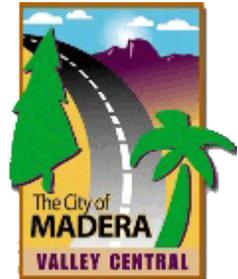


CITY OF MADERA

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

FINAL
MAY 22, 2015

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ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

2015-2020

FINAL
MAY 22, 2015

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EXECUTIVE SUMMARY

The purpose of this Analysis of Impediments to Fair Housing Choice (AI) Report is to examine social and economic characteristics of public sector and private industry housing practices, as well as housing market conditions that may expose certain population groups to housing discrimination, under the Code of Federal Regulations (CFR) 24 Part 91. This AI Report covers the 2015-2020 reporting period for the City of Madera.

Madera is a small city with considerable racial and ethnic diversity, and it is becoming increasingly diverse. The city also has a large proportion of minority and lower-income households who face particular problems finding decent, affordable housing. Persons with disabilities also face barriers to housing choice and independent living, but mostly because of a lack of affordable housing.

In general, housing discrimination has not been documented as a significant impediment to fair housing choice in Madera. Since 2010, there have only been five fair housing complaints recorded by the U.S. Department of Housing and Urban Development (HUD), and there were no fair housing complaints filed with the California Department of Fair Employment and Housing.

However, while there is limited evidence of fair housing problems in the city, residents and stakeholders who participated in the public outreach opportunities for the Analysis of Impediments to Fair Housing Choice suggested that Madera residents might be unaware of their fair housing rights. The lack of fair housing complaints may be a reflection of residents not understanding their rights and recognizing when they are being discriminated against. Therefore, fair housing education and outreach are among the top priorities for the City.

The City has identified the following actions as priorities for the 2015-2020 reporting period:

1. Provide fair housing information on its website as well as links to housing services and resources, fair housing, and consumer information on housing choices.
2. Provide education on fair housing to City staff members who administer and oversee housing programs and code enforcement activities so they can respond to phone calls from the public about fair housing and landlord/tenant issues.
3. Continue to work with local agencies to designate an organization that will act as the lead agency for fair housing issues and formalize a system for processing fair housing complaints in Madera.

4. Work with partner agencies, including fair housing service providers, the Housing Authority, California Rural Legal Assistance, local apartment and realtor associations, and disability rights groups to reach out to landlords and property managers about fair housing issues.
5. Continue to comply with antidiscrimination requirements, including all applicable Federal regulations as demonstrated in the City's application for Community Development Block Grant, HOME, and other Federal funds.
6. Continue to implement policies and programs identified in its Housing Element and implement Zoning Ordinance amendments necessary to further fair housing.
7. Continue to implement the recommended actions in the *City of Madera ADA Self-Evaluation and Transition Plan* to modify its policies, practices and procedures to avoid discrimination against people with disabilities.

SECTION 1. INTRODUCTION

1.1 Purpose

This Analysis of Impediments to Fair Housing Choice (AI) report is for the City of Madera, an entitlement jurisdiction. The City will submit this report to the U.S. Department of Housing and Urban Development (HUD) to support grant applications for Federal funding for housing programs over the five-year period from July 2015 to June 2020. The Consolidated Plan regulations require each local government to submit a certification that it is affirmatively furthering fair housing. This means that local governments will: 1) conduct an analysis of impediments to fair housing choice; 2) take appropriate actions to overcome the effects of impediments identified through that analysis; and 3) maintain records reflecting the analysis and actions.

The purpose of this AI report is to identify barriers to fair housing faced by protected classes of citizens. This report describes how public policies, laws, and actions may affect housing choice or impede fair access to housing. This report includes the following sections:

- **Section 1:** Introduction to the report.
- **Section 2:** Analysis of demographic and economic characteristics, housing stock and affordability, geographic distribution of minority and low-income populations, and information on assisted housing resources.
- **Section 3:** Assessment of public and private sector impediments.
- **Section 4:** Assessment of past fair housing practices.
- **Section 5:** Recommended action items for the 2015-2020 reporting period.

Definition of Impediment to Fair Housing Choice

Many factors in the public and private sectors have the potential to impede equal access to housing or fair housing choice. HUD defines an impediment to fair housing choice as:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices.
- 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, religion, sex, disability, familial status, or national origin.

In California the Unruh Civil Rights Act (California Code Section 51 1959) provides protection from discrimination by all business establishments in California, including housing and accommodations. It expands the Federally-protected classes (i.e., race, color, religion, national origin, sex, disability, or familial status) to also include age, ancestry, and sexual orientation.

Affordability is Not a Fair Housing Issue

An evaluation of potential impediments to fair housing choice must differentiate between access to housing based on cost and affordability versus access to housing based on illegal discrimination. Affordability, by itself, is not a fair housing issue. When a household has problems obtaining housing due to cost, no fair housing law is violated. Fair housing concerns arise when affordability issues disproportionately impact protected classes. To the extent that these groups are impacted, they are documented in this report.

