27,469
Diablo CDP	\$197,904	\$95,419
Discovery Bay CDP	\$89,915	\$41,313
East Richmond Heights CDP	\$57,500	\$27,873
El Sobrante CDP	\$48,272	\$24,525
Kensington CDP	\$93,247	\$55,275
Knighten CDP	\$58,929	\$22,191
Mountain View CDP	\$51,986	\$26,071
Pacheco CDP	\$45,851	\$26,064
Port Costa CDP	\$61,429	\$33,563
Rodeo CDP	\$60,522	\$21,432
Rollingwood CDP	\$48,229	\$13,428
Tara Hills CDP	\$56,380	\$22,946
Vine Hill CDP	\$48,125	\$17,985
Walden CDP	\$58,552	\$41,093

Source: 2000 U.S. Census, Summary File 3, Table P53 and P82

### Areas of Low- and Very Low-Income Concentration

Data on income was examined at the block group level to determine areas of low- and very low-income concentration (2009 HUD Low and Moderate Income Summary Data).

Low-income areas are those that have 51 percent or more low-income persons.<sup>2</sup> The exception is the Urban County and entitlement communities within the County which have been designated by HUD as “exception grantees.” In those communities, the HUD exception

<sup>2</sup> Using the LOWMODPCT variable which is defined as “the percentage of persons who are of low/moderate income; calculated by LOWMOD/LOWMODUNIV times 100.”

threshold was used to determine low-income areas.<sup>3</sup> Please see **Maps 11** through **16** in **Appendix 3**. Very low-income areas are those that have 51 percent or more very low-income persons or a percentage of very low-income persons that exceeds the applicable exception threshold.<sup>4</sup> Please see **Maps 17** through **18** in **Appendix 3**.

## POVERTY

In addition to reporting income, the 2000 Census reports the number of persons and families that have incomes that fall below the federal poverty level.<sup>5</sup> The poverty level is adjusted for family size and composition making it a more relative measure than household income. Persons and families that are below the poverty level are in general very poor. Please see **Table 9** for data on persons and families who fall below the poverty line. The table also shows children who are below the poverty line.

The cities of San Pablo and Richmond, as well as the unincorporated areas of the County, are notable for the level of poverty as is the un-incorporated area of the County. The un-incorporated area of the County also has a notably high level of children in poverty.

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<sup>3</sup> Defined by HUD as an area “within the highest quartile of all areas within the jurisdiction . . . in terms of the degree of concentration of persons of low and moderate income.” This threshold is 42.60% for the Urban County; 47.9% for Concord; 32.5% for Walnut Creek.

<sup>4</sup> Calculated as “PVLOW/LOWMODUNIV times 100.” PVLOW = “The total number of persons below the very low-income threshold. LOMODUNIV = “Persons with the potential for being deemed Low Mod.”

<sup>5</sup> The “poverty level” is a measure of poverty used by the U.S. Census Bureau based on a set of money income thresholds that vary by family size and composition. If the total income for a family or unrelated individual falls below the applicable poverty threshold, that family or person is classified as being below the “poverty level.”

**TABLE 9**  
**SHARE OF POPULATION BELOW POVERTY**

Jurisdiction	Persons	Persons Under 18 Years of Age	Families
<i>Urban County</i>			
Brentwood	5.8%	2.5%	5.1%
Clayton	2.6%	1.0%	1.9%
Danville	2.2%	0.5%	1.2%
El Cerrito	6.7%	1.3%	3.8%
Hercules	3.2%	1.0%	2.4%
Lafayette	2.9%	0.6%	2.0%
Martinez	5.2%	1.0%	3.0%
Moraga	2.9%	0.9%	2.0%
Oakley	5.0%	1.8%	3.7%
Orinda	1.9%	0.3%	1.1%
Pinole	5.0%	1.4%	3.3%
Pleasant Hill	5.0%	0.8%	2.3%
San Pablo	18.1%	7.5%	15.5%
San Ramon	2.0%	0.4%	1.4%
Unincorporated County	47.8%	16.8%	36.7%
Urban County Total	17.6%	6.0%	13.3%
<i>Entitlement Jurisdictions</i>			
Antioch	8.5%	3.8%	7.2%
Concord	7.6%	2.4%	5.6%
Pittsburg	11.5%	4.3%	9.6%
Richmond	16.2%	6.4%	13.5%
Walnut Creek	3.7%	0.6%	1.6%
<b>Contra Costa County (countywide) Total</b>	<b>7.6%</b>	<b>10.3%</b>	<b>5.8%</b>

Source: 2000 U.S. Census, Summary File 3 (persons and families for whom poverty status is determined), Table P87 and P89



## EDUCATION

Education level plays a critical role in determining the income level of a household. **Table 10** provides a summary of educational attainment for persons aged 25 years and older for the share of the population in the state and in each jurisdiction. Both Clayton and Orinda had zero persons who reported no schooling, with Moraga and Danville following close behind (0.1 percent). San Pablo (6.6 percent) and Richmond (3.4 percent) had the greatest number of persons who reported no schooling. For the share of persons having a college degree, only 6 of the 19 jurisdictions in Contra Costa County were below the state percentage (33.7 percent).

**TABLE 10**  
**EDUCATIONAL ATTAINMENT FOR PERSONS AGED 25 YEARS AND OLDER**

Jurisdiction	% No Schooling	% Some Schooling (nursery–11 <sup>th</sup> grade)	% High School (without diploma)	% High School Graduate and Equivalent	% Some College (no degree)	% College Degree
State of California	3.2%	15.3%	4.7%	20.1%	22.9%	33.7%
<i>Urban County</i>						
Brentwood	1.9%	11.4%	3.9%	25.4%	28.7%	28.8%
Clayton	0.0%	1.3%	1.2%	15.1%	22.9%	59.5%
Danville	0.1%	2.1%	1.3%	11.2%	19.0%	66.4%
El Cerrito	1.0%	4.5%	1.9%	13.0%	17.6%	62.0%
Hercules	1.4%	4.8%	3.2%	16.8%	27.2%	46.5%
Lafayette	0.2%	1.2%	0.9%	8.7%	15.8%	73.1%
Martinez	0.4%	5.3%	3.3%	20.3%	28.8%	42.0%
Moraga	0.1%	1.7%	1.2%	8.3%	16.3%	72.4%
Oakley	0.8%	10.3%	4.1%	30.4%	32.4%	22.0%
Orinda	0.0%	1.0%	1.2%	5.5%	12.7%	79.6%
Pinole	1.1%	7.7%	3.0%	24.1%	28.1%	36.1%
Pleasant Hill	0.4%	4.4%	2.1%	17.5%	24.1%	51.5%
San Pablo	6.6%	24.2%	6.8%	26.1%	21.2%	15.1%
San Ramon	0.3%	1.7%	1.5%	11.8%	23.8%	60.9%
Unincorporated County	1.5%	8.8%	3.5%	20.4%	24.7%	41.1%
Urban County Total	1.3%	7.9%	3.2%	19.3%	24.2%	44.2%
<i>Entitlement Jurisdictions</i>						
Antioch	1.1%	9.2%	4.1%	28.6%	29.9%	27.1%
Concord	1.7%	10.0%	3.6%	23.2%	26.9%	34.6%
Pittsburg	2.6%	16.2%	5.5%	25.9%	27.8%	22.1%
Richmond	3.4%	15.4%	5.8%	21.8%	24.4%	29.2%
Walnut Creek	0.3%	3.3%	1.4%	12.6%	21.1%	61.3%
<b>Contra Costa County (countywide) Total</b>	<b>1.4%</b>	<b>8.4%</b>	<b>3.4%</b>	<b>19.8%</b>	<b>24.4%</b>	<b>42.7%</b>

Source: 2000 U.S. Census, Summary File 3, Table P37

Note: Due to rounding, the total percentage for each jurisdiction may not equal 100.

## EMPLOYMENT

**Table 11** provides a summary of the civilian labor force, employment (the number employed), unemployment (the number unemployed), and the unemployment rate for 2007 and 2008–2009 for all jurisdictions in Contra Costa County. The 2007 data is the annual average, and the 2008–2009 data was collected from March 2008 through December 2009. When comparing the 2007 data to the 2008–2009 data for Contra Costa County as a whole, due to the current economic condition the unemployment rate has increased dramatically from 4.7 percent in 2007 to 11 percent in 2008–2009. This increased unemployment rate is the trend for all jurisdictions in the County, with every jurisdiction seeing an increase in unemployment.

The jurisdictions that had the greatest increase in unemployment rates for 2008–2009 were San Pablo (11.7 percent increase) and Richmond and Moraga (each with an approximate 10 percent increase). The Department of Finance does not provide a breakdown of occupation for individual jurisdictions; therefore the 2000 U.S. Census was used. As shown in **Table 12**, management, professional, and related occupations represent the largest share of occupations for the Urban County and entitlement jurisdictions, followed by sales and office occupations. Persons employed in farming, fishing, and forestry represent the smallest share of the workforce.

**TABLE 11**  
**EMPLOYMENT STATISTICS**

Jurisdiction	2008–2009				2007			
	Labor Force	Employment	Unemployed Number	Unemployed Percentage	Labor Force	Employment	Unemployed Number	Unemployed Percentage
<i>Urban County</i>								
Brentwood	10,900	9,900	1,100	9.8%	10,900	10,400	400	4.1%
Clayton	6,200	6,000	100	2.3%	6,400	6,400	100	0.9%
Danville	23,100	21,700	1,300	5.8%	23,500	23,000	600	2.4%
El Cerrito	14,000	12,600	1,400	9.8%	13,900	13,300	600	4.1%
Hercules	11,300	10,400	800	7.4%	11,400	11,000	400	3.1%
Lafayette	12,600	12,100	500	4.0%	12,900	12,700	200	1.6%
Martinez	21,900	20,000	1,900	8.8%	21,900	21,100	800	3.7%
Moraga	9,400	7,800	1,600	16.5%	8,900	8,300	700	7.3%
Oakley	13,700	12,600	1,100	8.0%	13,800	13,300	500	3.3%
Orinda	8,600	8,300	300	3.9%	8,900	8,700	100	1.6%
Pinole	10,500	9,800	700	7.1%	10,600	10,300	300	3.0%
Pleasant Hill	20,300	18,500	1,800	9.0%	20,300	19,600	800	3.8%
San Pablo	14,400	11,300	3,100	21.5%	13,200	11,900	1,300	9.8%
San Ramon	28,100	26,800	1,300	4.6%	28,900	28,300	500	1.9%
<i>Entitlement Jurisdictions</i>								
Antioch	49,500	43,400	6,200	12.4%	48,400	45,800	2,600	5.3%
Concord	70,500	62,100	8,400	11.9%	69,100	65,600	3,500	5.1%
Pittsburg	31,000	25,700	5,300	17.2%	29,300	27,100	2,200	7.6%
Richmond	54,000	44,500	9,500	17.6%	51,000	47,000	4,000	7.8%
Walnut Creek	34,200	31,600	2,600	7.5%	34,500	33,400	1,100	3.1%
<b>Contra Costa County (countywide) Total</b>	<b>527,100</b>	<b>469,100</b>	<b>58,000</b>	<b>11.0%</b>	<b>519,700</b>	<b>495,400</b>	<b>24,300</b>	<b>4.7%</b>

Source: Economic Development Department, Labor Force and Unemployment Data, 2007 and 2008–2009.

Note: The data is not seasonally adjusted; therefore the employment and unemployment numbers may not be the total labor force.

**TABLE 12**  
**OCCUPATION AS A PERCENTAGE OF THE WORKFORCE**

Jurisdiction	Management, professional, and related	Service	Sales and office	Farming, fishing, and forestry	Construction, extraction, and maintenance	Production, transportation, and material moving
<i>Urban County</i>						
Brentwood	35.9%	15.0%	25.6%	1.2%	14.1%	8.1%
Clayton	54.5%	9.3%	27.0%	0.0%	4.6%	4.6%
Danville	58.1%	5.7%	28.5%	0.1%	4.0%	3.6%
El Cerrito	58.2%	8.6%	24.2%	0.1%	4.0%	4.9%
Hercules	39.6%	9.6%	35.1%	0.0%	6.0%	9.7%
Lafayette	64.3%	7.8%	20.1%	0.1%	4.2%	3.6%
Martinez	41.3%	10.1%	31.0%	0.1%	10.6%	7.0%
Moraga	61.2%	7.8%	24.7%	0.1%	2.3%	3.9%
Oakley	25.2%	15.9%	29.9%	0.4%	15.7%	12.9%
Orinda	66.4%	6.3%	22.2%	0.3%	2.0%	2.8%
Pinole	34.3%	16.1%	29.6%	0.0%	9.7%	10.2%
Pleasant Hill	48.9%	10.7%	26.9%	0.1%	8.2%	5.2%
San Pablo	20.2%	23.4%	25.8%	0.7%	13.8%	16.2%
San Ramon	54.8%	6.0%	30.6%	0.0%	4.5%	4.0%
Unincorporated County	41.2%	13.5%	26.9%	0.5%	9.3%	8.7%
Urban County Total	47.8%	10.3%	27.8%	0.2%	7.4%	6.6%
<i>Entitlement Jurisdictions</i>						
Antioch	29.1%	15.1%	31.2%	0.2%	13.2%	11.3%
Concord	34.0%	17.8%	27.9%	0.1%	10.9%	9.3%
Pittsburg	24.0%	19.1%	29.8%	0.1%	13.2%	13.7%
Richmond	32.9%	18.1%	26.4%	0.2%	9.0%	13.3%
Walnut Creek	55.5%	9.0%	27.6%	0.1%	4.1%	3.6%
<b>Contra Costa County (countywide) Total</b>	<b>41.0%</b>	<b>13.4%</b>	<b>28.0%</b>	<b>0.2%</b>	<b>8.9%</b>	<b>8.5%</b>

Source: 2000 U.S. Census, Summary File 3, Table P50

Note: Due to rounding errors, total employment shares for each jurisdiction may not total 100.

## HOUSEHOLDS

The type, size, and composition of a household can affect the type of housing and services that are needed. The following section provides an analysis of the household profiles for all jurisdictions in Contra Costa County, as well as in the unincorporated County.

**Table 13** presents household size, percentage of persons living alone, and percentage of persons over age 65. San Pablo had the largest average household size (3.25 persons) of all the jurisdictions, with the second largest household size (3.23 persons) reported in Oakley. Based on the 2000 U.S. Census, Walnut Creek had the largest share of persons living alone (38.4 percent) and householders over the age of 65 (35.8 percent).

**TABLE 13**  
**HOUSEHOLD COMPOSITION, 2009**

Jurisdiction	Average Household Size (persons) <sup>1</sup>	% of Single Persons Living Alone <sup>2</sup>	% Headed by Person 65 and Older <sup>2</sup>
<i>Urban County</i>			
Brentwood	3.04	14.5%	18.2%
Clayton	2.73	14.5%	15.9%
Danville	2.75	15.7%	16.7%
El Cerrito	2.23	30.9%	30.8%
Hercules	2.99	17.8%	8.6%
Lafayette	2.57	18.9%	21.6%
Martinez	2.39	27.3%	16.0%
Moraga	2.56	19.9%	26.2%
Oakley	3.23	12.9%	11.5%
Orinda	2.63	16.4%	30.4%
Pinole	2.76	20.0%	23.2%
Pleasant Hill	2.33	28.9%	20.1%
San Pablo	3.25	22.4%	16.3%
San Ramon	2.60	21.1%	9.8%
Unincorporated County	2.69	21.7%	18.9%
Urban County Total	--	21.3%	18.5%
<i>Entitlement Jurisdictions</i>			
Antioch	3.04	15.8%	13.3%
Concord	2.71	23.2%	17.8%
Pittsburg	3.13	18.3%	15.2%
Richmond	2.79	25.9%	17.7%
Walnut Creek	2.07	38.4%	35.8%
<b>Contra Costa County (countywide) Total</b>	<b>2.75</b>	<b>22.9%</b>	<b>19.3%</b>

Source: <sup>1</sup> 2000 U.S. Census, Summary File 3, P10 and H1; <sup>2</sup> Department of Finance 2009, E-5 Report

**Table 14** presents the number of family households and the share of family households that are married, single parents, and have children under 18 years of age for all jurisdictions in Contra Costa County.

Of the 344,129 households in the County, 243,971 (70.9 percent) were family households.<sup>6</sup> Of the family households, 123,948 (50.8 percent) had children under 18. When looking closer at the jurisdictions in the County: Oakley (63.4 percent), San Pablo (61.1 percent), and Antioch (59.8 percent) had the largest share of families with children under 18; Orinda (91.5 percent), Clayton (90.5 percent), and Lafayette (90.1 percent) had the largest share of married couples; and San Pablo (21.7 percent) and Richmond (18.9 percent) had the largest share of single parents. These percentages exceed that of the County for each category: families with children under 18, married couples, and single parents.

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<sup>6</sup> Comprising related individuals.

**TABLE 14**  
**FAMILY HOUSEHOLD COMPOSITION**

Jurisdiction	Family Households	% Married	% With Children Under 18	% Single Parent
<i>Urban County</i>				
Brentwood	6,231	87.0%	58.7%	9.3%
Clayton	3,212	90.5%	48.1%	5.4%
Danville	12,054	89.0%	52.1%	6.1%
El Cerrito	6,047	78.5%	34.5%	7.7%
Hercules	4,993	78.9%	55.2%	11.4%
Lafayette	6,805	90.1%	49.1%	6.3%
Martinez	9,279	78.6%	48.0%	11.6%
Moraga	4,361	88.6%	47.1%	5.7%
Oakley	6,483	86.4%	63.4%	8.8%
Orinda	5,231	91.5%	46.1%	4.2%
Pinole	5,148	77.3%	46.3%	9.6%
Pleasant Hill	8,435	80.6%	46.9%	10.3%
San Pablo	6,672	63.1%	61.1%	21.7%
San Ramon	12,077	86.1%	53.3%	8.4%
Unincorporated County	39,370	79.1%	--	11.1%
Urban County Total	136,398	82.1%	42.1%	9.7%
<i>Entitlement Jurisdictions</i>				
Antioch	23,307	77.5%	59.8%	14.8%
Concord	30,637	75.6%	51.4%	12.8%
Pittsburg	13,509	72.9%	55.1%	14.7%
Richmond	23,403	63.4%	51.0%	18.9%
Walnut Creek	16,717	85.0%	39.1%	7.4%
<b>Contra Costa County (countywide) Total</b>	<b>243,971</b>	<b>78.7%</b>	<b>50.8%</b>	<b>11.6%</b>

Source: 2000 U.S. Census, Summary File 3, P10



## SPECIAL NEEDS POPULATIONS – NON-HOMELESS

Certain groups may have more difficulty finding housing and may require specialized services or assistance. Owing to their special circumstances, they are more likely to have extremely low, very low, low, or moderate incomes. These groups include the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addiction, victims of domestic violence, large households, and single parent-headed (female and male) households.

### **Elderly and Frail Elderly**

The three jurisdictions with the largest share of senior households were Walnut Creek (36.1 percent), Orinda (31.9 percent), and El Cerrito (31.4 percent). Please see **Table 15**.

Of all jurisdictions in the County, both San Pablo (52.6 percent) and Pittsburg (50.7 percent) had over half of their senior population reporting a disability, compared to the total County with 39.6 percent of the senior population reporting a disability.

Seniors are among several groups especially adversely impacted by the increase in evictions in 2008 and 2009 that resulted from property owners being foreclosed upon. There is little legal recourse for tenants who are evicted during foreclosure. Seniors are more likely to be on fixed incomes and fall into a low-income category, making it more difficult to find new housing that they can afford.<sup>7</sup>

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<sup>7</sup> Bay Area Legal Aid, Contra Costa County, September 17, 2009; Contra Costa Senior Legal Services, September 18, 2009; Loaves and Fishes of Contra Costa County, September 17, 2009.

**TABLE 15**  
**SENIOR HOUSEHOLDS**

Jurisdiction	% Senior Population	% Senior Households	% Renter Households	% Owner Households	% With a Disability*
<i>Urban County</i>					
Brentwood	9.6%	19.4%	9.2%	90.8%	34.9%
Clayton	9.1%	16.2 %	1.6%	98.4%	34.1%
Danville	10.3%	17.6%	11.5%	88.5%	37.8%
El Cerrito	20.7%	31.4%	16.5%	83.5%	38.0%
Hercules	6.8%	8.8%	18.0%	82.0%	39.3%
Lafayette	14.0%	21.5%	11.8%	88.2%	25.4%
Martinez	10.2%	16.3%	23.9%	76.1%	42.0%
Moraga	15.2%	27.8%	8.2%	91.8%	28.4%
Oakley	5.8%	12.0%	18.8%	81.2%	45.8%
Orinda	18.4%	31.9%	8.7%	91.3%	22.3%
Pinole	14.1%	22.6%	20.7%	79.3%	44.1%
Pleasant Hill	13.1%	20.3%	31.3%	68.7%	42.7%
San Pablo	8.9%	16.8%	36.3%	63.7%	52.6%
San Ramon	6.2%	9.3%	22.0%	78.0%	35.0%
Unincorporated County	10.9%	19.1%	16.8%	83.2%	37.5%
Urban County Total	11.1%	21.2%	19.5%	80.5%	37.2%
<i>Entitlement Jurisdictions</i>					
Antioch	7.3%	13.8%	26.0%	74.0%	44.0%
Concord	10.8%	17.6%	21.5%	78.5%	41.9%
Pittsburg	8.3%	15.9%	25.5%	74.5%	50.7%
Richmond	9.6%	18.0%	22.6%	77.4%	47.2%
Walnut Creek	25.0%	36.1%	15.1%	84.9%	37.0%
<b>Contra Costa County (countywide) Total</b>	<b>11.3%</b>	<b>19.5%</b>	<b>18.9%</b>	<b>81.1%</b>	<b>39.6%</b>

Source: 2000 U.S. Census, Summary File 3, Table P8, P11, P41 and H14

## **Persons with Disabilities**

**Table 16** presents data from the 2000 Census for persons with disabilities in the state, in the Urban County (all non-entitlement jurisdictions), and in the entitlement jurisdictions. Of the jurisdictions in Contra Costa County, San Pablo (25.5 percent) had the greatest share of the persons with a disability for all persons over 5 years of age, followed by Richmond (21.6 percent). Moraga (9.7 percent) had the smallest share of persons with a disability, followed by Lafayette (9.8 percent).

Of the disabled persons in the County, 24.1 percent reported an employment disability and 23.5 percent reported a physical disability. These percentages were consistent with the state and most jurisdictions in the County.

Disabled persons are among several groups especially adversely impacted by the increase in evictions during 2008 and 2009 that resulted from property owners being foreclosed upon. There is little legal recourse for tenants who are evicted as a result of foreclosure. Disabled persons find it more difficult to find housing that can accommodate their needs than nondisabled persons and are more likely to fall into a low-income category, making it more difficult to find new housing that meets their needs and that they can afford.<sup>8</sup>

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<sup>8</sup> Bay Area Legal Aid, Contra Costa County, September 18, 2009; Contra Costa Senior Legal Services, September 18, 2009; Loaves and Fishes of Contra Costa County, September 18, 2009.

**TABLE 16**  
**DISABILITY STATUS AND TYPES**

Jurisdiction	Number of Disabled Persons	% of Persons Disabled	% of Disabled Population – Sensory*	% of Disabled Population – Physical*	% of Disabled Population – Mental*	% of Disabled Population – Self-care*	% of Disabled Population –Go-outside-home*	% of Disabled Population – Employment Disability*
State of California	5,923,361	19.2%	9.3%	21.0%	13.3%	7.2%	23.0%	26.2%
<i>Urban County</i>								
Brentwood	3,232	15.4%	9.5%	24.6%	13.6%	6.5%	21.1%	24.6%
Clayton	1,128	11.2%	10.7%	21.4%	13.0%	4.7%	23.8%	26.5%
Danville	4,330	11.1%	10.7%	22.6%	16.5%	8.7%	19.5%	22.1%
El Cerrito	3,746	16.9%	12.3%	25.0%	14.7%	9.8%	21.7%	16.4%
Hercules	2,595	14.3%	9.0%	20.5%	11.9%	6.7%	20.4%	31.5%
Lafayette	2,167	9.8%	15.0%	25.2%	16.0%	6.3%	15.8%	21.7%
Martinez	5,322	16.2%	10.1%	28.1%	15.8%	6.6%	16.1%	23.2%
Moraga	1,540	9.7%	12.3%	26.9%	14.5%	7.7%	21.1%	17.5%
Oakley	3,604	15.4%	8.5%	25.7%	16.2%	7.8%	18.4%	23.4%
Orinda	1,881	11.4%	11.9%	23.4%	15.1%	7.3%	21.1%	21.2%
Pinole	3,255	17.7%	11.7%	26.6%	14.7%	8.1%	21.5%	17.4%
Pleasant Hill	4,486	14.7%	11.5%	25.2%	13.7%	7.5%	20.0%	22.1%
San Pablo	6,915	25.5%	8.5%	17.6%	12.3%	7.0%	26.2%	28.4%
San Ramon	4,135	10.0%	9.9%	23.0%	13.0%	7.2%	20.3%	26.6%
Unincorporated County	23,268	16.6%	10.2%	23.1%	14.2%	7.4%	21.0%	24.1%
Urban County Total	71,604	15.0%	10.4%	23.5%	14.3%	7.4%	20.8%	23.6%
<i>Entitlement Jurisdictions</i>								
Antioch	13,488	16.3%	9.2%	24.6%	15.7%	6.8%	18.7%	25.0%
Concord	21,184	18.9%	9.6%	23.2%	13.1%	7.2%	20.5%	26.4%
Pittsburg	10,981	21.1%	7.5%	21.3%	12.5%	8.1%	22.6%	28.0%
Richmond	19,666	21.6%	8.8%	22.0%	14.0%	7.9%	21.9%	25.4%
Walnut Creek	10,649	17.4%	14.6%	27.3%	15.2%	8.5%	19.9%	14.5%
<b>Contra Costa County (countywide) Total</b>	<b>147,572</b>	<b>16.8%</b>	<b>10.0%</b>	<b>23.5%</b>	<b>14.1%</b>	<b>7.5%</b>	<b>20.8%</b>	<b>24.1%</b>

Source: 2000 U.S. Census, Summary File 3, Table P41 and P42

\*People may have reported more than one disability, resulting in numbers over 100 percent in this column.

## **Large Households**

Large family households are defined as households of five or more persons who are related. Large family households are considered a special needs group because there is a limited supply of adequately sized housing to accommodate their needs.

**Table 17** provides data for large households for all jurisdictions in Contra Costa County. The jurisdictions with the greatest share of large households (households with five or more persons) were San Pablo (24.7 percent), Pittsburg (19.9 percent), and Oakley (19.2 percent). Walnut Creek had the smallest share of large households (4.4 percent). As shown in **Table 17**, of all the housing units countywide with three or more bedrooms, 77.3 percent were owner-occupied housing units and 24.4 percent were renter-occupied housing units.

The supply of housing units with three or more bedrooms available for ownership and rental is in excess of the number of large owner and rental households (please see table below). This suggests that there is not a numerical shortage of available housing units to meet the needs of large households. However, lower-income large households may be priced out of the larger housing units.

Some service providers noted that there has been growth in large households as households have been adversely financially impacted by job loss and reduction in work hours. Increasingly, multigenerational family members are living together as large households to reduce housing costs.<sup>9</sup>

Large households are also among several groups impacted by the increase in evictions during 2008 and 2009 that resulted from property owners being foreclosed upon. There is little legal recourse for tenants who are evicted as a result of foreclosure. Large households find it more difficult to find housing that can accommodate their household size and are more likely to fall into a low-income category, making it more difficult to find new housing that meets their needs and that they can afford.<sup>10</sup>

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<sup>9</sup> SHELTER, Inc., September 17, 2009.

<sup>10</sup> Bay Area Legal Aid, Contra Costa County, September 17 and 18, 2009; Contra Costa Senior Legal Services, September 17 and 18, 2009; Loaves and Fishes of Contra Costa County, September 17 and 18, 2009.

**TABLE 17**  
**LARGE HOUSEHOLDS**

Jurisdiction	Large Households	% Large Households	% of Total Owner-Occupied Households	% of Total Renter-Occupied Households	% of Total Owner Housing Units w/3+ Bedrooms	% of Total Renter Housing Units w/3+ Bedrooms
<i>Urban County</i>						
Brentwood	1,368	17.1%	13.4%	3.7%	72.6%	34.0%
Clayton	403	9.7%	9.3%	0.4%	90.2%	72.4%
Danville	1,567	10.3%	9.3%	1.0%	91.1%	48.4%
El Cerrito	553	5.5%	4.2%	1.3%	69.1%	16.4%
Hercules	1,117	16.9%	14.0%	2.8%	70.5%	44.0%
Lafayette	729	7.9%	7.3%	0.6%	91.4%	22.4%
Martinez	1,123	7.1%	5.6%	1.5%	81.1%	21.6%
Moraga	465	8.5%	7.7%	0.8%	85.3%	33.5%
Oakley	1,552	19.2%	15.6%	3.6%	87.0%	51.5%
Orinda	522	8.4%	7.4%	1.0%	91.0%	43.0%
Pinole	868	12.2%	8.9%	3.3%	85.7%	28.2%
Pleasant Hill	851	6.3%	4.9%	1.4%	82.5%	21.3%
San Pablo	2,259	24.7%	12.4%	12.3%	42.4%	13.6%
San Ramon	1,480	8.6%	7.0%	1.7%	87.6%	22.8%
Unincorporated County	6,725	12.3%	8.7%	3.5%	75.4%	26.7%
Urban County Total	43,359	11.3%	8.5%	2.8%	80.3%	25.5%
<i>Entitlement Jurisdictions</i>						
Antioch	5,173	17.6%	13.0%	4.6%	88.0%	30.8%
Concord	5,580	12.7%	6.8%	5.9%	78.0%	26.4%
Pittsburg	3,533	19.9%	12.5%	7.4%	79.7%	27.7%
Richmond	5,488	15.8%	7.8%	8.0%	60.9%	19.8%
Walnut Creek	1,330	4.4%	3.3%	1.1%	58.3%	15.5%
<b>Contra Costa County (countywide) Total</b>	<b>42,355</b>	<b>12.3%</b>	<b>8.4%</b>	<b>3.9%</b>	<b>77.3%</b>	<b>24.4%</b>

Source: 2000 U.S. Census, Summary File 3, Table H16 and H42

\* Numbers in this table do not include persons in group quarters.

## Single-Parent Households

Nearly three-quarters of single-parent households in the state are headed by a female. As shown in **Table 18**, the share of female-headed households is much larger than the share of male-headed single-parent households for all jurisdictions in the County.

The share of female-headed households at or below the poverty level is also much greater than male-headed households at or below the poverty level.<sup>11</sup> The share of single-parent households at or below the poverty level in the state (29.0 percent) is much higher than in the jurisdictions in the Urban County and the entitlement jurisdictions.

**TABLE 18**  
**SINGLE-PARENT HOUSEHOLDS**

Jurisdiction	Total	Percentage in Poverty	Female-headed	% Female-headed in Poverty	Male-headed	% Male-headed in Poverty
Antioch	5,250	17.7%	3,712	20.9%	1,538	9.9%
Concord	7,476	11.4%	5,305	13.9%	2,171	5.3%
Pittsburg	3,656	18.6%	2,626	21.3%	1,030	11.7%
Richmond	8,575	23.0%	6,674	24.8%	1,901	16.6%
Walnut Creek	2,508	6.8%	1,942	7.7%	566	2.9%
Urban County	51,891	14.8%	37,740	16.8%	14,151	9.5%
<b>Contra Costa County (countywide) Total</b>	<b>43,682</b>	<b>14.5%</b>	<b>32,054</b>	<b>16.6%</b>	<b>11,628</b>	<b>8.8%</b>

Source: 2000 U.S. Census, Summary File 3, Table P12, P89

## HOUSING CHARACTERISTICS

Like most other jurisdictions throughout the state, the most significant trend in the Contra Costa County housing market has been the decrease in single-family home sales prices and the corresponding decrease in the value of single-family housing. Combined with an environment of historically low interest rates, this has reduced the gap between the cost to buy a home and the price which households at the lower end of the range of incomes can afford. Although this “affordability gap” has been reduced when it comes to home purchase, the combination of instability in the job market, stagnating real wages, and the general tightening of credit has not necessarily made home purchase easier for lower income households.

The rental market has seen continued low vacancy rates and rents have been stable and trending upward.

<sup>11</sup> The “poverty level” is a measure of poverty used by the U.S. Census Bureau based on a set of money income thresholds that vary by family size and composition. If the total income for a family or unrelated individual falls below the applicable poverty threshold, that family or person is classified as being below the “poverty level.”

The following discussion identifies housing characteristics, trends, and needs for County jurisdictions.

### **Housing Growth**

Between 2000 and 2009 the number of housing units in the state increased 10.78 percent. **Table 19** displays housing growth in all jurisdictions in Contra Costa County. Of all the jurisdictions in Contra Costa County, Brentwood had the largest increase in housing units (126.9 percent). Second to that was San Ramon with an increase of 43.1 percent. Of the entitlement cities, Pittsburg had the largest increase with 13.9 percent.

### **Tenure**

Housing tenure refers to whether a unit is owner-occupied or renter-occupied. **Table 20** provides a summary of housing tenure for all jurisdictions in Contra Costa County. As shown, Clayton had the greatest share of owner-occupied households and San Pablo had the greatest share of renter-occupied housing units. It is important to note that the level of single-family foreclosures may have significantly shifted the owner/renter distribution.



**TABLE 19**  
**HOUSING UNITS, 2000–2009**

Jurisdiction	2000 Housing Units	2009 Housing Units	Percentage Change 2000–2009
<i>Urban County</i>			
Brentwood	7,788	17,671	126.9%
Clayton	3,924	4,006	2.1%
Danville	15,130	15,795	4.4%
El Cerrito	10,462	10,705	2.3%
Hercules	6,546	8,319	27.1%
Lafayette	9,334	9,511	1.9%
Martinez	14,597	14,972	2.6%
Moraga	5,760	5,791	0.5%
Oakley	7,946	10,987	38.3%
Orinda	6,744	6,849	1.6%
Pinole	6,828	7,032	3.0%
Pleasant Hill	14,034	14,505	3.4%
San Pablo	9,354	9,953	6.4%
San Ramon	17,552	25,113	43.1%
Unincorporated County	57,609	65,604	13.9%
Urban County Total	193,608	226,813	17.2%
<i>Entitlement Jurisdictions</i>			
Antioch	30,116	33,982	12.8%
Concord	45,084	46,638	3.4%
Pittsburg	18,300	20,848	13.9%
Richmond	36,044	38,433	6.6%
Walnut Creek	31,425	32,473	3.3%
<b>Contra Costa County (countywide) Total</b>	<b>354,577</b>	<b>399,187</b>	<b>12.6%</b>

Source: Department of Finance, 2000 and 2009 E-5 Report

**TABLE 20**  
**HOUSING TENURE**

Jurisdiction	Owner-Occupied	Renter-Occupied
<i>Urban County</i>		
Brentwood	80.7%	19.3%
Clayton	94.1%	5.9%
Danville	89.4%	10.6%
El Cerrito	60.9%	39.1%
Hercules	84.2%	15.8%
Lafayette	75.8%	24.2%
Martinez	69.0%	31.0%
Moraga	84.5%	15.5%
Oakley	85.0%	15.0%
Orinda	91.6%	8.4%
Pinole	74.5%	25.5%
Pleasant Hill	63.7%	36.3%
San Pablo	49.8%	50.2%
San Ramon	71.1%	28.9%
Unincorporated County	73.5%	26.5%
Urban County Total	70.4%	29.6%
<i>Entitlement Jurisdictions</i>		
Antioch	70.9%	29.1%
Concord	62.6%	37.4%
Pittsburg	62.8%	37.2%
Richmond	53.4%	46.6%
Walnut Creek	68.1%	31.9%
<b>Contra Costa County (countywide) Total</b>	<b>69.3%</b>	<b>30.7%</b>

Source: 2000 U.S. Census, Summary File 3, Table H7

## Housing Type

**Table 21** exhibits the percentage of housing units as a share of total housing units by the number of units in the structure and tenure for all jurisdictions in Contra Costa County, separating out the Urban County jurisdictions and entitlement jurisdictions. Demand for owner-occupied housing is primarily met through the supply of single-family housing, while renter-occupied housing demand is primarily met through a combination of single-family housing and multi-family units.

**TABLE 21**  
**TENURE BY UNITS IN STRUCTURE**

Jurisdiction	Owner-Occupied					Renter-Occupied				
	Single-family Units	Multi-family (2-4 units)	Multi-family (>5 units)	Mobile Homes	Boat, RV, Van, etc.	Single-family Units	Multi-family (2-4 units)	Multi-family (>5 units)	Mobile Homes	Boat, RV, Van, etc.
<i>Urban County</i>										
Brentwood	96.8%	0.4%	0.2%	2.7%	0.0%	52.4%	14.7%	29.6%	3.0%	0.4%
Clayton	99.7%	0.1%	0.0%	0.1%	0.0%	91.5%	2.7%	5.8%	0.0%	0.0%
Danville	98.6%	0.6%	0.9%	0.0%	0.0%	71.8%	6.5%	21.7%	0.0%	0.0%
El Cerrito	97.7%	1.4%	0.6%	0.3%	0.1%	38.7%	29.4%	31.9%	0.0%	0.0%
Hercules	94.2%	1.9%	3.9%	0.0%	0.0%	71.1%	13.5%	15.4%	0.0%	0.0%
Lafayette	99.3%	0.6%	0.1%	0.0%	0.0%	42.5%	12.8%	44.7%	0.0%	0.0%
Martinez	97.8%	1.0%	1.0%	0.2%	0.0%	47.6%	17.0%	35.4%	0.0%	0.0%
Moraga	97.2%	1.2%	1.5%	0.2%	0.0%	40.3%	15.6%	44.2%	0.0%	0.0%
Oakley	98.4%	0.0%	0.0%	1.5%	0.0%	84.4%	6.7%	2.7%	5.9%	0.2%
Orinda	99.3%	0.5%	0.3%	0.0%	0.0%	68.3%	9.0%	21.3%	1.5%	0.0%
Pinole	98.2%	0.5%	1.2%	0.2%	0.0%	43.6%	18.5%	37.7%	0.0%	0.2%
Pleasant Hill	97.3%	0.4%	2.0%	0.3%	0.0%	34.6%	12.6%	52.5%	0.2%	0.0%
San Pablo	83.6%	5.4%	4.7%	6.0%	0.2%	41.6%	22.3%	33.9%	2.1%	0.1%
San Ramon	96.6%	0.9%	2.3%	0.2%	0.0%	36.6%	13.1%	50.3%	0.0%	0.0%
Unincorporated County	93.7%	0.8%	0.9%	4.5%	0.2%	56.5%	11.3%	28.6%	3.4%	0.2%
Urban County Total	96.1%	0.9%	1.2%	1.8%	0.1%	49.7%	14.9%	33.6%	1.7%	0.1%
<i>Entitlement Jurisdictions</i>										
Antioch	98.0%	0.6%	0.7%	0.7%	0.0%	50.0%	17.0%	32.8%	0.1%	0.0%
Concord	91.0%	2.3%	3.8%	2.9%	0.1%	35.5%	12.8%	51.0%	0.7%	0.1%
Pittsburg	96.1%	0.6%	0.3%	3.0%	0.0%	48.8%	17.8%	32.6%	0.8%	0.0%
Richmond	95.2%	3.0%	1.5%	0.3%	0.1%	40.5%	27.6%	31.7%	0.0%	0.0%
Walnut Creek	79.9%	7.0%	12.9%	0.1%	0.0%	29.6%	16.2%	54.1%	0.1%	0.0%
<b>Contra Costa County (countywide) Total</b>	<b>94.5%</b>	<b>1.6%</b>	<b>2.2%</b>	<b>1.6%</b>	<b>0.1%</b>	<b>44.3%</b>	<b>17.2%</b>	<b>37.5%</b>	<b>0.9%</b>	<b>0.1%</b>

Source: 2000 U.S. Census, Summary File 3, Table H33

Due to rounding, total percentages of renter and owner housing types for each jurisdiction may not total 100.

## **Vacancy Rate**

Vacancy trends in housing are analyzed using a “vacancy rate” which establishes the relationship between housing supply and demand. For example, if the demand for housing is greater than the available supply, then the vacancy rate is low and the price of housing will most likely increase. Additionally, the vacancy rate indicates whether or not the community has an adequate housing supply to provide choice and mobility. HUD standards indicate that a vacancy rate of 5 percent is sufficient to provide choice and mobility.

**Table 22** provides the total number of vacant housing units as well as the percentage of vacant housing units in 2009 for all of the jurisdictions in Contra Costa County, separating out the Urban County jurisdictions and the entitlement jurisdictions. Please note the state Department of Finance (DOF) estimate is for all housing unit types and does not exclude seasonal, recreational, or occasional use and all other vacant units. The DOF also does not provide vacancy by tenure. To provide vacancy by reason for vacancy, 2000 Census data was used (see **Table 23**).

Overall, the 2009 data (**Table 22**) indicate that the County has a very low vacancy rate. Several communities in the Urban County have vacancy rates below 5 percent, which is extremely low. Historical data from the 2000 Census (**Table 26**) indicate that in several communities (Brentwood, Clayton, and Moraga) the share of vacant units that are for rent is well below the overall County share (30.5%). These communities also have a very low share of renter-occupied units. The data suggest that renters might be challenged to find affordable housing in these communities.