1.2 Regulatory Setting

Federal Fair Housing

The Federal Fair Housing Act (1968) and Fair Housing Amendments Act (1988) are Federal fair housing laws that prohibit discrimination in all aspects of housing, such as the sale, rental, lease, or negotiation for real property. The 1968 Fair Housing Act prohibits discrimination based on race, color, religion, national origin, and sex (i.e., protected classes). In 1988 the Fair Housing Act was amended to extend protection to familial status and people with mental or physical disabilities. In addition, the amended Act provides for “reasonable accommodation,” allowing structural modifications for persons with disabilities, if requested, at their own expense. The amendment details housing code standards for new multifamily dwellings to accommodate persons with physical disabilities.

State Fair Housing

The Fair Employment and Housing Act (FEHA) and the Unruh Civil Rights Act (Part 2.8 of the California Government Code, Sections 12900-12996) are California fair housing laws. The FEHA prohibits discrimination and harassment in all aspects of housing, including sale and rental, eviction terms and conditions, mortgage loans and insurance, and land use and zoning. The FEHA also prohibits retaliation against any person who has filed a complaint with the California Department of Fair Employment and Housing, participated in a Department investigation, or opposed any prohibited activity. In addition, these laws require housing providers to make reasonable accommodation to permit persons with disabilities to live and enjoy a dwelling and allow persons with disabilities to make reasonable modifications to their premises. The Unruh Civil Rights Act provides protection from discrimination by all business establishments in California, including housing and accommodations, because of age, ancestry, color, disability, national origin, race, religion, sex, and sexual orientation.

1.3 Key Terms

California State Protected Classes: Race, color, religion, national origin, sex, disability, age, ancestry, and sexual orientation.

Fair Housing: A condition in which individuals of similar income levels in the same housing market have a like range of housing choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.

Federally-Protected Classes: Race, color, religion, national origin, sex, disability, and familial status.

Impediments: HUD defines impediments to fair housing choice as: 1) any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices; 2) any actions, omissions, or decisions that have the effect of restricting housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

Large Household: A household with five or more members.

Persons with Disabilities: Federal law defines a 'disability' or 'handicap' as being a physical or mental impairment which substantially limits one or more major life activities; a record of having such an impairment; or being regarded as having such an impairment.

Seniors: Persons age 65 and older.

1.4 Methodology

The Analysis of Impediments is based on information from a variety of sources, including discussions with City staff, phone interviews with community representatives, and review of relevant City documents, which include the following:

- 2010-2015 Consolidated Plan
- 2009 Housing Element
- 2010-2015 Analysis of Impediments to Fair Housing
- 2014 Fresno-Madera Continuum of Care Point-in-time Count
- 2013 Fresno-Madera Continuum of Care Point-in-time Count
- 2010 City of Madera ADA Self-Evaluation and Transition Plan
- Housing Authority of the City of Madera 5-year Plan, updated 2013

Other sources of data include the 2000 and 2010 U.S. Census, 2006-2008, 2009-2013, and 2011-2013 American Community Survey and 2014 population and housing estimates from the California Department of Finance (DOF). The Housing Authority of the City of Madera provided data related to public housing residents and Housing Voucher program applicants. The Fresno Housing Authority provided data and information on the homeless. Information on fair housing complaints and cases was obtained from HUD's Office of Fair Housing and Equal Opportunity and from the California Department of Fair Employment and Housing. The U.S. Department of Justice provided data on hate crimes.

The City held two focus group meetings on December 18, 2014 and a Community Housing Forum on January 20, 2015 to gather information on local fair housing issues and elicit suggested actions for City consideration. The first workshop was with service providers in Madera, with a focus on situations residents encounter when seeking housing. Members of the real estate and development community were invited to the second workshop to discuss fair housing issues affecting renting or buying a home. Nearly 20 stakeholders attended the focus group meetings and 20 residents attended the Community Forum. In addition to the information collected at the workshops, the Consultants gathered information about fair housing issues through telephone interviews with community representatives. The input gathered at these meetings and interviews was used, along with the input gathered at focus group meetings held in 2011 for the previous AI update, to inform the City's actions for the next program years.

SECTION 2. EXISTING CONDITIONS

2.1 Population and Racial/Ethnic Characteristics

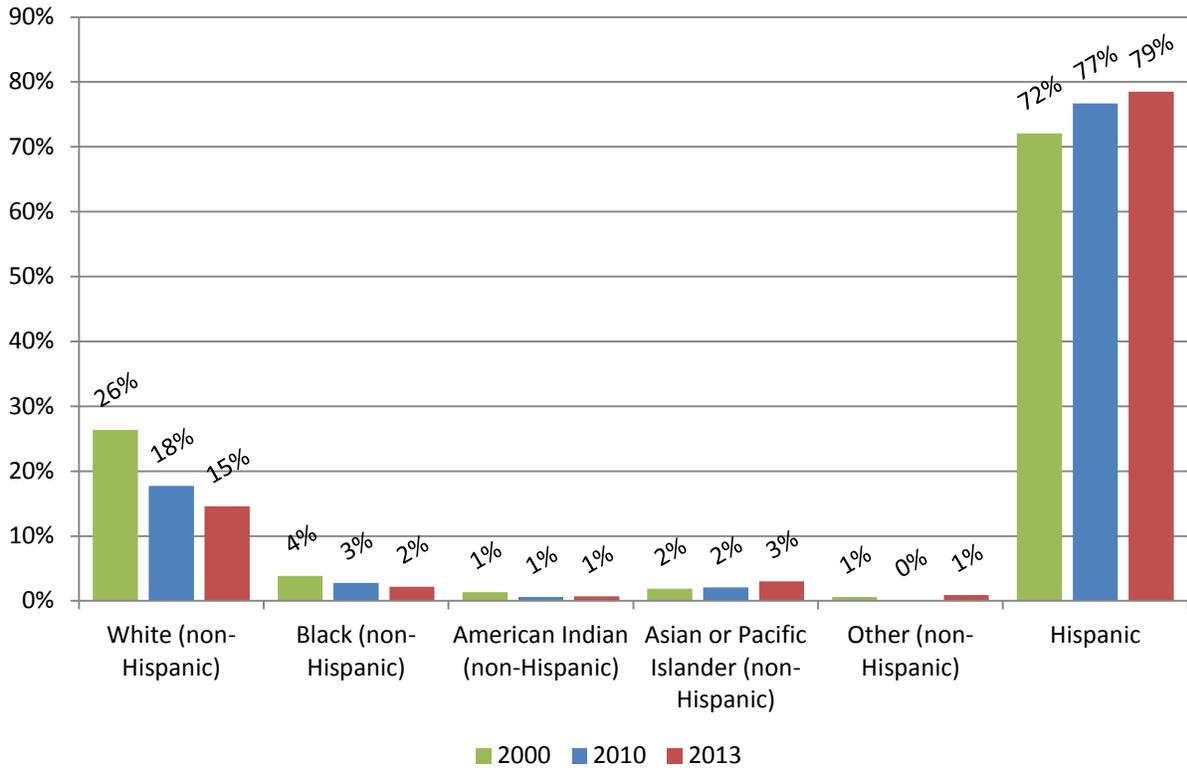
Table 1 shows the historic population trends for the city of Madera since 1950. As shown in the table, the city grew at an average rate between 3 and 4 percent annually from the 1970s to 2010. However, from 2010 to 2014 the average annual growth was 0.6 percent. From 2000 to 2014 the city gained almost 20,000 new residents.

TABLE 1 POPULATION City of Madera 1950-2014			
Year	Population	Change	Average Annual Change
1950	10,497	-	-
1960	14,430	3,933	3.2%
1970	16,044	1,614	1.1%
1980	21,732	5,688	3.1%
1990	29,281	7,549	3.0%
2000	43,207	13,926	4.0%
2010	61,416	18,209	4.2%
2014	63,008	1,592	0.6%

Source: HCD Pre-Approved Data Package, State of California, Department of Finance, E-4 Population Estimates for Cities, Counties, and the State, 2011-2014, with 2010 Census, U.S. Census, 1910-2010.

Figure 1 shows information on the race and ethnicity of Madera residents. Persons of Hispanic origin (an ethnic category exclusive of race) showed the greatest increase, up from 72 percent in 2000 to 79 percent in 2013. In comparison, according to 2010 Census data, the Hispanic population in California accounted for 37.6 percent of the total population. The White, non-Hispanic population decreased from 26 percent of the population in 2000 to 18 percent in 2010 and 15 percent in 2013. The Black population in Madera stayed relatively stable, as did the Asian or Pacific Islander populations and American Indian populations.