**TABLE 22**  
**VACANCY STATUS, 2009**

Jurisdiction	Total Vacant Housing Units	% of Total Housing Units Vacant
<i>Urban County</i>		
Brentwood	649	3.67%
Clayton	41	1.02%
Danville	328	2.08%
El Cerrito	259	2.42%
Hercules	156	1.88%
Lafayette	185	1.95%
Martinez	304	2.03%
Moraga	98	1.69%
Oakley	322	2.93%
Orinda	149	2.18%
Pinole	86	1.22%
Pleasant Hill	291	2.01%
San Pablo	308	3.09%
San Ramon	868	3.46%
Unincorporated County	2,711	4.13%
Urban County Total	6,755	2.98%
<i>Entitlement Jurisdictions</i>		
Antioch	878	2.58%
Concord	1,098	2.35%
Pittsburg	634	3.04%
Richmond	1,514	3.94%
Walnut Creek	1,161	3.58%
<b>Contra Costa County (countywide) Total</b>	<b>12,040</b>	<b>3.02%</b>

Source: Department of Finance, 2009 E-5 Report

**TABLE 23**  
**VACANCY STATUS, 2000**

Jurisdiction	Total Vacant Housing Units	% of Total Housing Units Vacant	% of Total Vacant Units that Are for Rent	% of Total Vacant Units that Are for Sale	% of Total Vacant Units that Are Rented/ Sold, Not Occupied	% of Total Vacant Units that Are Vacant for Other Reasons
<i>Urban County</i>						
Brentwood	239	3.2%	4.2%	30.5%	31.8%	33.5%
Clayton	46	1.2%	2.3%	26.1%	56.5%	13.0%
Danville	309	2.1%	15.9%	29.4%	23.6%	31.1%
El Cerrito	260	2.5%	23.1%	35.8%	28.8%	12.3%
Hercules	124	1.9%	14.5%	77.4%	0.8%	7.3%
Lafayette	183	2.0%	29.5%	35.0%	12.0%	23.5%
Martinez	278	1.9%	34.5%	30.2%	8.3%	27.0%
Moraga	105	1.8%	4.8%	21.0%	31.4%	42.9%
Oakley	128	1.6%	15.6%	62.5%	0.0%	21.9%
Orinda	155	2.3%	11.0%	20.6%	18.7%	49.7%
Pinole	78	1.1%	38.5%	48.7%	3.8%	9.0%
Pleasant Hill	274	2.0%	29.9%	17.2%	13.1%	39.8%
San Pablo	282	3.1%	29.4%	20.6%	14.2%	35.8%
San Ramon	620	3.7%	38.2%	9.5%	20.8%	31.5%
Unincorporated County	2,376	4.3%	17.5%	18.0%	15.7%	48.8%
Urban County Total	5,457	1.3%	21.6%	23.4%	17.2%	37.8%
<i>Entitlement Jurisdictions</i>						
Antioch	800	2.7%	41.6%	38.8%	3.5%	16.1%
Concord	1,018	2.3%	44.2%	21.7%	8.2%	25.9%
Pittsburg	587	3.2%	46.5%	21.0%	17.4%	15.2%
Richmond	1,446	4.0%	43.8%	23.8%	11.6%	20.8%
Walnut Creek	1,140	3.6%	27.5%	23.3%	15.7%	33.5%
<b>Contra Costa County (countywide) Total</b>	<b>10,448</b>	<b>3.0%</b>	<b>30.5%</b>	<b>24.3%</b>	<b>14.4%</b>	<b>30.9%</b>

Source: 2000 U.S. Census, Summary File 3, Table H8

### **Age of Housing Stock**

**Table 24** displays the share of housing units constructed by age and tenure for the state and for all jurisdictions in Contra Costa County. With the exception of El Cerrito, Lafayette and Orinda most housing in each jurisdiction was built after 1960.

**TABLE 24**  
**AGE OF HOUSING BY TENURE**

Jurisdiction	1939 or earlier			1940 to 1959			1960 to 1979			1980 to 1994			1995 to March 2000		
	Total	Renter	Owner	Total	Renter	Owner	Total	Renter	Owner	Total	Renter	Owner	Total	Renter	Owner
State of California	9.5%	4.6%	4.9%	23.5%	9.6%	13.9%	37.2%	17.5%	19.7%	24.1%	9.7%	14.4%	5.7%	1.6%	4.1%
<i>Urban County</i>															
Brentwood	1.8%	1.0%	0.8%	6.9%	2.9%	4.0%	15.2%	4.7%	10.4%	29.2%	4.7%	24.5%	47.0%	6.0%	41.0%
Clayton	1.6%	0.8%	0.8%	3.2%	0.0%	3.2%	42.7%	2.0%	40.7%	29.7%	2.4%	27.3%	22.8%	0.7%	22.1%
Danville	0.4%	0.1%	0.3%	10.0%	0.9%	9.1%	44.4%	4.5%	39.9%	32.3%	4.0%	28.3%	12.9%	1.1%	11.8%
El Cerrito	12.9%	3.4%	9.5%	52.6%	15.3%	37.3%	25.4%	15.2%	10.3%	7.9%	4.7%	3.2%	1.2%	0.5%	0.6%
Hercules	0.4%	0.2%	0.3%	0.9%	0.4%	0.5%	24.6%	4.1%	20.6%	70.2%	9.6%	60.6%	3.8%	1.6%	2.2%
Lafayette	4.7%	1.2%	3.5%	47.6%	8.7%	38.8%	37.6%	11.9%	25.7%	8.4%	1.9%	6.5%	1.7%	0.5%	1.2%
Martinez	10.5%	5.3%	5.2%	16.7%	6.0%	10.7%	38.1%	10.4%	27.6%	31.5%	9.0%	22.5%	3.3%	0.3%	3.0%
Moraga	0.5%	0.2%	0.4%	8.0%	1.7%	6.3%	74.7%	12.1%	62.6%	16.3%	1.5%	14.9%	0.5%	0.2%	0.3%
Oakley	2.6%	0.8%	1.7%	6.1%	1.9%	4.3%	15.7%	4.2%	11.4%	60.6%	5.8%	54.8%	15.0%	2.2%	12.8%
Orinda	7.9%	0.6%	7.3%	48.0%	2.3%	45.7%	31.5%	2.4%	29.1%	10.0%	2.1%	7.9%	2.5%	0.9%	1.6%
Pinole	3.8%	1.4%	2.4%	18.8%	3.5%	15.3%	48.9%	12.6%	36.3%	27.0%	7.9%	19.1%	1.6%	0.1%	1.4%
Pleasant Hill	1.3%	0.9%	0.5%	32.8%	5.3%	27.5%	34.6%	17.4%	17.2%	28.1%	11.3%	16.8%	3.1%	1.4%	1.7%
San Pablo	4.8%	1.8%	2.9%	33.5%	14.3%	19.2%	36.3%	23.3%	13.0%	22.2%	8.6%	13.6%	3.3%	2.2%	1.1%
San Ramon	0.2%	0.1%	0.1%	0.8%	0.4%	0.4%	37.0%	6.2%	30.8%	47.2%	18.6%	28.6%	14.8%	3.7%	11.1%
Unincorporated County	7.7%	2.6%	5.1%	27.5%	6.5%	21.0%	29.8%	8.3%	21.5%	29.1%	7.8%	21.3%	5.8%	1.3%	4.5%
<b>Urban County</b>	<b>3.9%</b>	<b>1.4%</b>	<b>2.5%</b>	<b>20.6%</b>	<b>4.7%</b>	<b>15.8%</b>	<b>35.8%</b>	<b>9.8%</b>	<b>26.0%</b>	<b>30.6%</b>	<b>7.7%</b>	<b>22.9%</b>	<b>9.1%</b>	<b>1.6%</b>	<b>7.4%</b>
<i>Entitlement Jurisdictions</i>															
Antioch	2.9%	1.4%	1.5%	14.3%	5.6%	8.7%	30.9%	11.1%	19.8%	38.0%	9.8%	28.2%	13.9%	1.3%	12.6%
Concord	1.6%	0.8%	0.8%	25.7%	7.3%	18.3%	54.9%	21.1%	33.8%	16.3%	7.9%	8.5%	1.6%	0.4%	1.2%
Pittsburg	3.6%	1.6%	2.0%	17.7%	7.2%	10.4%	37.6%	11.2%	26.3%	34.0%	14.3%	19.6%	7.2%	2.8%	4.5%
Richmond	10.7%	3.8%	7.0%	37.8%	14.7%	23.1%	28.6%	16.3%	12.3%	20.0%	10.7%	9.3%	2.9%	1.2%	1.7%
Walnut Creek	1.7%	0.8%	0.9%	15.0%	4.9%	10.1%	62.1%	18.9%	43.2%	19.1%	6.9%	12.2%	2.1%	0.5%	1.6%
<b>Contra Costa County (countywide)</b>	<b>4.6%</b>	<b>1.7%</b>	<b>2.9%</b>	<b>22.9%</b>	<b>6.6%</b>	<b>16.3%</b>	<b>38.6%</b>	<b>12.7%</b>	<b>25.9%</b>	<b>27.3%</b>	<b>8.5%</b>	<b>18.8%</b>	<b>6.7%</b>	<b>1.3%</b>	<b>5.4%</b>

Source: 2000 U.S. Census, Summary File 3, Table H36



## **Housing Cost**

**Table 25** provides a summary of home sales prices for all jurisdictions. The County has experienced a sharp decrease in the median sales price for homes with the exception of Hercules, Martinez, and Pleasant Hill, which have all seen a year-to-year increase in median sales price. It is important to note that as a measure of central tendency median sales price is sensitive to sales volume in market sub-sectors as much as it is to overall price trends. An increase in the volume of sales of higher priced homes relative to overall sales volume can lead to an increase in median sales price even though overall prices remain low.

As shown, as of February 2010, San Pablo had the lowest median sales price (\$152,344) and Orinda the highest (\$829,500). San Ramon, San Pablo, and Brentwood experienced the sharpest declines in the median sales price of homes from November 2008 to November 2009.

In December 2009, a survey of local Contra Costa newspapers and online rental listings was conducted for both single-family homes and multi-family units for all jurisdictions in the County. The results are presented in **Table 26**. According to the results of the survey, average rental rates in San Ramon are the most expensive at \$1,662, followed by Lafayette at \$1,533 and Walnut Creek at \$1,518. These cities are the most expensive for all unit sizes and housing types. The most expensive rents occur in the central portion of Contra Costa County, with the least expensive in the east. The west has considerably lower rents than the central part of the County.

The U.S. Department of Housing and Urban Development publishes annual Fair Market Rents (FMR), which include an estimated utility cost, and the annual income required to afford them. **Table 27** shows the Fair Market Rents for 2009 for Contra Costa County.

**TABLE 25**  
**MEDIAN HOME SALE LISTINGS**

Jurisdiction	Three Month Median Sales Price (Sep – Nov 2009)	Year-to-Year Change (Nov 2008 – Nov 2009)		Number of Homes for Sale (Jan 2010)
		Dollars	Percentage	
Urban County				
Brentwood	\$290,000	\$-50,000	-14.7%	189
Clayton	525,000	-72,500	-12.1%	26
Danville	807,500	-30,000	-3.6%	195
El Cerrito	539,500	-28,500	-5.0%	21
Hercules	325,000	-25,000	8.3%	54
Lafayette	805,000	-55,000	-6.4%	76
Martinez	333,000	5,750	1.8%	90
Moraga	810,000	-40,000	-4.7%	34
Oakley	232,850	-17,100	-6.8%	119
Orinda	829,500	-109,500	-11.7%	49
Pinole	267,354	-27,646	-9.4%	32
Pleasant Hill	439,500	-30,500	7.5%	54
San Pablo	152,344	-27,360	-15.2%	45
San Ramon	559,500	-155,500	-21.7%	169
Entitlement Jurisdictions				
Antioch	199,000	-18,150	-8.4%	208
Concord	246,000	-9,000	-3.5%	173
Pittsburg	180,000	-15,000	-7.7%	112
Richmond	157,000	-17,500	-10.0%	177
Walnut Creek	447,500	-64,500	-12.6%	202

Source: Trulia.com, February 2010

**TABLE 26**  
**MEDIAN RENTAL LISTINGS**

Place/Community	Type: Bedroom (BR)/Bath (BA)					Overall Average Rent
	Studio	1BR/1 BA	2 BR/1 BA	2 BR/1+ BA	3 BR/1+ BA	
East						
Antioch	\$762	\$750	\$1,178	\$1,167	\$1,512	\$1,074
Bay Point	\$595	\$650	\$1,183	\$1,391	\$1,400	\$1,045
Pittsburg	\$762	\$750	\$941	\$1,039	\$1,512	\$1,001
Central						
Concord	none	\$875	\$1,073	\$1,369	\$1,725	\$1,261
Lafayette	\$950	\$1,359	\$1,303	\$2,034	\$2,020	\$1,533
Martinez	\$723	\$1,137	\$1,204	\$1,512	\$1,860	\$1,287
Pleasant Hill	\$989	\$1,202	\$1,236	\$1,478	\$2,004	\$1,382
San Ramon	\$1,448	\$1,908	\$1,307	\$1,728	\$1,921	\$1,662
Walnut Creek	\$1,122	\$1,075	\$1090	\$1,578	\$2,725	\$1,518
West						
El Cerrito	\$756	\$1,217	\$1,260	\$1,515	\$1,387	\$1,227
El Sobrante	\$1,256	\$1,247	\$1,264	\$1,639	\$1,406	\$1,362
Pinole	\$800	\$944	\$1,082	\$1,793	\$1,610	\$1,246
Richmond	\$985	\$888	\$1,026	\$1,510	\$2,450	\$1,372
San Pablo	\$870	\$899	\$1,247	\$1,908	\$1,751	\$1,335
Countywide Average	\$952	\$1,096	\$1,170	\$1,559	\$1,837	\$1,323

Source: PMC Rental Survey, December 2009

**TABLE 27**  
**FAIR MARKET RENTS, 2009**

Unit Size	FMR	Annual Income to Afford
Studio	\$905	\$36,200
1-bedroom	\$1,093	\$43,720
2-bedroom	\$1,295	\$51,800
3-bedroom	\$1,756	\$70,240
4-bedroom	\$2,174	\$86,960

Source: U.S. Dept. Housing and Urban Development, 2009 FMR; 2009 "Out of Reach" Report

## **Housing Affordability by Tenure and Household Type**

The assessment of Contra Costa County's housing needs relies on custom tabulations of U.S. Decennial Census data provided by HUD. These tabulations are referred to as the "CHAS" tables obtained using HUD's "State of the Cities Data System" (SOCDS). These data are presented in two main tables, one presenting "housing problems" by households and the other presenting "affordability mismatch" by housing units. **Tables 28 and 29** provide a summary, and the full tables can be found in **Appendix 4**. The needs of renter and owner households are examined separately.<sup>12</sup>

The CHAS housing problems table presents the number of households paying more than 30 percent and 50 percent of gross income for housing by tenure, household type, and income category. This cost of housing as a percentage of gross income is referred to as the housing "cost burden." According to HUD, a household which has a housing cost burden over 30 percent has a "high" housing cost burden. Those with a cost burden over 50 percent have a "severe" cost burden.

Overpayment is a concern for low-income households since they may be forced to live in overcrowded situations or cut other necessary expenditures, such as health care, in order to afford housing. The HUD definition of housing cost includes not only monthly rent and mortgage payments but an estimate of utilities.

### Renter Households

#### Household Type

Overall, approximately 40 percent of renter households in the County have a high cost burden. Less than 18 percent have a severe cost burden. This is roughly consistent in all jurisdictions with the exception of Walnut Creek which has 34 percent of renter households with high cost burdens.

Elderly one- and two-person renter households tend to experience a higher degree of high cost burden (58 percent) and severe cost burden (32 percent) countywide. Antioch is alone with a significantly higher number experiencing severe cost burden (41 percent). Both Pittsburg and Richmond have a lower number experiencing severe cost burden (21 percent and 24 percent, respectively).

Large renter households (five or more persons) experience cost burdens at roughly the same rate as all renter households as do small related (two to four persons) and the balance of renter households.

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<sup>12</sup> Data tables are provided in Appendix 4 for the State of California, Contra Costa County, the Urban County area, and the five entitlement communities. Because of the nature of the Consortium, data tables were acquired according to the CDBG geography. Although this best approximates the jurisdictional boundaries within the Consortium, it does introduce a significant level of rounding in the data. Please see <http://socds.huduser.org/chas/Frequently%20Asked%20Questions.htm>

### Income Groups

Low-income renter households (>50 to ≤80 percent area median income [AMI]) experience a high cost burden at close to the same rate (44 percent) as do all renter households countywide. The severe cost burden is significantly lower (6 percent). Very low-income (>30 percent to ≤50 percent AMI) and extremely low-income renter households (≤30 percent AMI) experience cost burdens much higher than all renters (71 percent and 76 percent, respectively). The rate of severe cost burden for the very low-income population (25 percent) is slightly higher than all renters. The extremely low-income population has a rate of severe cost burden (58 percent) more than three times that of all renters. The rate of high cost burden for renter households with incomes above low income (>80 percent AMI) is 9 percent.

The Urban County and Concord have cost burden rates among the income groups very similar to the County as a whole. Notable exceptions are a higher rate of severe cost burden for low-income households in the Urban County (9 percent); a lower rate of severe cost burden for low-income households in Concord (3 percent); and a higher rate of high cost burden for very low-income households in Concord (78 percent).

Antioch is similar to the County as a whole with the exception of a lower rate of high cost burden for low-income (32 percent) and lower rates of severe cost burden for very low-income households (17 percent). Antioch also has a generally lower cost burden for households with incomes above low income (4.6 percent).

Much like its neighbor Antioch, Pittsburg is more affordable for lower-income households than the County as a whole, with 2.8 percent of low-income households experiencing a severe cost burden (43 percent high cost burden) and virtually no above low-income renter households experiencing a significant cost burden.

Richmond has much lower rates of cost burden for lower-income renter households across all income categories: 54 percent high and 13 percent severe for very low-income; 33 percent high and 2 percent severe for low-income. Cost burden rates for the extremely low-income are comparable to the County as a whole.

Although the cost burden for extremely low-income households is consistently high across the County as a whole, Walnut Creek stands out with a rate of 68 percent. It is similarly higher for cost burden rates of very low-income (85 percent high, 53 percent severe), low-income (60 percent and 10 percent), and above low-income (12 percent high) households.

### Owner Households

#### Household Type

Approximately one-third (29 percent) of owner households in the County have a high cost burden. Approximately 10 percent have a severe cost burden. This is consistent across all jurisdictions.

Elderly one- and two-person owner households tend to experience a slightly higher degree of severe cost burden (12 percent) countywide, although this rate is the same as the rate of all households. The rate of high cost burden is 26 percent.

Large owner households (five or more persons) experience a cost burden at roughly the same rate as all owner households as do small related (two to four persons). Antioch, and Walnut Creek have lower rates of severe cost burden for large owner households (5.5 and 3.5 percent, respectively) than other jurisdictions. Pittsburg is notable for its higher rate of severe cost burden for owner households (12.9 percent).

### Income Groups

Low-income owner households (>50 to ≤80 percent AMI) experience a high cost burden at a higher rate (52 percent) than do all households countywide (29 percent). The severe cost burden is nearly twice as high for low-income owners (19 percent) as for all owners (10 percent). Very low-income owners (>30 percent to ≤50 percent AMI) experience high and severe cost burdens much higher than the general population (59 percent and 36 percent). Extremely low-income households (≤30 percent AMI) are even more cost burdened (72 percent high, 56 percent severe). The rate of cost burden for owner households with incomes above low income (>80 percent AMI) is lower than the overall population (20 percent high, 3 percent severe).

The Urban County area has cost burden rates by income roughly the same as the County as a whole.

Antioch has among the highest overall cost burden rates for lower-income owner households, with 58 percent of low-income homeowners experiencing a high cost burden and 14 percent severe. Very low-income homeowners in Antioch have a 66 percent high cost burden rate and a 43 percent severe rate. Extremely low-income owner households in Antioch have rates similar to the County as a whole.

Concord has a pattern similar to the County as a whole with the exception of low-income households having a lower rate of severe cost burden (15 percent).

Pittsburg has a pattern similar to Concord. It also has a lower rate of cost burden for above low-income households (16 percent high, 1 percent severe).

Richmond has a generally lower rate of cost burden for low-income owner households (46 percent high, 12 percent severe). It is otherwise similar to the County as a whole.

Walnut Creek is also similar to the County as a whole with the exception of a lower rate of high cost burden for low-income owners (39 percent).

**TABLE 28**  
**COST BURDEN SUMMARY, RENTERS**

Jurisdiction	All Renters		Elderly		Large		Above low-income		Low-income		Very low-income		Extremely low-income	
	High	Severe	High	Severe	High	Severe	High	Severe	High	Severe	High	Severe	High	Severe
Antioch	43.8%	20.4%	58.6%	40.6%	41.9%	19.0%	4.6%	0.4%	31.5%	5.5%	72.8%	17.0%	77.4%	58.0%
Concord	39.8%	16.4%	61.2%	30.8%	33.4%	14.7%	5.6%	0.1%	43.6%	3.0%	78.2%	22.2%	78.0%	62.4%
Pittsburg	41.5%	18.5%	53.2%	21.4%	32.2%	15.3%	3.2%	0.0%	42.8%	2.8%	73.4%	22.2%	72.3%	54.6%
Richmond	40.6%	19.3%	52.3%	24.2%	40.3%	18.0%	6.2%	0.2%	33.2%	1.9%	53.8%	13.0%	77.4%	55.2%
Walnut Creek	33.8%	16.4%	56.2%	35.3%	34.5%	12.0%	11.8%	2.2%	59.8%	10.1%	85.2%	53.3%	76.9%	67.7%
Urban County	36.0%	16.3%	58.5%	32.9%	32.9%	13.0%	10.7%	1.4%	46.6%	9.4%	72.7%	29.0%	74.1%	56.7%
Countywide	38.4%	17.4%	57.5%	32.1%	35.6%	15.3%	9.1%	1.0%	43.5%	6.4%	70.9%	24.48%	75.7%	57.6%

Source: 2000 CHAS data

**TABLE 29**  
**COST BURDEN SUMMARY, OWNERS**

Jurisdiction	All Owners		Elderly		Large		Above low-income		Low-income		Very low-income		Extremely low-income	
	High	Severe	High	Severe	High	Severe	High	Severe	High	Severe	High	Severe	High	Severe
Antioch	29.3%	8.0%	28.3%	14.4%	28.5%	5.5%	19.7%	1.5%	57.8%	13.9%	65.6%	42.8%	67.3%	54.5%
Concord	27.9%	8.8%	28.6%	13.9%	26.9%	6.1%	17.9%	1.6%	50.4%	15.2%	56.9%	35.0%	76.6%	57.4%
Pittsburg	29.4%	11.0%	28.6%	12.6%	32.7%	12.9%	15.7%	1.0%	51.2%	14.7%	60.9%	36.8%	70.7%	60.9%
Richmond	30.7%	11.3%	25.1%	13.6%	28.5%	7.0%	17.2%	2.2%	45.7%	11.2%	56.3%	27.9%	67.6%	51.4%
Walnut Creek	26.2%	9.8%	26.5%	11.2%	26.6%	3.5%	17.0%	3.4%	38.7%	18.6%	63.9%	32.2%	76.3%	60.9%
Urban County	28.1%	9.4%	23.9%	11.0%	30.0%	8.5%	21.0%	3.4%	54.7%	23.7%	57.1%	37.9%	71.7%	55.9%
Countywide	28.6%	9.7%	25.9%	12.0%	29.7%	8.2%	19.8%	2.8%	51.9%	19.3%	58.8%	35.7%	71.7%	56.0%

Source: 2000 CHAS data

## Overcrowding

**Table 30** illustrates the share of households by person per room for owners and renters in the state and entitlement cities. Households with more than 1 person per room are considered overcrowded. Households with more than 1.5 persons per room are considered severely overcrowded. As shown in **Table 30**, renter-occupied households have a higher incidence of overcrowding than owner-occupied households. In both categories (owner and renter), Walnut Creek has the smallest share of overcrowded households.

**TABLE 30  
PERSONS PER ROOM**

Jurisdiction	Owner Occupied			Renter Occupied		
	<1.0 persons	1.01 to 1.5 persons	>1.5 persons	<1.0 persons	1.01 to 1.5 persons	>1.5 persons
State of California	91.4%	4.3%	4.3%	76.1%	8.5%	15.4%
Contra Costa County (countywide)	95.8%	2.5%	1.7%	85.3%	6.7%	8.0%
Antioch	96.1%	2.2%	1.8%	85.0%	9.3%	5.7%
Concord	96.0%	2.3%	1.7%	81.9%	7.6%	10.8%
Pittsburg	89.9%	6.2%	3.9%	77.3%	9.8%	12.9%
Richmond	90.0%	5.6%	4.4%	78.7%	9.1%	12.1%
Walnut Creek	99.2%	0.4%	0.4%	92.5%	3.7%	3.8%

Source: 2000 U.S. Census, Summary File 3, Table H20

Note: Due to rounding errors, the total percentage for owner or renter occupied may not total 100.

## Foreclosures

A foreclosure is a term used to describe the procedure followed in enforcing a creditor's rights when a debt secured by any lien on property is in default. According to DataQuick, in Contra Costa County (countywide) there were 5,017 households with a notice of default (first stage in the foreclosure process) in the second quarter of 2009, a decrease of 0.6 percent over the same quarter in 2008. In the second quarter of 2009 there were 2,048 homes lost to foreclosure, representing a decrease of 30.9 percent from the same quarter in 2008.

The Contra Costa County Recorder keeps an inventory of notices of defaults, notices of trustee sales, and trustee's deed upon sale (see definitions of each below). **Table 31** provides the number of homes with each status for the entire year. Please note that one housing unit may be counted more than once per year.

- **Notice of Default:** A written document that gives constructive notice of a trustor's failure to perform his/her obligation under a deed of trust. This document must be recorded.



- Notice of Trustee's Sale: A written document that sets forth the day, date, and time of the trustee's sale and describes the property to be sold. This document is prepared by the trustee and must be recorded with the county recorder in the county in which the property is located at least 14 days prior to the scheduled sale date.
- Trustee's Deed Upon Sale: A written document which is prepared and signed by the trustee when the secured property is sold at a trustee's sale. This document transfers ownership to the successful bidder at the sale and must be recorded with the county recorder in the county in which the property is located.

**TABLE 31**  
**FORECLOSURE ACTIVITY**

Year	Total Notices of Defaults	Total Notices of Trustee Sales	Total Trustee's Deed Upon Sale
2009	18,323	14,623	8,360
2008	17,714	14,932	11,679
2007	11,837	6,666	4,189
2006	4,380	1,479	502
2005	2,519	777	131
2004	2,413	864	163
2003	2,713	1,020	205
2002	2,815	1,076	190
2001	2,351	881	209
2000	2,207	1,034	398

*Source: Contra Costa County Recorder, 2009*

One of the most significant increases in demand for a range of services has come as a result of low-income tenants being evicted from their homes because the property owner has been foreclosed upon. Most often the tenants are unaware that the foreclosure is under way and find themselves without housing. Due to the costs of moving, security deposit requirements, and the rent qualification process, they find it difficult or impossible to find new housing, particularly if they have experienced a job loss and have little or no income to qualify for a new rental and little in the way of savings. Seniors, disabled persons, and large families are especially adversely impacted when evicted. There is little legal recourse for tenants who are evicted as a result of foreclosures.<sup>13</sup>

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<sup>13</sup> Bay Area Legal Aid, Contra Costa County, September 17 and 18, 2009; Contra Costa Senior Legal Services, September 17 and 18, 2009; Loaves and Fishes of Contra Costa County, September 17 and 18, 2009.



# MORTGAGE LENDING (HMDA DATA)

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The Home Mortgage Disclosure Act (HMDA), enacted by Congress in 1975 and implemented by the Federal Reserve Board's Regulation C, requires lending institutions to report public loan data. Analyzing these data can reveal patterns of lending by race and location that may indicate discriminatory practices in mortgage lending.

To prepare this analysis, 20,875 records of lender actions were pulled from all the lender actions reported in the 2008 HMDA data set for Contra Costa County. These represent actions taken by lenders in response to a request from a consumer for a new home loan to purchase a primary residence.

Lender actions related to home improvement loans, re-financing, and to purchase properties that will not be owner-occupied were excluded. Lender actions that did not show a loan type were also excluded as were records of loan transactions between banks and "pre-approval" requests.<sup>1</sup>

## LENDING ACTION VOLUME BY RACE AND ETHNICITY

**Tables 3-1** and **3-2** provide a summary of the results of home loan applications by race and ethnicity for Contra Costa County. As shown in **Table 3-1**, persons reporting White make up more than 50 percent of loan applications in the County. As shown in **Table 3-2**, roughly 16 percent of loan applicants are for persons reporting ethnicity as Hispanic or Latino.

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<sup>1</sup> Please see the note at the end of this section for a technical discussion of how the raw HMDA data was filtered to create the data set analyzed.

**TABLE 3-1**  
**LENDING ACTION BY RACE, CONTRA COSTA COUNTY**

Race	Total Applications	Denials	Failures	Originations
American Indian or Alaskan Native	203	48	99	104
Hawaiian or Pacific Islander	351	73	157	194
Black or African American	1,087	260	505	582
Other or No Info Provided	3,212	651	1,527	1,685
Asian	3,974	732	1,797	2,177
White	12,048	2,073	4,738	7,310
<b>Total</b>	<b>20,875</b>	<b>3,837</b>	<b>8,823</b>	<b>12,052</b>

*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data*

*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

**TABLE 3-2**  
**LENDING ACTION BY ETHNICITY, CONTRA COSTA COUNTY**

Race	Total Applications	Denials	Failures	Originations
Hispanic or Latino	3,409	897	1,686	1,723
Not Hispanic or Latino	14,619	2,370	5,802	8,817
Other or no info	2,847	570	1,328	1,512
<b>Total</b>	<b>20,875</b>	<b>3,837</b>	<b>8,816</b>	<b>12,052</b>

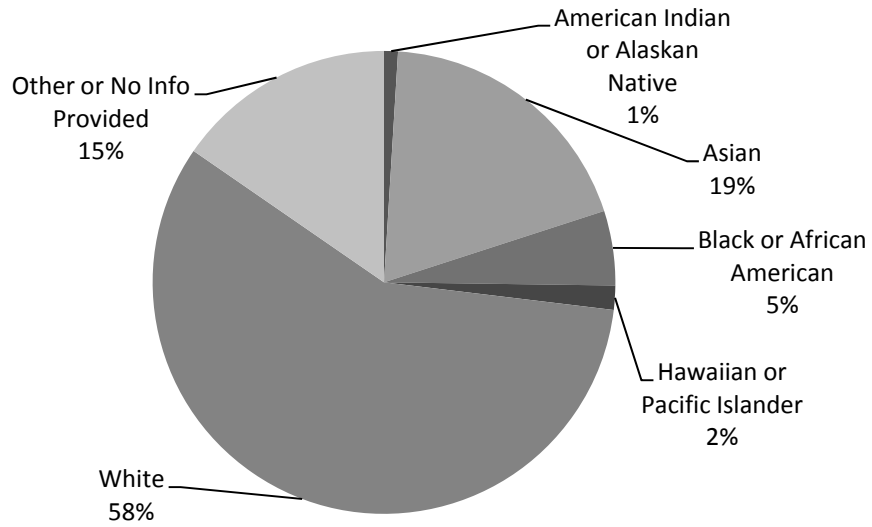
*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data*

*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

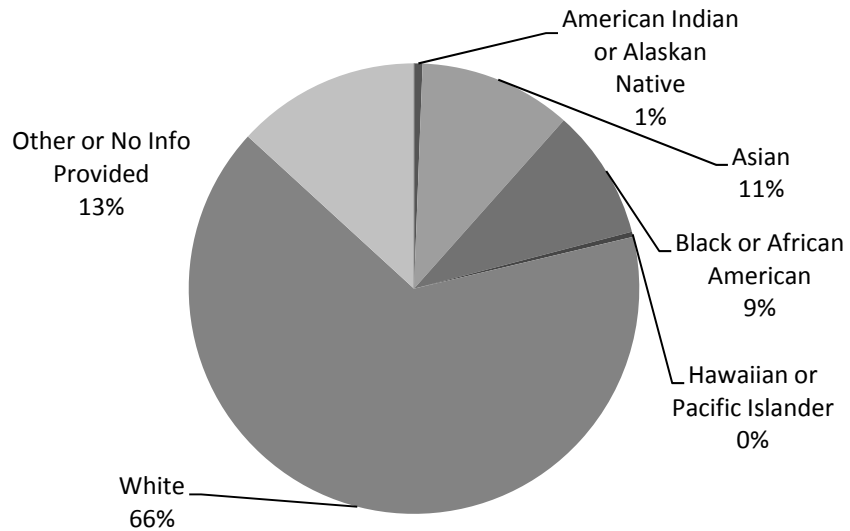
**Figures 3-1** and **3-2** provide a visual comparison of the share of loan applications by race in 2008 (**Figure 3-1**) to the share of the whole population by race in 2000 (**Figure 3-2**). Because the HMDA data under review is from 2008, and the population by race figures are from 2000, the comparison does not take into account possible changes in the racial mixture of the County between 2000 and 2008.

When compared to the general population of Contra Costa County (2000 U.S. Decennial Census), the data set is roughly representational. Notable exceptions are that persons reporting race as White and Black or African American are underrepresented as loan applicants, while persons reporting race as Hawaiian or Pacific Islander, Asian, and Other are overrepresented as loan applicants.

**FIGURE 3-1**  
**2008 LOAN APPLICATIONS BY RACE, CONTRA COSTA COUNTY**



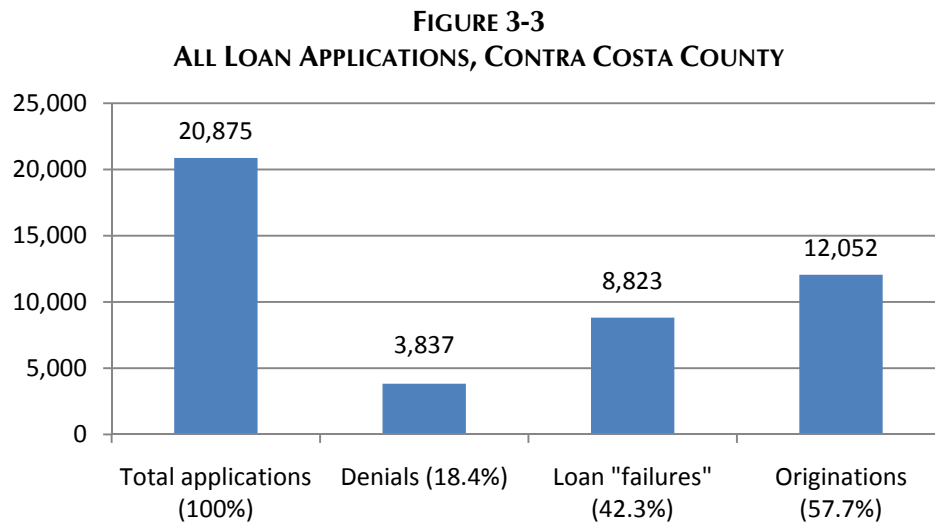
**FIGURE 3-2**  
**2000 POPULATION BY RACE, CONTRA COSTA COUNTY**



## LENDING ACTION RATES BY RACE AND ETHNICITY

To reveal differences in lending action rates by race and ethnicity, histograms were created to compare the rate of outcomes by race and ethnicity.<sup>2</sup> The histograms are scaled to be roughly equal in size so that differences in lending volume are minimized.

In the overall data set (**Figure 3-3**), approximately 1 in 5 of all applications are denied and 42 percent “fail,” meaning that they do not result in a loan origination. Fifty-seven percent of all applications do result in a loan origination.



### American Indian or Alaskan Native

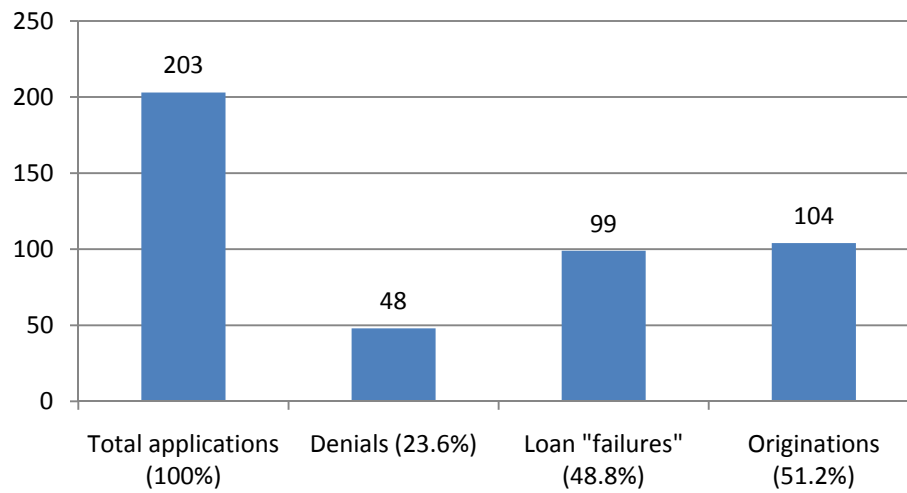
For persons in the American Indian or Alaskan Native racial category, the origination rate is slightly lower than the overall population and the failure rate is slightly higher. The denial rate is nearly 1 in 4. Within this group, loan origination is more likely and failure less likely. Forty-eight (48) percent of loan failures are due to denial.

As shown in **Table 3-3**, Antioch has the largest share of denied loan applications, followed by the Urban County, Pittsburg, and Richmond.

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<sup>2</sup> It should be noted that the variable used to segregate the data by race and ethnicity was “Applicant Race 1” and “Applicant Ethnicity.” Co-applicant information and other races reported by the applicant were not considered.

**FIGURE 3-4**  
**LENDING ACTIONS FOR AMERICAN INDIAN OR ALASKAN NATIVE**



**TABLE 3-3**  
**LENDING ACTION FOR AMERICAN INDIAN**  
**OR ALASKAN NATIVE BY AREA, CONTRA COSTA COUNTY**

Jurisdiction	Total Applications	Denials		Failures		Originations	
		Number	Percentage	Number	Percentage	Number	Percentage
Antioch	53	16	33%	29	29%	24	23%
Concord	18	4	8%	6	6%	12	12%
Pittsburg	28	5	10%	10	10%	18	17%
Richmond	20	5	10%	12	12%	8	8%
Walnut Creek	1	0	0%	0	0%	1	1%
Urban County	83	18	37%	42	42%	41	40%
<b>Total</b>	<b>203</b>	<b>48</b>	<b>100%</b>	<b>99</b>	<b>100%</b>	<b>104</b>	<b>100%</b>

*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data*

*Note: HMDA reports data at the census tract level, making it difficult to distinguish loan action for tracts that share multiple jurisdictional boundaries. However, the data provided in the table describes general areas of the County.*

*Note: Because of rounding, percentages in columns may not sum to 100%.*

*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

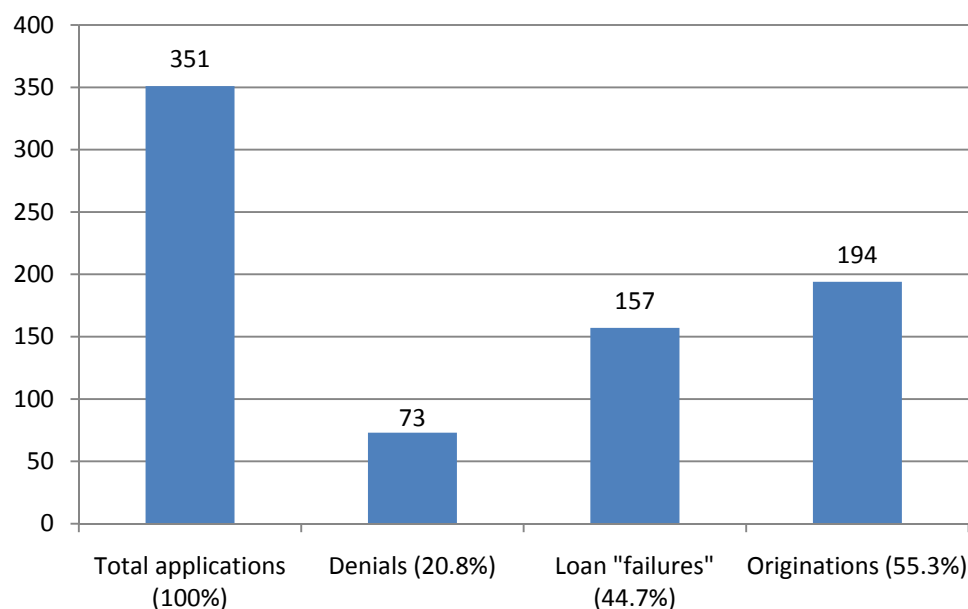
### **Hawaiian or Pacific Islander**

For persons in the Hawaiian or Pacific Islander racial category, the origination rate is slightly lower and the denial rate slightly higher than the overall population. The combined loan failure rate is slightly higher than the aggregate. Given that those reporting race as Hawaiian or Pacific Islander are overrepresented in the data, the analysis could be misleading.

As shown in **Table 3-4**, the Urban County has the largest share of loan applications resulting in denial, followed by Pittsburg, Antioch, and Concord.