FIGURE 1 POPULATION BY RACE/ETHNICITY



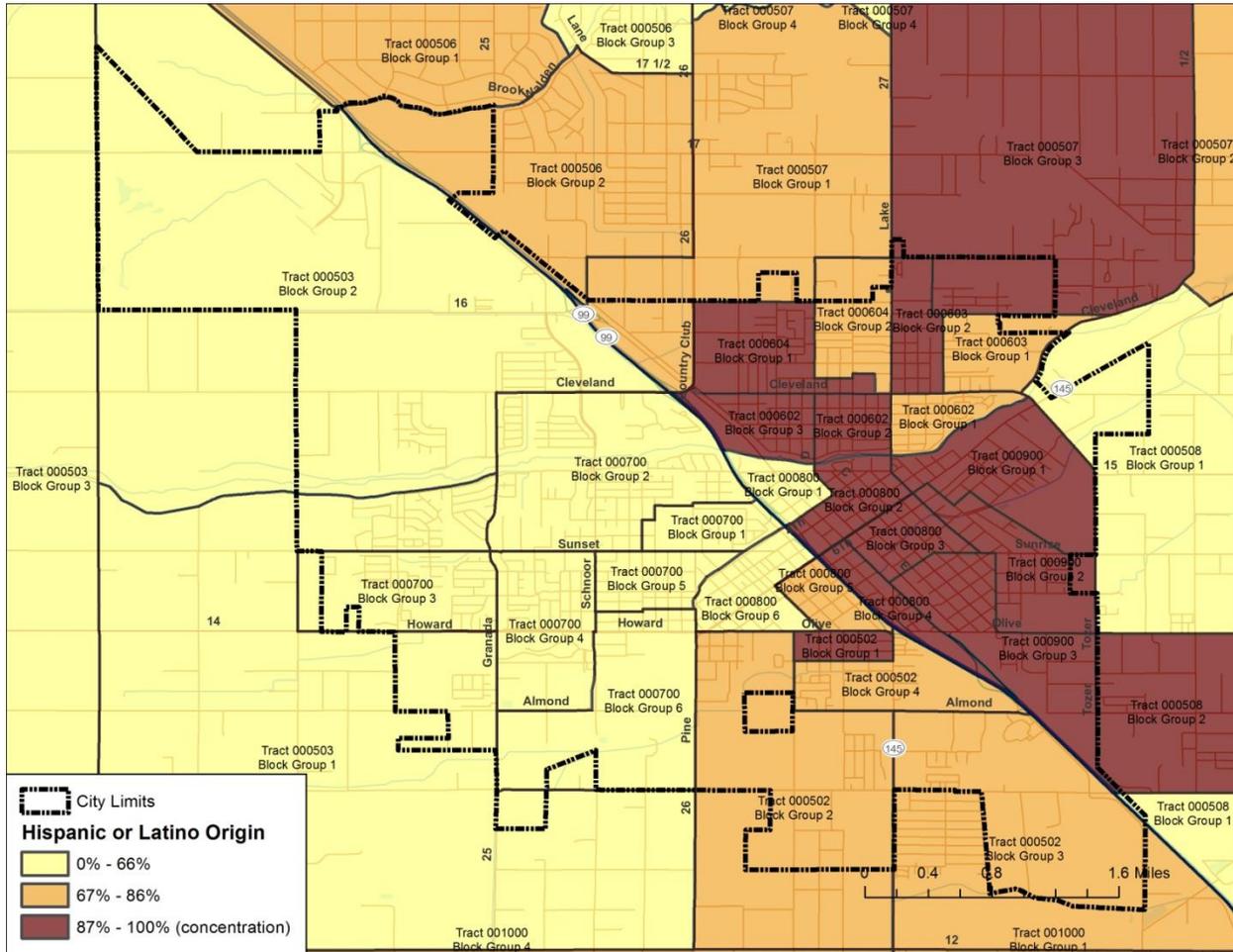
Source: U.S. Census Bureau, 3-Year ACS 2011-2013, U.S. Census, 2000.

Geographic Concentrations by Race and Ethnicity

An “area of minority or racial and ethnic concentration” is defined as any block group in which the percentage of persons of a racial or ethnic minority exceeds the citywide percentage of such persons by 10 percent. The Hispanic population constitutes a majority of the total population in most block groups in Madera.

Based on 2013 ACS data that noted the citywide average at 76 percent, many block groups on the eastern side of Madera are identified as areas of Hispanic concentration, including block groups 507-3, 604-1, 603-2, 602-3, 6-2-2, 900-1, 900-2, 900-3, 800-2, 800-3, 800-4, 502-1, and 508-2. The lowest percentage of Hispanic population is found in the census tracts in western Madera. Figure 2 shows block groups with Hispanic and Latino residents as a percent of the total population. There are no block groups with a concentration of any other race.

FIGURE 2: RACIAL AND ETHNIC CHARACTERISTICS BY CENSUS TRACT



Sources: ACS, 2005-2011.

2.2 Household Characteristics

Household Size and Type

Household characteristics, such as size, type, and income level may affect access to housing. A household is defined by the Census as all persons occupying a housing unit. Families often prefer single family homes or condominiums to accommodate children, while single persons generally occupy smaller apartments or condominiums. Single-person households may include seniors living alone or young adults but do not include persons in group quarters such as convalescent homes or dormitories. “Other” households are unrelated people living together, such as roommates.

Communities with a larger proportion of families with children tend to have a larger average household size. Such communities have a greater need for larger housing units with adequate open space and recreational opportunities for children. The average household size in Madera was 3.81 in 2013, almost 30 percent greater than the state average of 2.96.

Madera is a family-oriented city. Family households made up 80 percent of all households in 2013 (compared to the state average of 68 percent), and families with children comprised 47 percent of households (compared to the statewide average of 32 percent). Non-family households made up 21 percent of households in 2013.

TABLE 2 HOUSEHOLDS AND FAMILIES City of Madera 2013		
	Number	Percent
Households with 1 or more People under Age 18		
Married-Couple Family	4,219	26%
Other Family, Male Householder	657	4%
Other Family, Female Householder	2,736	17%
Total Families with Children	7,612	47%
Households with No People under Age 18		
Married-Couple Family	3,544	22%
Other Family, Male Householder	615	4%
Other Family, Female Householder	1,179	7%
Non-family household (Single Householder)	3,363	21%
Total Family Households	12,950	80%
Total Households	16,313	100%

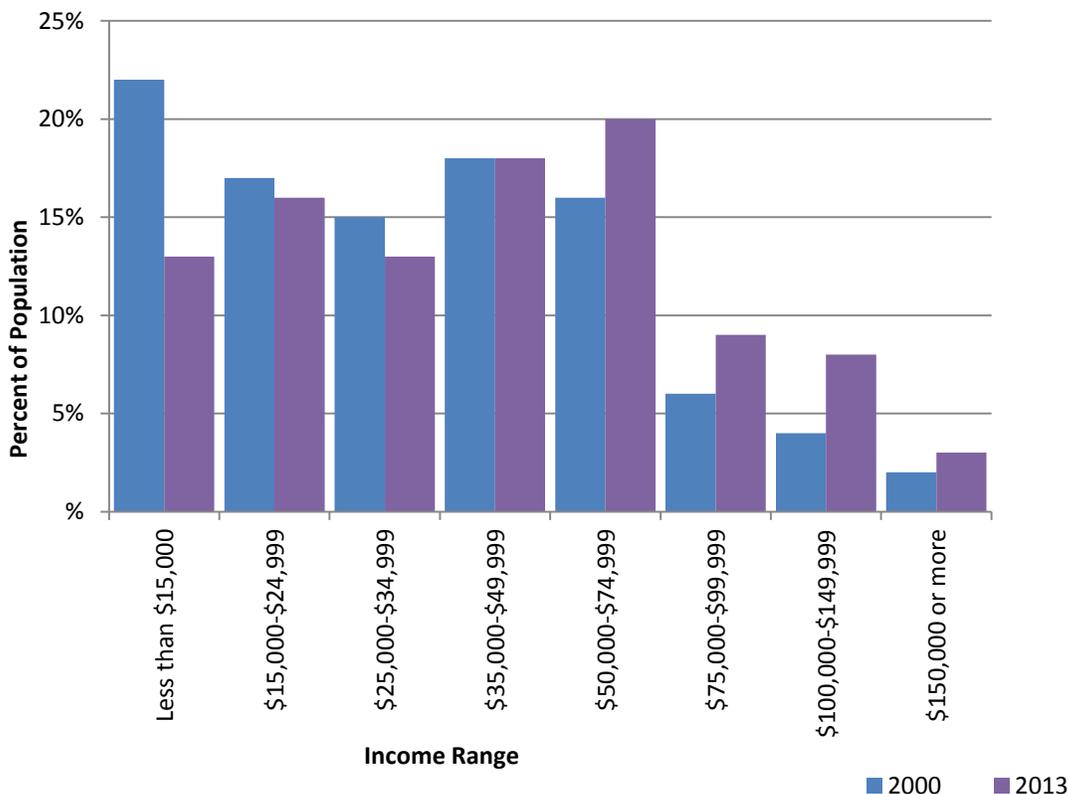
Source: ACS 3-Year estimates, 2011-2013.

Household Income

Income level is used as the primary indicator of the standard of living for most of the population. While economic factors that affect housing choice are not a fair housing issue, the relationships between household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

Figure 3 and Table 3 show the income distribution of households in Madera in 2000 and 2013 based on the 2000 U.S. Census and the 3-year 2011-2013 ACS estimates. Overall, there was a reduction in the percentage of households making less than \$35,000 and an increase in the percentage of households making more than \$49,999. Specifically, the percentage of households earning less than \$15,000 decreased from 2000 to 2013. Households earning less than \$15,000 would be considered extremely low-income based on the 2014 Madera County HCD Income Limits in which a family of three earning less than \$15,650 was considered extremely low-income. The percentage of households earning \$35,000-\$49,999 remained the same between 2000 and 2013 at 18 percent of households. The percentage of households earning over \$50,000 increased 15 percentage points from 2000 to 2013, with the largest percentage increase in households earning between \$100,000 and \$149,999.

FIGURE 3 HOUSEHOLD INCOME DISTRIBUTION



Source: U.S. Census Bureau, 3-Year ACS, 2011-2013, 2000 U.S. Census.