**FIGURE 3-5**  
**LENDING ACTION BY HAWAIIAN OR PACIFIC ISLANDER**



**TABLE 3-4**  
**LENDING ACTION FOR HAWAIIAN OR PACIFIC ISLANDER BY AREA, CONTRA COSTA COUNTY**

Jurisdiction	Total Applications	Denials		Failures		Originations	
		Number	Percentage	Number	Percentage	Number	Percentage
Antioch	62	12	16%	28	18%	34	18%
Concord	47	10	14%	25	16%	22	11%
Pittsburg	44	15	21%	29	18%	15	8%
Richmond	28	8	11%	13	8%	15	8%
Walnut Creek	5	1	1%	3	2%	2	1%
Urban County	165	27	37%	59	38%	106	54%
<b>Total</b>	<b>351</b>	<b>73</b>	<b>100%</b>	<b>157</b>	<b>100%</b>	<b>194</b>	<b>100%</b>

Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data

Note: HMDA reports data at the census tract level, making it difficult to distinguish loan action for tracts that share multiple jurisdictional boundaries. However, the data provided in the table describes general areas of the County.

Note: Because of rounding, percentages in columns may not sum to 100%.

Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.

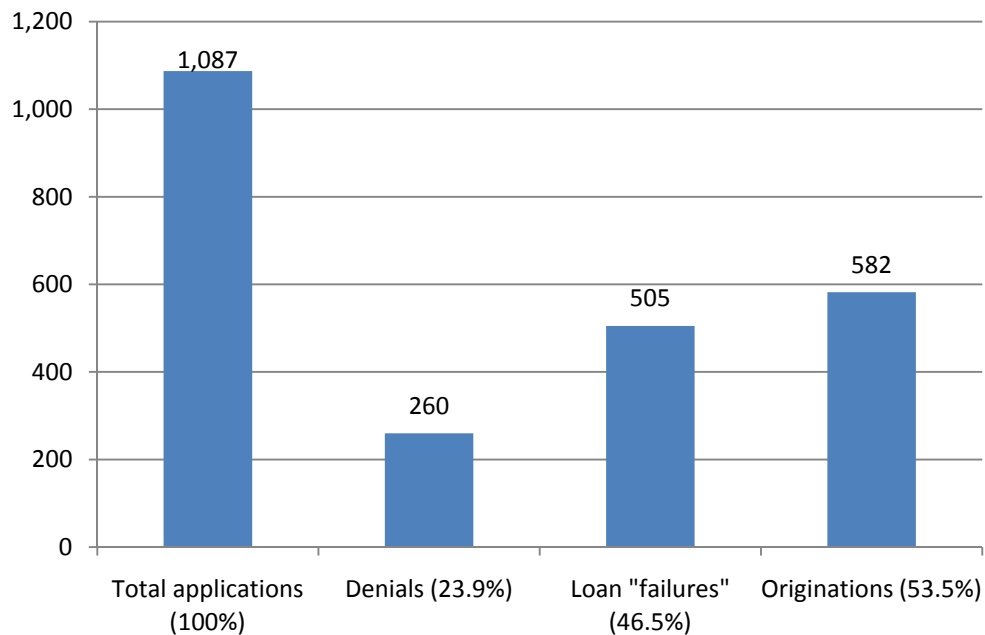
### Black or African American

For persons in the Black or African American racial category, the origination rate is

slightly lower than the overall population and the denial rate is higher. Lenders deny approximately 1 in 4 loan applications. The overall failure rate is slightly higher than the failure rate for the overall population. Nearly 52 percent of loan failures are due to denial. Overall, it is more likely that a loan is originated for an applicant reporting race as Black or African American.

As shown in **Table 3-5**, the Urban County (areas outside of the areas defined by the five participating cities) has the largest share of loan applications resulting in denial, followed by Antioch and Pittsburg..

**FIGURE 3-6**  
**LENDING ACTION BY BLACK OR AFRICAN AMERICAN**



**TABLE 3-5**  
**LENDING ACTION FOR BLACK OR AFRICAN AMERICAN BY AREA, CONTRA COSTA COUNTY**

Jurisdiction	Total Applications	Denials		Failures		Originations	
		Number	Percentage	Number	Percentage	Number	Percentage
Antioch	237	59	23%	108	21%	129	22%
Concord	33	4	2%	11	2%	22	4%
Pittsburg	149	36	14%	73	15%	76	13%
Richmond	93	20	8%	44	9%	49	8%
Walnut Creek	9	1	>1%	4	>1%	5	>1%
Urban County	556	140	54%	265	52%	301	52%
<b>Total</b>	<b>1,087</b>	<b>260</b>	<b>100%</b>	<b>505</b>	<b>100%</b>	<b>582</b>	<b>100%</b>

*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data.*

*Note: HMDA reports data at the census tract level, making it difficult to distinguish loan action for tracts that share multiple jurisdictional boundaries. However, the data provided in the table describes general areas of the County.*

*Note: Because of rounding, percentages in columns may not sum to 100%.*

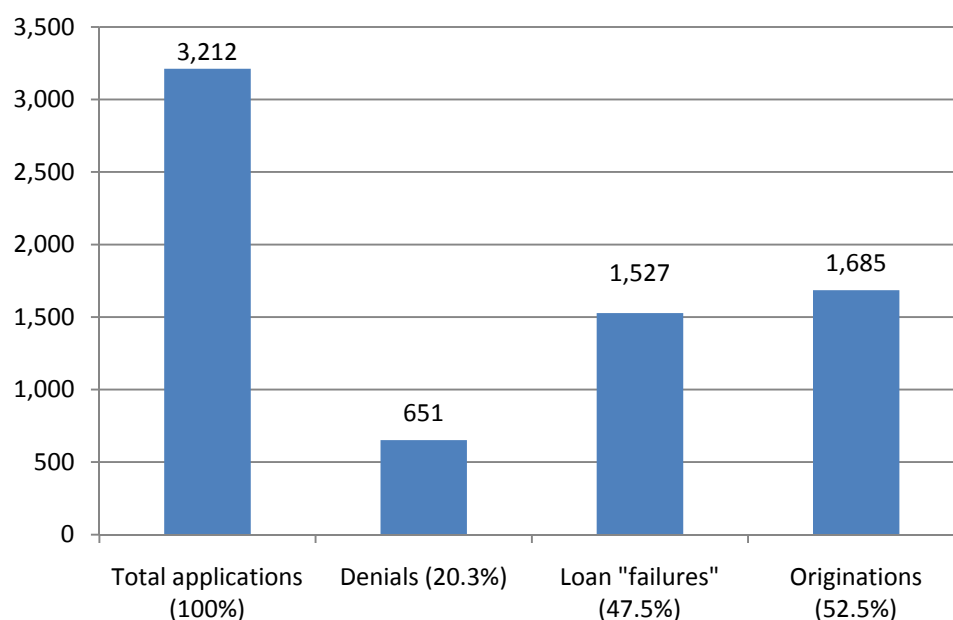
*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

### **Other or No Information**

For persons in the Other or No Information racial category, the records that indicated a race of “other” or where no race information was provided have slightly higher denial rates than the overall population. Failure rates are higher and origination rates lower than the overall population. Forty-three (43) percent of loan applications resulting in failure are due to denial. Applicants reporting race as “other” or not providing race information are more likely to originate a loan.

As shown in **Table 3-6**, the Urban County has the largest share of loan applications resulting in denial, followed by Antioch, areas outside of the Consortium, Richmond, and Pittsburg.

**FIGURE 3-7**  
**LENDING ACTION BY OTHER OR NO INFORMATION**



**TABLE 3-6**  
**LENDING ACTION FOR OTHER OR NO INFORMATION BY AREA, CONTRA COSTA COUNTY**

Jurisdiction	Total Applications	Denials		Failures		Originations	
		Number	Percentage	Number	Percentage	Number	Percentage
Antioch	541	125	19%	252	17%	289	17%
Concord	342	60	9%	157	10%	185	11%
Pittsburg	255	71	11%	144	9%	111	7%
Richmond	369	88	14%	206	13%	163	10%
Walnut Creek	176	22	3%	66	4%	110	7%
Urban County	1,529	285	44%	702	46%	827	49%
<b>Total</b>	<b>3,212</b>	<b>651</b>	<b>100%</b>	<b>1,527</b>	<b>100%</b>	<b>1,685</b>	<b>100%</b>

Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data.

Note: HMDA reports data at the census tract level, making it difficult to distinguish loan action for tracts that share multiple jurisdictional boundaries. However, the data provided in the table describes general areas of the County.

Note: Because of rounding, percentages in columns may not sum to 100%.

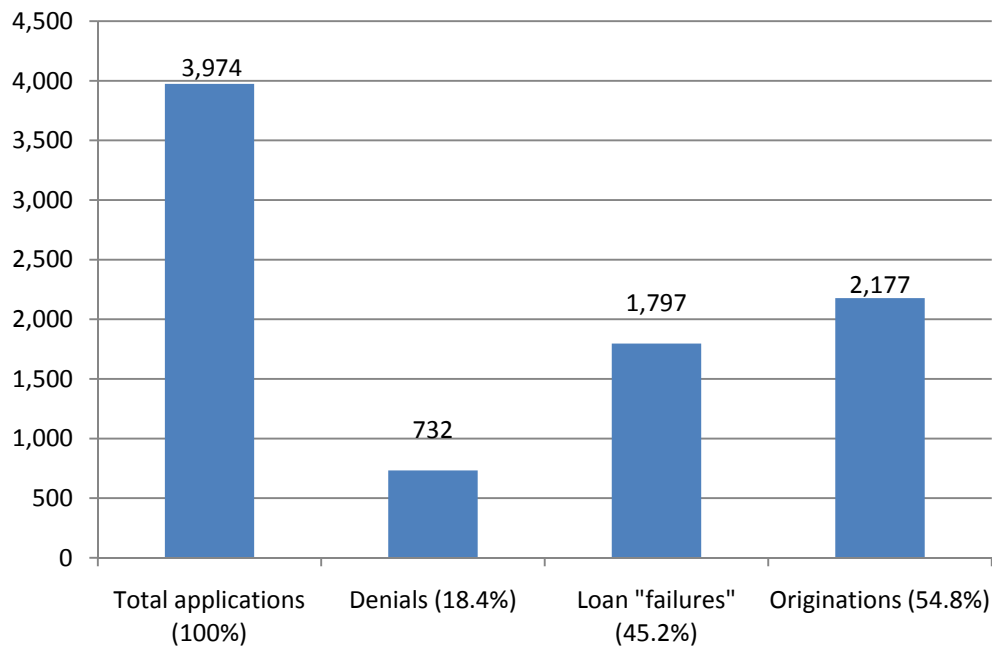
Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.

## Asian

For persons in the Asian racial category, the distribution of loan applications is similar to the overall population. The same share of applications is denied, while slightly more fail and slightly less originate. About 40 percent of loan failures are due to denial and it is more likely that a loan request will originate than fail for persons reporting race as Asian.

As shown in **Table 3-7**, the Urban County has the largest share of denied loan applications, followed by Antioch and areas outside of the Consortium.

**FIGURE 3-8**  
**LENDING ACTION BY ASIAN**



**TABLE 3-7**  
**LENDING ACTION FOR ASIAN BY AREA, CONTRA COSTA COUNTY**

Jurisdiction	Total Applications	Denials		Failures		Originations	
		Number	Percentage	Number	Percentage	Number	Percentage
Antioch	445	102	14%	203	11%	242	11%
Concord	269	55	8%	126	7%	143	7%
Pittsburg	188	43	6%	85	5%	103	5%
Richmond	344	68	9%	160	9%	184	8%
Walnut Creek	122	16	2%	53	3%	69	3%
Urban County	2,606	448	61%	1,170	65%	1,436	66%
<b>Total</b>	<b>3,974</b>	<b>732</b>	<b>100%</b>	<b>1,797</b>	<b>100%</b>	<b>2,177</b>	<b>100%</b>

*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data*

*Note: HMDA reports data at the census tract level, making it difficult to distinguish loan action for tracts that share multiple jurisdictional boundaries. However, the data provided in the table describes general areas of the County.*

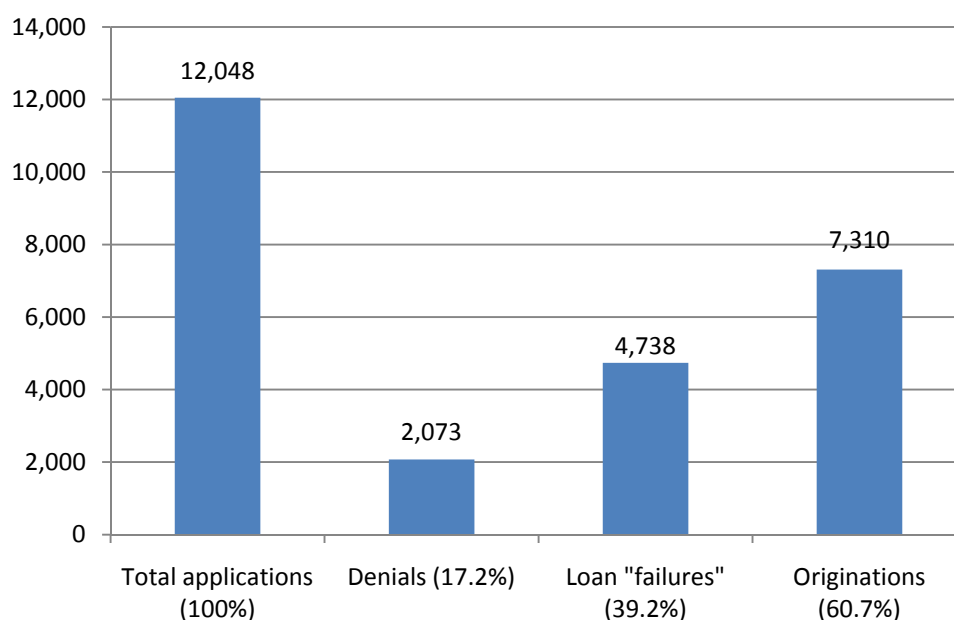
*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

## White

For persons in the White racial category, the origination rate is higher than the overall population and higher than all other subgroups. Denials and failures are lower than the aggregate and other subgroups. Of loan applications resulting in failure, 44 percent are due to denial. It is more likely that a loan is originated for an applicant reporting race as White.

As shown in **Table 3-8**, the Urban County has the largest share of loan applications resulting in denial followed by Antioch, areas outside of the Consortium, Richmond, and Concord.

**FIGURE 3-9**  
**LENDING ACTION BY WHITE**



**TABLE 3-8**  
**LENDING ACTION FOR WHITE BY AREA, CONTRA COSTA COUNTY**

Jurisdiction	Total Applications	Denials		Failures		Originations	
		Number	Percentage	Number	Percentage	Number	Percentage
Antioch	2,073	366	18%	795	17%	1,278	17%
Concord	1,266	210	10%	495	10%	771	11%
Pittsburg	902	195	9%	407	9%	495	7%
Richmond	1,306	268	13%	556	12%	750	10%
Walnut Creek	762	98	5%	273	6%	489	7%
Urban County	5,739	936	45%	2,212	46%	3,527	48%
<b>Total</b>	<b>12,048</b>	<b>2,073</b>	<b>100%</b>	<b>4,738</b>	<b>100%</b>	<b>7,310</b>	<b>100%</b>

*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data*

*Note: HMDA reports data at the census tract level, making it difficult to distinguish loan action for tracts that share multiple jurisdictional boundaries. However, the data provided in the table describes general areas of the County.*

*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

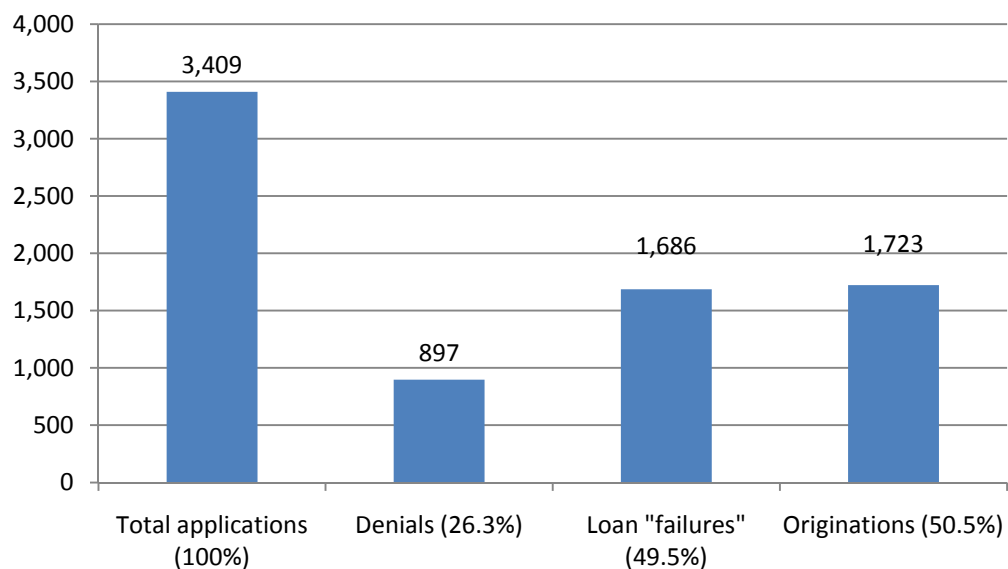
## Hispanic

When the data is grouped by applicants that responded as Hispanic, Not Hispanic, and No information provided for Hispanic ethnicity, we find that denial, failure, and origination rates vary from the aggregate. Applicants who reported Hispanic or who did not provide a response showed a greater share of denials and failures and a smaller share of approvals when compared to the aggregate.

Applicants reporting ethnicity as Hispanic have the greatest share of denied loans amongst all subgroups (more than 1 in 4). Of loans that fail to originate for Hispanic applicants, 54 percent are due to denial. Though it is more likely that a loan originates for Hispanic applicants, this subgroup has the smallest share of applications reaching origination.

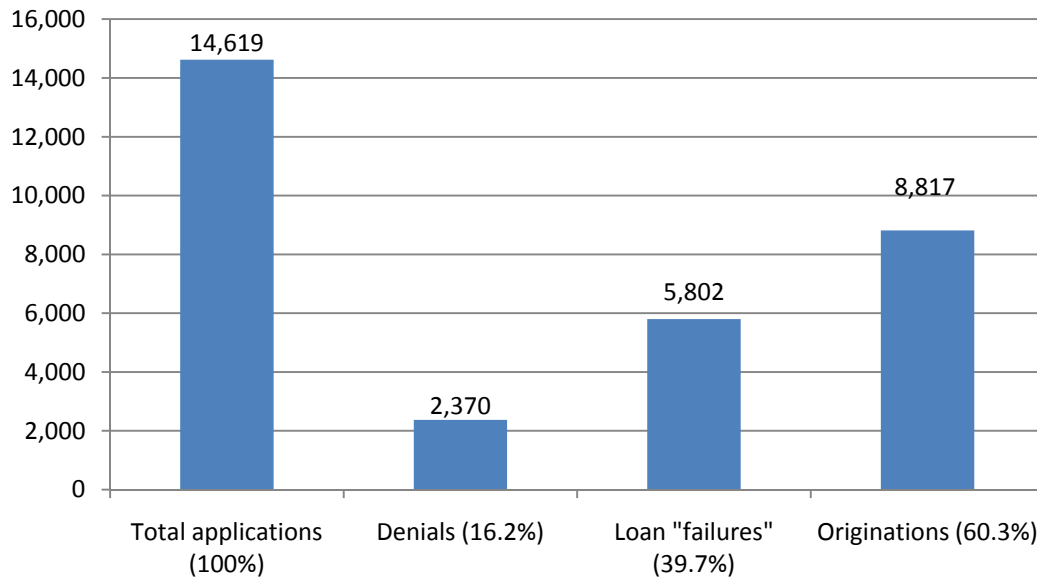
As shown in **Table 3-9**, Antioch has the largest share of denied loan applications, followed by Richmond, the Urban County, and Pittsburg.

**FIGURE 3-10**  
**LOAN ACTION BY HISPANIC**

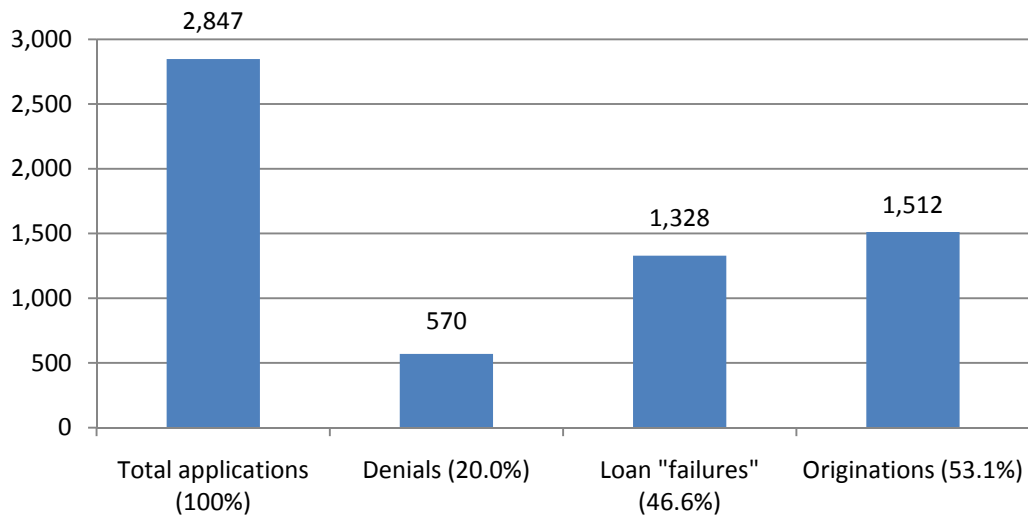




**FIGURE 3-11**  
**LOAN ACTIONS FOR NON-HISPANIC**



**FIGURE 3-12**  
**LOAN ACTIONS FOR ETHNICITY NO INFORMATION PROVIDED**



**TABLE 3-9**  
**LENDING ACTION FOR HISPANIC BY AREA, CONTRA COSTA COUNTY**

Jurisdiction	Total Applications	Denials		Failures		Originations	
		Number	Percentage	Number	Percentage	Number	Percentage
Antioch	759	197	22%	353	21%	406	24%
Concord	284	69	8%	145	9%	139	8%
Pittsburg	544	145	16%	273	16%	271	16%
Richmond	631	186	21%	335	20%	296	17%
Walnut Creek	35	3	>1%	9	>1%	26	2%
Urban County	1,156	297	33%	571	34%	585	34%
<b>Total</b>	<b>3,409</b>	<b>897</b>	<b>100%</b>	<b>1,686</b>	<b>100%</b>	<b>1,723</b>	<b>100%</b>

*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data.*

*Note: HMDA reports data at the census tract level, making it difficult to distinguish loan action for tracts that share multiple jurisdictional boundaries. However, the data provided in the table describes general areas of the County.*

*Note: Because of rounding, percentages in columns may not sum to 100%.*

*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

## MORTGAGE LENDING BY AREA

The same data set used to analyze mortgage lending by race and ethnicity was used to analyze mortgage lending by area. The HMDA data reports loans by the U.S. Census tract area of the home being purchased. The goal of this analysis is to detect whether there are geographic patterns of mortgage credit availability.

Loan applications were analyzed by census tracts and mapped. All areas in Contra Costa County were mapped by quartile and show the volume and rate of each lending action: origination, denial, and failure. Lending action maps are located in **Appendix 6**.

HMDA data is organized into the 168 countywide census tracts (2000 U.S. census tract boundaries). Fifty-eight (58) percent of loan applications across all census tracts in the County result in origination, 42 percent result in failure, and 18 percent result in denial. The lending action data tells us that origination is more likely than failure for the County as a whole; however at the census tract level, some areas in the County have much smaller shares of loan origination.

As shown in the origination rate map (mapped rates of origination by countywide quartiles), the areas that fall within the highest quartile (66 percent to 100 percent loan origination rates) are located in the communities of Lafayette, Oakley, San Ramon, Walnut Creek, Moraga, El Cerrito, and East Richmond.

Areas that fall within the mid-range quartiles for rates of origination (54 percent to 65 percent) include communities in the eastern portion of the County (Oakley, Brentwood, and Knightsen) as well as in pocketed areas in the central portion of the County

(Danville, Orinda, Rheem Valley, and Glorietta).

The lowest quartile for rates of origination is made up of census tracts with 53 percent or less of actions resulting in loan origination. The areas making up the lowest quartile rate of origination include portions of the Delta region in the eastern part of the County, with the largest concentration located in the western portion of the County. Of those census tracts that fall within the lower quartile, 24 have a share of less than 50 percent origination, meaning it is more likely for loan applications to result in failure than origination. **Table 3-10** displays census tracts with less than 50 percent loan origination. The census tracts shown in **Table 3-10** with significantly low rates of origination: 3160 (25 percent), 3280 (14 percent), 3650.02 (33 percent), 3750 (36 percent), and 3770 (31 percent). Two of these census tracts have so few application records, the resulting rates are meaningless (3160 and 3280). The three remaining census tracts are located in the City of Richmond.

It is important to put each of the census tracts with low origination rates into context with the characteristics of each census tract. These characteristics include minority concentration, Hispanic concentration, and low/moderate-income concentration.

#### **Minority Concentration**

Each of the three census tracts (3650.02, 3750, and 3770) has a highly concentrated population of minorities (see **Figures 1 through 5** of the Consolidated Plan). Each of the census tracts with low rates of loan origination has minority population shares greater than 63.2 percent.

#### **Hispanic Concentration**

Two of the three census tracts (3750 and 3770) with low loan origination rates are also census tracts with a highly concentrated population of Hispanic individuals (see **Maps 1 through 6** of the Consolidated Plan). The concentration of Hispanic persons in both census tracts is greater than 26.5 percent of the census tract populations.

#### **Low/Moderate-Income Concentration**

As described in the Consolidated Plan, areas with a low/moderate-income population share of 51 percent are considered target areas, with exceptions for the Urban County (42.6 percent), Concord (47.9 percent), and Walnut Creek (32.5 percent). Each of the three census tracts with low loan origination rates is located in low/moderate-income areas.

**TABLE 3-10**  
**LENDING ACTION FOR CENSUS TRACTS WITH LESS THAN 50 PERCENT ORIGATION RATE,**  
**CONTRA COSTA COUNTY**

Census Tract	Location	Total Applications	Denials	Failures	Originations
3072.01	Antioch	44	28%	56%	44%
3080.01	Antioch	164	29%	53%	47%
3131.01	Pittsburg	121	26%	53%	47%
3132.01	Pittsburg	188	28%	51%	49%
3141.02	Pittsburg/Urban County	126	29%	52%	48%
3141.04	Bay Point/ Urban County	101	35%	58%	42%
3160 <sup>1</sup>	Martinez	4	0%	75%	25%
3280 <sup>1</sup>	Concord	14	29%	86%	14%
3361.01	Concord	39	33%	56%	44%
3362	Concord	108	24%	53%	47%
3521.02	Moraga/Urban County	74	16%	51%	49%
3540.01	Orinda/Urban County	33	21%	55%	45%
3560.02	Hercules/Martinez/ Richmond/Urban County	112	29%	52%	48%
3640.01	Pinole/Urban County	115	23%	52%	48%
3650.02	Richmond/Urban County	163	32%	67%	33%
3660.01	San Pablo/Urban County	91	29%	53%	47%
3671	Richmond	105	26%	57%	43%
3680	San Pablo	120	25%	53%	47%
3690.01	San Pablo	55	25%	53%	47%
3730	Richmond	66	29%	56%	44%
3750	Richmond	45	42%	64%	36%
3760	Richmond	79	27%	54%	46%
3770	Richmond	72	36%	69%	31%
3810	Richmond	111	36%	55%	45%

Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data.

Note: The share of failure loan actions include the share of loans resulting in denial.

<sup>1</sup> These census tracts have so few total loan applications, the rates are essentially meaningless.

Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.

### **Geographic Distribution of High Priced Loans**

Under Regulation C, lenders are required to report the difference between the Annual Percentage Rate (APR) of originated loans and the Average Prime Offer Rate. The prime rate is the rate that prime borrowers can expect to receive. Subprime borrowers receive higher APRs than prime borrowers, meaning that subprime borrowers pay more for mortgage financing.

The HMDA data set reports the rate spread for all originated loans. The rate spread represents the difference between the APR and the prime rate at the time of loan purchase. Essentially, the rate spread reports the rate that borrowers pay in excess of the prime rate. For first-lien loans, lenders are required to report the rate in excess of 1.5 percent of the prime rate, and for subordinate-lien loans lenders are required to report the rate in excess of 3.5 percent. For example, if a borrower secures a first-lien mortgage with an 8 percent APR when the prime rate is 5 percent, then the rate spread reported in the HMDA data set is 1.5 percent  $[8 - (1.5 \times 5) = 1.5]$ . Loans with a reported rate spread are considered “high cost” or “subprime” loans.

**Table 3-11** reports the share of high priced loans originated for owner-occupied home purchases in Consortium jurisdictions and the remainder of the County (all areas outside of the boundaries of each consortium city). Because HMDA data is reported by census tract, there may be some overlap of reporting between jurisdictions; however there are no duplicated loan records reported. As shown, 6.9 percent of originated loans in the County are high priced loans. Of Consortium jurisdictions, Antioch (12.2 percent) has the largest share of high cost loans and Walnut Creek (6.8 percent) the lowest. Interestingly, Walnut Creek has the greatest number of high cost subordinate loans, which is likely attributable to higher priced housing in Walnut Creek.

**TABLE 3-11**  
**HIGH PRICED LOANS FOR CONSORTIUM JURISDICTIONS,**  
**CONTRA COSTA COUNTY**

Jurisdiction	Total Loan Originations	First-Lien High Cost Loans	Subordinate-Lien High Cost Loans	Total High Cost Loans	Percentage High Cost Loans
Antioch	1,996	232	12	244	12.2%
Concord	1,155	93	5	98	8.5%
Pittsburg	818	60	0	60	7.3%
Richmond	1,169	91	3	94	8.0%
Walnut Creek	676	36	10	46	6.8%
All Other Areas	6,238	262	28	290	4.6%
<b>Total</b>	<b>12,052</b>	<b>774</b>	<b>58</b>	<b>832</b>	<b>7.9%</b>

*Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data.*

*Note: HMDA data is reported by Census Tract, which typically cross boundaries amongst jurisdictions. Loan records were assigned to jurisdictions primarily represented by a census tract which may cause error in allocating loan records to particular jurisdictions. Loan records are not duplicated.*

*Note: Because of rounding, percentages in columns may not sum to 100%.*

*Note: Denials are a subset of Failures, so Total Applications is the sum of Failures and Originations.*

## SUMMARY OF FINDINGS

In general, it is more likely that loan application requests result in origination, meaning that a greater share of loan applications originate than fail. Loan applications for each race do not vary greatly from the aggregate results of lending actions for the County, though areas with much lower than expected origination rates are also highly concentrated with minority populations.

Applicants reporting ethnicity as Hispanic or Latino experience lower rates of origination than all other subgroups. Nearly one-half of all loan applications for Hispanic persons fail to originate. Of loan applications that fail for Hispanic persons, 53 percent do so because of denial. More than one-quarter of loan applications are denied for Hispanic persons because of higher than accepted debt-to-income ratios. Unfavorable credit history and lack of collateral make up the reasons 22 percent of loan applications were denied for Hispanic persons.

About 40 percent of denied loan applications for Hispanic persons were because of incomplete applications, unverifiable applicant information, and for “other” reasons. The higher than expected rate of denied loan applications for Hispanic persons signifies an opportunity to direct policies toward making homeownership opportunities more available, through pre-purchase counseling, financial literacy, non-traditional credit building, credit counseling, and alternative credit rating.

Areas of low origination rates tend to be in the western portion of the County, mainly in the North Richmond area. These are areas that also have high concentrations of minorities and high concentrations of low- and very low-income households. The three census tracts (3650.02, 3750, and 3770) with the lowest rate of loan originations have a large share of loans that fail due to applicants withdrawing loan applications in the midst of the approval process and applicants withdrawing loan applications after loan approval. A small share of applications in these census tracts fail due to incomplete applications.

Also, most loan applications that are denied in each of these census tracts are denied because applicants are not qualified (debt-to-income ratios and credit history). Programs should be directed toward increasing homebuyer knowledge in areas of low loan origination rates.





# PRIVATE SECTOR PRACTICES

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This section discusses the efforts to determine and evaluate the practices of the private sector as they relate to fair housing choice, including the policies and practices of real estate agents, property managers, and mortgage lenders. Mortgage lending patterns are discussed in the preceding Section 3.

## REAL ESTATE SALES PRACTICES

In the State of California, to engage in the business of real estate sales, a broker or salesperson must be licensed by the Department of Real Estate (DRE). The DRE also enforces violations of California real estate law.

The real estate industry in California is highly professionalized. Almost all real estate brokers and salespersons are affiliated with a real estate trade association. The two largest are the California Association of Realtors (CAR), associated with the National Association of Realtors (NAR), and the California Association of Real Estate Brokers (CAREB), associated with the National Association of Real Estate Brokers (NAREB). Members of NAREB are licensed to use the professional designation “Realtist.” The use of the term “Realtor” is restricted by NAR as a registered trademark.

NAR has a professional code of conduct which specifically prohibits unequal treatment in professional services or employment practices on the basis of, “race, color, religion, sex, handicap, familial status, or national origin” (Article 10, NAR Code of Ethics). Both prohibit members from promulgating deed restrictions or covenants based on race.

Article 10 of the NAR Code of Ethics provides that “Realtors shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, or national origin. Realtors shall not be a party to any plan or agreement to discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, or national origin.”

A Realtor pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. Article 10 imposes obligations upon Realtors and is also a firm statement of support for equal opportunity in housing. A Realtor who suspects discrimination is instructed to call the local Board of Realtors. Local Boards of Realtors will accept complaints alleging violations of the Code of Ethics filed by a home seeker who alleges discriminatory treatment in the availability, purchase, or rental of housing. Local Boards of Realtors have a responsibility to enforce the Code of Ethics through professional standards procedures and corrective action in cases where a violation of the Code of Ethics is proven to have occurred.

The California Association of Realtors has many local associations. Contra Costa County is served by the Contra Costa Association of Realtors, the Bay East Association of

Realtors, the Delta Association of Realtors, and the West Contra Costa Association of Realtors.

CAR offers continuous online courses dealing with fair housing requirements and issues. According to the course description, the course will provide an overview of the federal fair housing laws and an in-depth discussion of the individual laws and their application to the practice of real estate. The course also provides CAR members with a study of the State of California fair housing laws and regulations. The course emphasizes anti-discriminatory conduct which all licensees should practice and concludes by discussing the voluntary affirmative action marketing program and why promoting fair housing laws is a positive force at work in California and throughout the nation.

NAREB Realtists follow a strict code of ethics that states “any Realtist shall not discriminate against any person because of Race, Color, Religion, Sex, National Origin, Disability, Familial Status or Sexual Orientation” (Part I, Section 2, NAREB Code of Ethics):

- In the sale or rental of real property.
- In advertising the sale or rental of real property.
- In the financing of real property.
- In the provision of professional services.

Part I, Section 2 of the NAREB Code of Ethics continues to state that any “Realtist shall not be instrumental in establishing, reinforcing or extending any agreement or provision that restricts or limits the use or occupancy of real property to any person or group of persons on the basis of race, color, religion, sex, national origin, disability, familial status or sexual orientation.”

## RENTAL AND PROPERTY MANAGEMENT

The California Apartment Association (CAA) is the country’s largest statewide trade association for rental property owners and managers. CAA incorporated in 1941 to serve rental property owners and managers throughout California. CAA represents rental housing owners and professionals who together manage more than 1.5 million rental units.

CAA supports the spirit and intent of all local, state, and federal fair housing laws for all residents without regard to color, race, religion, sex, marital status, mental or physical disability, age, familial status, sexual orientation, or national origin. Members of the California Apartment Association agree to abide by the following provisions of their Code for Equal Housing Opportunity:

- We agree that in the rental, lease, sale, purchase, or exchange of real property, owners and their employees have the responsibility to offer housing accommodations to all persons on an equal basis;
- We agree to set and implement fair and reasonable rental housing rules and guidelines and will provide equal and consistent services throughout our resident's tenancy;
- We agree that we have no right or responsibility to volunteer information regarding the racial, creed, or ethnic composition of any neighborhood, and we do not engage in any behavior or action that would result in steering; and
- We agree not to print, display, or circulate any statement or advertisement that indicates any preference, limitations, or discrimination in the rental or sale of housing.

The CAA offers a Certificate in Residential Management (CRM), which includes a course on fair housing law. In addition, the CAA website provides links to the Fair Housing Institute and Fair Housing Network.

CAA has a local association with offices in Pleasant Hill. The CAA of Contra Costa /Napa/Solano serves Contra Costa County, Napa, and Solano counties.

## ADVERTISEMENT

In January 2010 a review of rental housing advertisements for all of Contra Costa County was conducted to identify any fair housing impediments. All advertisements were examined for language that explicitly or implicitly indicated that housing would not be made available to persons without regard to membership in a protected class or that there would be a preference for or a bias against persons belonging to a protected class. No advertisements were found that would comprise an illegal or unfair housing opportunity. The review looked at advertisements in the Contra Costa Times newspaper (159 listings) and online websites (1,728 listings from craigslist.com and 169 listings from Rent.com). Of the advertisements reviewed, there were no impediments identified in Contra Costa County.

## USE OF RESTRICTIVE COVENANTS

Covenants that restrict the ownership or use of real property based on membership in a protected class are prohibited under state and federal law. Nonetheless, recorded documents with these terms persist.

Today, the California Department of Real Estate reviews Covenants, Conditions, and Restrictions (CC&Rs) for all subdivisions of five or more lots, or condominiums of five or more units. This review is authorized by the Subdivided Lands Act and mandated by

the Business Professions Code, Section 11000. The review includes a wide range of issues, including compliance with fair housing law.

Since 2000, California state law has required that any person or entity that provides declarations, deeds, and other governing documents related to the use of real property must place a cover page over the document or a stamp on the first page of the document containing a statement that any restrictive covenants that may appear in the document are null and void and that any person with an interest in the property has the right to request that the language be removed.

## FAIR HOUSING COMPLAINTS AND ENFORCEMENT

Patterns of complaints and enforcement are useful to assess the nature and level of potentially unfair or discriminatory housing practices in the private sector. Several public and private agencies may receive complaints about unfair housing practices or housing discrimination.

At the federal level, the Office of Fair Housing and Equal Opportunity (FHEO) of the U.S. Department of Housing and Urban Development (HUD) receives complaints of housing discrimination. FHEO will attempt to resolve matters informally. FHEO may act on those complaints if they represent a violation of federal law and FHEO finds that there is “reasonable cause” to pursue administrative action in federal court.

At the state level, the Department of Fair Employment and Housing (DFEH) has a similar role to FHEO. DFEH also receives, investigates, attempts to settle, and can take administrative action to prosecute violations of the law. HUD and DFEH have some overlap in jurisdiction and depending on the nature of the case, may refer cases to one another. DFEH is a HUD Fair Housing Assistance Program (FHAP) grantee, meaning that it receives funding from HUD to enforce federal fair housing law within the state.

### **U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity**

The San Francisco FHEO office provided information on fair housing complaints and cases for the period January 1, 2005, through December 31, 2009.<sup>1</sup> FHEO recorded 184 fair housing complaints originating in Contra Costa County over this time period. These cases were reported either directly to FHEO (45) or through the state DFEH (139) as part of FHAP grant activities. (Note: single cases may report multiple bases of discrimination.)

Of the 184 complaints received, almost half of the fair housing complaints filed were on the basis of disability (87), 50 complaints were filed on the basis of racial discrimination,

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<sup>1</sup> Chuck Hauptman, HUD-FHEO, San Francisco.

22 were based on familial status, 19 were filed on the basis of national origin, 17 based on sex, and 1 based on religion. There were an additional 7 filed complaining of retaliation against a person for asserting fair housing rights or for making a fair housing complaint.

From January 2008 through December 2009, a total of 75 complaints were made, of which the majority were based on disability (41 complaints) and race (23 complaints). The other complaints were in the categories of national origin, sex, family status, and retaliator.

FHEO reported a total of 187 cases closed in the same time period: 144 were closed by FHEO and 43 by DFEH. Ninety of these complaints were based on disability, 50 on race, 23 on familial status, 20 on national origin, 18 on sex, and 2 on religion. Ten of the closed cases were based on retaliation. Of the closed cases, 89 were found to have insufficient cause for action, 70 were resolved without administrative action, and 23 cases were pursued administratively. Seven of the fair housing cases involved the payment of compensation (less than \$2,000).

From January 2008 through December 2009, a total of 97 cases were closed: 71 were closed by FHEO and 26 by FHAP. The majority of the complaints were based on race and disability.

#### **California Department of Fair Housing and Employment (DFEH)**

The California Department of Fair Housing and Employment (DFEH) provided records of housing complaints filed within Contra Costa County for the period January 2004 through December 2009.<sup>2</sup> The department received 187 complaints between 2004 and 2008 for the county as a whole.

Of the 187 complaints received, almost half were on the basis of a disability (96 complaints), 31 based on national origin, 31 based on sex, and 9 based on religion, with the remaining complaints based on marital status and familial status. Nine complaints were based on retaliation.

From January 2008 through December 2009, there were a total of 75 complaints in Contra Costa County, of which 33 were based on disability, 6 based on sex, 2 based on national origin, and the remaining based on familial and marital status.

Since 2004 the DFEH has closed 19 fair housing complaints through successful mediation, closed 26 through successful conciliation, and found “no probable cause to prove a violation of the statute” for 103 fair housing complaints. The DFHE closed 23 cases noted withdrawn with resolution.

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<sup>2</sup> Correspondence, Karen Gilbert, State-DFEH

The DFEH also noted that in 2009, they received three complaints; however Government Code Section 6255 exempts the department from disclosing information related to the complaint until the file is closed.

### **Local Reports**

There are four agencies that currently may receive complaints regarding fair housing in Contra Costa County. These are Housing Rights, Inc. (HRI), Bay Area Legal Aid (BALA), Fair Housing of Marin (FHM), and the Contra Costa Crisis Center.

Together, the four agencies received and/or handled 727 fair housing complaints from Contra Costa County residents since 2006. Please see the following table. The most common basis of complaint was discrimination based on disability and refusal to make an accommodation for a person with a disability. The second most frequent basis of discrimination claimed was race. Other notable fair housing complaints include claims of discrimination based on familial status, national origin, and gender. Please see **Table 4-1**.

**TABLE 4-1**  
**FAIR HOUSING COMPLAINTS BY BASIS, 2006 TO PRESENT**

Basis of Complaint	Number	Percentage
Disability and Accommodation	368	50.6%
Race	168	23.1%
Familial Status	56	7.7%
National Origin	46	6.3%
Gender	23	3.2%
Other	66	9.1%
Total	727	100.0%

The majority of complaints were resolved by providing brief services or advising the caller during the call. Please see the following table. Others were resolved administratively, closed by an attorney, or closed after referral to HUD or DFEH. Many were resolved through other means or the manner of resolution was not reported. Please see **Table 4-2**.

**TABLE 4-2**  
**FAIR HOUSING COMPLAINTS BY RESOLUTION, 2006 TO PRESENT**

Outcome	Number	Percentage
Agency Advice/Brief Services	286	39.3%
Referral to Other Agency	127	17.5%
Client Stopped Case	67	9.2%
Administratively Closed	47	6.5%
Closed by an Attorney	20	2.8%
Closed by HUD	21	2.9%
Closed by DFEH	8	1.1%
Other/not specified	151	20.8%
Total	727	100.0%

The Contra Costa Crisis Center “2-1-1” line tracks calls related to tenant/landlord issues for the City of Richmond. From July through December of 2009, 69 referrals were made for tenant/landlord issues.

Additional details regarding the individual agencies’ fair housing complaints and closed cases summaries can be found in **Appendix 7**.

### **CAA of Contra Costa /Napa /Solano**

The local association of the California Apartment Association receives complaints regarding unfair housing practices.<sup>3</sup> The distribution of complaints is roughly even across the County, with a noticeably lower level from Richmond and higher level from Antioch.

Many fair housing complaints received by the California Apartment Association center on federally subsidized rental units (Section 8 and public housing). The most common classifications of discrimination included female heads of households, family households with teenage children, persons with disabilities, and racial discrimination.

The most common forms of discrimination reported by those persons who submitted a complaint included inappropriate verbal statements, differential treatment, and neglect of reasonable accommodations.

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<sup>3</sup> Personal communication, Theresa Karr of the California Apartment Association.

### **Summary of Complaints and Enforcement Activity**

Of the complaints received over the last few years, the most common (approximately 50 percent of all complaints) have been based on disability, specifically failure to provide reasonable accommodation within rental housing units.

The next most frequently reported classifications of discrimination were national origin, race, sex, and familial status.

Approximately 52 percent of all complaints filed to state or federal departments were found to have “no probable cause to prove a violation of the statute.” Furthermore, out of the total complaints filed, approximately 37 percent were handled through successful mediation or conciliation.

### **SUMMARY OF PRIVATE SECTOR PRACTICES**

Contra Costa County does not appear to have a significant problem in the private sector regarding unfair housing practices or housing discrimination. There does appear to be a lack of knowledge regarding the obligation of landlords and property managers to make reasonable accommodations for disabled persons and to rent to them without regard to disability.



# GOVERNMENT BARRIERS TO FAIR HOUSING

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Public policies established at the state, regional, and local levels can affect housing development and therefore may have an impact on the range and location of housing choices available to residents. This section discusses the public policies enacted by jurisdictions within Contra Costa County and their potential impacts on housing development. Zoning and housing-related documents (e.g., housing elements, previous fair housing assessments, consolidated plans) were reviewed to identify potential impediments to fair housing choice and affordable housing development.

## HOUSING ELEMENT LAW AND COMPLIANCE

As part of evaluating potential impediments to fair housing choice and housing development, each jurisdiction's Housing Element was reviewed. California state housing element law requires that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community.

California state housing element law requires each jurisdiction to:

- Identify adequate sites which will be made available through appropriate zoning and development standards and with the services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels in order to meet the city's regional housing needs.
- Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households.
- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.
- Conserve and improve the condition of the existing affordable housing stock.
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

## HOUSING FOR PERSONS WITH SPECIAL NEEDS

### **Housing for Persons with Disabilities**

Persons with special needs such as the elderly and those with disabilities must have access to housing in a community. Community care facilities provide a supportive housing environment to persons with special needs in a group situation. Restrictions that prevent these types of facilities from locating in a community may impede equal access to housing for the special needs groups.

## **Licensed Community Care Facilities**

The Lanterman Developmental Disabilities Services Act (Sections 5115 and 5116 of the California Welfare and Institutions Code) states that mentally and physically disabled persons are entitled to live in normal residential surroundings and that the use of property for the care of six or fewer disabled persons is a valid residential use for zoning purposes.

Housing element law requires that jurisdictions permit community care facilities with six or fewer persons by right in all residential zones. Group homes of seven or more residents, however, are often subject to special requirements. Current housing element law requires local governments to permit group homes of seven or more in at least one zone; a conditional use permit can be required.

There are many different types of licensed care facilities within the county. Below is a description of the different types of care facilities within these jurisdictions.

- Adult day care facilities (ADCF) provide programs for frail elderly and developmentally disabled and/or mentally disabled adults in a day care setting.
- Adult residential facilities (ARF) are facilities of any capacity that provide 24-hour nonmedical care for adults ages 18 through 59, who are unable to provide for their own daily needs. Adults may be physically handicapped, developmentally disabled, and/or mentally disabled.
- Group homes are facilities of any capacity and provide 24-hour nonmedical care and supervision to children in a structured environment.
- Residential care facilities for the elderly (RCFE) provide care, supervision, and assistance with daily living activities to persons 60 years of age and over and persons under 60 with compatible needs.
- Small family homes (SFH) provide care 24 hours a day in the licensee's family residence for six or fewer children who are mentally disabled, developmentally disabled, or physically handicapped and who require special care and supervision as a result of such disabilities.
- A social rehabilitation facility is any facility that provides 24-hour-a-day nonmedical care and supervision in a group setting to adults recovering from mental illnesses who temporarily need assistance, guidance, or counseling.
- The Transitional Housing Placement Program provides care and supervision for children at least 17 years of age participating in an independent living arrangement.

Please see **Appendix 8** for a summary of the number of licensed care facilities by type and their capacity by jurisdiction.

### **Reasonable Accommodation**

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

Although most local governments are aware of state and federal requirements to allow reasonable accommodations, if specific policies or procedures are not adopted by a jurisdiction, disabled residents may be unintentionally displaced or discriminated against.

All of the jurisdictions examined provide flexibility in development standards to reasonably accommodate the housing needs of residents with disabilities. The degree of formalization varies by jurisdiction.

## **HOUSING FOR THE HOMELESS**

### **Transitional and Supportive Housing**

Transitional housing is defined by U.S. Department of Housing and Urban Development (HUD) as a project that is designed to provide housing and appropriate support services to homeless persons to facilitate movement to independent living within 24 months.

Permanent supportive housing is defined by HUD as long-term community-based housing and supportive services for homeless persons with disabilities. The intent of this type of supportive housing is to enable this special needs population to live as independently as possible in a permanent setting. The supportive services may be provided by the organization managing the housing or provided by other public or private service agencies. There is no definite length of stay.

California Senate Bill 2 (Cedillo, 2007) requires that both the transitional and supportive housing types be treated as a residential use and be subject only to those restrictions that apply to other residential uses of the same type in the same zone. Both transitional and supportive housing types must be explicitly permitted in the zoning code. Please see **Appendix 9** for a table illustrating whether or not transitional housing is permitted or requires a use permit.

## **Emergency Shelter**

California Senate Bill 2 (Cedillo, 2007) also requires jurisdictions to allow emergency shelters without any discretionary action in at least one zone that is appropriate for permanent emergency shelters (i.e., with commercial uses compatible with residential or light industrial zones in transition). The goal of SB 2 is to ensure that local governments are sharing the responsibility of providing opportunities for the development of emergency shelters. To that end, the legislation also requires that jurisdictions demonstrate site capacity in the zone identified to be appropriate for the development of emergency shelters. Within the identified zone, only objective development and management standards may be applied, given they are designed to encourage and facilitate the development of or conversion to an emergency shelter.

Please see **Appendix 9** for a table illustrating whether or not permanent emergency shelters are permitted.

## **BUILDING CODE**

Building codes are essential to preserve public health and safety and to ensure the construction of safe housing. On the other hand, excessive standards can constrain the development of housing. Building codes are typically reviewed on an ongoing basis to evaluate whether changes are necessary or desirable and consistent with changing state law.

A review of the building codes for local jurisdictions in the County was completed, and it was found that none of the building codes or amendments to the building codes create an undue constraint on housing development. Please see **Appendix 10** for a description of the local building codes currently adopted.

## **RESOURCES AND INCENTIVES FOR AFFORDABLE HOUSING**

Local jurisdictions may provide resources and incentives for the development of affordable housing in order to assure the greatest possible availability of housing types for all persons and all income groups. Resources include local, state, and federal funding as well as local programs that provide incentives for the development of affordable housing. Please see **Appendix 11** for a listing of the funding programs available.

Two of the most significant incentive programs are inclusionary housing and the so-called density bonus.

### **Inclusionary Housing**

An inclusionary housing program requires a percentage of new residential housing units to be offered for sale or rent at prices affordable to lower-income households. In an effort to generate a mix of income levels within residential areas and to offer access to

public and commercial services without regard to economic status and income level, the affordable units are expected to be dispersed throughout the development. The number of inclusionary units is determined as a percentage of the total units in the development. Developers may choose to pay a fee or to provide a combination of fee and units in lieu of providing the units on-site. Fees collected are allocated to an Affordable Housing Trust Fund. Please see **Appendix 12** for a listing of affordable housing resources and programs.

### **Density Bonus**

Senate Bill 1818 (Hollingsworth, 2004) altered the state density bonus provisions. Effective January 1, 2005, SB 1818 increased the maximum bonus from 25 to 35 percent and changed the eligibility thresholds for projects. The bill also required localities to grant additional incentives and allowed bonuses for land donation. Under the new density bonus law, there are provisions for projects that include affordable housing (to low- and very low-income households), senior housing, donations of land, condominium conversions, and child-care facilities. The law also allows for concessions and incentives that have the effect of reducing the cost of development. A developer may apply for one to three concessions or incentives depending on how many affordable units are being constructed. Such concessions or incentives may include modification of or relief from development standards such as minimum parking requirements, minimum building setback and separation distances, maximum floor area ratios, architectural design requirements, or others.



# IDENTIFICATION OF IMPEDIMENTS AND ACTIONS TO ADDRESS

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This section describes the impediments to fair housing choice that have been identified by this analysis. The identified impediments are grouped into four broad categories: affordable housing, mortgage lending, governmental barriers, and fair housing enforcement and education.

Within each category are one or more impediments followed by one or more actions the Consortium member jurisdictions plan to undertake to address each impediment. It is important to note that the identification of an impediment does not necessarily identify a deficiency. By identifying the presence of an impediment, this analysis is stating the nature of a problem which the actions to address will serve to mitigate. These may be affirmative actions as much as responses to current conditions.

To facilitate reporting of accomplishments and the association of planned activities with impediments and actions to address, each impediment and action is identified by number. Actions are labeled according to the impediment they address.

Please note that state law requires local jurisdictions in California to assess barriers to affordable housing as part of the General Plan Housing Element. Programs to address impediments to fair housing may be addressed through the Housing Element.

## AFFORDABLE HOUSING

The provision of affordable housing and the support of existing and new affordable housing is critical to assuring that all households have access to quality housing.

Contra Costa County has a relatively high cost of housing with significant numbers of households that experience a high cost burden. This is particularly the case with the elderly and the very low-income. Although the level of need varies across the County, there is a near universal need for increased affordable housing. Market forces alone will not assure a sufficient supply of quality affordable housing.

Affordable housing must also be dispersed throughout the County to avoid the concentration of low-income households. The geographic concentration of lower income households tends to exacerbate problems such as disinvestment.

### **1. IMPEDIMENT: Lack of sufficient affordable housing supply.**

- 1.1. Action:** Provide assistance to preserve existing affordable housing and to create new affordable housing. Assistance will be provided through the Consolidated

- Plan programs of the Consortium member jurisdictions. These include CDBG, HOME, and HOPWA.
- 1.2. **Action:** Offer regulatory relief and incentives for the development of affordable housing. Such relief includes that offered under state “density bonus” provisions. (See housing element programs.)
  - 1.3. **Action:** Assure the availability of adequate sites for the development of affordable housing. (See housing element programs.)
- 2. IMPEDIMENT: Concentration of affordable housing.**
- 2.1. **Action:** Housing Authorities within the County (Contra Costa County, Richmond and Pittsburg) will be encouraged to promote wide acceptance of Housing Choice Vouchers, and will monitor the use of Housing Choice Vouchers to avoid geographic concentration.
  - 2.2. **Action:** Consortium member jurisdictions will collaborate to expand affordable housing opportunities in communities in which they are currently limited.
  - 2.3. **Action:** A higher priority for the allocation of financial and administrative resources may be given to projects and programs which expand affordable housing opportunities in communities in which they are currently limited.
  - 2.4. **Action:** Member jurisdictions will report on the location of new affordable housing in relation to the location of existing affordable housing and areas of low-income, poverty and minority concentration.

## MORTGAGE LENDING

The analysis of home mortgage lending patterns revealed that persons reporting as Hispanic had a higher likelihood of not receiving requested mortgage credit. The analysis suggested that this might be due to poor preparation prior to application for credit.

The mortgage lending analysis also suggests that those who request mortgage credit to purchase homes in areas that have concentrations of lower income households and concentrations of minority households are less likely to receive that credit. The analysis suggests that this is related to the quality of the applications (credit risk, debt to income, loan to value).

Two general strategies are suggested from the analysis; pre-purchase counseling for home buyers and the encouragement of lenders to reach out to under-represented populations.



**3. IMPEDIMENT: Differential origination rates based on race, ethnicity and location.**

- 3.1. **Action:** Member jurisdictions will periodically monitor Home Mortgage Disclosure Act (HMDA) data and report significant trends in mortgage lending by race, ethnicity and location.
- 3.2. **Action:** When selecting lending institutions for contracts and participation in local programs, member jurisdictions may prefer those with a Community Reinvestment Act (CRA) rating of “Outstanding.” Member jurisdictions may exclude those with a rating of “Needs to Improve,” or “Substantial Noncompliance” according to the most recent examination period published by the Federal Financial Institutions Examination Council (FFIEC). In addition, member jurisdictions may review an individual institution’s most recent HMDA reporting as most recently published by the FFIEC.

**4. IMPEDIMENT: Lack of knowledge about the requirements of mortgage lenders and the mortgage lending/home purchase process, particularly among lower income and minority households.**

- 4.1. **Action:** Member jurisdictions will support pre-purchase counseling and home buyer education programs.
- 4.2. **Action:** Member jurisdictions will support home purchase programs targeted to lower income (low and very low), immigrant, and minority households. Minority households include Hispanic households.
- 4.3. **Action:** Member jurisdictions will encourage mortgage lenders to responsibly market their loan products to lower income (low and very low), immigrant, and minority households. Minority households include Hispanic households.

**5. IMPEDIMENT: Lower mortgage approval rates in areas of minority concentration and low-income concentration.**

- 5.1. **Action:** Member jurisdictions will support home purchase programs targeted to households who wish to purchase homes in Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.
- 5.2. **Action:** Member jurisdictions will encourage mortgage lenders to responsibly market their loan products to households who wish to purchase homes in Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.

## FAIR HOUSING EDUCATION AND ENFORCEMENT

Promoting fair housing includes both education and enforcement. Consortium member jurisdictions should continue to support both education and enforcement efforts.

This analysis has indicated that housing discrimination is most prevalent in the rental housing industry. The reported incidence of unfair housing practices in the residential sales market is relatively low. This can be assumed to be the case because the level of professionalization in the sales industry is high and because parties tend to have professional representation. Enforcement efforts will be targeted to rental housing.

Similarly, this analysis indicates that there is a general lack of awareness in the rental housing industry when it comes to the requirement to provide reasonable accommodation to persons with disabilities.

Evolving federal fair housing priorities and indications from local advocates support the need for focused education and enforcement with regard to housing discrimination based on sexual orientation.

The preparation of this analysis suggests that improved collection and reporting of housing discrimination complaints by local agencies would provide a more useful and accurate assessment of the state of fair housing in Contra Costa County. Specifically, information should be collected with regard to complaints of housing discrimination based on sexual orientation and complaints that landlords have not provided reasonable accommodation.

### **6. IMPEDIMENT: Lack of knowledge of fair housing rights.**

- 6.1. Action:** Support efforts to educate tenants, and owners and agents of rental properties regarding their fair housing rights and responsibilities.

### **7. IMPEDIMENT: Discrimination in rental housing.**

- 7.1. Action:** Support efforts to enforce fair housing rights and to provide redress to persons who have been discriminated against.
- 7.2. Action:** Support efforts to increase the awareness of discrimination against all Federal and State protected classes.

**8. IMPEDIMENT: Failure to provide reasonable accommodation to persons with disabilities.**

- 8.1. **Action:** Support efforts to educate tenants, and owners and agents of rental properties regarding the right of persons with disabilities to reasonable accommodation.
- 8.2. **Action:** Support efforts to enforce the right of persons with disabilities to reasonable accommodation and to provide redress to persons with disabilities who have been refused reasonable accommodation.

**9. IMPEDIMENT: Lack of information on the nature and basis of housing discrimination.**

- 9.1. **Action:** Monitor the incidence of housing discrimination complaints and report trends annually in the CAPER.
- 9.2. **Action:** Improve the consistency in reporting of housing discrimination complaints. All agencies who provide this information should do so in the same format with the same level of detail. Information should be available by the quarter year.
- 9.3. **Action:** Improve collection and reporting information on discrimination based on sexual orientation and failure to provide reasonable accommodation to persons with disabilities.

**GOVERNMENT BARRIERS**

Local government can play a critical role to providing a full range of housing types and to assuring the availability of housing suitable to all sectors of the public. Not all member jurisdictions have formal policies and procedures that describe how a member of the public may request and receive a reasonable accommodation to local regulations. A formal policy is an important commitment to the policy of reasonable accommodation. It also provides the public with a clear road map to reasonable accommodation.

Local land use policy should include provisions for all housing types including those intended for the homeless. This analysis indicates that not all member jurisdictions allow housing for the homeless by right.

**10. IMPEDIMENT: Lack of formal policies and procedures regarding reasonable accommodation.**

- 10.1. Action:** Jurisdictions which have not done so will adopt formal policies and procedures for persons with disabilities to request reasonable accommodations to local planning and development standards.

**11. IMPEDIMENT: Transitional and supportive housing is not treated as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zone, and is not explicitly permitted in the zoning code.**

- 11.1. Action:** Jurisdictions which have not done so will amend their zoning codes to treat transitional and supportive housing types as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zone, and to explicitly permit both transitional and supportive housing types in the zoning code.

**12. IMPEDIMENT: Permanent emergency shelter is not permitted by right in at least one appropriate zoning district.**

- 12.1. Action:** Jurisdictions which have not done so will amend their zoning codes to permit transitional and supportive housing by right in at least one residential zoning district.

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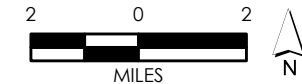
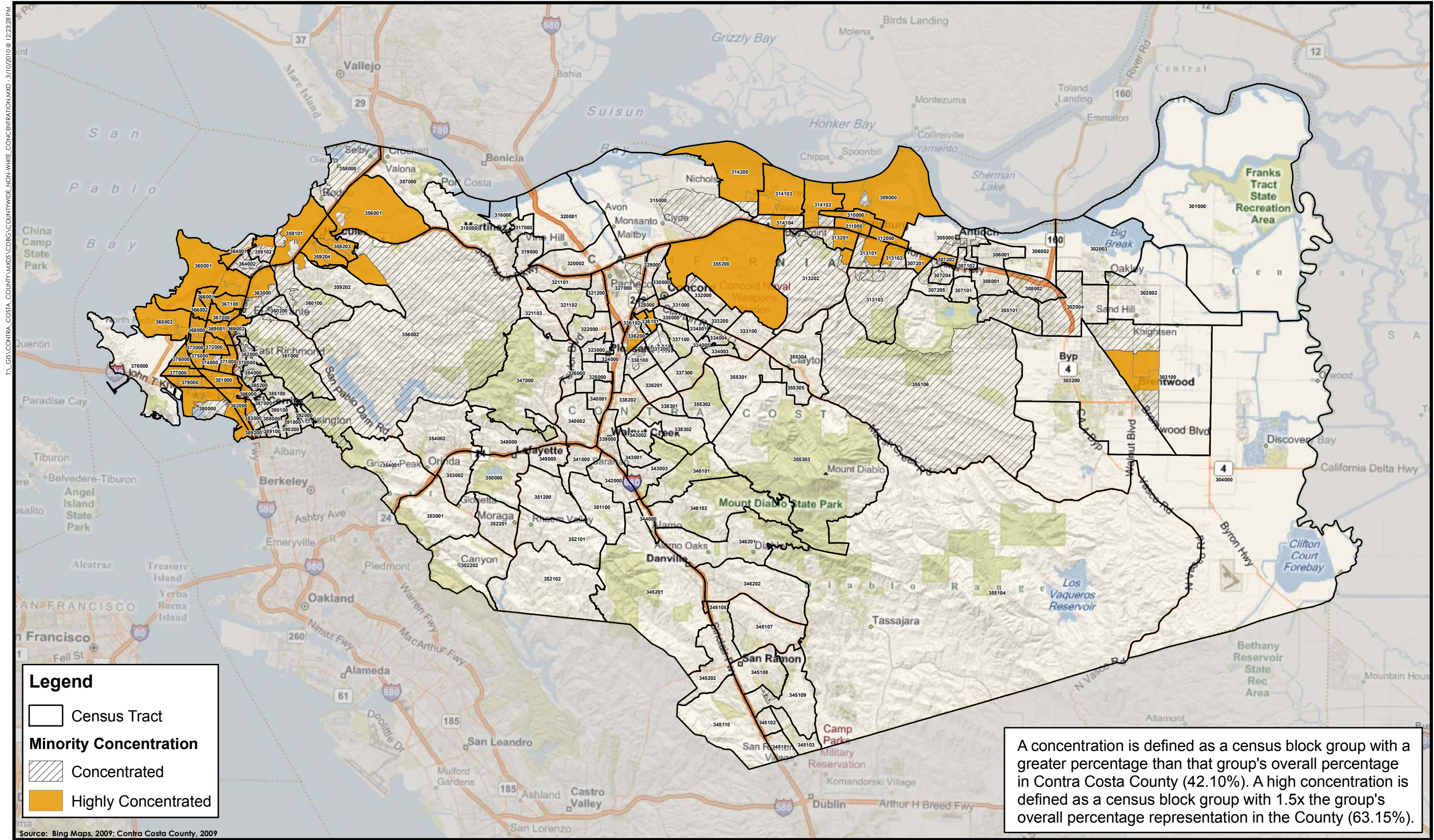
**APPENDIX 1.**  
**AREAS OF MINORITY CONCENTRATION**  
**(MAPS)**

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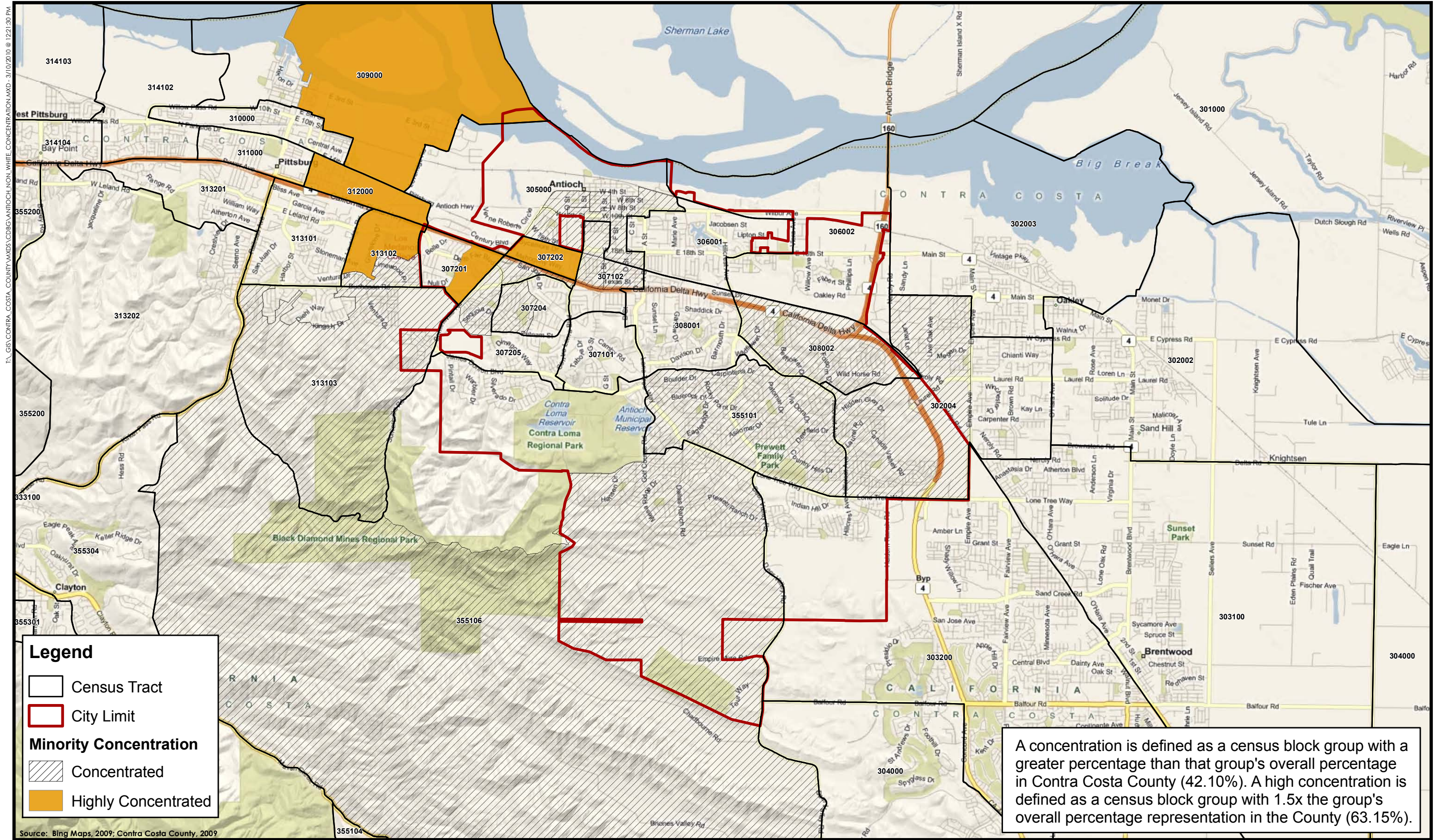
**Map 1**  
Minority Concentration - Contra Costa County







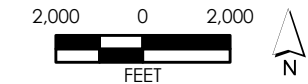
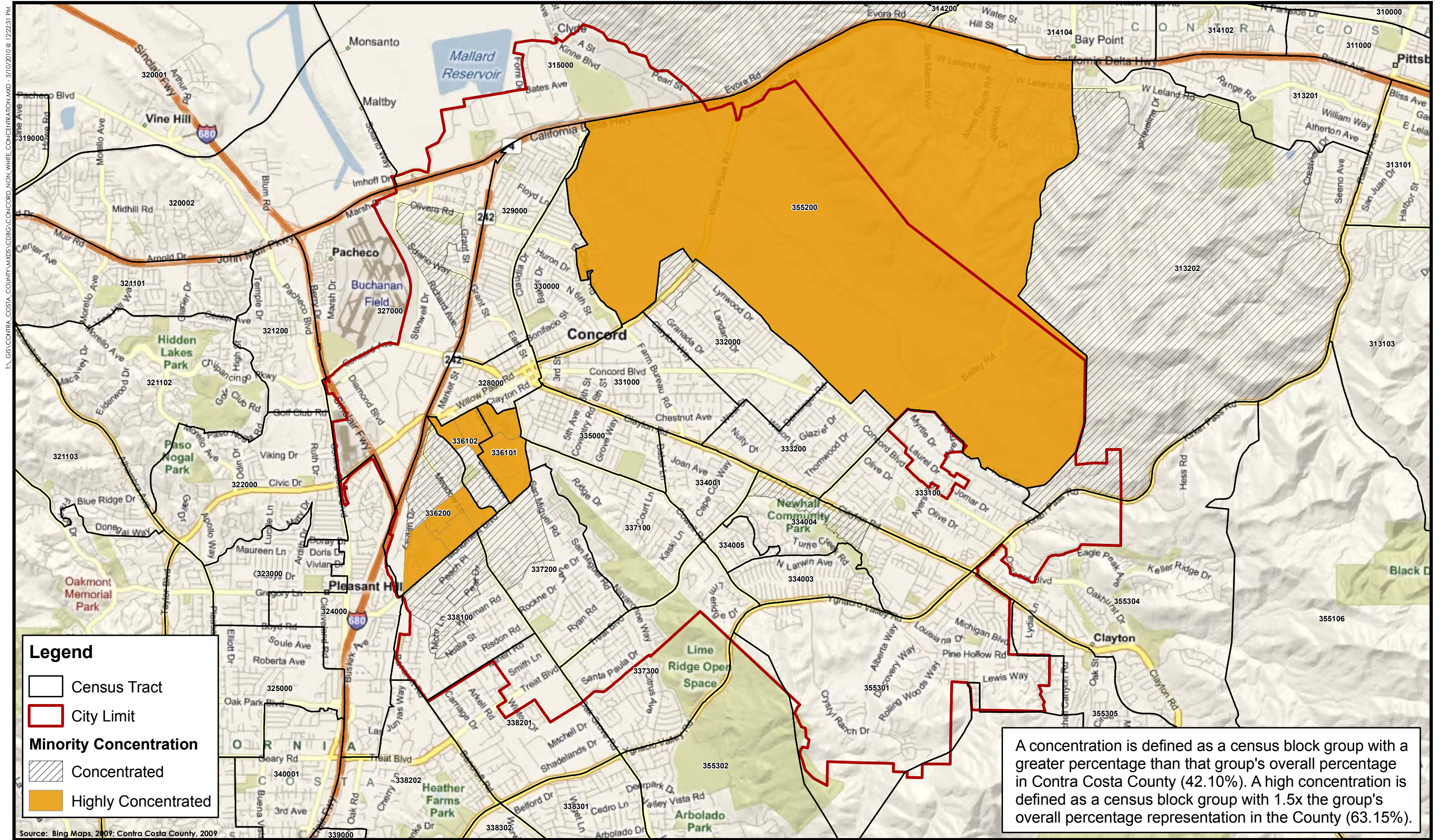
















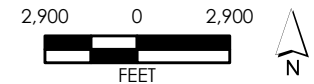
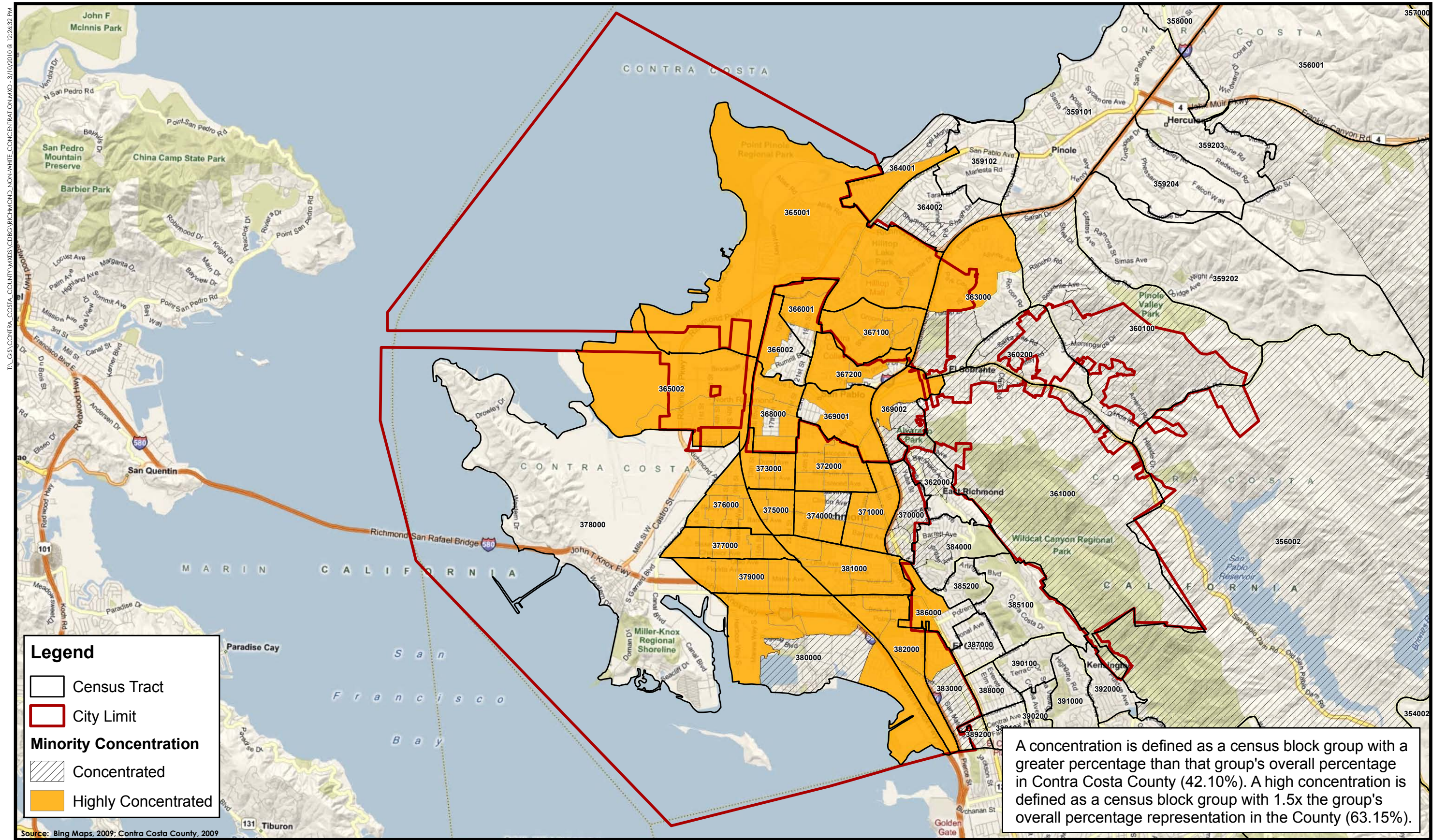


















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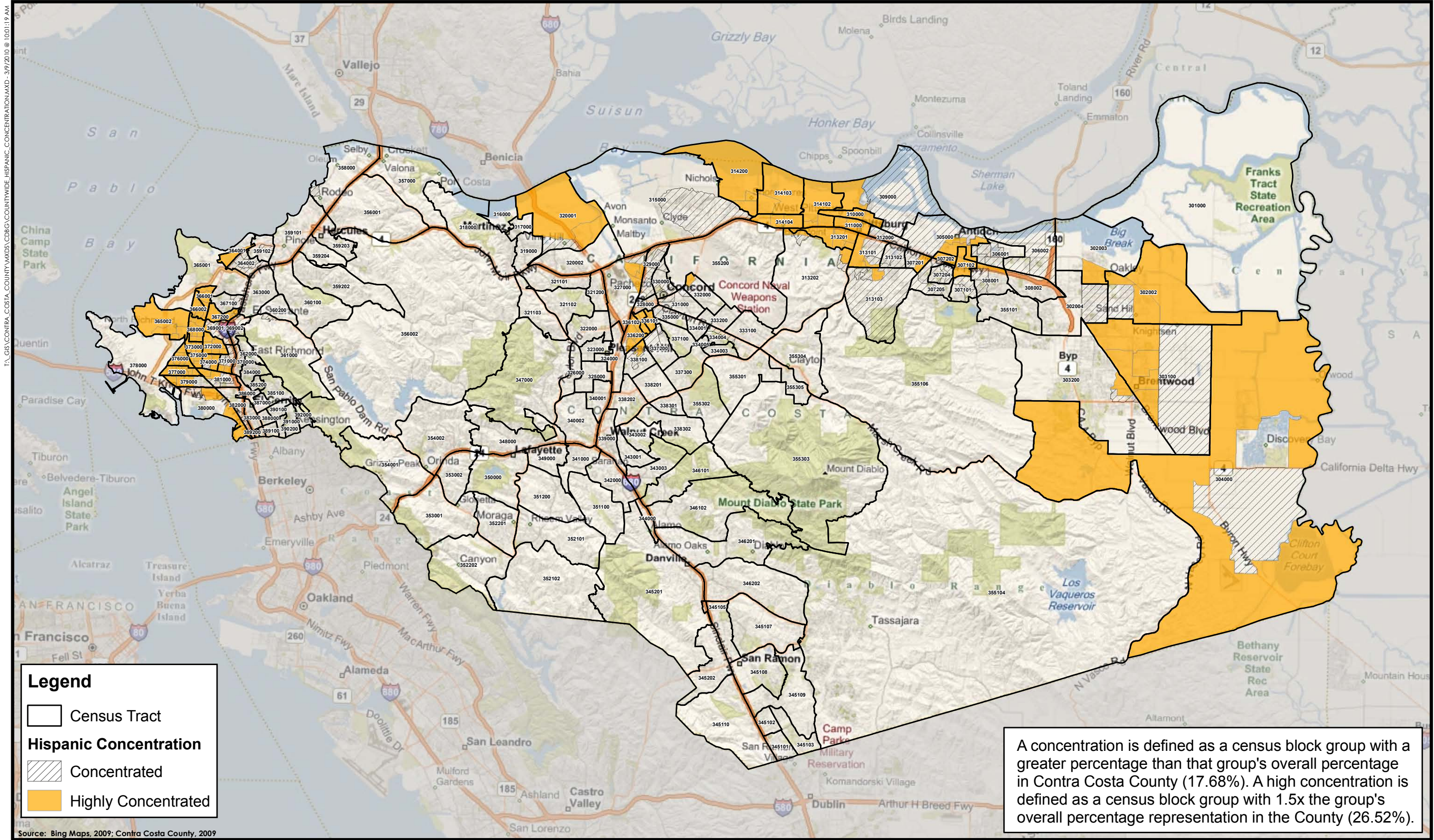
**APPENDIX 2.**  
**AREAS OF HISPANIC CONCENTRATION**  
**(MAPS)**

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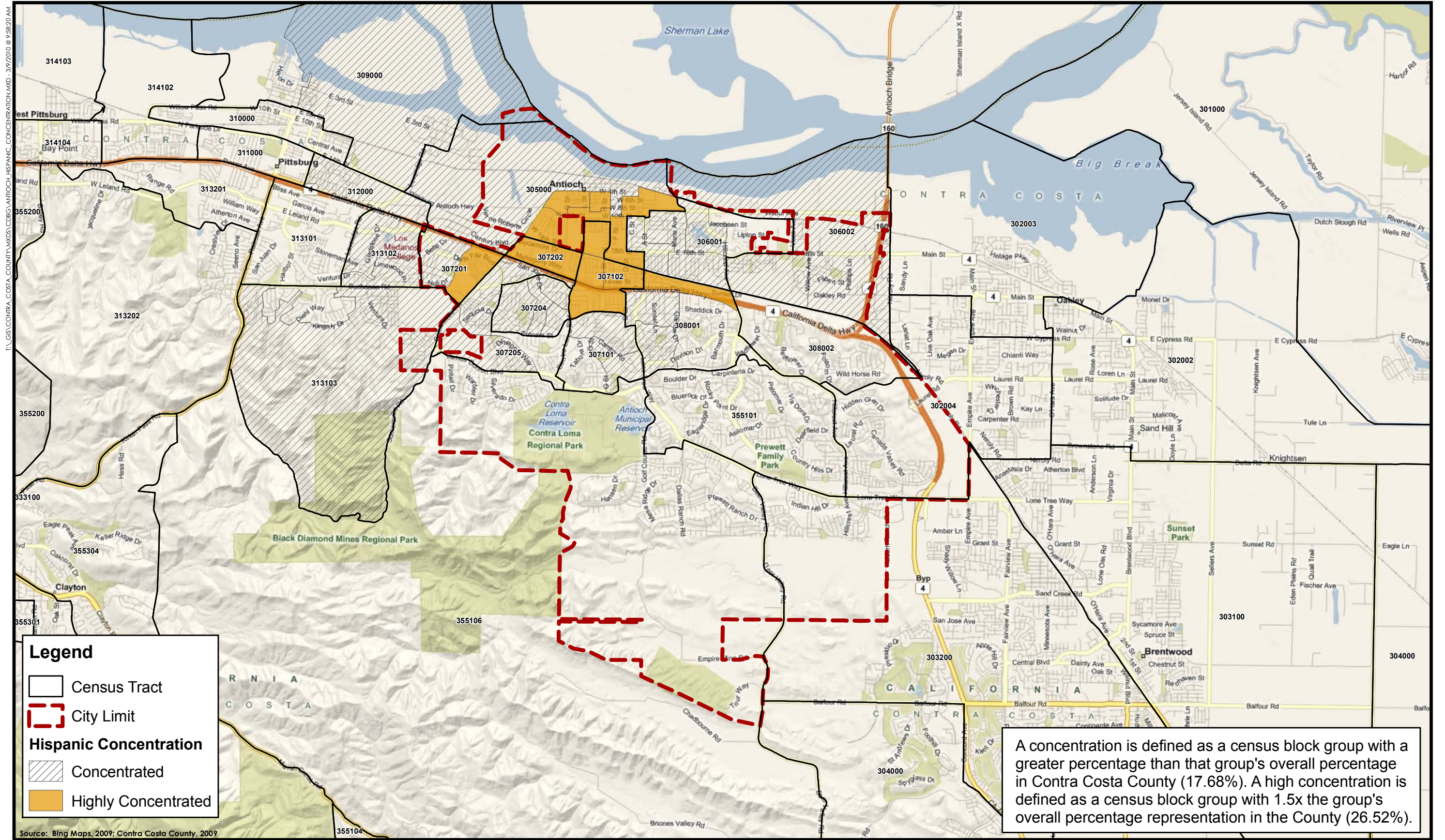
**Map 6**  
Hispanic Concentration - Contra Costa County