TABLE 3 HOUSEHOLD INCOME DISTRIBUTION						
City of Madera						
2000-2013						
	2000		2013		2000-2013 Comparison	
	Households	Percent	Households	Percent	Change	Percent Change
Less Than \$15,000	2,072	22%	2,121	13%	49	2%
\$15,000-\$24,999	1,631	17%	2,610	16%	979	60%
\$25,000-\$34,999	1,423	15%	2,121	13%	698	49%
\$35,000-\$49,999	1,729	18%	2,936	18%	1,207	70%
\$50,000-\$74,999	1,465	15%	3,263	20%	1,798	123%
\$75,000-\$99,999	537	6%	1,468	9%	931	173%
\$100,000-\$149,999	408	4%	1,305	8%	897	220%
\$150,000 or more	209	2%	489	3%	280	134%
Total Households	9,474	100%	16,313	100%	6,839	72%

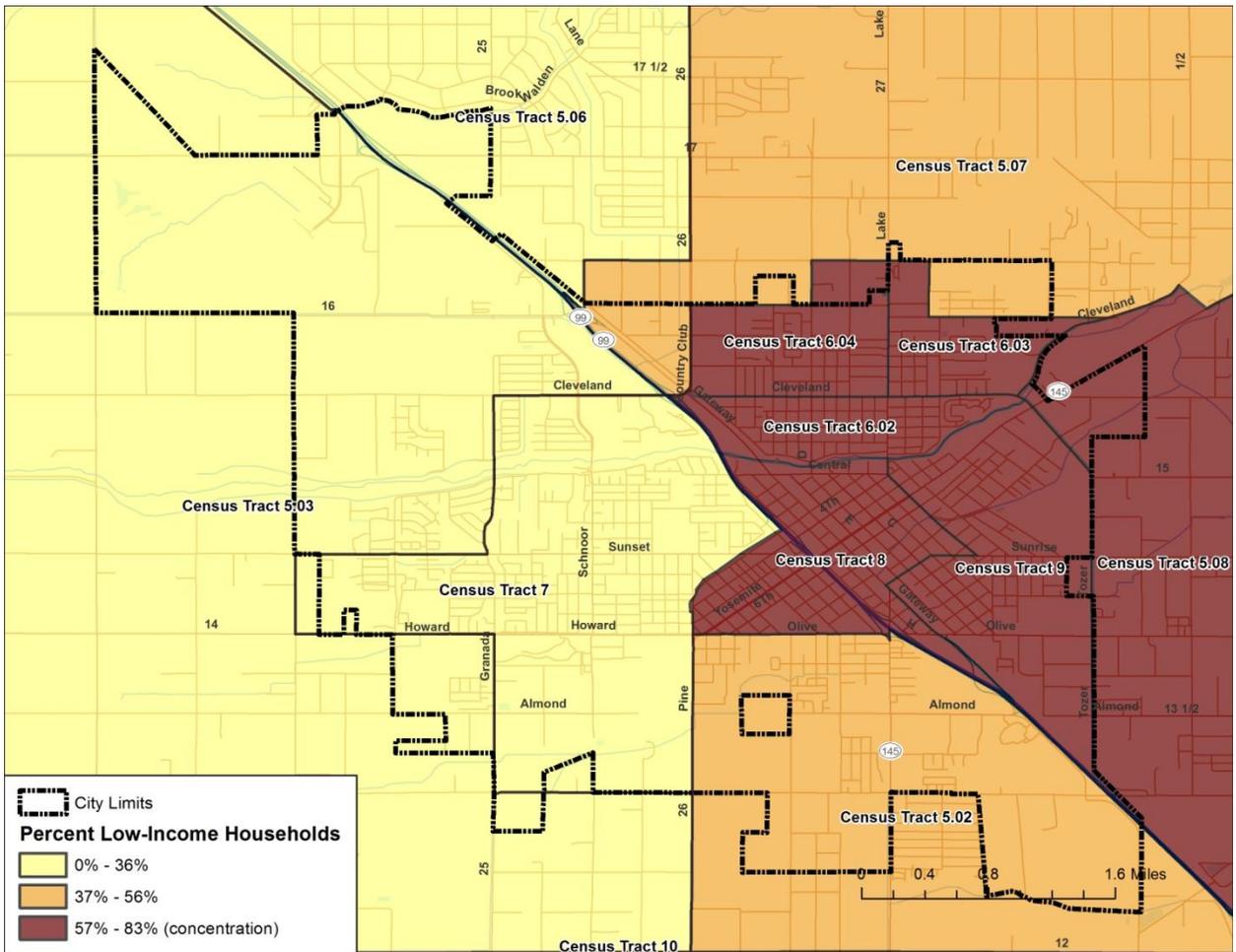
Source: U.S. Census, 2000; U.S. Census Bureau, 3-Year ACS, 2011-2013.

The median income is the midpoint of all incomes reported in the city during the Census. In 2013 the U.S median household income was about \$53,000 and in California it was about \$61,100. The 2013 median income in Madera was \$41,845, which is lower than both the national and statewide median incomes.

Geographic Concentrations of Low- and Moderate-Income Households

For the purposes of this AI Report, an “area of low-income concentration” is defined as any census tract in which the percentage of households with low-income exceeds the citywide average by 10 percentage points for such households. Citywide, 47 percent of households are lower-income. Based on the data, census tracts 5.08, 6.04, 6.03, 6.02, 8, and 9 are areas of low-income concentration.