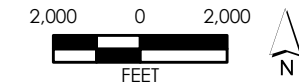
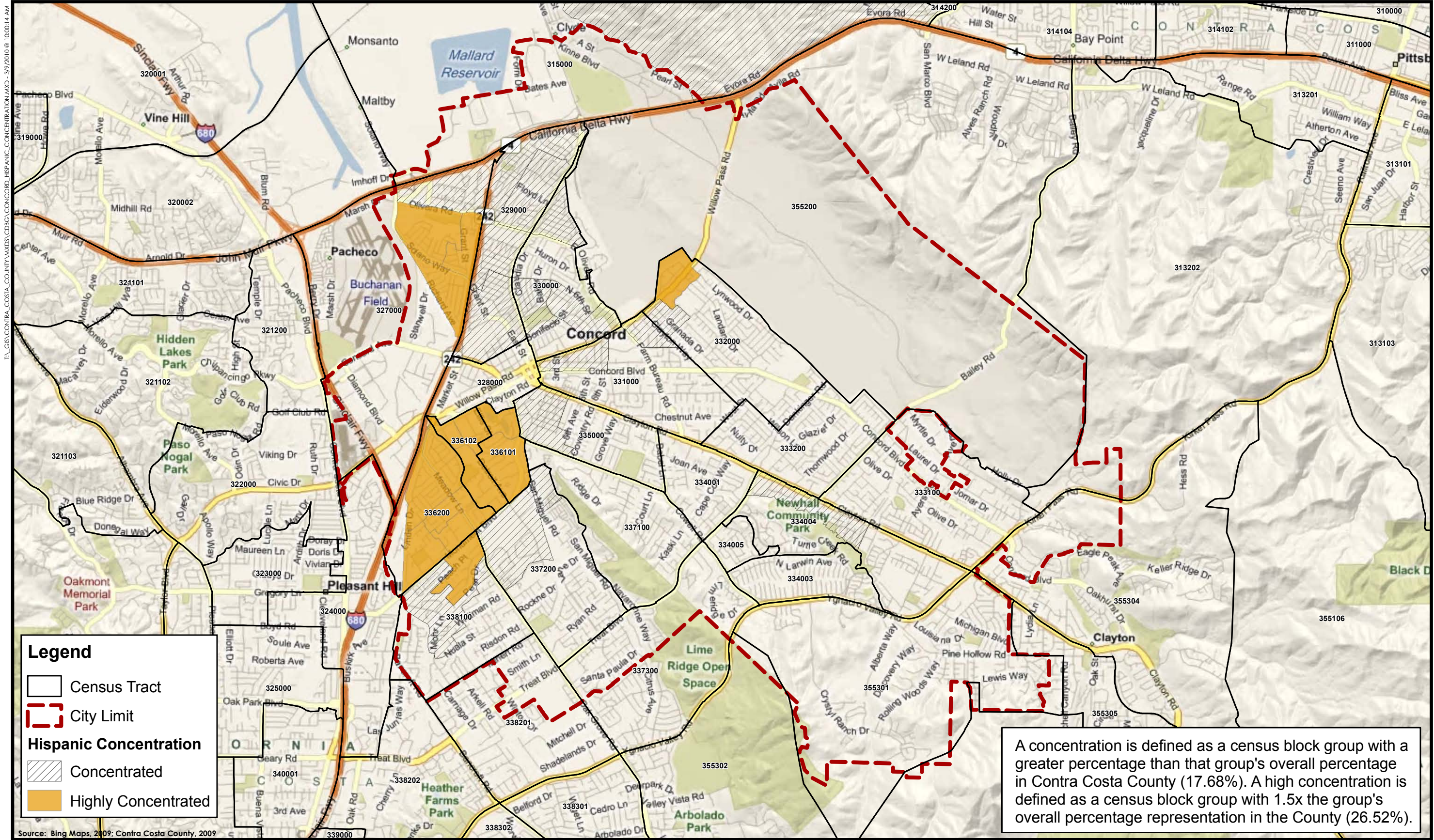








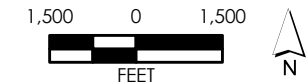
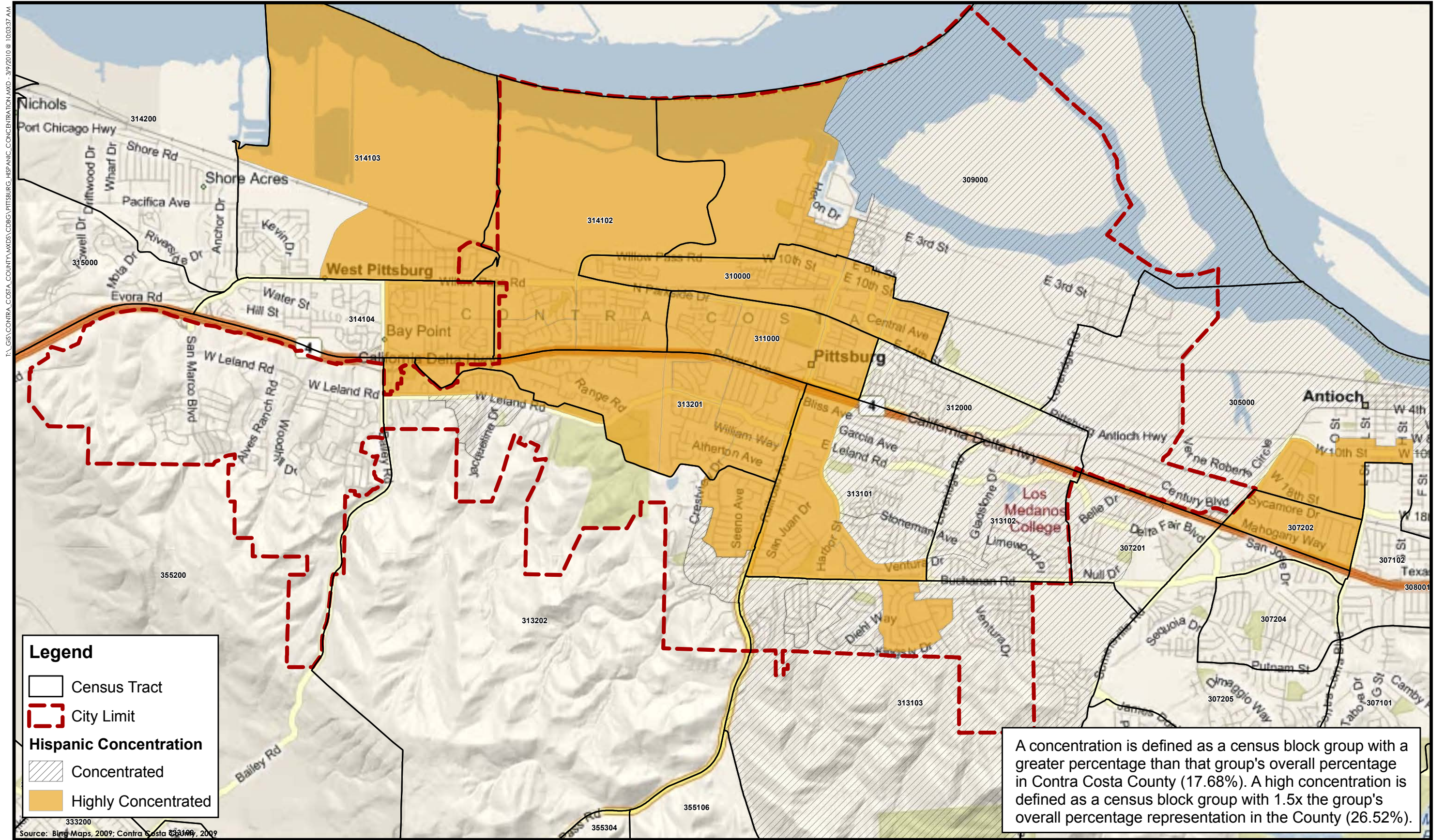
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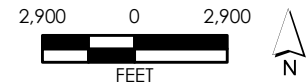
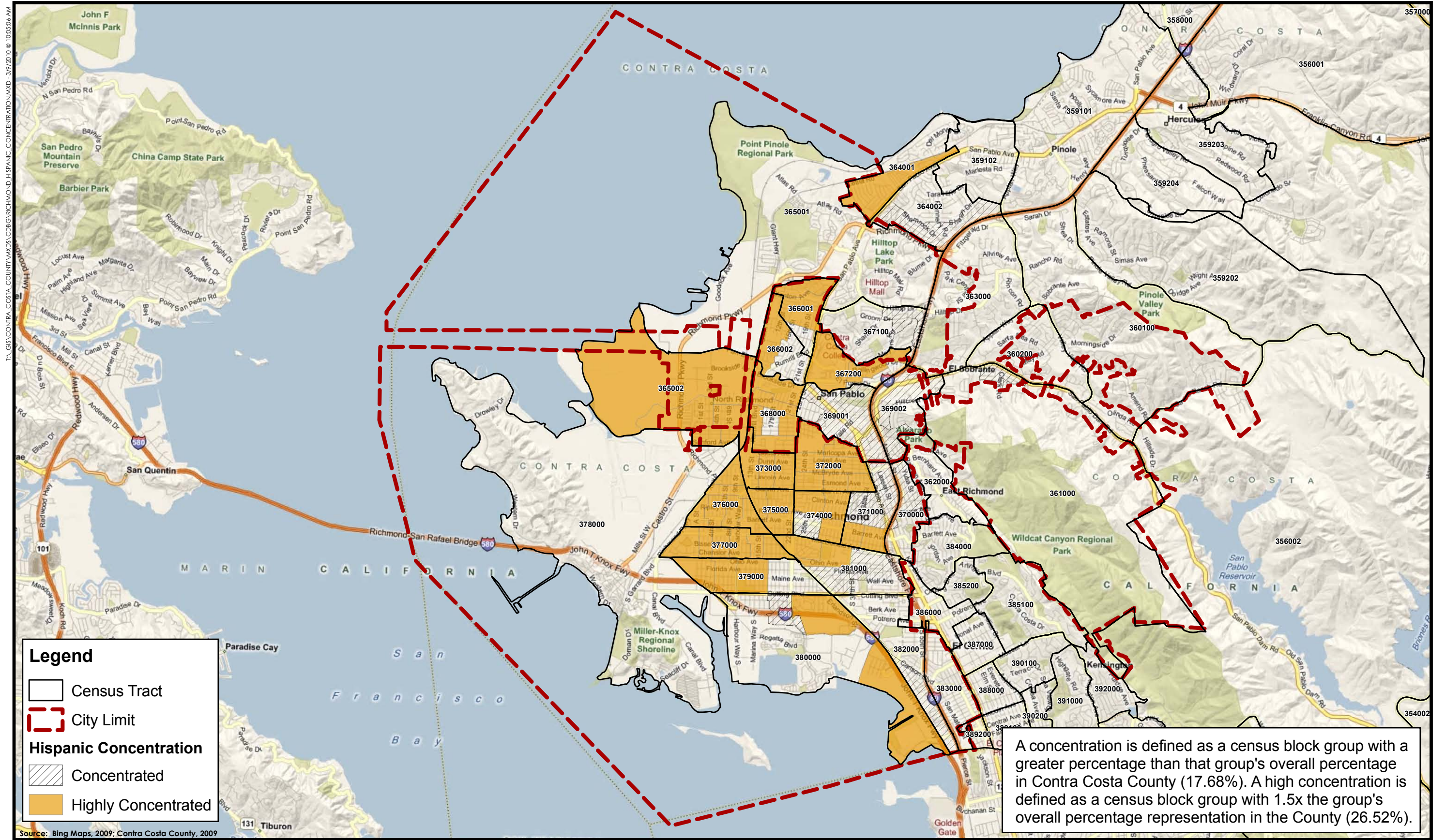












**Map 10**  
Hispanic Concentration - Richmond





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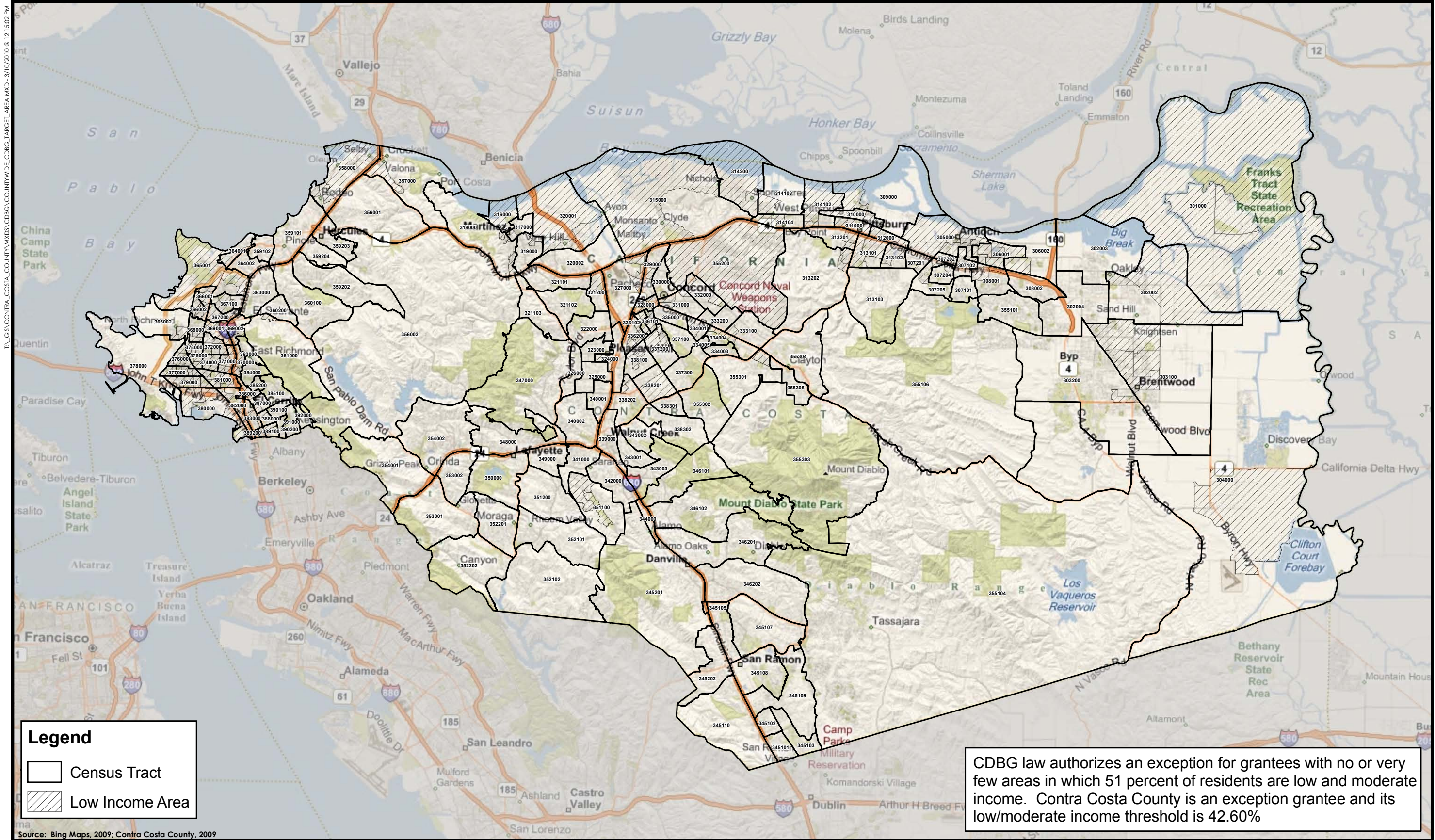
**APPENDIX 3.**  
**AREAS OF LOW-INCOME AND VERY**  
**LOW-INCOME CONCENTRATION**  
**(MAPS)**

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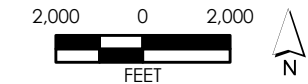
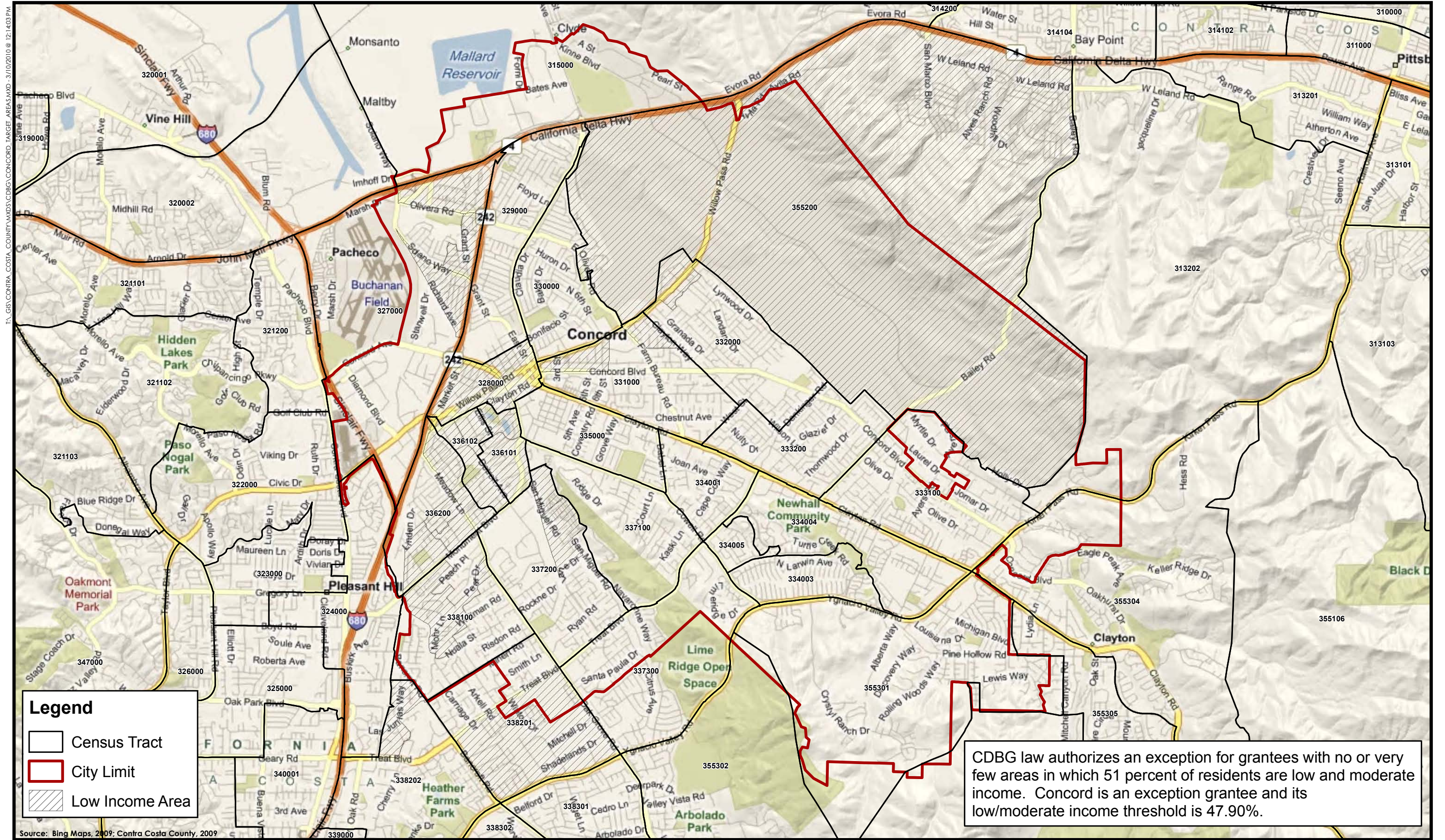










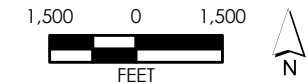
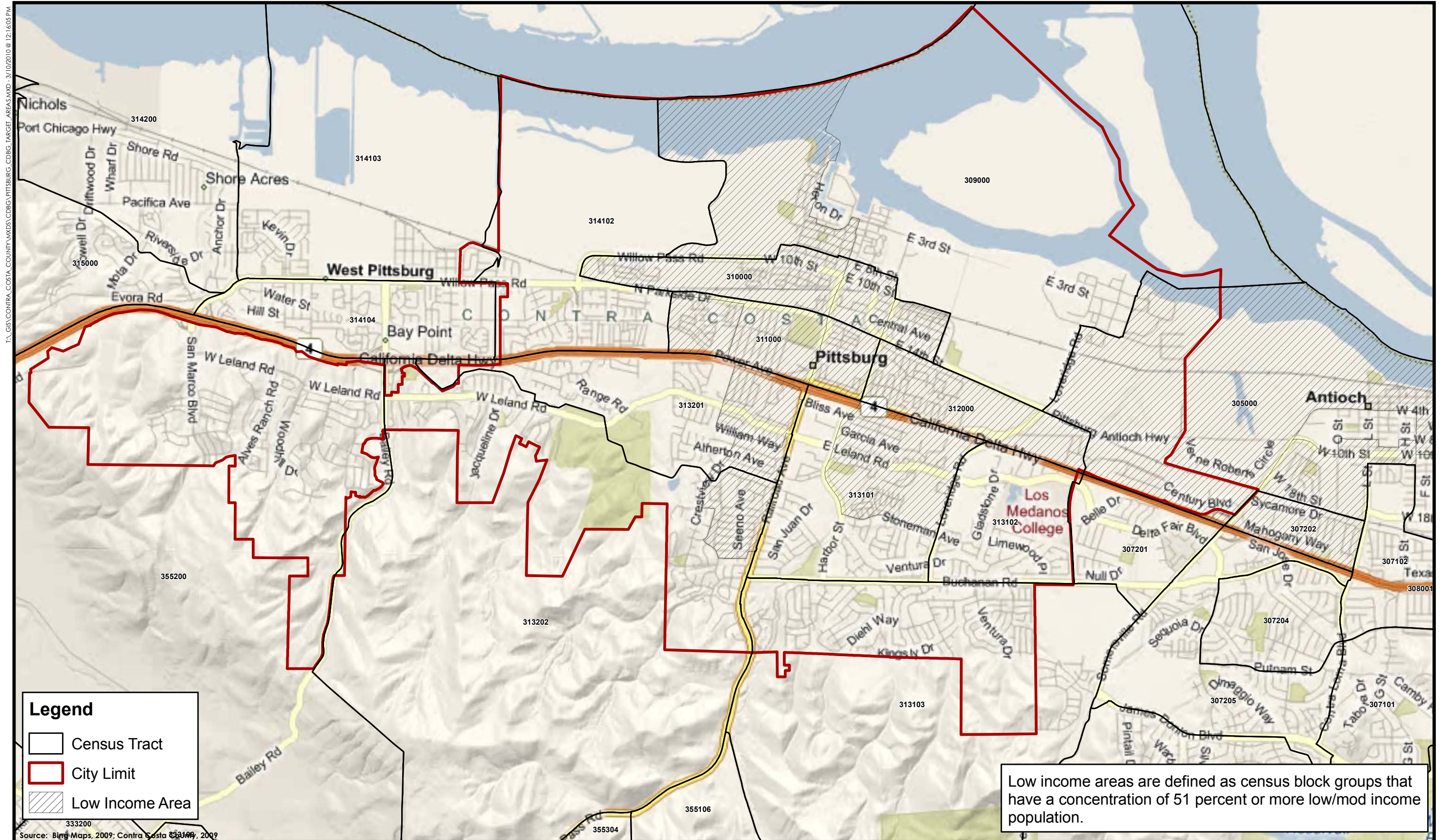








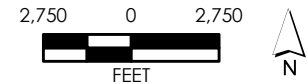
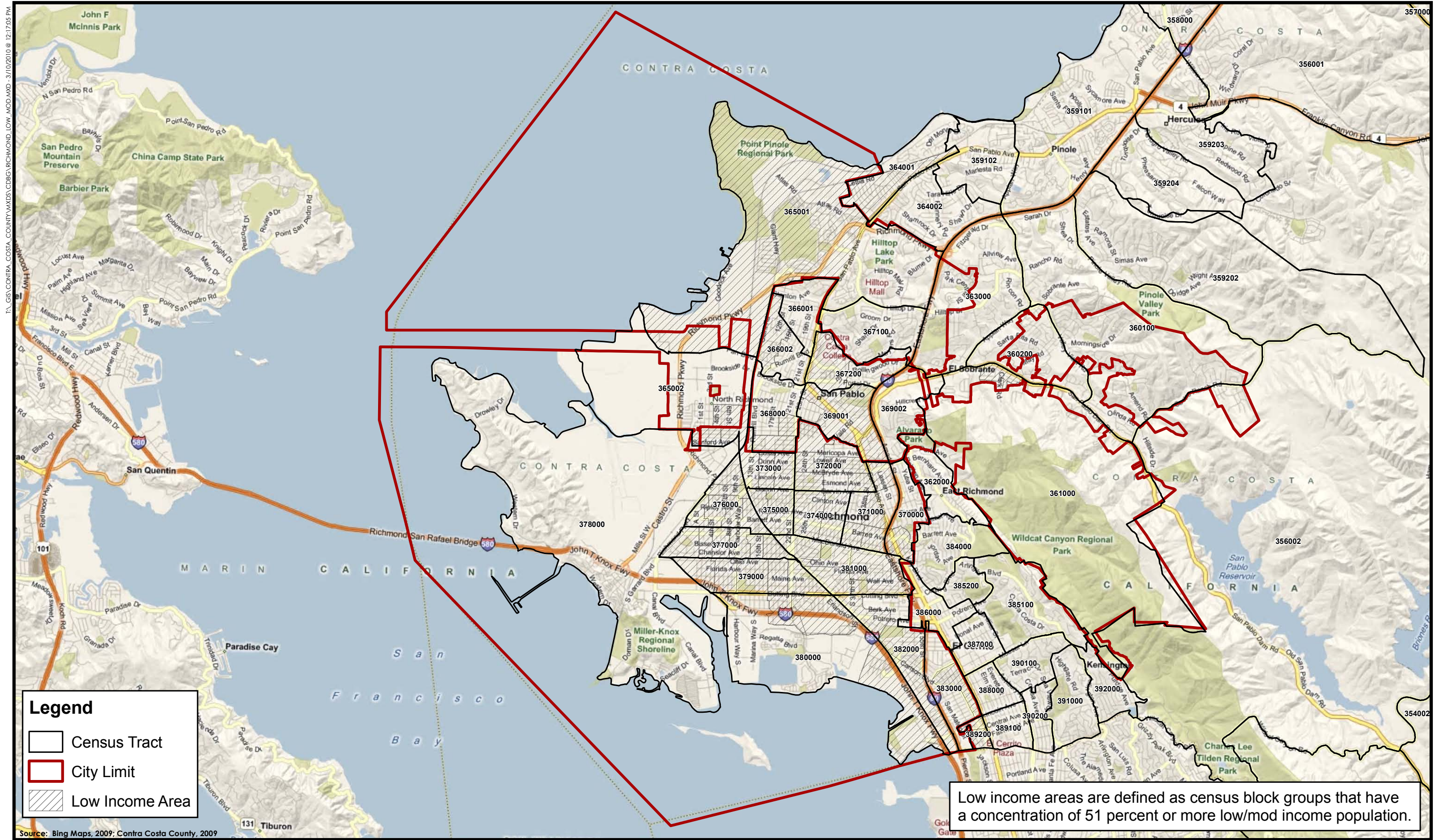
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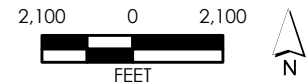
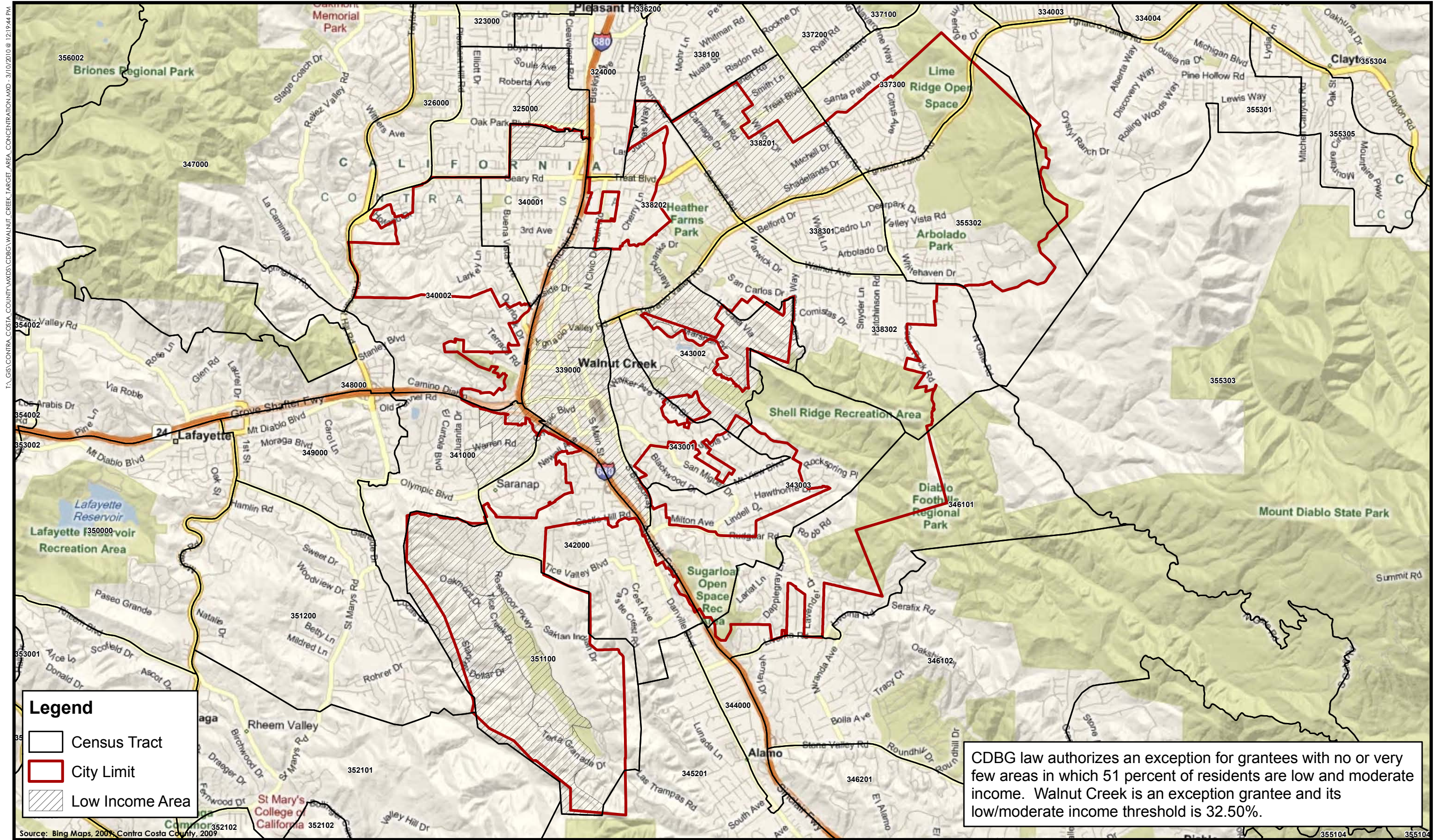








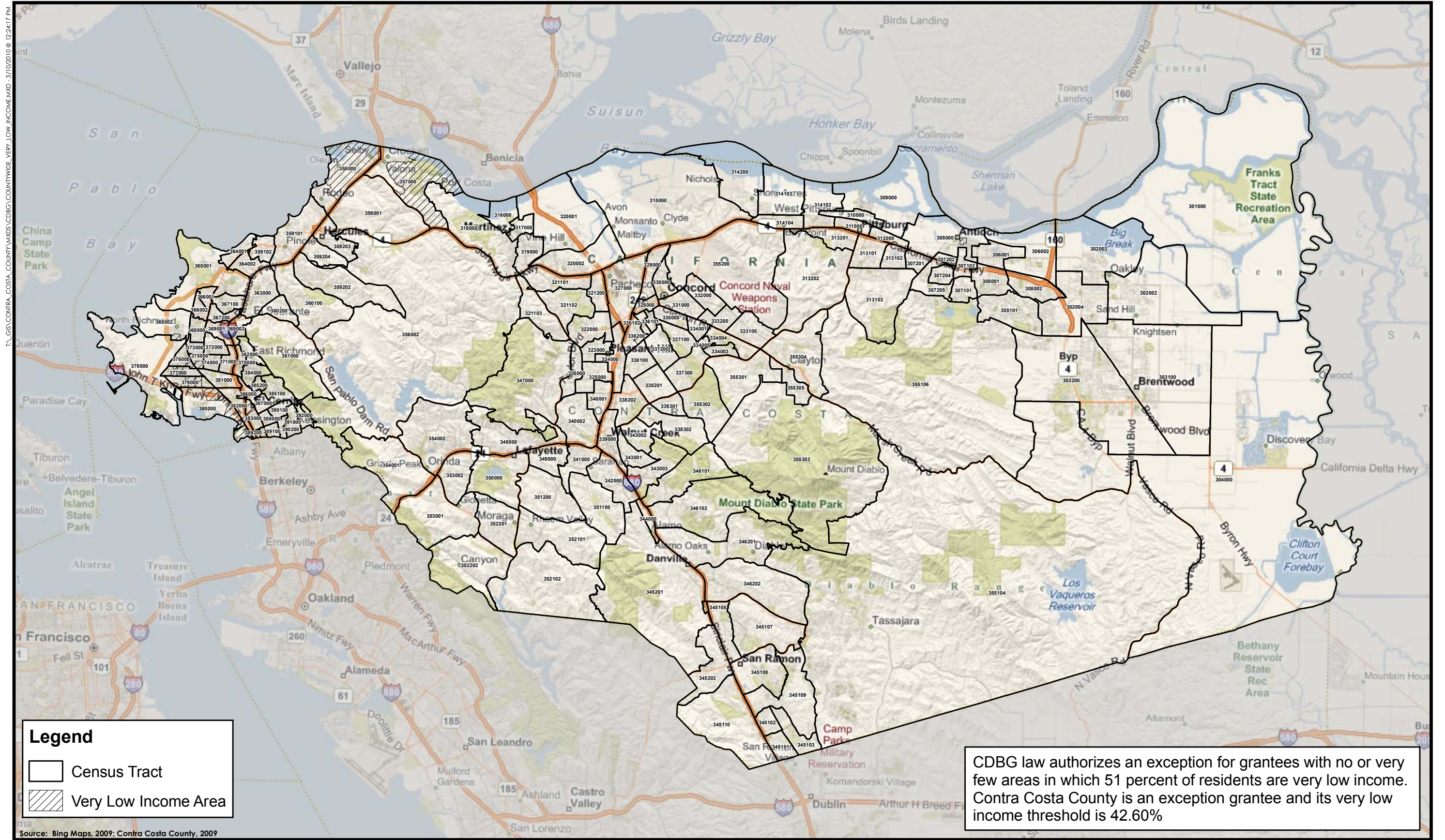








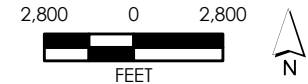
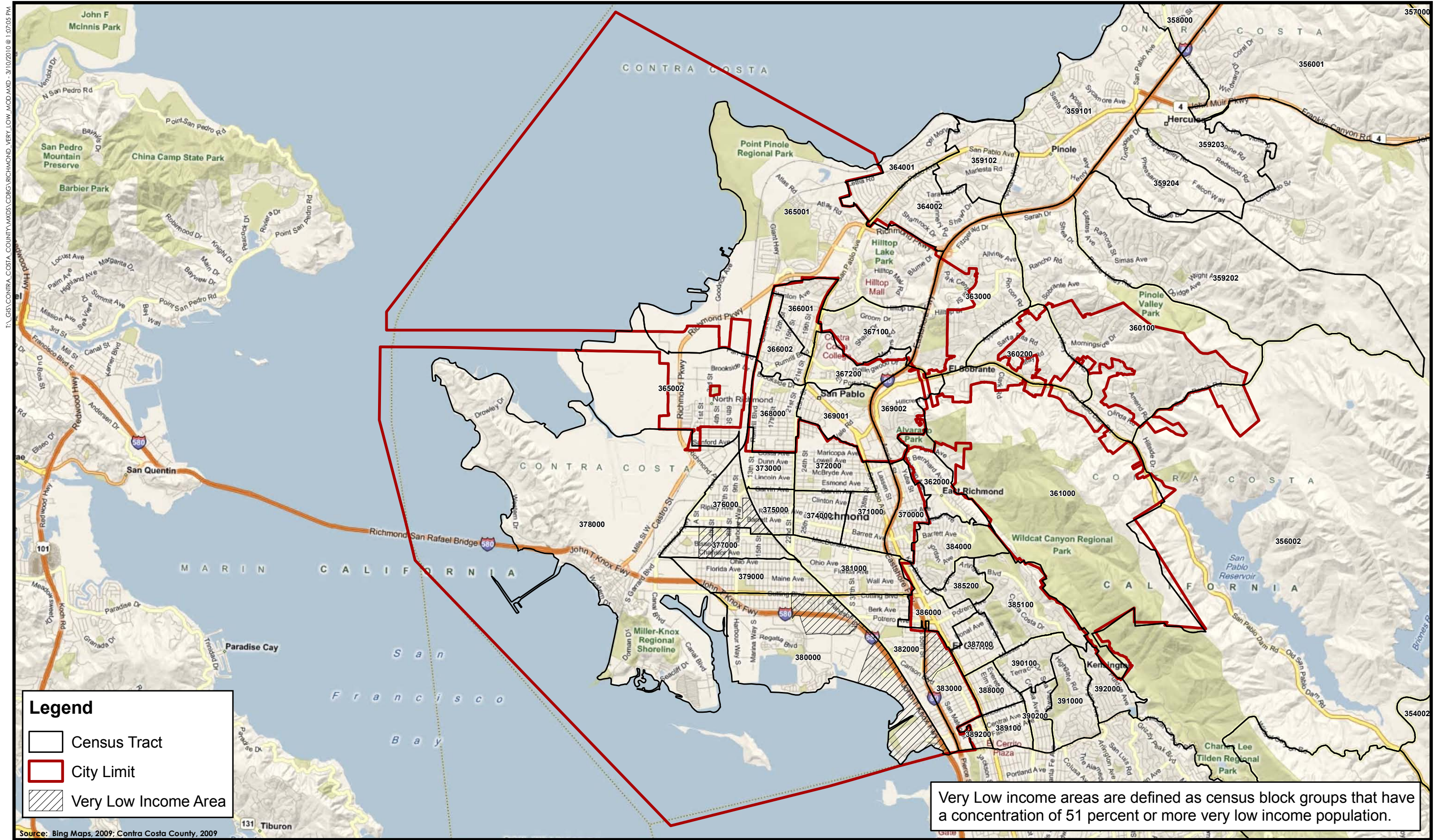
















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## **APPENDIX 4.**

# **“CHAS” TABLES**

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## Appendix 4 - CHAS Housing Problems Tables

The assessment of Contra Costa County's housing needs relies on custom tabulations of U.S. Decennial Census data provided by HUD. These tabulations are referred to as the "CHAS" tables. They are obtained using HUD's "State of the Cities Data System" (SOCDS). These data are presented in two main tables, one presenting "housing problems" by households and the other presenting "affordability mismatch" by housing units. The needs of renter and owner households are examined separately.

The following are the housing problems tables for the State of California, Contra Costa County, the Urban County area, and the five entitlement communities. Because of the nature of the Consortium, data tables were acquired according to the CDBG geography. Although this best approximates the jurisdictional boundaries within the Consortium, it does introduce a significant level of rounding in the data.<sup>1</sup>

The CHAS housing problems tables present the number of households paying more than 30 percent and 50 percent of gross income for housing by tenure, household type, and income category. This cost of housing as a percentage of gross income is referred to as the housing "cost burden." According to HUD, a household which has a housing cost burden over 30 percent has a "high" housing cost burden. Those with a cost burden over 50 percent have a "severe" cost burden.

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<sup>1</sup> Please see <http://socds.huduser.org/chas/Frequently%20Asked%20Questions.htm>





### Housing Problems Output for -All Households

Name of Jurisdiction:			Source of Data:			Data Current as of:					
California			CHAS Data Book			2000					
	Renters					Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	344,660	646,560	335,000	486,800	1,813,020	411,249	210,095	114,040	120,730	856,114	2,669,134
2. Household Income <=30% MFI	209,065	332,745	161,320	297,120	1,000,250	180,589	92,950	40,400	70,075	384,014	1,384,264
3. % with any housing problems	70.9	87.8	97	74.9	81.9	68.1	79.1	92.6	70.1	73.7	79.6
4. % Cost Burden >30%	68.6	81.5	85.6	72.2	76.7	67.6	75.9	80.9	68.8	71.3	75.2
5. % Cost Burden >50%	51.7	69.7	65.1	64.7	63.7	48.9	68.1	72.1	59.8	58	62.1
6. Household Income >30% to <=50% MFI	135,595	313,815	173,680	189,680	812,770	230,660	117,145	73,640	50,655	472,100	1,284,870
7. % with any housing problems	74.8	87.2	95.3	87.5	86.9	46.3	78.7	93.1	73.6	64.6	78.7
8. % Cost Burden >30%	71.7	77.3	63.2	84.7	75.1	46	74.7	77.9	72.6	60.9	69.9
9. % Cost Burden >50%	37.6	27.3	13.8	43.9	30	25.3	55	47.1	54.5	39.2	33.4
10. Household Income >50 to <=80% MFI	102,155	410,305	200,510	288,425	1,001,395	314,849	271,170	163,865	91,565	841,449	1,842,844
11. % with any housing problems	58.5	63.2	87.2	59.9	66.6	30.9	70.4	86.2	67.5	58.4	62.8
12. % Cost Burden >30%	54.8	41.3	22.2	54.8	42.8	30.6	65.8	59.2	66.4	51.4	46.7
13. % Cost Burden >50%	15.6	4.9	1.7	9.6	6.7	14.1	29.7	16.9	34.9	22	13.7
14. Household Income >80% MFI	146,954	908,040	259,900	822,215	2,137,109	932,389	2,556,075	736,380	623,820	4,848,664	6,985,773
15. % with any housing problems	22.1	24.1	66.3	14.6	25.4	14.1	23.7	46.3	29.8	26.1	25.9
16. % Cost Burden >30%	18.6	7.3	3.7	10.3	8.8	13.9	20.8	18.4	28.9	20.1	16.7
17. % Cost Burden >50%	4.4	0.5	0.2	0.8	0.8	3.5	3.3	2.4	5.7	3.5	2.7
18. Total Households	593,769	1,964,905	795,410	1,597,440	4,951,524	1,658,487	3,037,340	1,014,285	836,115	6,546,227	11,497,751
19. % with any housing problems	57.6	53.1	84.1	42.7	55.3	27.7	31.7	58	40	35.8	44.2
20. % Cost Burden >30	54.6	38.2	38	38.7	40.3	27.4	28.6	31.8	39	30.1	34.5
21. % Cost Burden >50	30.6	17.4	16.7	19.4	19.5	13.5	9.7	10.8	16.4	11.7	15

### Housing Problems Output for -All Households

Name of Jurisdiction:			Source of Data:			Data Current as of:					
Contra Costa County, California			CHAS Data Book			2000					
	Renters					Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	8,060	14,650	6,045	9,715	38,470	15,035	7,060	2,779	4,470	29,344	67,814
2. Household Income <=30% MFI	5,333	7,845	2,945	5,770	21,893	6,897	3,015	989	2,480	13,381	35,274
3. % with any housing problems	70.7	81.3	94.6	75.5	79	63.8	85.2	93.9	75.6	73.1	76.7
4. % Cost Burden >30%	69	77.9	84.6	74.3	75.7	63.2	83.7	86.9	74.6	71.7	74.2
5. % Cost Burden >50%	48.9	60.7	55.9	62.4	57.6	43	74.5	76.8	61.3	56	57
6. Household Income >30% to <=50% MFI	2,727	6,805	3,100	3,945	16,577	8,138	4,045	1,790	1,990	15,963	32,540
7. % with any housing problems	76	79.5	88.9	85.7	82.1	43	78.4	89.9	71.6	60.8	71.7
8. % Cost Burden >30%	75.7	72.4	46.3	84.3	70.9	42.9	75.4	79.1	71.6	58.8	64.9
9. % Cost Burden >50%	39.2	19	10.3	36.1	24.8	22.7	50.4	41.3	54	35.7	30.1
10. Household Income >50 to <=80% MFI	1,918	7,413	2,445	5,879	17,655	8,968	8,785	3,520	3,108	24,381	42,036
11. % with any housing problems	57.5	51.4	80.8	54.8	57.3	29.9	71	80.3	66.1	56.6	56.9
12.% Cost Burden >30%	56.5	38.9	26	52.3	43.5	29.8	67.8	55.7	66.1	51.9	48.3
13. % Cost Burden >50%	17.9	4.3	2.5	7	6.4	12.3	26.2	11.6	28.4	19.3	13.9
14. Household Income >80% MFI	3,399	22,535	4,749	18,760	49,443	32,594	105,105	22,354	24,614	184,667	234,110
15. % with any housing problems	29.1	17.9	53.3	11.4	19.6	12.9	21.7	35	28.8	22.7	22
16.% Cost Burden >30%	25.6	8.2	3.3	8.6	9.1	12.7	20.1	19.2	28.4	19.8	17.5
17. % Cost Burden >50%	7.9	0.4	0	0.8	1	2.8	2.8	1.9	3.9	2.8	2.4
18. Total Households	13,377	44,598	13,239	34,354	105,568	56,597	120,950	28,653	32,192	238,392	343,960
19. % with any housing problems	59.3	44	75.9	38.1	48	26.1	28.8	46	38.6	31.5	36.6
20. % Cost Burden >30	57.5	35.4	35.6	35.8	38.4	25.9	27	29.7	38.2	28.6	31.6
21. % Cost Burden >50	32.1	14.5	15.3	16.2	17.4	12	7.9	8.2	13.8	9.7	12.1

### Housing Problems Output for -All Households

Name of Jurisdiction: Antioch(CDBG), California			Source of Data: CHAS Data Book			Data Current as of: 2000					
	Renters					Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	768	1,831	668	789	4,056	1,013	658	299	237	2,207	6,263
2. Household Income <=30% MFI	542	934	350	433	2,259	507	309	125	122	1,063	3,322
3. % with any housing problems	65.3	81.5	97.1	76.2	79	55.6	78.3	100	77	69.9	76.1
4. % Cost Burden >30%	64.6	78.9	94.9	76.2	77.4	54.8	78.3	80.8	77	67.3	74.2
5. % Cost Burden >50%	48.9	61.6	60.9	59.6	58	38.7	72.5	80.8	47.5	54.5	56.9
6. Household Income >30% to <=50% MFI	226	897	318	356	1,797	506	349	174	115	1,144	2,941
7. % with any housing problems	65.5	89.4	88.7	86	85.6	40.9	90.5	86.2	79.1	66.8	78.3
8. % Cost Burden >30%	65.5	83.2	41.8	78.9	72.8	40.9	90.5	78.2	79.1	65.6	70
9. % Cost Burden >50%	37.6	13.3	8.8	20.5	17	30	59.6	35.1	60	42.8	27
10. Household Income >50 to <=80% MFI	120	851	206	342	1,519	620	1,178	528	163	2,489	4,008
11. % with any housing problems	52.5	41.8	77.7	32.2	45.4	30	70.5	78.8	60.7	61.5	55.4
12.% Cost Burden >30%	52.5	30.9	25.2	29.2	31.5	30	69.3	63.8	60.7	57.8	47.8
13. % Cost Burden >50%	45.8	1.6	0	4.1	5.5	4.5	20.6	5.9	26.4	13.9	10.7
14. Household Income >80% MFI	135	1,565	392	698	2,790	1,245	9,862	2,938	1,803	15,848	18,638
15. % with any housing problems	28.1	10	50	6.3	15.6	11.5	21.6	27.8	25	22.4	21.3
16. % Cost Burden >30%	28.1	3.6	3.6	2.9	4.6	11.5	20.5	17	25	19.7	17.4
17. % Cost Burden >50%	7.4	0	0	0	0.4	3.1	1.5	0.5	1.8	1.5	1.3
18. Total Households	1,023	4,247	1,266	1,829	8,365	2,878	11,698	3,765	2,203	20,544	28,909
19. % with any housing problems	58.9	48.9	77.3	43.2	53.2	28.4	30.1	40.1	33.4	32	38.2
20. % Cost Burden >30	58.6	42.5	41.9	40	43.8	28.3	29	28.5	33.4	29.3	33.5
21. % Cost Burden >50	40.6	16.7	19	18.9	20.4	14.4	7	5.5	9.2	8	11.6

### Housing Problems Output for -All Households

Name of Jurisdiction: Concord(CDBG), California			Source of Data: CHAS Data Book			Data Current as of: 2000					
	Renters					Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	1,159	2,302	991	1,480	5,932	1,823	719	244	716	3,502	9,434
2. Household Income <=30% MFI	773	1,011	380	897	3,061	888	313	51	421	1,673	4,734
3. % with any housing problems	68.4	85.1	98.9	80.9	81.4	76.4	86.9	92.2	68.4	76.8	79.8
4. % Cost Burden >30%	65.2	79.2	97.9	79.3	78	76.4	85.6	92.2	68.4	76.6	77.5
5. % Cost Burden >50%	48.1	63.1	78.7	67.1	62.4	51.4	74.8	84.3	53.9	57.4	60.6
6. Household Income >30% to <=50% MFI	386	1,291	611	583	2,871	935	406	193	295	1,829	4,700
7. % with any housing problems	77.2	89.1	97.1	94.2	90.2	41.1	75.1	91.7	63.7	57.6	77.5
8. % Cost Burden >30%	77.2	85.3	49.4	93.5	78.2	41.1	75.1	84.5	63.7	56.9	69.9
9. % Cost Burden >50%	30.1	21.8	8.2	32.2	22.2	22.7	50	48.7	44.4	35	27.1
10. Household Income >50 to <=80% MFI	251	1,381	545	1,078	3,255	1,127	1,056	360	591	3,134	6,389
11. % with any housing problems	59	51.4	86.2	61.5	61.2	30.2	67.3	86.9	58.7	54.6	57.9
12.% Cost Burden >30%	57.4	37.2	27.3	56.9	43.6	30.2	66	54.2	58.7	50.4	46.9
13. % Cost Burden >50%	4	1.6	3.5	4.3	3	12.3	19.5	5.6	18.6	15.2	9
14. Household Income >80% MFI	207	3,417	961	2,403	6,988	3,347	11,666	2,357	3,235	20,605	27,593
15. % with any housing problems	21.3	18	48.3	10.2	19.6	12.1	18.3	34.7	28.5	20.8	20.5
16. % Cost Burden >30%	21.3	4.8	1.2	7	5.6	12	17	16.6	28.2	17.9	14.8
17. % Cost Burden >50%	0	0	0	0.2	0.1	2	1.6	1.1	1.3	1.6	1.2
18. Total Households	1,617	7,100	2,497	4,961	16,175	6,297	13,441	2,961	4,542	27,241	43,416
19. % with any housing problems	63	47	76.2	44	52.2	28.7	25.5	45.7	38.4	30.6	38.6
20. % Cost Burden >30	61.2	36.3	33.4	41.1	39.8	28.6	24.2	26.9	38.2	27.9	32.3
21. % Cost Burden >50	30.8	13.3	14.7	16.9	16.4	13.9	6.2	6.1	11.3	8.8	11.6

### Housing Problems Output for -All Households

Name of Jurisdiction: Pittsburg(CDBG), California			Source of Data: CHAS Data Book			Data Current as of: 2000					
	Renters					Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	510	1,229	542	563	2,844	803	532	327	244	1,906	4,750
2. Household Income <=30% MFI	379	643	272	328	1,622	352	210	127	104	793	2,415
3. % with any housing problems	68.6	84.4	97.1	70.1	80	53.1	89	93.7	78.8	72.5	77.5
4. % Cost Burden >30%	59.6	74.7	90.4	67.1	72.3	50.3	89	90.6	78.8	70.7	71.8
5. % Cost Burden >50%	31.4	64.7	66.9	51.5	54.6	32.7	83.3	90.6	75	60.9	56.7
6. Household Income >30% to <=50% MFI	131	586	270	235	1,222	451	322	200	140	1,113	2,335
7. % with any housing problems	70.2	84	96.3	92.3	86.8	39.7	73.3	100	60.7	62.9	75.4
8. % Cost Burden >30%	70.2	79.4	45.6	92.3	73.4	39.7	70.2	94	60.7	60.9	67.5
9. % Cost Burden >50%	26	25.6	1.5	35.3	22.2	20.4	40.7	55	55	36.8	29.2
10. Household Income >50 to <=80% MFI	102	569	178	387	1,236	292	760	439	105	1,596	2,832
11. % with any housing problems	51	56.9	79.8	55	59.1	25.3	62.5	71.8	82.9	59.6	59.4
12.% Cost Burden >30%	51	43.8	10.7	54	42.8	25.3	56.8	51	82.9	51.2	47.5
13. % Cost Burden >50%	0	0.7	0	7.8	2.8	7.5	16.4	7.5	51.4	14.7	9.5
14. Household Income >80% MFI	102	1,042	498	721	2,363	749	4,349	1,390	958	7,446	9,809
15. % with any housing problems	9.8	10.3	52.4	8.5	18.6	13	17.8	41.8	30.5	23.4	22.3
16.% Cost Burden >30%	9.8	2.6	0.8	4.7	3.2	13	14.1	12.9	29	15.7	12.7
17. % Cost Burden >50%	0	0	0	0	0	0.5	0.3	1.4	4.1	1	0.8
18. Total Households	714	2,840	1,218	1,671	6,443	1,844	5,641	2,156	1,307	10,948	17,391
19. % with any housing problems	58	51.6	76.1	43.1	54.8	29.1	29.7	56.4	41.8	36.3	43.1
20. % Cost Burden >30	53.2	43	32.2	40.7	41.5	28.6	25.8	32.7	40.7	29.4	33.9
21. % Cost Burden >50	21.4	20.1	15.3	16.9	18.5	12.6	7.9	12.9	19	11	13.8



### Housing Problems Output for -All Households

Name of Jurisdiction: Richmond(CDBG), California			Source of Data: CHAS Data Book			Data Current as of: 2000					
	Renters					Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	953	3,246	1,648	1,822	7,669	1,686	1,054	486	556	3,782	11,451
2. Household Income <=30% MFI	726	1,974	877	1,218	4,795	868	495	182	344	1,889	6,684
3. % with any housing problems	72.7	82	92	78.2	81.5	57.6	78.4	100	76.7	70.6	78.4
4. % Cost Burden >30%	72.7	78.2	79.4	77.3	77.4	57.6	74.7	78.6	76.7	67.6	74.6
5. % Cost Burden >50%	41	56	50.2	65.8	55.2	35.7	67.1	51.6	68.3	51.4	54.1
6. Household Income >30% to <=50% MFI	227	1,272	771	604	2,874	818	559	304	212	1,893	4,767
7. % with any housing problems	63	62.7	83.7	70.7	70	30.3	75.8	92.1	81.1	59.4	65.8
8. % Cost Burden >30%	61.2	55.4	37.6	68.4	53.8	30.3	71.6	80.9	81.1	56.3	54.8
9. % Cost Burden >50%	20.3	10.9	6.7	22.5	13	22	29.5	18.1	60.8	27.9	18.9
10. Household Income >50 to <=80% MFI	196	1,056	471	849	2,572	829	1,031	538	320	2,718	5,290
11. % with any housing problems	28.6	44.4	85.8	49.6	52.5	23.6	71.5	81.6	60	57.5	55.1
12.% Cost Burden >30%	28.6	27.7	21.9	47.2	33.2	23.6	64.5	35.1	60	45.7	39.6
13. % Cost Burden >50%	0	1.7	0	3.5	1.9	8.6	15.1	4.5	16.6	11.2	6.7
14. Household Income >80% MFI	311	2,455	607	2,300	5,673	1,909	5,973	1,570	2,260	11,712	17,385
15. % with any housing problems	12.9	18.3	71.2	12.2	21.2	9.9	21.6	43.9	28.5	24	23.1
16. % Cost Burden >30%	12.9	3.8	1.6	9	6.2	8.6	17.5	10.2	28.4	17.2	13.6
17. % Cost Burden >50%	3.2	0	0	0	0.2	2	2.3	0.5	3	2.2	1.5
18. Total Households	1,460	6,757	2,726	4,971	15,914	4,424	8,058	2,594	3,136	18,212	34,126
19. % with any housing problems	52.5	49.3	83.9	41.9	53.2	25.6	35.2	61.3	40.6	37.5	44.9
20. % Cost Burden >30	52.3	39	40.3	39.5	40.6	25.1	30.8	28.5	40.5	30.7	35.3
21. % Cost Burden >50	24.2	18.7	18	19.5	19.3	13.6	9.8	7	15.4	11.3	15

### Housing Problems Output for -All Households

Name of Jurisdiction: Contra Costa County(CDBG), California			Source of Data: CHAS Data Book			Data Current as of: 2000					
	Renters					Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	3,643	5,228	1,926	4,077	14,874	7,093	3,517	1,282	2,150	14,042	28,916
2. Household Income <=30% MFI	2,315	2,860	956	2,425	8,556	3,111	1,416	438	1,170	6,135	14,691
3. % with any housing problems	73.1	78.3	92.9	72.7	76.9	61.8	88.1	90.6	75	72.5	75.1
4. % Cost Burden >30%	71.7	76.6	78.8	71.5	74.1	61	87.3	90.6	74.2	71.7	73.1
5. % Cost Burden >50%	53.3	60	46.5	60.1	56.7	40.6	77.5	80.1	61.2	55.9	56.4
6. Household Income >30% to <=50% MFI	1,328	2,368	970	1,652	6,318	3,982	2,101	844	980	7,907	14,225
7. % with any housing problems	80.4	77.7	86.1	85.8	81.7	40	80.3	88.3	69.8	59.5	69.4
8. % Cost Burden >30%	80.1	68.8	50.5	85.2	72.7	39.9	76.2	75.7	69.8	57.1	64
9. % Cost Burden >50%	38.8	21.6	15.7	39.7	29	21.9	57.1	47.4	53.9	37.9	34
10. Household Income >50 to <=80% MFI	870	3,073	920	2,522	7,385	4,266	4,338	1,485	1,523	11,612	18,997
11. % with any housing problems	59.2	52.2	75.9	54.8	56.8	29.1	74.6	82	69.9	58.2	57.7
12.% Cost Burden >30%	58.7	41.8	32.9	53.3	46.6	29	71.9	62.5	69.9	54.7	51.5
13. % Cost Burden >50%	22.2	6.5	4.8	10.3	9.4	13.3	32.5	17.8	33.6	23.7	18.2
14. Household Income >80% MFI	1,880	11,511	2,078	9,702	25,171	19,134	66,362	12,993	14,283	112,772	137,943
15. % with any housing problems	32.6	17.5	48.7	12.7	19.4	13.6	22.7	34.5	29.6	23.4	22.7
16. % Cost Burden >30%	26.8	9.9	3.6	10	10.7	13.4	21.3	21.3	29.3	21	19.1
17. % Cost Burden >50%	8.7	0.5	0	1.2	1.4	3.4	3.3	2.5	4.6	3.4	3
18. Total Households	6,393	19,812	4,924	16,301	47,430	30,493	74,217	15,760	17,956	138,426	185,856
19. % with any housing problems	60.8	38.8	69.7	35.6	43.9	24.1	28.6	43.4	38.2	30.6	34
20. % Cost Burden >30	58.5	31.5	32.9	33.5	36	23.9	27	30	37.8	28.1	30.1
21. % Cost Burden >50	32.9	12.6	13	15.3	16.3	11	7.9	8.5	13.4	9.4	11.1

### Housing Problems Output for -All Households

Name of Jurisdiction:			Source of Data:			Data Current as of:					
Walnut Creek(CDBG), California			CHAS Data Book			2000					
	Renters					Owners					
	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Renters	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 or more)	All Other Households	Total Owners	Total Households
Household by Type, Income, & Housing Problem	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(L)
1. Household Income <=50% MFI	840	451	91	774	2,156	2,182	219	18	331	2,750	4,906
2. Household Income <=30% MFI	461	242	34	358	1,095	885	74	18	197	1,174	2,269
3. % with any housing problems	66.6	92.6	100	78.5	77.3	73.6	100	100	82.7	77.2	77.2
4. % Cost Burden >30%	66.6	92.6	88.2	78.5	76.9	73.6	100	100	77.7	76.3	76.6
5. % Cost Burden >50%	52.1	82.6	58.8	78.5	67.7	56.9	86.5	77.8	67.5	60.9	64.2
6. Household Income >30% to <=50% MFI	379	209	57	416	1,061	1,297	145	0	134	1,576	2,637
7. % with any housing problems	77	88.5	82.5	95.7	86.9	60.7	82.8	N/A	82.1	64.5	73.5
8. % Cost Burden >30%	77	83.7	68.4	95.7	85.2	59.9	82.8	N/A	82.1	63.9	72.5
9. % Cost Burden >50%	58.8	37.3	26.3	60.1	53.3	24.3	69	N/A	68.7	32.2	40.7
10. Household Income >50 to <=80% MFI	300	316	72	603	1,291	1,599	257	34	265	2,155	3,446
11. % with any housing problems	71	68	100	63	68.2	30.6	66.1	58.8	66.4	39.7	50.3
12.% Cost Burden >30%	67.7	63.6	11.1	59.7	59.8	30.6	62.3	29.4	66.4	38.7	46.6
13. % Cost Burden >50%	26	8.9	5.6	3.3	10.1	12.3	47.5	29.4	27.2	18.6	15.4
14. Household Income >80% MFI	674	2,399	162	2,907	6,142	6,006	6,702	914	1,997	15,619	21,761
15. % with any housing problems	34.4	22.8	75.3	7.7	18.3	11.3	19.3	30.9	26.1	17.8	17.9
16.% Cost Burden >30%	32.3	12	21.6	6.2	11.8	11.3	18.3	25.1	25.6	17	15.5
17. % Cost Burden >50%	14.7	1	0	0.4	2.2	1.3	2.9	1.1	5.1	2.5	2.4
18. Total Households	1,814	3,166	325	4,284	9,589	9,787	7,178	966	2,593	20,524	30,113
19. % with any housing problems	57.6	37	84.6	29.9	39.3	26.6	23.1	33.1	37.4	27.1	31
20. % Cost Burden >30	56.2	28.1	34.5	28.5	33.8	26.5	22	26.6	36.6	26.2	28.7
21. % Cost Burden >50	35.3	10.5	12	13.1	16.4	11.2	6.7	3.5	15.4	9.8	11.9

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# **APPENDIX 5.**

## **HMDA DATA TECHNICAL NOTES**

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## Appendix 5. HMDA Data Technical Notes

### Home Mortgage Disclosure Act (HMDA) Data Technical Note

The most recent Home Mortgage Disclosure Act (HMDA) data set was analyzed for lending patterns (2008 Loan Application Register (LAR) & Transmittal Sheet (TS) Raw Data).

Data were reviewed for loan applications to purchase homes in the 2000 U.S. Decennial Census tracts that fall within the 2008 boundaries of Contra Costa County (see the HMDA maps for tract numbers and boundaries). There are 67,206 records in the HMDA data set.

The analysis was only concerned with fair lending practices for home purchases in which purchasers were the primary resident; therefore the HMDA data is limited to home purchase transactions reported as purchases by owner-occupants.

This exclusion reduced the data set by 40,611 records to 26,595 records. The excluded records included 3,542 home improvement records, 33,184 refinancing records, 6,812 records for properties not to be owner-occupied, and 357 “not applicable” records.

Another 5,713 loan purchase records for loans purchased by institutions (usually through foreclosure) and 7 “pre-approval” requests were excluded. These records were excluded because they do not represent loan types expected to include discriminatory lending practices.

The remaining 20,875 records represent actions reported by lenders in response to a request from a consumer for a new home loan to purchase a primary residence.

It should be noted that multiple applications by the same household may be present in the data set. Since the data set is anonymous, it does not contain a variable that can be used to filter out duplicates.

The HMDA data report information on the location of the property being mortgaged; the type, purpose and intended use of the loan; characteristics of the lender and borrower; and the “action” the lender took. This final variable is of interest to analyze lending patterns. It tells us the result of the lenders’ decisions regarding applications for mortgage credit.

## *Appendix 5. HMDA Data Technical Notes*

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The action types reported in the HMDA data are:

1	loan originated
2	application approved but not accepted
3	application denied by a financial institution
4	application withdrawn by applicant
5	file closed for incompleteness
6	loan purchased by the institution
7	pre-approval request denied by financial institution
8	pre-approval request approved but not accepted

As previously mentioned, the data analysis was limited to certain action types that are relative to requests for new mortgage credit. Records for action types 6, 7, and 8 have been excluded.

The action types in the data set were organized according to three specific outcomes: denials, failures, and originations. It is important to note that applications resulting in denial are included in applications resulting in failure.

The analyzed outcomes were grouped as follows:

Total Applications	Action types 1, 2, 3, 4, 5
Denials	Action type 3
Failures	Action types 2, 3, 4, 5
Originations	Action type 1

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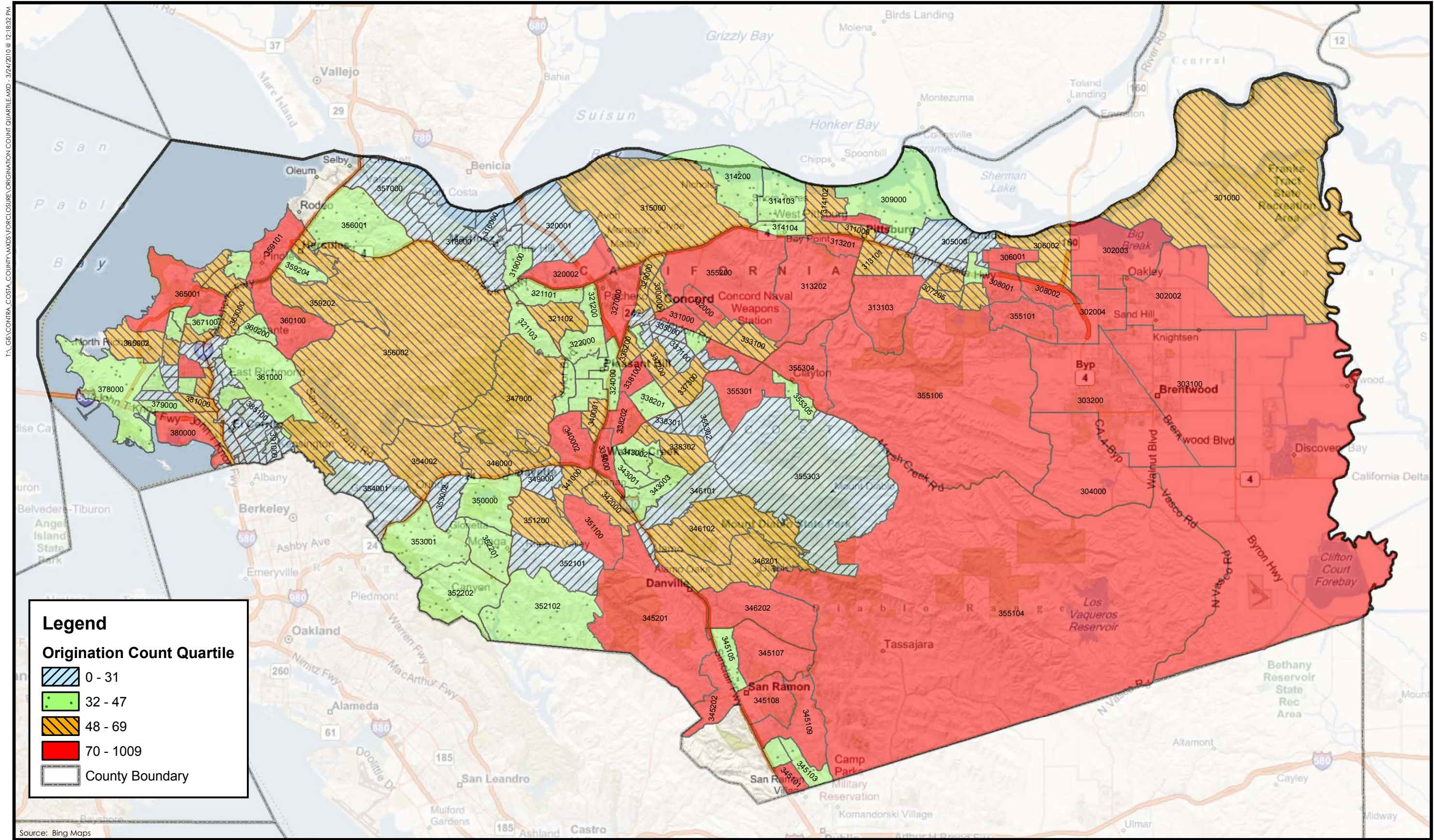
**APPENDIX 6.**  
**MORTGAGE LENDING PATTERNS**  
**(MAPS)**

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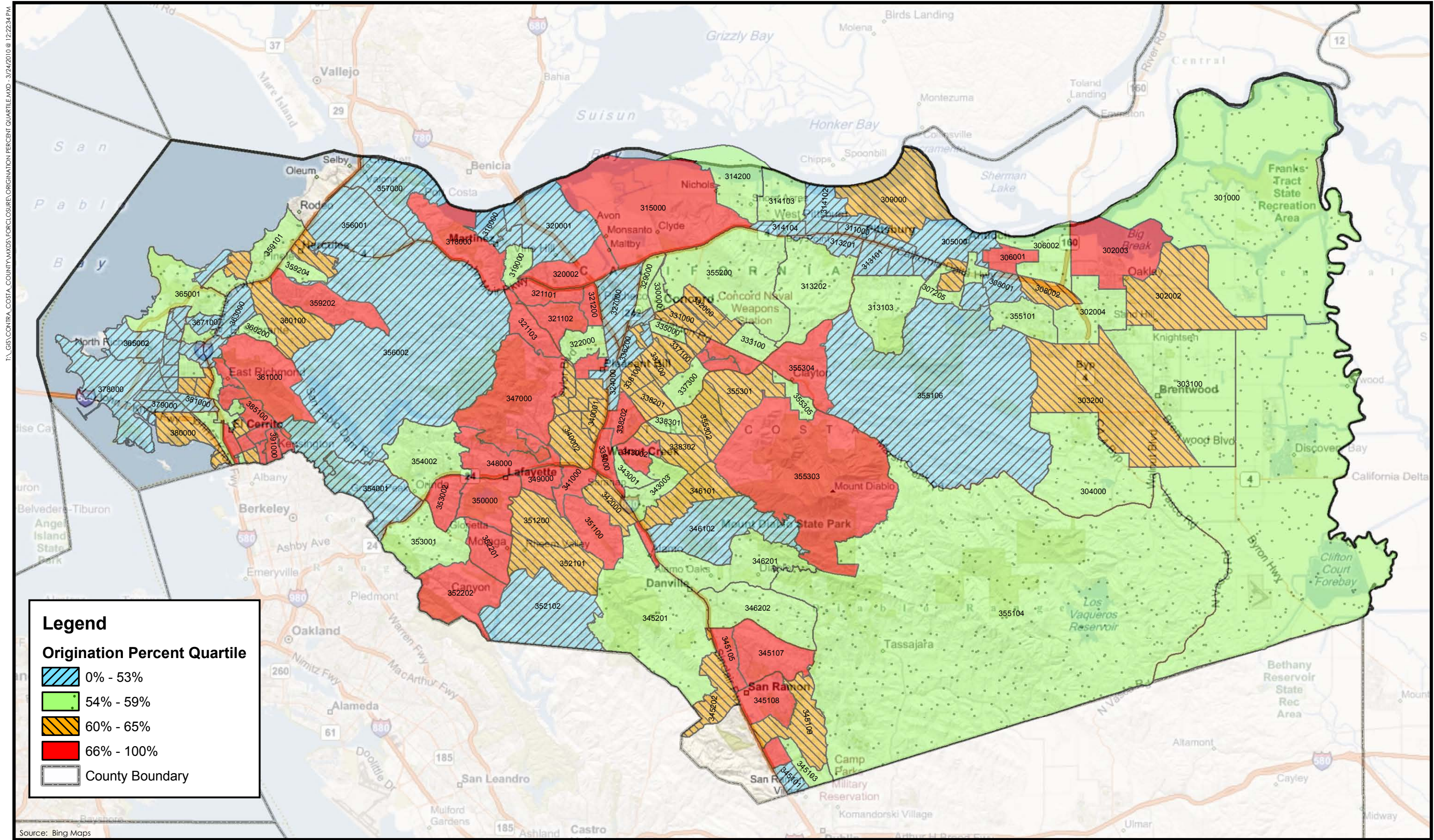








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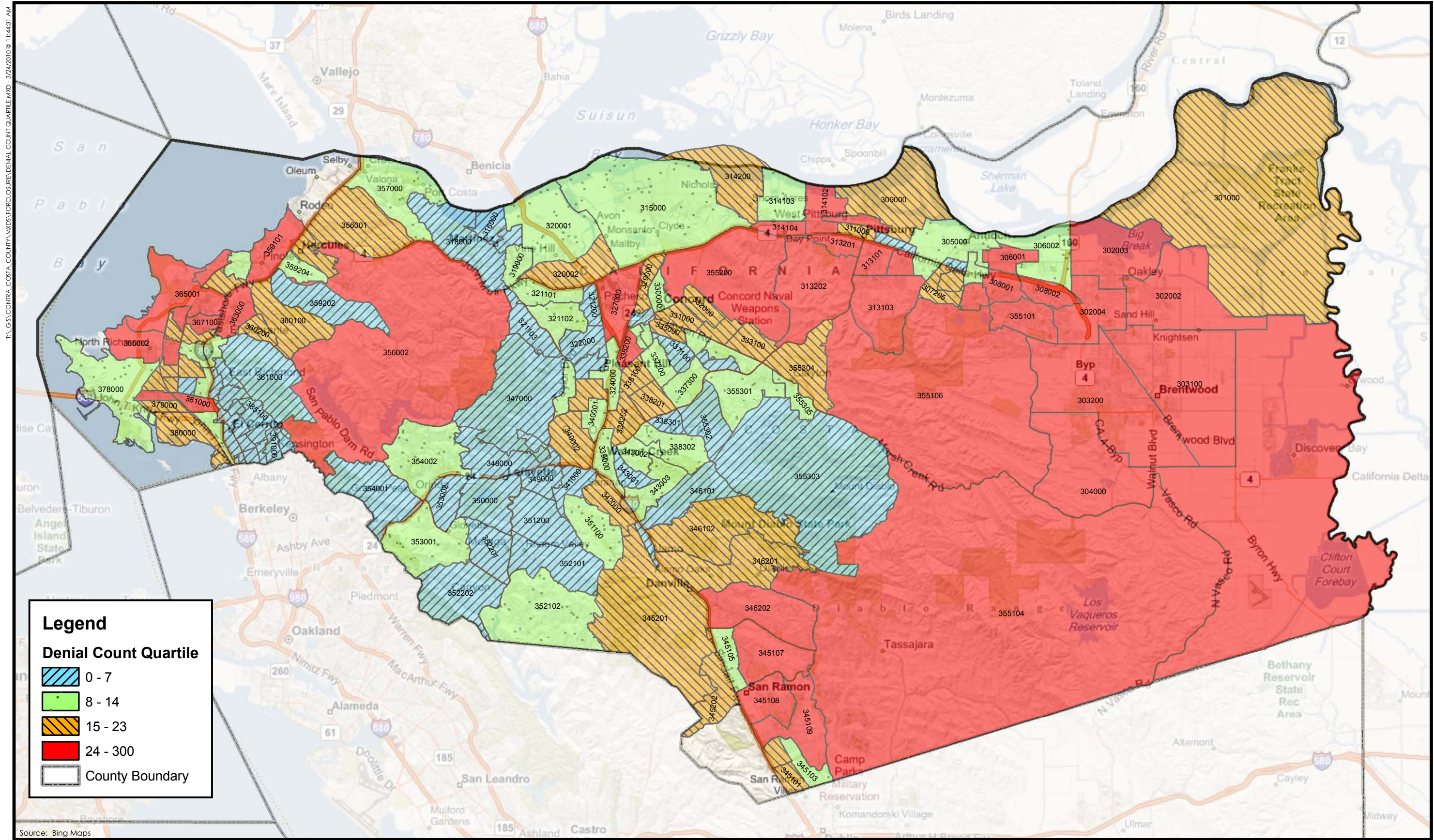








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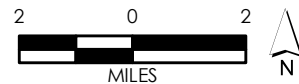
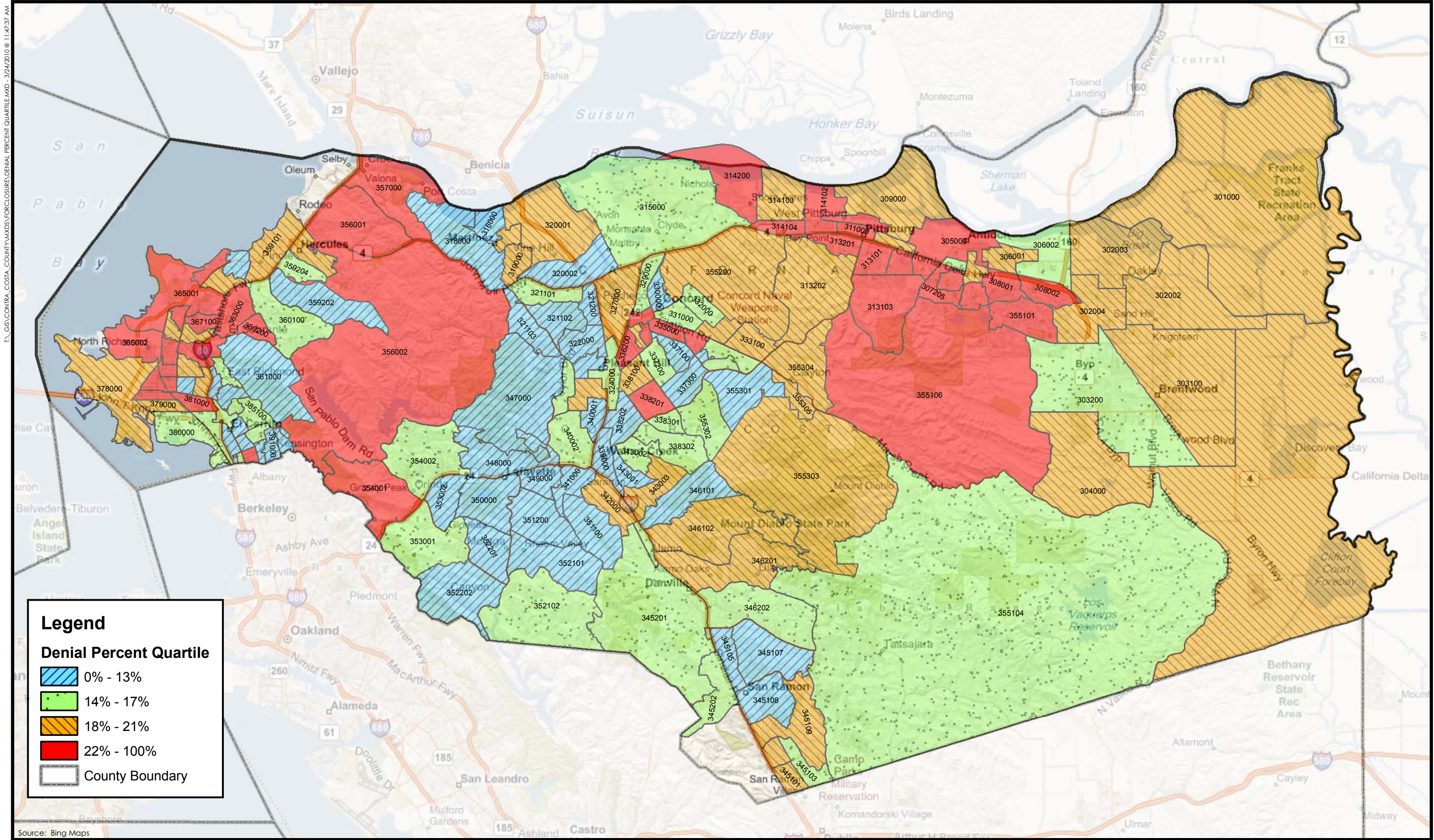