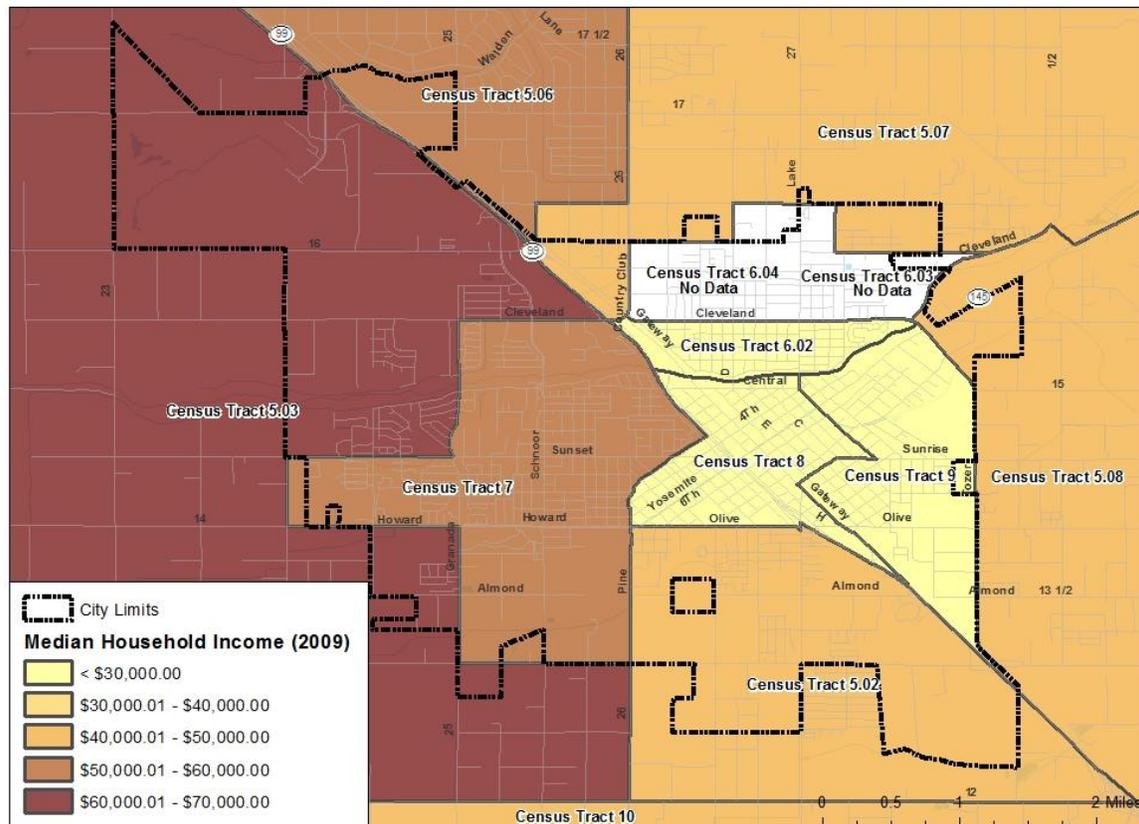
FIGURE 4 AREA OF LOW-INCOME CONCENTRATION



Source: HUD CPD Maps, 2014.

As illustrated in Figure 5, the census tracts with the lowest median incomes are located on the east side of the city. Within census tracts 6.02, 8, and 9 the highest median income is less than \$30,000. The census tract data in Figures 2 and 4 shows a strong correlation between areas of lower income households and racial and ethnic concentrations. Specifically, census tracts 5.02, 6.02, 8, and 9 have a disproportionate number of both lower-income households and racial and ethnic minority households.

FIGURE 5: MEDIAN HOUSEHOLD INCOME BY CENSUS TRACT



Source: ACS, 2005-2009.

2.3 Special Needs Populations

Certain households have more difficulty finding adequate and affordable housing because of special circumstances and housing needs. These circumstances may be related to age, family characteristics, disability, or employment status. This section discusses the special housing needs of six groups: seniors, large households, persons with disabilities, farmworkers, homeless persons, and persons diagnosed with HIV/AIDS.

Seniors

Seniors, defined as persons 65 years and older, are considered a special needs group due to limited incomes, prevalence of physical or mental disabilities, limited mobility, and high healthcare costs. Incomes for many senior households are fixed and limited. The low-income status of many seniors can limit their ability to afford adequate housing and other necessities such as healthcare.

In 2000 there were 3,813 seniors (65 years and older) in Madera; this number increased to 5,079 in 2013. While the number of seniors increased, seniors as a percentage of the total population decreased slightly from nearly 9 percent in 2000 to 8 percent in 2013. Approximately one in every five (20 percent) of the elderly live alone, which may diminish their chances of obtaining regular and convenient assistance with domestic tasks.