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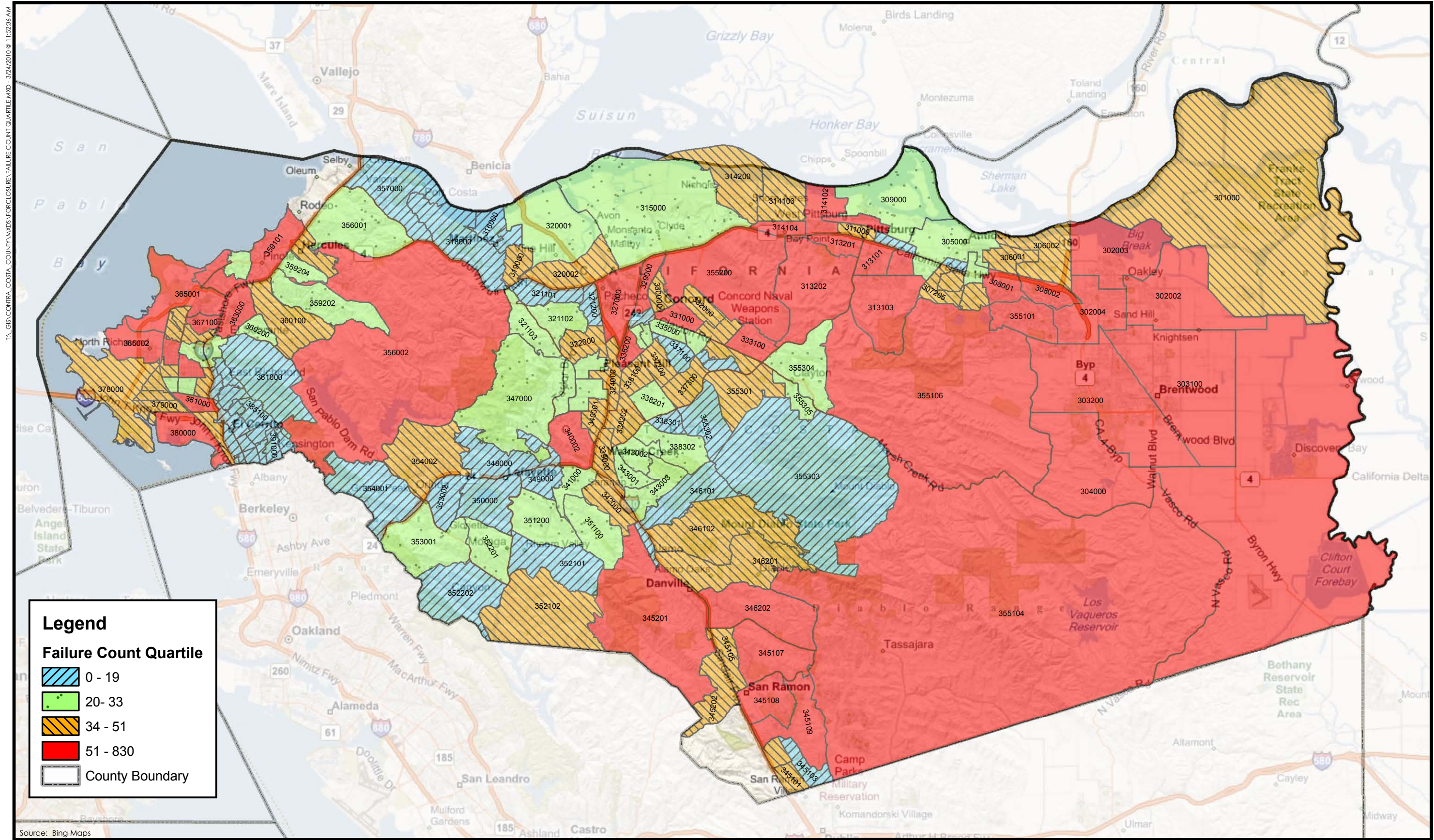








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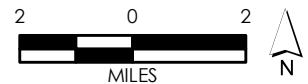
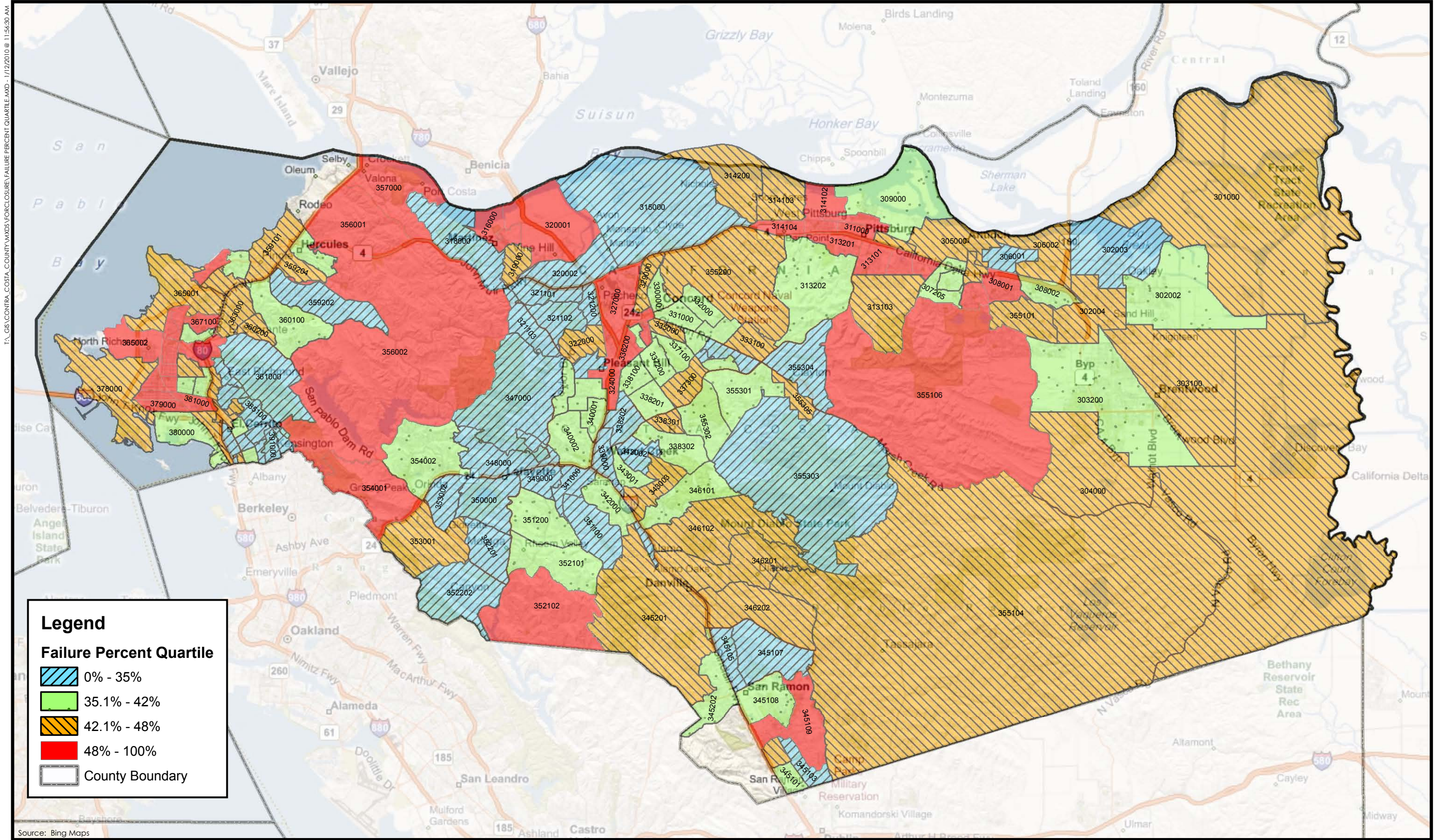








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**APPENDIX 7.**  
**MORTGAGE LENDING BY CENSUS**  
**TRACT (HMDA)**

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## Appendix 7. Mortgage Lending by Census Tract (HMDA)

### LOAN APPLICATIONS BY CENSUS TRACT

2000 Census Tract (CT)	Applica-tions in CT	CT Applications as % of County	Denials in CT	CT Denial Rate	"Failures" in CT	CT "Failure" Rate	Orig-inations in CT	CT Origination Rate
3010	113	0.54%	20	17.70%	48	42.48%	65	57.52%
3020.02	492	2.36%	96	19.51%	199	40.45%	293	59.55%
3020.03	245	1.17%	44	17.96%	79	32.24%	166	67.76%
3020.04	712	3.41%	134	18.82%	302	42.42%	410	57.58%
3031	650	3.11%	130	20.00%	283	43.54%	367	56.46%
3032	1035	4.96%	171	16.52%	388	37.49%	647	62.51%
3040	490	2.35%	99	20.20%	209	42.65%	281	57.35%
3050	57	0.27%	14	24.56%	27	47.37%	30	52.63%
3060.01	130	0.62%	24	18.46%	45	34.62%	85	65.38%
3060.02	90	0.43%	14	15.56%	39	43.33%	51	56.67%
3071.01	96	0.46%	29	30.21%	47	48.96%	49	51.04%
3071.02	70	0.34%	13	18.57%	32	45.71%	38	54.29%
3072.01	43	0.21%	12	27.91%	24	55.81%	19	44.19%
3072.02	43	0.21%	7	16.28%	17	39.53%	26	60.47%
3072.04	104	0.50%	22	21.15%	41	39.42%	63	60.58%
3072.05	109	0.52%	23	21.10%	45	41.28%	64	58.72%
3080.01	164	0.79%	48	29.27%	87	53.05%	77	46.95%
3080.02	178	0.85%	41	23.03%	71	39.89%	107	60.11%
3090	76	0.36%	15	19.74%	29	38.16%	47	61.84%
3100	144	0.69%	40	27.78%	72	50.00%	72	50.00%
3110	93	0.45%	22	23.66%	45	48.39%	48	51.61%
3120	36	0.17%	7	19.44%	17	47.22%	19	52.78%
3131.01	121	0.58%	31	25.62%	64	52.89%	57	47.11%
3131.02	128	0.61%	31	24.22%	63	49.22%	65	50.78%
3131.03	218	1.04%	47	21.56%	93	42.66%	125	57.34%
3132.01	188	0.90%	52	27.66%	96	51.06%	92	48.94%
3132.02	174	0.83%	30	17.24%	72	41.38%	102	58.62%
3141.02	126	0.60%	36	28.57%	65	51.59%	61	48.41%
3141.03	76	0.36%	14	18.42%	33	43.42%	43	56.58%
3141.04	101	0.48%	35	34.65%	59	58.42%	42	41.58%
3142	79	0.38%	18	22.78%	33	41.77%	46	58.23%
3150	94	0.45%	13	13.83%	32	34.04%	62	65.96%
3160	4	0.02%		0.00%	3	75.00%	1	25.00%
3170	17	0.08%	3	17.65%	8	47.06%	9	52.94%

## Appendix 7. Mortgage Lending by Census Tract (HMDA)

2000 Census Tract (CT)	Applica-tions in CT	CT Applications as % of County	Denials in CT	CT Denial Rate	"Failures" in CT	CT "Failure" Rate	Orig-inations in CT	CT Origination Rate
3180	28	0.13%	2	7.14%	8	28.57%	20	71.43%
3190	81	0.39%	14	17.28%	35	43.21%	46	56.79%
3200.01	45	0.22%	9	20.00%	22	48.89%	23	51.11%
3200.02	131	0.63%	17	12.98%	38	29.01%	93	70.99%
3211.01	56	0.27%	9	16.07%	16	28.57%	40	71.43%
3211.02	95	0.46%	11	11.58%	29	30.53%	66	69.47%
3211.03	59	0.28%	2	3.39%	19	32.20%	40	67.80%
3212	57	0.27%	5	8.77%	16	28.07%	41	71.93%
3220	81	0.39%	7	8.64%	36	44.44%	45	55.56%
3230	60	0.29%	7	11.67%	20	33.33%	40	66.67%
3240	93	0.45%	14	15.05%	46	49.46%	47	50.54%
3250	77	0.37%	16	20.78%	31	40.26%	46	59.74%
3260	55	0.26%	9	16.36%	20	36.36%	35	63.64%
3270	161	0.77%	32	19.88%	80	49.69%	81	50.31%
3280	14	0.07%	4	28.57%	12	85.71%	2	14.29%
3290	111	0.53%	15	13.51%	51	45.95%	60	54.05%
3300	111	0.53%	14	12.61%	46	41.44%	65	58.56%
3310	140	0.67%	22	15.71%	55	39.29%	85	60.71%
3320	117	0.56%	17	14.53%	43	36.75%	74	63.25%
3331	117	0.56%	21	17.95%	54	46.15%	63	53.85%
3332	88	0.42%	15	17.05%	34	38.64%	54	61.36%
3340.01	66	0.32%	14	21.21%	25	37.88%	41	62.12%
3340.03	46	0.22%	7	15.22%	16	34.78%	30	65.22%
3340.04	104	0.50%	14	13.46%	33	31.73%	71	68.27%
3340.05	18	0.09%	2	11.11%	6	33.33%	12	66.67%
3350	56	0.27%	16	28.57%	25	44.64%	31	55.36%
3361.01	39	0.19%	13	33.33%	22	56.41%	17	43.59%
3361.02	73	0.35%	13	17.81%	29	39.73%	44	60.27%
3362	108	0.52%	26	24.07%	57	52.78%	51	47.22%
3371	40	0.19%	5	12.50%	15	37.50%	25	62.50%
3372	98	0.47%	13	13.27%	36	36.73%	62	63.27%
3373	94	0.45%	12	12.77%	40	42.55%	54	57.45%
3381	127	0.61%	22	17.32%	50	39.37%	77	60.63%
3382.01	61	0.29%	16	26.23%	25	40.98%	36	59.02%
3382.02	154	0.74%	20	12.99%	50	32.47%	104	67.53%
3383.01	36	0.17%	6	16.67%	15	41.67%	21	58.33%
3383.02	87	0.42%	12	13.79%	32	36.78%	55	63.22%
3390	135	0.65%	13	9.63%	42	31.11%	93	68.89%



## *Appendix 7. Mortgage Lending by Census Tract (HMDA)*

2000 Census Tract (CT)	Applica- tions in CT	CT Applications as % of County	Denials in CT	CT Denial Rate	"Failures" in CT	CT "Failure" Rate	Orig- inations in CT	CT Origination Rate
3400.01	97	0.46%	9	9.28%	36	37.11%	61	62.89%
3400.02	128	0.61%	17	13.28%	52	40.63%	76	59.38%
3410	70	0.34%	4	5.71%	22	31.43%	48	68.57%
3420	94	0.45%	16	17.02%	38	40.43%	56	59.57%
3430.01	56	0.27%	7	12.50%	23	41.07%	33	58.93%
3430.02	64	0.31%	10	15.63%	20	31.25%	44	68.75%
3430.03	66	0.32%	12	18.18%	30	45.45%	36	54.55%
3440	18	0.09%	3	16.67%	6	33.33%	12	66.67%
3451.01	121	0.58%	21	17.36%	49	40.50%	72	59.50%
3451.02	56	0.27%	8	14.29%	19	33.93%	37	66.07%
3451.03	78	0.37%	16	20.51%	33	42.31%	45	57.69%
3451.05	54	0.26%	8	14.81%	15	27.78%	39	72.22%
3451.07	134	0.64%	11	8.21%	38	28.36%	96	71.64%
3451.08	211	1.01%	27	12.80%	68	32.23%	143	67.77%
3451.09	234	1.12%	28	11.97%	95	40.60%	139	59.40%
3451.1	183	0.88%	32	17.49%	89	48.63%	94	51.37%
3452.01	130	0.62%	19	14.62%	55	42.31%	75	57.69%
3452.02	120	0.57%	19	15.83%	48	40.00%	72	60.00%
3461.01	43	0.21%	5	11.63%	16	37.21%	27	62.79%
3461.02	100	0.48%	18	18.00%	47	47.00%	53	53.00%
3462.01	93	0.45%	16	17.20%	40	43.01%	53	56.99%
3462.02	173	0.83%	28	16.18%	73	42.20%	100	57.80%
3470	72	0.34%	7	9.72%	22	30.56%	50	69.44%
3480	66	0.32%	4	6.06%	17	25.76%	49	74.24%
3490	47	0.23%	6	12.77%	16	34.04%	31	65.96%
3500	49	0.23%	3	6.12%	16	32.65%	33	67.35%
3511	159	0.76%	10	6.29%	30	18.87%	129	81.13%
3512	87	0.42%	7	8.05%	32	36.78%	55	63.22%
3521.01	26	0.12%	3	11.54%	10	38.46%	16	61.54%
3521.02	74	0.35%	12	16.22%	38	51.35%	36	48.65%
3522.01	72	0.34%	4	5.56%	25	34.72%	47	65.28%
3522.02	49	0.23%	4	8.16%	11	22.45%	38	77.55%
3530.01	70	0.34%	10	14.29%	30	42.86%	40	57.14%
3530.02	44	0.21%		0.00%	14	31.82%	30	68.18%
3540.01	33	0.16%	7	21.21%	18	54.55%	15	45.45%
3540.02	84	0.40%	13	15.48%	35	41.67%	49	58.33%
3551.01	654	3.13%	140	21.41%	277	42.35%	377	57.65%
3551.04	1838	8.80%	300	16.32%	829	45.10%	1009	54.90%

## Appendix 7. Mortgage Lending by Census Tract (HMDA)

2000 Census Tract (CT)	Applications in CT	CT Applications as % of County	Denials in CT	CT Denial Rate	"Failures" in CT	CT "Failure" Rate	Originations in CT	CT Origination Rate
3551.06	718	3.44%	192	26.74%	351	48.89%	367	51.11%
3552	238	1.14%	44	18.49%	100	42.02%	138	57.98%
3553.01	127	0.61%	9	7.09%	49	38.58%	78	61.42%
3553.02	45	0.22%	7	15.56%	16	35.56%	29	64.44%
3553.03	10	0.05%	2	20.00%	2	20.00%	8	80.00%
3553.04	107	0.51%	19	17.76%	29	27.10%	78	72.90%
3553.05	61	0.29%	12	19.67%	26	42.62%	35	57.38%
3560.01	65	0.31%	15	23.08%	31	47.69%	34	52.31%
3560.02	112	0.54%	33	29.46%	58	51.79%	54	48.21%
3570	30	0.14%	10	33.33%	15	50.00%	15	50.00%
3580	93	0.45%	21	22.58%	45	48.39%	48	51.61%
3591.01	379	1.82%	75	19.79%	172	45.38%	207	54.62%
3591.02	70	0.34%	8	11.43%	26	37.14%	44	62.86%
3592.02	77	0.37%	4	5.19%	25	32.47%	52	67.53%
3592.03	103	0.49%	19	18.45%	40	38.83%	63	61.17%
3592.04	71	0.34%	12	16.90%	30	42.25%	41	57.75%
3601	128	0.61%	20	15.63%	48	37.50%	80	62.50%
3602	70	0.34%	17	24.29%	31	44.29%	39	55.71%
3610	65	0.31%	5	7.69%	18	27.69%	47	72.31%
3620	36	0.17%	6	16.67%	11	30.56%	25	69.44%
3630	132	0.63%	35	26.52%	63	47.73%	69	52.27%
3640.01	115	0.55%	26	22.61%	60	52.17%	55	47.83%
3640.02	121	0.58%	23	19.01%	52	42.98%	69	57.02%
3650.01	299	1.43%	64	21.40%	137	45.82%	162	54.18%
3650.02	163	0.78%	52	31.90%	109	66.87%	54	33.13%
3660.01	91	0.44%	26	28.57%	48	52.75%	43	47.25%
3660.02	86	0.41%	15	17.44%	43	50.00%	43	50.00%
3671	105	0.50%	27	25.71%	60	57.14%	45	42.86%
3672	87	0.42%	18	20.69%	36	41.38%	51	58.62%
3680	120	0.57%	30	25.00%	64	53.33%	56	46.67%
3690.01	55	0.26%	14	25.45%	29	52.73%	26	47.27%
3690.02	50	0.24%	12	24.00%	25	50.00%	25	50.00%
3700	40	0.19%	5	12.50%	18	45.00%	22	55.00%
3710	82	0.39%	14	17.07%	33	40.24%	49	59.76%
3720	129	0.62%	23	17.83%	56	43.41%	73	56.59%
3730	66	0.32%	19	28.79%	37	56.06%	29	43.94%
3740	56	0.27%	7	12.50%	21	37.50%	35	62.50%
3750	45	0.22%	19	42.22%	29	64.44%	16	35.56%

## Appendix 7. Mortgage Lending by Census Tract (HMDA)

2000 Census Tract (CT)	Applications in CT	CT Applications as % of County	Denials in CT	CT Denial Rate	"Failures" in CT	CT "Failure" Rate	Originations in CT	CT Origination Rate
3760	79	0.38%	21	26.58%	43	54.43%	36	45.57%
3770	72	0.34%	26	36.11%	50	69.44%	22	30.56%
3780	74	0.35%	13	17.57%	35	47.30%	39	52.70%
3790	84	0.40%	17	20.24%	41	48.81%	43	51.19%
3800	142	0.68%	19	13.38%	55	38.73%	87	61.27%
3810	111	0.53%	40	36.04%	61	54.95%	50	45.05%
3820	97	0.46%	14	14.43%	44	45.36%	53	54.64%
3830	30	0.14%	3	10.00%	10	33.33%	20	66.67%
3840	51	0.24%	5	9.80%	14	27.45%	37	72.55%
3851	41	0.20%	6	14.63%	11	26.83%	30	73.17%
3852	25	0.12%	4	16.00%	11	44.00%	14	56.00%
3860	22	0.11%	3	13.64%	10	45.45%	12	54.55%
3870	15	0.07%	1	6.67%	6	40.00%	9	60.00%
3880	15	0.07%		0.00%	3	20.00%	12	80.00%
3891	16	0.08%	5	31.25%	6	37.50%	10	62.50%
3892	7	0.03%	1	14.29%	3	42.86%	4	57.14%
3901	29	0.14%	4	13.79%	8	27.59%	21	72.41%
3902	22	0.11%	1	4.55%	3	13.64%	19	86.36%
3910	29	0.14%	2	6.90%	7	24.14%	22	75.86%
3920	30	0.14%	3	10.00%	6	20.00%	24	80.00%
NA	75	0.36%	5	6.67%	25	33.33%	50	66.67%
<b>Total</b>	<b>20,875</b>	<b>100.00%</b>	<b>3,837</b>	<b>18.38%</b>	<b>8,823</b>	<b>42.27%</b>	<b>12,052</b>	<b>57.73%</b>

Source: Home Mortgage Disclosure Act, 2008 LAR and TS Raw Data

Note: Loan failure includes all loan applications not originated, including loan denial.





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**APPENDIX 8.**  
**FAIR HOUSING COMPLAINTS REPORTS**

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## **APPENDIX 8. FAIR HOUSING COMPLAINTS REPORTS**

### **LOCAL FAIR HOUSING COMPLAINTS**

The following information was provided by local agencies regarding the amount and type of fair housing complaints and requests for information.

#### **Housing Rights, Inc.**

Housing Rights, Inc. (HRI) provided records of housing complaints filed in Contra Costa County from 2006 through 2009.<sup>1</sup> HRI received a total of 317 fair housing complaints during this time frame. Please note that HRI did not serve all jurisdictions within Contra Costa County for all three years and has never served the City of Pittsburg.

Of the 317 complaints received, the majority were based on disability (32 percent) and accommodation (18 percent), followed by race (13 percent), family status (11 percent), and national origin (10 percent).

During the 2006 to 2009 time frame, the client's decision to stop the case resulted in the majority of closed cases (21 percent). Fifteen percent were closed by HRI (15 percent) and only 3 percent were closed by DFEH (2 percent) and HUD (1 percent). The remaining cases had the following outcomes:

- Advice only (13 percent)
- Client disappeared (12 percent)
- Client refused to follow through (12 percent)
- Pending referrals (7 percent)
- Insufficient evidence (6 percent)
- Administratively closed (5 percent)
- Conciliated by other attorney/agency (4 percent)
- Conciliated by HRI attorney (1 percent)
- No discrimination referred to tenant/landlord counselor (1 percent)

#### **Bay Area Legal Aid**

Bay Area Legal Aid handled (i.e., closed) a total of 389 housing complaint cases in Contra Costa County from March 1, 2007, to November 30, 2009. Bay Area Legal Aid is currently in Quarter 12 of a three-year HUD fair housing project, and 389 cases represent the total number of cases for the first 11 quarters.

Of the 389 cases handled, 204 (52 percent) were complaints regarding disability discrimination and requests for reasonable accommodations. One hundred and twenty-

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<sup>1</sup> Personal communication, Wanda Remmers, Executive Director, Housing Rights, Inc.

## *Appendix 8. Fair Housing Complaints Reports*

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three (32 percent) of the complaints were related to race discrimination, followed by complaints related to gender (23 complaints or 6 percent), family status (21 complaints or 5 percent), national origin (14 complaints or 4 percent), religion (3 complaints or 1 percent), and sexual orientation (1 complaint or 1 percent).

Bay Area Legal Aid does not organize their data by county as to how each case was settled; therefore the following data is provided for all of the fair housing cases from four counties to indicate the pattern for the typical handling of cases.

- Advice and/or brief services provided (40 percent)
- Referral to other local organization or legal services provider (27 percent)
- Obtained favorable resolution of fair housing complaint and settlement of issue in litigation or settlement (19 percent)
- Administratively resolved (8 percent)
- Resolved by HUD (4 percent)
- Other (2 percent)
- Resolved by private attorney (1 percent)

### **Fair Housing of Marin**

Fair Housing of Marin did not start working with the City of Richmond until January 2009; therefore they only have complaints recorded from January 2009 to January 2010.<sup>2</sup> A total of 21 complaints were recorded over this time period.

Of the 21 complaints, 6 were on the basis on disability and accommodation, 4 were on the basis of race, and the remaining complaints were related to affordable housing, late rent, security deposit issues, rejected rental applications, and repairs. Of the cases closed, 29 percent were relevant to fair housing, of which two were closed by HUD and two were closed by DFEH.

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<sup>2</sup> Personal communication, Caroline Peattie, Housing Director, Fair Housing of Marin.



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**APPENDIX 9.**  
**LICENSED COMMUNITY CARE**  
**FACILITIES**

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**APPENDIX 9**  
**LICENSED CARE FACILITIES BY JURISDICTION AND TYPE**

Type of Facility	Antioch		Concord		Urban County		Pittsburg		Richmond		Walnut Creek		Total	
	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity
Adult Day Care Facility	9	354	4	221	14	485	1	72	6	306	2	84	36	1,522
Adult Residential Facility	28	166	27	178	57	408	18	105	21	118	6	36	157	1,011
Group Home	12	74	7	56	24	180	5	30	6	36	0	0	54	376
Residential Care Facility	42	550	92	928	194	3,399	15	101	18	216	79	1,290	440	6,484
Small Family Homes	4	19	1	6	7	42	1	2	1	5	0	0	14	74
Social Rehabilitation Facility	0	0	0	0	2	32	0	0	1	16	0	0	3	48
Transitional Housing Placement	1	12	1	15	0	0	0	0	0	0	0	0	2	27
<b>Total</b>	<b>96</b>	<b>1,175</b>	<b>132</b>	<b>1,404</b>	<b>298</b>	<b>4,546</b>	<b>40</b>	<b>310</b>	<b>53</b>	<b>697</b>	<b>87</b>	<b>1,410</b>	<b>706</b>	<b>9,542</b>

*Source: State of California Community Care Licensing Division, September 2009*



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## **APPENDIX 10.**

# **PERMITTED HOUSING TYPES**

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## APPENDIX 10

### PERMITTED HOUSING TYPES BY JURISDICTION

Jurisdiction	Single Family	Multi Family	Residential Care Facilities (6 or fewer)	Residential Care Facilities (7 or more)	Emergency Shelters	Single Room Occupancy Units	Second Units	Transitional/ Supportive Housing	Reasonable Accommodation
<b>Urban County</b>									
Brentwood	P	P	P	U	U	U	P	U	Y
Clayton	P	P	P	U	P	U	P	P	Y
Danville	P	P	P	U	P	P	P	P	Y
El Cerrito	P	P	P	U	P	U	P	P	Y
Hercules	P	C	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Lafayette	P	P	P	P	P	P	P	P	Y
Martinez	P	P	P	U	P		P	P	Y
Moraga	P	P	P	n/a	P	P	P	P	Y
Oakley	P	P	P	U	P	P	P	P	Y
Orinda	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Pinole	P	P	P	U	P	n/a	P	U	Y
Pleasant Hill	P	P	n/a	n/a	n/a	U	n/a	n/a	Y
San Pablo	P	P	P	U	n/a	U	P	n/a	Y
San Ramon	P	P	P	U	P	P	P	P	Y
<b>Entitlement Jurisdictions</b>									
Antioch	P	U	U	U	P	P	U	U	Y
Concord	P	P	P	P	P	P	P	P	Y
Pittsburg	P	P	P	U	P	U	P	P	Y
Richmond	P	P	P	U	P	U	P	P	Y
Walnut Creek	P	P	P	P	P	P	P	P	Y
Contra Costa County	P	P	P	U	P	P	P	P	Y

U: use permit required P: permitted use (note, if the use is permitted in one district, it will be noted as permitted in the table).

Please note, permitted uses and conditional uses are subject to different zones for each jurisdiction. Please see each jurisdiction's zoning code for more detail.



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# **APPENDIX 11.**

## **LOCALLY ADOPTED BUILDING CODES**

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## **Appendix 11. Locally Adopted Building Codes**

### **Local Building Codes**

#### **Antioch**

The City of Antioch has adopted the 2007 California Building Code. The California Building Code has established construction standards for all residential buildings, which provide minimum standards necessary to protect the health, safety, and welfare of residents. The City also requires that all new residential construction comply with the federal Americans with Disability Act (ADA), which includes accessibility requirements for certain types of buildings. Specific accessibility requirements for residential buildings are also contained in the California Building Code.

#### **Concord**

The City of Concord has adopted the California Building Code, in addition to Fire, Mechanical, Plumbing, Electrical, and Uniform Codes, as the basis for its building standards. The City has also adopted the Uniform Code for the Abatement of Dangerous Buildings. Permits are required for all electrical and plumbing work and for other major home improvements and modifications.

#### **Contra Costa County**

Contra Costa County has adopted the Uniform Building Code and the Uniform Housing Code, which establish standards and require inspections at various stages of construction to ensure code compliance. The County's building code also requires new residential construction to comply with the federal Americans with Disabilities Act.

#### **Pittsburg**

The City of Pittsburg requires all building construction standards to conform to the California Building Code (Title 24 of the California Code of Regulations). In addition, new residential construction must comply with the federal Americans with Disabilities Act (ADA). As a standard practice, the City does not impose additional local requirements to the California Building Code standards; however, the City is considering adding programs and policies into the 2009 – 2014 Housing Element to provide incentives to exceed minimum energy efficiency standards set forth in Title 24.

## ***Appendix 11. Locally Adopted Building Codes***

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### **Richmond**

The City of Richmond's Building Department currently administers codes and code enforcement under the 1997 edition of the Uniform Building Code (UBC). Amendments to the UBC have been made by the City and are based on the 2001 California Building Code.

### **Walnut Creek**

The City of Walnut Creek has adopted the Uniform Building Code and the Uniform Housing Code. Development must comply with applicable codes. Code enforcement is usually triggered by complaints, but at times City personnel will initiate enforcement activity if a structure appears to be unsafe and not in compliance with the Uniform Housing Code. There is a very low incidence of substandard structures in the city.

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**APPENDIX 12.**  
**LOCAL RESOURCES FOR AFFORDABLE**  
**HOUSING**

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## Appendix 12. Local Resources for Affordable Housing

### AFFORDABLE HOUSING RESOURCES AND INCENTIVES

Program Name	Description	Eligible Housing Activities
Community Development Block Grant (CDBG)	Federal grants awarded to states and units of general local government on a formula basis for housing and community development activities which primarily benefit low- and moderate-income households.	<ul style="list-style-type: none"> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• Homebuyer assistance</li> <li>• Homeless assistance</li> <li>• Infrastructure</li> </ul>
Home Investment Partnerships Program (HOME)	Federal grants awarded to states and units of general local government to produce or preserve affordable housing.	<ul style="list-style-type: none"> <li>• New construction</li> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• Homebuyer assistance</li> <li>• Rental assistance</li> </ul>
Mortgage Credit Certificate Program	The Mortgage Credit Certificate (MCC) program assists first-time homebuyers with the purchase of existing or new homes. The MCC tax credit reduces the federal income tax of borrowers purchasing qualified homes.	<ul style="list-style-type: none"> <li>• First-time homebuyer assistance</li> </ul>
Section 8 Housing Choice Vouchers	Rental assistance payments to owners of private market-rate units on behalf of low-income tenants.	<ul style="list-style-type: none"> <li>• Rental assistance</li> </ul>
Low-Income Housing Tax Credit (LIHTC)	Tax credits are available to persons and corporations that invest in affordable housing.	<ul style="list-style-type: none"> <li>• New construction</li> <li>• Rehabilitation</li> </ul>
Multi-Family Housing Program (MHP)	Deferred payment loans from the state to local governments and nonprofit and for-profit developers for new construction, rehabilitation, and preservation of permanent and transitional rental housing for lower-income households. <b>This program is currently suspended for lack of funding.</b>	<ul style="list-style-type: none"> <li>• New construction</li> <li>• Rehabilitation</li> <li>• Preservation</li> <li>• Conversion of nonresidential to rental</li> </ul>
Multi-family Housing Program – Supportive Housing	Deferred payment loans from the state for rental housing with supportive services for the disabled who are homeless or at risk of homelessness. <b>This program is currently suspended for lack of funding.</b>	<ul style="list-style-type: none"> <li>• New construction</li> <li>• Rehabilitation</li> <li>• Preservation</li> <li>• Conversion of nonresidential to rental</li> </ul>



## Appendix 12. Local Resources for Affordable Housing

Program Name	Description	Eligible Housing Activities
Building Equity and Growth in Neighborhoods (BEGIN)	Grants from the state to cities to provide down payment assistance (up to \$30,000) to low- and moderate-income first-time homebuyers of new homes in projects with affordability enhanced by local regulatory incentives or barrier reductions. <b>This program is currently suspended for lack of funding.</b>	<ul style="list-style-type: none"> <li>• Homebuyer assistance</li> </ul>
CalHome	Grants from the state to cities and nonprofit developers to offer homebuyer assistance, including down payment assistance, rehabilitation, acquisition/rehabilitation, and homebuyer counseling. Loans to developers for property acquisition, site development, predevelopment and construction period expenses for homeownership projects. <b>This program is currently suspended for lack of funding.</b>	<ul style="list-style-type: none"> <li>• Predevelopment, site development, site acquisition</li> <li>• Rehabilitation</li> <li>• Acquisition/rehabilitation</li> <li>• Down payment assistance</li> <li>• Mortgage financing</li> <li>• Homebuyer counseling</li> </ul>
Transit-Oriented Development Program	Funding for housing and related infrastructure near transit stations. <b>This program is currently suspended for lack of funding.</b>	<ul style="list-style-type: none"> <li>• Rental housing construction.</li> <li>• Mortgage assistance.</li> </ul>
Infill Incentive Grant Program	Funding of public infrastructure (water, sewer, traffic, parks, site cleanup, etc.) to facilitate infill housing development. <b>This program is currently suspended for lack of funding.</b>	<ul style="list-style-type: none"> <li>• Infrastructure to support high density affordable housing.</li> </ul>
CalHFA Affordable Housing Partnerships Program (AHPP)	Affordable senior financing from CalHFA when combined with a local homebuyer assistance program.	<ul style="list-style-type: none"> <li>• Homebuyer assistance</li> </ul>
CalHFA California Homebuyer's Downpayment Assistance Program (CHDAP)	Deferred-payment junior loan to qualified borrowers to be used for their down payment or closing costs.	<ul style="list-style-type: none"> <li>• Homebuyer assistance</li> </ul>
Redevelopment Housing Fund	State law requires that 20% of Redevelopment Agency funds be set aside for a wide range of affordable housing activities governed by state law.	<ul style="list-style-type: none"> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• New construction</li> </ul>

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## *Appendix 12. Local Resources for Affordable Housing*

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Program Name	Description	Eligible Housing Activities
Federal National Mortgage Association (Fannie Mae)	Fixed rate mortgages issued by private mortgage insurers. Mortgages which fund the purchase and rehabilitation of a home. Low down payment mortgages for single-family homes in underserved low-income and minority cities.	<ul style="list-style-type: none"><li>• Homebuyer assistance</li></ul>
Federal Home Loan Bank Affordable Housing Program	Direct subsidies to nonprofit and for-profit developers and public agencies for affordable low-income ownership and rental projects.	<ul style="list-style-type: none"><li>• New construction</li></ul>
Freddie Mac	HomeWorks – First and second mortgages that include rehabilitation loan; city provides gap financing for rehabilitation component. Households earning up to 80% MFI qualify.	<ul style="list-style-type: none"><li>• Homebuyer assistance combined with rehabilitation</li></ul>



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## **APPENDIX 13.**

# **STAKEHOLDER CONSULTATION**

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# APPENDIX 13

## STAKEHOLDER CONSULTATION

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Both stakeholder workshops and consultations were conducted in preparation of the Analysis of Impediments.

Two stakeholder workshops were conducted at the following places on the dates shown.

- Antioch City Council Chambers, November 18, 2009 (day)
- Richmond Civic Center, November 19, 2009 (day)

These meetings were publicized by invitation to area service providers using a list of over 500 interested parties. The meetings were open to all who wished to attend.

List of meeting attendees and meeting notes are in this appendix.

Also within this appendix is a list of individual stakeholders consulted. Agencies consulted are cited in the body of the document within footnotes.

**Name****Agency*****Antioch meeting attendees***

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Stacy Baird	STAND!
Claude Battaglia	Independent Living Resources (ILR)
Paul Adler	Sup. Gloves Office
Matt Summers	Antioch PD
Dana Adams	Antioch Rec Dept
Jennifer Baha	SHELTER, Inc
Wanda Remmers	HRI
David Boatwright	City of Pleasant Hill
Janer Kennedy	City of Antioch

***Richmond Meeting Attendees***

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Jenny Dillingham	Anka Behavioral Health
Sohyla Faith	CC Child Care Council
Alejandra Escobedo	The Latin Center
Benito Harris	Rubicon Programs
Georgette Diynheiu	Rubicon Programs
Aurther Hatchett	GRIP
Nayla McCarty	211 Contra Costa
Nancy Kenyon	Fair Housing of Marin
Robert Ross	Contra Costa Sr. Leg. Serv.

**Contra Costa County  
Analysis of Impediments  
Stakeholder Meeting  
Antioch City Council Chambers, November 18, 2009**

State Protected Classes also include:

- Income
- Sexual Orientation
- HIV/AIDS

How common is housing discrimination?

- Everyday- very common
- More common in rental units
- Foreclosure crisis is discriminatory based on the nature of it
  - Subprime lending offered to people of color even though they may have qualified for a conventional loan

Causes of discrimination:

- Uneducated Landlords
  - More single family rental units increases the likely or lack of education
- Sense of entitlement by landlord
  - Not treating it's like a business
- City zoning can lead to discrimination
  - Allowance of second units
- Perceptions of affordable housing
  - High density housing
- Discrimination by living situation (example: domestic violence issues- too many calls to police by tenant may lead landlord to be discriminatory)

Which classes are experiencing housing discrimination?

- Discrimination of non-English speaking persons
- Issues in Antioch are frequent
  - An increase of affordable housing in one area takes into account a variety of issues
    - Need to educate community groups on affordable housing to dispel preconceived notions on affordable housing.
- Race discrimination (national origin)
- Discrimination based on familial status
- Discrimination based on religion
- Discrimination among 18-24 year olds
  - This group often has a lack of rental history
  - Landlords fear irresponsibility among this age group

What are various forms of housing discrimination?

- Pricing (may increase the cost of housing for certain groups)
- Availability (may tell applicant that the unit is no longer available)

- Ease of application process (landlord may make it easier for some)
  - Renters often do not know their rights
- Raising deposit amounts.
- Only take cash from tenants.
- Will not sign the lease agreement.
- Refusal to provide ADA accessibility.
- General harassment of non-English speaking persons.

Do forms of discrimination differ by market?

- Steering races to a particular community more frequently with four sale houses.

Why does discrimination persist?

- Lack of education (renters and landlords).
- Consumers are unaware
- Renters are attempting to not stain relationship with landlord.
- Situations change so frequently.
- Lack of attention to foreclosure issues.
- Tenants less likely to fight during the economic crisis.
- Lower-income population feeling powerless.
- Cheap property values equals more rental properties being purchased by investors.

What can be done about discrimination?

- Educate renters and landlords, but also educate staff and advocates so are aware of existing issues.
- Hold Town Hall meetings to educate groups.
- Maintain property values so neighborhoods do not discriminate against rental housing.
- On-the-ground enforcement.
- Getting rid of the “us vs. them” mentality and changing it to “we”.
- City council creating an environment that does not encourage “us-vs.-them” mentality and negative talk about groups.
- Renters are not bad people
  - This has to be addressed by policy makers
  - Renters are better than having vacant/foreclosed houses

Possible solutions to the discrimination problem:

- Adequate funding for enforcement
- Following through with complaint from A-Z (start to resolution)

Additional thoughts from the group:

- Having an adequate housing stock would equate to fewer discrimination issues.
- Serious issues for disabled persons- access to accessible units.
- There are some basic philosophical issues.
- Showing people beautiful affordable housing issues to dispel common perceptions about affordable housing.
- Get to facts about discrimination

**Contra Costa County  
Analysis of Impediments  
Stakeholder Meeting  
Richmond Civic Center, November 19, 2009**

How common is housing discrimination in community?

- There have been nine fair housing cases in the last 6-7 months
- Discrimination is not always blatant
- Fair housing discrimination happens everywhere

Discrimination is based on:

- Race
- Religion
- Color
- Disability
- Senior (Age)

General thoughts and comments:

- ❖ Stakeholders find it easier to get special needs population housing from “mom-and-pop” landlords vs. large apartment complexes.
- ❖ Voice machine (that lets people with accents speak with no accent) has proved that discrimination can be based on a person’s voice.
- ❖ Undocumented persons are afraid to seek help or are unprotected.
- ❖ Price is listed and then landlord discovers it is working with special needs and they increase rent amount (very common occurrence).
- ❖ Increase cost of credit check (common occurrence).
- ❖ Different standards for tenants based on credit score.
- ❖ Education and access to fair housing investigators is critical.
- ❖ Educating landlords to understand what is considered discrimination.
- ❖ Need to ensure that discrimination does not occur after the unit has been rented

What are the classes that experience discrimination?

- Undocumented persons
- Disable
  - Cases where someone said they would not rent to someone with a mental disability.
- Homeless
- Recently out of jail
- Persons with families
  - Landlords cannot tell families with children that they can’t rent upstairs unit.
- Discrimination is more common in rental housing



- ❖ Recent discrimination case- landlord recently rented to tenant and then said they did not receive their deposit.
- ❖ Reasonable accommodation law is very strong- carries large fines.
- ❖ Two people per bedroom plus one (standard household size).
- ❖ Lower-income housing experiences greater discrimination.
- ❖ Typically when fair housing issues is addressed- landlord will comply with fair housing laws from then on out.
- ❖ Example of housing discrimination: woman cleans house and does not have documentation of income, therefore cannot get adequate housing.
  - Perhaps she can get a letter from her employer to document her income.
- ❖ Domestic Violence victims have issues obtaining adequate housing.
- ❖ Do not want to file Fair Housing complaint out of fear of being black listed.

#### Fair Housing Issues by Market:

- Educating people on their rights
- Landlords try to get away with more poor people
- West Contra Costa and far east- landlords are much more likely to rent to special needs population.
- Landlords prey on Rubicon clients
  - Rubicon= homeless and disabled population
- For Sale Units:
  - Many people purchasing home do not speak English adequately to understand what they are signing.
  - Similar problem with senior population
  - Predatory lending is a problem
    - Loans that homeowners cannot afford
    - Loans for repairs in their house

#### Why does discrimination exist?

- Greed
- Landlord has one bad experience
  - So tenants needs to understand their responsibility
  - Issue is complex- it is not one sided
- Issues are typically complex- not one sided
- The basis of discrimination is not judging a tenant based on one past experience
- Discrimination to renting to section 8 tenants
- Needs to be education for tenants just like first-time homebuyers

#### Solutions:

- Previous landlord checks
- Education
- Help recently homeless on life skills to remain in housing.
- Grandparents taking kids to get educated so they do not have to pick between kids and housing.

- Case: Landlord told woman he would not fix the mold in her house. She showed him the flyer and he fixed the mold. Sometimes landlords don't even know the laws exist and they are breaking them.

Barriers:

- Affordability (cost of house and cost of getting into housing)
- Income has to be three times rent- this happens- affects move-in costs
- NIMBY- affects affordability
- Not enough "Extremely Low-Income Housing"
- Not enough people to manage low-income housing
- Developers only putting in the number of accessible units that they are required.
  - Sometimes they don't build any
- Educating tenant on how to look for homes
- Tenant matching- this is a hard sale.
  - Especially with seniors and women.

## ***Stakeholders Consulted***

### **Agency**

STAND!  
Independent Living Resources (ILR)  
Antioch PD  
Antioch Rec Dept  
SHELTER, Inc  
HRI  
Anka Behavioral Health  
CC Child Care Council  
The Latin Center  
Rubicon Programs  
Rubicon Programs  
GRIP  
211 Contra Costa  
Fair Housing of Marin  
Contra Costa Sr. Leg. Serv.  
Contra Costa Apartment Association  
HUD-FHEO, San Francisco.  
State-DFEH  
Bay Area Legal Aid, Contra Costa County  
Loaves and Fishes of Contra Costa County

### **Name**

Stacy Baird  
Claude Battaglia  
Matt Summers  
Dana Adams  
Jennifer Baha  
Wanda Remmers  
Jenny Dillingham  
Sohyla Faith  
Alejandra Escobedo  
Benito Harris  
Georgette Diynheiu  
Aurther Hatchett  
Nayla McCarty  
Nancy Kenyon  
Robert Ross  
Theresa Karr  
Chuck Hauptman  
Karen Gilbert  
Various  
Various

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**APPENDIX 14.**  
**PUBLIC COMMENTS AND RESPONSES**

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## APPENDIX 14

### PUBLIC COMMENT AND RESPONSE

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A draft of the Analysis of Impediments was made available for public comment on March 23, 2010. The document was made available on the website of member jurisdictions and in the offices of member jurisdictions.

The Consortium received one formal comment from Bay Area Legal Aid and Public Advocates, Inc. On May 25, 2010 the County Board of Supervisors took action to formally respond to the comments received.

The Board action to approve and adopt the Analysis of Impediments, the comment letter and the official response to the comment letter are included on the following pages.



To: Board of Supervisors  
 From: Catherine Kutsuris, Conservation & Development Director  
 Date: May 6, 2010



Contra  
 Costa  
 County

Subject: Approval of the Analysis of Impediments to Fair Housing  
 Choice

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**RECOMMENDATION(S):**

Continued public hearing to consider adoption of the Analysis of Impediments to Fair Housing, including:

**FISCAL IMPACT:**

No General Fund impact. All funds are provided to the County on a formula basis through the U.S. Department of Housing and Urban Development.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
 COMMITTEE

---

Action of Board On: **05/25/2010** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 25, 2010

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Bob Calkins, (925)  
 335-7220

By: , Deputy

cc:

## **RECOMMENDATION(S): (CONT'D)**

Continued public hearing to consider adoption of the Analysis of Impediments to Fair Housing, including: 1. ACCEPTING a report from the Director of Conservation and Development responding to concern expressed by Bay Area Legal Aid and Public Advocates, Inc.; 2. APPROVING the Analysis of Impediments of Fair Housing Choice; and 3. DETERMINING that this action is not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA guidelines.

## **BACKGROUND:**

On April 27, 2010, the Board of Supervisors adopted the FY 2010 – 2015 Consolidated Plan and the FY 2010/11 Annual Action Plan for the use of Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds. The Board continued the discussion on the Analysis of Impediments to Fair Housing Choice (Attachment A) to May 25, 2010 to allow staff time to respond to a letter received on April 26, 2010 (Attachment C) from Bay Area Legal Aid and Public Advocates, Inc. (BALA/PA).

The Consolidated Plan regulations require Entitlement Jurisdictions that receive any of the above sources of funds to affirmatively further fair housing (AFFH), and the CDBG program specifically requires that each Entitlement Jurisdiction certify that it will "affirmatively further fair housing."

The extent of the AFFH obligation has never been defined statutorily. However, the Department of Housing & Urban Development (HUD) defines it as requiring an Entitlement Jurisdiction to conduct an analysis to identify impediments to fair housing choice within the jurisdiction; take appropriate actions to overcome the effects of any impediments identified through the analysis; and maintain records reflecting the analysis and actions taken in this regard (24 CFR 91).

HUD interprets those broad objectives to mean: • Analyze and eliminate housing discrimination in the jurisdiction • Promote fair housing choice for all persons • Provide opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability and national origin • Promote housing that is structurally accessible to, and usable by, all persons, particularly persons with disabilities • Foster compliance with the nondiscrimination provisions of the Fair Housing Act (HUD Fair Housing Planning Guide [March, 2006] at p 1-2)

Although the Entitlement Jurisdiction's AFFH obligation arises in connection with the receipt of federal funding, its AFFH obligation is not restricted to the design and operation of HUD-funded programs at the State or local level. The AFFH obligation extends to all housing and housing-related activities in the Entitlement Jurisdiction's area, whether publicly or privately funded. The guidance encourages a metro wide or regional fair housing plan (FHP).

The Entitlement Jurisdictions of Antioch, Concord, Pittsburg, Richmond, Walnut Creek, and Contra Costa County (Contra Costa Consortium) drafted a County-wide Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI).

Before drafting the AI, the Contra Costa Consortium held two public meetings, one each in Antioch and Richmond, to obtain input from fair housing service providers, public agencies, community groups, and the general public. A notice of the meetings was published in the Contra Costa Times and sent to a mailing list of over 500 agencies, including Bay Area Legal Aid. The major agenda topics during the two public meetings were:

- Purpose of the AI (what it does and the role of stakeholders)
- Housing Discrimination (forms of discrimination and the federal and state protected classes)
- Community and Stakeholders input/experience with fair housing and housing discrimination within their communities

Public participation was encouraged throughout the process. In addition to the two public meetings, the Contra Costa Consortium solicited input via an on-line/internet survey that was accessible during the months of August, September, and October 2009. According to our records, neither BALA or PA attended any of the meetings or participated via the survey.

**Comments by BALA/PA:** The letter was generally critical of the AI with particular emphasis on the impediments to fair housing choice by Section 8 families (Section A of the letter), and impediments imposed by the failure to identify and remove governmental constraints to the development of affordable housing (Section B of the letter). Staff has provided a response to each comment contained in the BALA/PA letter (see Attachment B), and believes that the responses provided adequately address the comments contained in the letter. Consequently, staff recommends approval of the Analysis of Impediments to Fair Housing Choice.

**CONSEQUENCE OF NEGATIVE ACTION:**

**CHILDREN'S IMPACT STATEMENT:**



STAFF RESPONSES TO BALA/PA LETTER

**Comment #1:** The draft AI identifies only three governmental impediments to fair housing choice.

**Response:** The AI focused on the three significant new State requirements for the Housing Element. County staff will reconsider this approach and amend the AI if appropriate based on this review.

**Comment #2:** The Draft AI fails to address discriminatory police practices and official and community hostility toward predominantly minority Section 8 recipients.

**Response:** The comments on Section 8 housing choice vouchers are primarily focused on the City of Antioch. See the attached letter (Attachment D) from the Antioch City Attorney to the Board of Supervisors and city councils of Concord, Pittsburg, Richmond and Walnut Creek dated April 29, 2010.

**Comment #3:** An officer in the Oakley police department was trained by the Antioch police in what the letter says are discriminatory practices.

**Response:** There is no evidence cited or known to County CDBG staff of discriminatory practices by the Oakley police department.

**Comment#4:** The City of San Ramon Police Department's "Crime Free Multi-Housing" program is a practice that could lead to housing discrimination and precautions should be taken to ensure that this does not happen.

**Response:** The purpose of the Crime Free Multi-Housing program is to train local property managers on how to prevent crime on their property. The program operates in numerous communities in 44 states. The Consortium appreciates the comment that precautions should be taken to avoid discriminatory practices and has forwarded the BALA/PA letter to the City of San Ramon staff.

**Comment #5:** The draft AI does not acknowledge Member Jurisdictions' failure to submit HCD certified Housing Elements by the June 30, 2009 deadline mandated by California Government Code Section 65588.

**Response:** Housing Element submission is neither a predictor of a jurisdiction's efforts to develop affordable housing nor essential in identifying impediments to fair housing choice. The HCD review typically requires at least three submissions on the Housing Element for a total of 225 days of review time at HCD. Staff does not recommend making any changes to the AI to address this comment. There are numerous examples of jurisdictions who have continued to encourage and fund affordable housing development regardless of their Housing Element status. The current Housing Element status of each jurisdiction within Contra Costa County is shown in Attachment E. Up-to-date information of jurisdictions' Housing Element status can also be obtained by visiting the

HCD website ([www.hcd.ca.gov/hpd/hrc/plan/he/](http://www.hcd.ca.gov/hpd/hrc/plan/he/)).

**Comment#6:** In reference to the review of Housing Elements, the draft AI is silent as to the nature of the review and the findings.

**Response:** Appendices 10 and 11 of the Draft AI include a summary of the review of zoning and building codes, which were drawn from the reviews of various jurisdictions' Housing Elements.

**Comment #7:** There is no discussion of government barriers to the development of some 16,000 units of affordable housing in general.

**Response:** Section 5 of the draft AI discusses government barriers to affordable housing and identifies 12 impediments to fair housing choice, four of which relate to affordable housing.

**Comment #8:** In reference to the review of Housing Elements, the draft AI falls short of what federal law requires.

**Response:** The HUD Fair Housing Planning Guide, which is referenced in the BALA/PA letter, says "The extent of the AFFH obligation has never been defined statutorily." (HUD Fair Housing Planning Guide [March, 2006] at p 1-2). The AI is consistent with the Fair Housing Planning Guide.

**Comment #9:** That sixteen jurisdictions lack HCD-certified housing elements almost one year after they were due is therefore a serious impediment to fair housing in and of itself that must be acknowledged in the Analysis. These jurisdictions have not yet taken even the most preliminary steps to provide sites with adequate zoning to accommodate their fair share of needed affordable housing development, nor have they identified, much less removed, government constraints to the maintenance, improvement, and development of affordable housing.

**Response:** HCD certification is not a predictor of a jurisdiction's efforts to develop affordable housing. Any jurisdiction that has submitted a Housing Element to HCD for review has completed an analysis of sites that are appropriate for affordable housing development. The jurisdiction is attempting to demonstrate its capacity to meet its Housing Element goals. In general, the jurisdictions who have not submitted Housing Elements for review are working on administrative drafts.

The first impediment listed in the AI is the lack of sufficient affordable housing supply. Additional impediments include concentration of affordable housing, failure to provide reasonable accommodations, and lack of appropriate zoning for emergency, transitional and permanent supportive housing. The purpose of the AI is to identify impediments to fair housing choice. The preparation of the AI does not require that all impediments are removed or overcome at the conclusion of the analysis. The AI is essentially a planning document. The implementation of the goals in the AI will address the constraints.

**Comment #10:** There is an apparent discrepancy between the AI statement that jurisdictions provide flexibility in development standards to accommodate housing for people with disabilities with the impediment that jurisdictions lack formal policies and procedures to provide that flexibility.

**Response:** Jurisdictions understand and are responsive to the needs of people with disabilities who have specific housing requirements that require flexibility in the application of zoning code. Adopted Housing Elements will have implementation measures to develop a reasonable accommodation policy.

**Comment #11:** The Draft's failure to acknowledge this shortcoming [lack of certified Housing Elements], and to propose a plan of action to remediate it, constitutes a violation of federal law.

**Response:** The HUD Fair Housing Planning Guide, which is referenced in the BALA/PA letter, says "The extent of the AFFH obligation has never been defined statutorily." (HUD Fair Housing Planning Guide [March, 2006] at p 1-2). The draft AI is consistent with the Fair Housing Planning Guide. The AI includes an action under the first impediment (lack of sufficient affordable housing supply) to address the alleviation of government constraints and the need to identify adequate sites for affordable housing development.



BAY AREA LEGAL AID

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ADVOCATES**  
 MAKING RIGHTS REAL

April 26, 2010

Susan A. Bonilla, Chair,  
 Contra Costa County Board of Supervisors, and  
 Member Jurisdictions of the Contra Costa Consortium  
 651 Pine Street  
 Martinez, California 94553

**Re: Draft Analysis of Impediments to Fair Housing Choice**

Dear Chair Bonilla and Supervisors:

Bay Area Legal Aid and Public Advocates, Inc., thank the Contra Costa Consortium ("the Consortium") for the opportunity to comment on its March 2010 Draft Analysis of Impediments to Fair Housing Choice ("the Draft"). Bay Area Legal Aid is the largest nonprofit legal services provider for low-income people in the Bay Area. Public Advocates is a nonprofit law firm and advocacy organization dedicated to addressing the systemic causes of poverty and racial discrimination.

We appreciate the effort that the Consortium has put into the development of its Draft. We write to comment generally on the Draft's lack of specificity, and in particular about two glaring omissions: impediments to the housing choice of Section 8 families, a majority of whom are African-American and other minorities; and impediments imposed by the failure to identify and remove governmental constraints to the development of affordable housing by member jurisdictions, many of which are nearly a year late in adopting a Housing Element, the state-mandated fair-share affordable housing plan.

The Analysis of Impediments is a prerequisite to the Consortium's receipt of funds from the U.S. Department of Housing and Urban Development ("HUD"), including CDBG and HOME funding. As HUD explains,

"[t]he AI is a review of impediments to fair housing choice in the public and private sector. The AI involves:

- A comprehensive review of a State or Entitlement jurisdiction's laws, regulations, and administrative policies, procedures, and practices
- An assessment of how those laws, etc. affect the location, availability, and accessibility of housing
- An assessment of conditions, both public and private, affecting fair housing choice for all protected classes
- An assessment of the availability of affordable, accessible housing in a range of unit sizes."

(HUD FAIR HOUSING PLANNING GUIDE (Mar. 2006) at p. 2-7 (emphasis added).)

HUD goes on to explain that impediments to fair housing choice include any “actions, omissions, or decisions” which restrict housing choices or the availability of housing choices to members of protected classes, whether that restriction is purposeful or only an unintended effect. (Id. at p. 2-8.)

The Analysis of Impediments is but the first step in the adoption of an action plan backed by the Consortium’s formal certification to HUD. The Consortium must ultimately “certify that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the area, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.” (24 C.F.R. § 91.425 (a)(1)(i), emphasis added.)<sup>1</sup>

In general, we are concerned with the lack of analytical content in the Draft. While its 206 pages include much in the way of raw demographic data, it is short on analysis. That analysis is essential to demonstrating the specific impediments faced by members of protected classes to fair housing choice in Contra Costa County. Without a sufficiently specific analysis, it is impossible to take the critical step of crafting the specific actions needed to overcome those impediments.

The Draft identifies only three governmental impediments to fair housing choice: (1) the lack of formal policies and procedures in some jurisdictions to reasonably accommodate housing for persons with disabilities (Draft at p. 6-5); (2) the failure of some jurisdictions to explicitly permit transitional and supportive housing in zoning codes and subject that housing only to the same restrictions applied to other residential uses of the same type in the same zones (Id. at p. 6-6); and (3) the failure of some jurisdictions to permit permanent emergency shelters by right in at least one appropriate zoning district. (Id.)

COMMENT  
#1

Two key impediments are altogether overlooked in the draft. These are the impediments that protected classes face as a result of (1) both official and community hostility toward Section 8 families (Part A, below); and (2) the widespread failure to identify and remove exclusionary zoning obstacles (Part B, below).

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<sup>1</sup> The significance of the AI requirement was highlighted by the recent settlement between Westchester County, HUD and the Anti-Discrimination Center, resulting from a federal court ruling that the County had misrepresented its efforts to eliminate segregation among its white communities in its AI.



**A. The Draft Fails to Address Discriminatory Police Practices and Official and Community Hostility Toward Predominantly Minority Section 8 Recipients.**

COMMENT  
#2

While only 9.4 percent of Contra Costa County residents are African-American,<sup>2</sup> a majority of recipients of tenant-based Section 8 vouchers in Contra Costa County (some 57 percent) are African-American.<sup>3</sup> Accordingly, adverse practices that focus on Section 8 households as a whole have a significantly disproportionate impact on African-Americans.

In December 2007, Bay Area Legal Aid and Public Advocates presented a detailed report to the Contra Costa County Board of Supervisors and the City Council of Antioch, entitled POLICING LOW-INCOME AFRICAN-AMERICAN FAMILIES IN ANTIOCH ("City of Antioch Report").<sup>4</sup> That report documented police practices targeting Section 8 families, and concluded that those practices disproportionately affect, and indeed, single out African-American families within the Section 8 population in an attempt to terminate their housing assistance and force them to move out of the city.

The Draft mentions that discrimination against Section 8 families has been documented across the County:

"Many fair housing complaints received by the California Apartment Association center on federally subsidized rental units (Section 8 and public housing). The most common classifications of discrimination included female heads of households, family households with teenage children, persons with disabilities, and racial discrimination. The most common forms of discrimination reported by those persons who submitted a complaint included inappropriate verbal statements, differential treatment, and neglect of reasonable accommodations."<sup>5</sup> (Draft at p. 4-7.)

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<sup>2</sup> Draft at p. 2-6 (Table 4).

<sup>3</sup> Resident Characteristics Report for Contra Costa County, *available at* <https://hudapps.hud.gov/public/pic>.

<sup>4</sup> *Available at* <http://www.publicadvocates.org/docs/Antioch/AntiochReportFinalRev.pdf>.

<sup>5</sup> Despite the fact that discriminatory police practices have been documented, the Draft ignores them completely. Indeed, the Draft's only discussion of unfair housing practices is limited to a section about private sector practices and is cursory, at best. (Draft at pp. 4-1 to 4-8.) It acknowledges that the Office of Fair Housing and Equal Opportunity ("FHEO") of HUD received 184 complaints, of which 50 were based on racial discrimination and 19 on national origin, originating in Contra Costa County, for the period between January 1, 2005 and December 31, 2009. (Id. at pp. 4-4 to 4-5.) During the period commencing on January 1, 2004 through December 31, 2009, the California Department of Fair Housing and Employment (DFEH) received 187 complaints filed in Contra Costa County, of which 31 were based on national origin discrimination. (Id. at p. 4-5.) Additionally, since 2006, four local agencies, Housing Rights, Inc., Bay Area Legal Aid, Fair Housing of Marin, and the Contra Costa Crisis

Despite this acknowledgement that Section 8 families are at specific risk of discriminatory practices, the Draft identifies a need only for general community education about rental housing and tenants' rights. (Draft at pp. 6-4 to 6-5.) It makes no mention of the specific, and very serious, impediments to fair housing choice posed by official and community hostility to Section 8 families.

**1. The Draft Does Not Acknowledge Police Practices That Disproportionately Restrict The Housing Choices Of African-American Section 8 Households.**

Among documented police practices that target African-American Section 8 recipients are those of the Community Action Team (CAT) within the City of Antioch Police Department. Explicitly formed in response to community hostility toward recipients of Section 8 housing assistance (*see* Part A.2., below), CAT requested from the Housing Authority the identity of Section 8 households in the city, in violation of federal law.<sup>6</sup> It has targeted Section 8 homes for investigations, searches, arrests and citations. It has sent letters to landlords about their Section 8 tenants, describing "issues reported by neighbors and police" and warning the landlord of liability for the tenant's conduct. And it has referred to the Housing Authority "allegations of illegal conduct, nuisance activities, or violations of Section 8 rules."<sup>7</sup>

Expert analysis confirmed the conclusions of our City of Antioch Report, finding that CAT practices disproportionately affect Section 8 households, and more specifically, African-American Section 8 households. Between 2006 and 2009, Section 8 households represented 5.9 percent of all Antioch households but 48 percent of all households subject to CAT scrutiny.<sup>8</sup> African-American households have been disproportionately impacted by these police practices, for two reasons. First, given that more than half of Section 8 households in Antioch are African-

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Center, have received and/or handled 727 fair housing complaints from Contra Costa County residents, including 168 based on race and 46 based on national origin. (Id. at p. 4-6 (Table 4-1).) The Draft also mentions that the California Apartment Association has received many complaints "center[ed] on federally subsidized rental units (Section 8 and public housing)" and that racial discrimination is one of the most common classifications of discrimination reported. (Id. at p. 4-7.) Yet at no point does the Draft actually specify which practices, whether private or public, led to those discrimination complaints and how such practices affect the location and availability of housing. Instead, it simply concludes that "[d]iscrimination in rental housing" is an impediment to fair housing choices. (Id. at pp. ES-5 and 6-4.)

<sup>6</sup> On the advice of County Counsel, the Board of Supervisors did not comply with this request. *See* City of Antioch Report at p. 13 n. 60.

<sup>7</sup> City of Antioch Report at pp. 14-15; Expert Report of Barry Krisberg (Sept. 2009) ("Expert Report") at pp. 17-18, 23-24, *available at* [http://www.publicadvocates.org/ourwork/housing/documents/Krisberg\\_Expert\\_Report\\_Antioch\\_Final.pdf](http://www.publicadvocates.org/ourwork/housing/documents/Krisberg_Expert_Report_Antioch_Final.pdf).

<sup>8</sup> Expert Report at p. 11.

Americans, compared to less than a quarter of all households,<sup>9</sup> any disproportionate treatment toward Section 8 households necessarily falls disproportionately on African-Americans. Second, CAT practices discriminate against African-American Section 8 households to an even greater degree than their proportion among Section 8 recipients. For instance, while African-American households represented 55.8 percent of all Section 8 households between 2006 and 2009, they represented 68.2 percent of Section 8 households subjected to CAT scrutiny in that same period.<sup>10</sup>

Evidence indicates that these discriminatory practices may have spread to other Consortium jurisdictions. For example, CAT monthly reports reflect that CAT met with both the Oakley and Concord Police Departments to discuss its methods in dealing with the Section 8 population, and that an Oakley police officer actually trained with CAT in Antioch. Moreover, other Consortium jurisdictions have initiated programs that pose a potential risk of discriminatory treatment. For example, the San Ramon Police Department has implemented a "Crime Free Multi-Housing Program" with the stated mission of "keeping illegal activity out of rental housing."<sup>11</sup> While such programs are not necessarily discriminatory, actual documented practice within some Consortium jurisdictions, together with documented public hostility, requires that special scrutiny and precautions be taken to ensure against discriminatory impacts.

Comment  
#3

Comment  
#4

Without a discussion of the police practices that impede fair housing choices for African-American Section 8 households, the Draft neither provides a "comprehensive review" of administrative practices of jurisdictions represented by the Consortium, nor is it able to tailor a plan of action to affirmatively remove these impediments.

## **2. The Draft Fails to Acknowledge Community Hostility Toward Section 8 Families as an Impediment to Fair Housing.**

The Analysis, moreover, must assess the "conditions, both public and private, affecting fair housing choice for all protected classes." (HUD FAIR HOUSING PLANNING GUIDE at p. 2-7 (emphasis added).) The Draft, however, is silent in detailing community hostility and resistance toward Section 8 families. Again, the City of Antioch provides a telling case study. In the months leading up to the implementation of the CAT program, Antioch homeowners publicly denounced Section 8 residents, formed an organization aimed at "combat[ing] problems associated with Section 8 rentals," and posted the addresses of units rented to Section 8 families on its website. Additionally, offensive signs were placed on the doors of a number of renters.<sup>12</sup>

Public officials, rather than condemn this scapegoating of Section 8 families, actively contributed to spreading the myth that Section 8 families were disproportionately responsible for crime and

<sup>9</sup> Id. at p. 14 (based on 2006-2009 period).

<sup>10</sup> Id. at p. 16.

<sup>11</sup> Available at <http://www.ci.san-ramon.ca.us/police/cfmhp.html>.

<sup>12</sup> City of Antioch Report at p. 10.

other perceived community problems. Public statements, for instance, by the Chief of Police, linked Section 8 to crime, and did so without any analysis.<sup>13</sup>

**3. In Addition to Identifying Discriminatory Practices, the Draft Must Assess Their Effects Upon the Availability and Location of Housing for African-American Section 8 Households.**

These practices threaten a key objective of the Section 8 voucher program – providing Section 8 families with a mechanism to move into more affluent neighborhoods and receive their benefits - better schools, quality jobs, and social opportunities. As an example, it has been documented that CAT practices in Antioch were more heavily concentrated on Section 8 households living in the affluent section of the city between 2006 and 2009.<sup>14</sup> While referrals to the Housing Authority seeking termination of Section 8 assistance for African-American households in this part of the city were most likely to be rejected,<sup>15</sup> these CAT practices establish a hostile community environment, dissuading working families from moving into affluent neighborhoods due to fear of constant harassment. Local hostility toward Section 8 tenants and landlords is also likely to limit the housing choices available to Section 8 families more broadly.

**4. The Inadequate Analysis Makes It Impossible For the Consortium To Tailor Appropriate Actions to Affirmatively Remove These Impediments.**

As noted, the purpose of conducting a comprehensive analysis of impediments to fair housing is to ensure that Consortium jurisdictions can validly certify that they are taking appropriate action to affirmatively further fair housing by removing the effects of those impediments. The draft not only fails to analyze these impediments, but is silent on what action will be taken to correct them.

After conducting a comprehensive analysis of these impediments, the Consortium should adopt specific and meaningful fair housing actions to ensure that they are corrected. This requires member jurisdictions to commit to implementing meaningful and achievable objectives and actions, and to set forth (1) measurable results, (2) defined timetables, and (3) specified parties responsible for implementation. *See* HUD FAIR HOUSING PLANNING GUIDE at p. 2-23.

Not only does the Draft fail to acknowledge discriminatory public practices and hostile sentiment on the part of private residents, it fails to provide any meaningful action plan to remediate public exclusionary practices or to train public officials in how to deal with hostile public sentiment. The Draft does not mention the specific impediments that Section 8 tenants face, and includes no

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<sup>13</sup> City of Antioch Report at p. 10; *see also* City of Antioch Quality of Life Forum IV, Antioch Police Department (Jan. 2007).

<sup>14</sup> Expert Report at p. 21.

<sup>15</sup> *Id.* at p. 22.

action – not even education – for local government officials and the general public with respect to Section 8 discrimination.

Nor does the Draft provide a plan to educate hostile communities about the fair housing rights of Section 8 families. While it lists “lack of knowledge of fair housing rights” of renters as an impediment, its only proposed action consists of a vague and general statement to “support efforts to educate tenants, and owners and agents of rental properties regarding their fair housing rights and responsibilities.” (Draft at pp. ES-5 and 6-4.)

Finally, the Draft includes no specific commitments, timetables and measurable goals. See 24 C.F.R. § 91.425 (a)(1)(i); HUD FAIR HOUSING PLANNING GUIDE at p. 2-23.

**B. The Draft Does Not Acknowledge Member Jurisdictions’ Failure to Submit HCD-Certified Housing Elements by the June 30, 2009 Deadline Mandated by California Government Code Section 65588.**

COMMENT  
#5

The Analysis of Impediments must include “[a]n assessment of how [local laws, policies and practices] affect the location, availability, and accessibility of housing.” (HUD FAIR HOUSING PLANNING GUIDE at p. 2-7.) This requirement encompasses a thorough analysis of exclusionary zoning policies and practices, an analysis that is lacking in the Draft.

California law recognizes the vital role local governments play in the supply and affordability of housing. Under the Housing Element Law, California Government Code §§ 65580 et seq., each local jurisdiction is required to adopt and implement a housing element within its general plan. That housing element must identify exclusionary zoning and other constraints to the development of affordable housing, and plan to remove those constraints. The housing element must also accommodate its fair share of the region’s need for housing for lower-income households.

The local fair share need for lower-income housing is allocated to each city and county on a periodic basis, and a new housing element update must be adopted to accommodate that need. The most recent Regional Housing Need Allocations were made to Contra Costa County jurisdictions in 2008,<sup>16</sup> and requires Contra Costa jurisdictions to plan to accommodate nearly 16,000 affordable units (6,512 very-low income, 4,325 low-income and 4,996 moderate income) over the next four years. New housing element updates accommodating those units and removing exclusionary barriers were required by state law to be adopted no later than June 30, 2009. New housing elements must be reviewed and certified for statutory compliance by the California Department of Housing and Community Development (“HCD”).

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<sup>16</sup> Association of Bay Area Governments, San Francisco Bay Area Housing Needs Plan 2007-2014 at p. 44, *available at* <http://www.abag.ca.gov/planning/pdfs/SFHousingNeedsPlan.pdf>.



As of April 13, 2010, only four jurisdictions (Contra Costa County, Oakley, San Ramon and Walnut Creek) have adopted housing elements found to comply with the Housing Element Law.<sup>17</sup> Six jurisdictions have not even submitted a draft housing element to HCD (Brentwood, El Cerrito, Hercules, Orinda, Richmond, and San Pablo). Seven others have either adopted non-compliant housing elements or not yet submitted adopted housing elements to HCD (Clayton, Concord, Danville, Lafayette, Martinez, Pinole, and Pleasant Hill). HCD is currently reviewing the housing elements for the remaining three jurisdictions (Antioch, Moraga, and Pittsburg).

The Draft dedicates one section to a discussion of potential government barriers to fair housing, acknowledging that “[p]ublic policies established at the state, regional, and local levels can affect housing development and therefore may have an impact on the range and location of housing choices available to residents.” (Draft at p. 5-1.) Specifically, it recognizes the significance of state-certified housing elements in producing affordable housing, explaining that they are a mechanism through which “local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community.” (Id.) Accordingly, the Draft states that as “part of evaluating potential impediments to fair housing choice and housing development, each jurisdiction’s Housing Element was reviewed.” (Id.) The Draft is silent as to the nature of this review and resulting findings. The only “government barriers” to fair housing that it identifies are member jurisdictions’ non-compliance with laws related to housing for individuals with disabilities, transitional and supportive housing, and permanent emergency shelters. (Id. at pp. 6-5 to 6-6.) There is no discussion of government barriers to the development of some 16,000 units of affordable housing in general.

Comment  
#6

Comment  
#7

The Draft falls far short of what federal law requires. Given that only a fraction of jurisdictions have even adopted a new housing element, nearly a year past the deadline, the Draft’s statement that it has “reviewed” each jurisdiction’s housing element is empty. More crucially, the new housing element is precisely the document in which a local government must analyze its exclusionary zoning constraints and plan to remove them, while also planning to assume its obligation to provide sites for affordable housing. Before a new housing element has been adopted, no meaningful analysis of the impediments posed to fair housing by those exclusionary zoning barriers has yet been conducted.

Comment  
#8

That sixteen jurisdictions lack HCD-certified housing elements almost one year after they were due is therefore a serious impediment to fair housing in and of itself that must be acknowledged in the Analysis. These jurisdictions have not yet taken even the most preliminary steps to provide sites with adequate zoning to accommodate their share of needed affordable housing development, nor have they identified, much less removed, government constraints to the maintenance, improvement and development of lower-income housing.

Comment  
#9

Even for those laws, regulations, policies, procedures and practices it does address, the Draft fails to undertake a sufficient analysis of their effects on the location, availability and

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<sup>17</sup> Housing Element Compliance Report, 4/13/2010 9:13 a.m., *available at* <http://www.hcd.ca.gov/hpd/hrc/plan/he/status.pdf>.

accessibility of housing. The one section addressing government actions, “Government Barriers to Fair Housing,” claims to “discuss[] the public policies enacted by jurisdictions within Contra Costa County and their *potential impacts* on housing development.” (Draft at p. 5-1 (emphasis added).) Instead, however, it simply (1) describes the state laws related to housing elements, housing for persons with special needs, and housing for the homeless; (2) includes an unsupported claim that none of the jurisdictions’ building codes create an undue constraint on housing development; and (3) explains that “resources and incentives” may be a means to encourage affordable housing development, providing descriptions of state density bonus law and inclusionary housing policies. (Id. at pp. 5-1 to 5-5.)

The absence of any meaningful analysis of the effects of local ordinances is further exemplified in the discussion of the federal and state requirement that local government implement its zoning power in a manner that “reasonably accommodates” housing for persons with disabilities. Without providing any analysis, the Draft concludes that “[a]ll of the jurisdictions examined provide flexibility in development standards to reasonably accommodate the housing needs of residents with disabilities” but later acknowledges as an impediment the “lack of formal policies and procedures regarding reasonable accommodation.” (Id. at pp. 5-3 and 6-5.) The Draft fails to discuss any existing zoning frameworks that have apparently hindered the development of housing for individuals with disabilities, thus necessitating these “formal policies and procedures.”

Comment  
#10

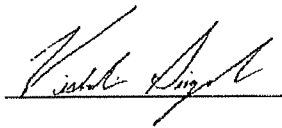
So long as the vast majority of Consortium jurisdictions have failed to adopt and implement new housing elements, including programs to make sites available for affordable housing and to remove exclusionary zoning constraints, any analysis of impediments to fair housing by Consortium jurisdictions is necessarily incomplete. The Draft’s failure to acknowledge this shortcoming, and to propose a plan of action to remediate it, constitutes a violation of federal law.

Comment  
#11

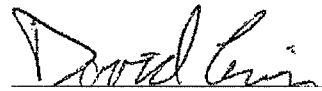
### Conclusion

We would be pleased to offer further assistance to the Consortium to help develop definite and measurable goals, along with defined timetables and responsible parties, necessary to ensure these important fair housing laws are effectively implemented in this County.

Very truly yours,

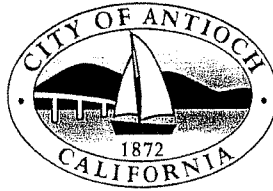


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CONTRA COSTA

April 29, 2010

Contra Costa Board of Supervisors  
Concord City Council  
Pittsburg City Council  
Richmond City Council  
Walnut Creek City Council

**Re: Draft Analysis of Impediments to Fair Housing Choice**

Dear Supervisors and Council Members:

The City of Antioch belongs to the Contra Costa County Consortium, along with Contra Costa County and the cities of Concord, Pittsburg, Richmond and Walnut Creek, to receive federal funds for housing and community needs through the CDBG and HOME programs. These funds address serious community needs such as shelters for battered women, homeless services, foreclosure counseling, meals for seniors, etc. We are all acutely aware that there are not enough funds for all of the community needs.

Lawyers who have filed a lawsuit against Antioch opposing its community policing efforts to keep neighborhoods safe have now inserted themselves into the CDBG process by submitting the enclosed letter criticizing the County-wide Plan and particularly the Antioch Police Department's community policing efforts. It is disturbing that lawyers with Bay Area Legal Aid and Public Advocates would resort to holding such needed programs hostage in their attempt to seek an advantage in their lawsuit.

It seems clear that the lawyers' intent is to create political and financial pressure on Antioch and its City Council. Their hope is that in this time of budget strain, a threat to critical federal funding for community programs would be enough to frighten the City toward a settlement and payment of their large demand for attorneys' fees. This is the latest in a series of legal and publicity maneuvers by the plaintiffs' lawyers, who seek to punish Antioch residents for daring to complain about criminal, drug and nuisance problems in their neighborhoods. Unfortunately, in addition to defending the lawsuit, we must also fight a succession of pressure tactics and back-door strategies deployed by the plaintiffs to date and likely in the future as well.

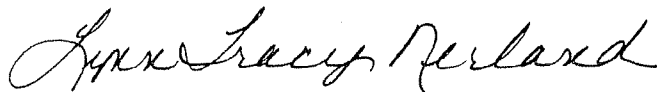
We are sorry that in these times of such limited governmental resources you are forced to deal with such legal and publicity maneuvers as well. Therefore, we strongly recommend that the Consortium allow each member to respond to the accusations of Bay Area Legal Aid and Public Advocates specific to that jurisdiction if they deem necessary and that the Consortium not expend precious resources to become pawns in plaintiffs' ongoing claims and lawsuits. It is not for the Consortium to provide a "comprehensive review" of administrative and police practices of member jurisdictions.

As to the City of Antioch, we do not intend to litigate our case in this forum, but this latest stunt from plaintiffs' lawyers requires some kind of response. After tens of thousands of pages of discovery and countless depositions, the facts show that their case, along with the accusations made to the Consortium, are without merit. The City of Antioch has not engaged in discrimination towards Section 8 residents. The only goals of Antioch's community policing efforts have been responding to locations with crime, drug and nuisance complaints; solving neighborhood problems; and creating a safer city for all the families who live and work here. A review the 2007 "report" proffered by Bay Area Legal Aid and Public Advocates determined that it bends basic rules of statistical analysis. A federal court judge has already found that the 2007 "report" is not evidence of a discriminatory intent by the City of Antioch.

The City does appreciate the steps taken by the Board of Supervisors to replace senior management at the Contra Costa Housing Authority, to establish an office in Antioch with a working phone system, to address the Authority's "troubled" status with HUD, to open its waiting list, and to undertake criminal background checks of those seeking federally-funded Section 8 vouchers like other housing authorities throughout the country. That does not mean that the City of Antioch has engaged in discrimination towards Section 8 residents. Rather, Antioch has an interest in a well-run Housing Authority in the County that provides needed services to residents throughout the County.

The letter from Bay Area Legal Aid and Public Advocates is merely another tactic from plaintiffs' lawyers trying to bolster their case against Antioch by inviting damning statements from other jurisdictions. Of course, when plaintiffs' lawyers are done litigating against Antioch, they will turn to find another target. It is important to note that their letter includes an accusation that all police efforts that seek to address crime in rental properties are malicious and discriminatory. Apparently, no city in California would be allowed to respond to or address criminal problems in any meaningful way.

Sincerely yours,



LYNN TRACY NERLAND  
City Attorney

Enc.

C: Mayor and City Council, City of Antioch  
Jim Jakel, City Manager, City of Antioch  
Tina Wehrmeister, Community Development Director, City of Antioch  
Mindy Gentry, Community Development Department, City of Antioch

Jeff Jackson, HUD Region IX  
Paul Smith, HUD Region IX



David Twa, County Administrator

~~Gabrial Lemus, Contra Costa Department of Conservation and Development~~

Kristin Sherk, Contra Costa Department of Conservation and Development

Dan Keen, City Manager, City of Concord  
Teri House, City of Concord

Mark Grisham, City Manager, City of Pittsburg  
Annette Landry-Washington, City of Pittsburg

Bill Lindsay, City Manager, City of Richmond  
Diane Holmes, City of Richmond

Gary Pokorny, City Manager, City of Walnut Creek  
Margot Ernst, City of Walnut Creek

Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status*
ANTIOCH	DRAFT	4/27/2010	-	IN REVIEW
BRENTWOOD	DRAFT	7/18/2005	8/1/2005	DUE
CLAYTON	ADOPTED	5/3/2010	-	IN REVIEW
CONCORD	DRAFT	4/3/2009	6/1/2009	OUT
CONTRA COSTA COUNTY	ADOPTED	12/14/2009	3/2/2010	IN
DANVILLE	ADOPTED	12/22/2009	3/22/2010	OUT
EL CERRITO	ADOPTED	1/27/2003	2/27/2003	DUE
HERCULES	ADOPTED	12/28/2004	12/30/2004	DUE
LAFAYETTE	ADOPTED	1/12/2010	4/12/2010	OUT
MARTINEZ	DRAFT	4/23/2010	-	IN REVIEW
MORAGA	ADOPTED	2/16/2010	-	IN REVIEW
OAKLEY	ADOPTED	8/24/2009	9/24/2009	IN
ORINDA	ADOPTED	11/8/2004	2/4/2005	DUE
PINOLE	DRAFT	4/14/2010	-	IN REVIEW
PITTSBURG	DRAFT	3/1/2010	4/30/2010	OUT
PLEASANT HILL	DRAFT	6/26/2009	8/25/2009	OUT
RICHMOND	ADOPTED	2/14/2006	2/27/2006	DUE
SAN PABLO	DRAFT	4/26/2010	-	IN REVIEW
SAN RAMON	ADOPTED	1/12/2010	2/24/2010	IN
WALNUT CREEK	ADOPTED	12/24/2009	3/2/2010	IN

**\*IN** – local government adopted an element the Department found in compliance with State housing element law.

**OUT** – either the local government adopted an element the Department found did not comply with State housing element law, or the local government has not yet submitted an adopted housing element pursuant to the statutory schedule.

**IN REVIEW** – element is under review by the Department as of date of this report.

**IN LOCAL PROCESS** – a draft element has been reviewed, but an adopted element has not been submitted.

**DUE** – means a housing element has not yet been submitted for the current planning period.