TABLE 4 SENIORS				
City of Madera				
2000-2013				
	2000		2013	
	Number	Percentage	Number	Percentage
Number of Persons 65 years and over	3,813	8.8%	5,079	8.1%
Number of Persons 85 years and over	495	1.1%	656	1.0%
Total Senior Population	3,813	8.8%	5,079	8.1%
Males 65 years and over	1,400	3.2%	2,126	3.4%
Females 65 years and over	2,413	5.6%	2,953	4.7%
Total City Population	43,207	100.0%	62,581	100.0%

Source: U.S. Census Bureau, 3-Year ACS, 2011-2013, 2000 U.S. Census.

According to statistics from the American Community Survey (ACS) conducted by the U.S. Census Bureau from 2011-2013, the majority of senior households in Madera were homeowners. Of all households headed by a person 65 years or older, 69 percent owned their homes and 31 percent rented. In contrast, households headed by non-seniors were more likely to rent than own their home, with 53 percent renters and 47 percent owners. This implies that many seniors have purchased their homes and are less inclined to move than younger populations.

While many more seniors are homeowners, it is the senior renters who experience the greatest housing needs due to low, fixed incomes and rising rental rates. Senior homeowners on fixed incomes, however, may face the problem of maintaining their homes.

Supplemental Security Income (SSI) is a needs-based program that pays monthly benefits to persons who are 65 or older, are blind, or have a disability. Seniors who have never worked or have insufficient work credits to qualify for Social Security disability often receive SSI benefits. The Federal SSI payment is determined by the recipient's countable income, living arrangement, and marital status. In 2014 the maximum monthly Federal SSI payment for an individual living in her or his own household and with no other countable income was \$877, and for a couple was \$1,478. SSI is often the only source of income for low-income elderly persons and, while the benefit amount has increased over the years, with these maximum monthly benefit amounts, SSI recipients are likely to continue having difficulty in finding housing that fits within their budgets.

The Senior Services Division, which is part of the City Parks and Community Services Department, provides services for senior citizens 60 years and older. Services include recreation, meals, special outings, health services, and information and referral. The Senior Nutrition Program, funded in part by the Fresno-Madera Area Agency on Aging, serves hot meals at three centers in Madera: the Frank Bergon Senior Center, the Adult Day Care Center, and the Pan American Community Center.

There are 412 senior housing units in eight developments in Madera. 77 units of senior housing are public housing. The senior housing developments in the city of Madera are as follows:

- Valle de las Brisas: 80 units (all low income)
- Yosemite Manor: 76 units (all low income)
- Madera Gardens: 65 units (63 low income)
- PH-800 E. Yosemite: 50 units (all available to low-income households, the elderly, and persons with disabilities)
- PH-131 Mace Street: 20 units (all available to low-income households, the elderly, and persons with disabilities)

- PH-123 Santa Cruz: 4 units (all available to low-income households, the elderly, and persons with disabilities)
- PH-1022 Clinton: 3 units (all available to low-income households, the elderly, and persons with disabilities)
- Cedar Creek: 114 units (0 low income)

There are waiting lists for all of these units.

Large Households

HUD defines a large household or family as one with five or more members. These households are usually families with two or more children or families with extended family members such as grandparents or in-laws. Large households have special housing needs because the availability of adequately-sized, affordable housing units is often limited. To afford necessities such as food, clothing, and medical care, large households with low or moderate incomes may live in smaller units, resulting in overcrowding. Furthermore, families with children may face discrimination or differential treatment in the housing market. For example, some landlords may charge large households a higher rent or security deposit, limit the number of children in a house or apartment complex, or simply choose not to rent to large families with children. Some workshop participants noted that some landlords in Madera discriminate against large families, choosing to rent to smaller households.

There were 3,328 large households in Madera in 2000 and 4,156 in 2013, accounting for about 29 percent of all households in the city in 2000 and 25.5 percent in 2013. These households usually require housing with four or more bedrooms, which is rare, especially in apartment units and rentals in general. Ideally, housing for these households should also provide safe outdoor play areas for children and should be located with convenient access to schools and child care facilities. These housing needs can pose challenges particularly for large households that cannot afford to buy or rent single family homes, as apartment and condominium units are most often developed with childless, smaller households in mind.

Persons with Disabilities

Fair housing choice for persons with disabilities may be compromised depending on the nature of their disability. Persons with physical disabilities may face discrimination in the housing market because of the need for wheelchair accessibility or building modifications to improve accessibility. Landlords sometimes fear that a unit may sustain wheelchair damage or may refuse to exempt disabled tenants with service animals from a no-pet policy. Landlords may refuse to rent to tenants with a history of mental illness, and neighbors often object when a nearby house is converted to a group home for persons with mental disabilities. Some jurisdictions have special use permit requirements and other zoning regulations that restrict access to housing for people with mental disabilities. However, State law limits the restrictions jurisdictions can place on group homes of a particular size.

According to the 2011-2013 ACS, nearly 9 percent of the total population in Madera had a disability. Almost half (47 percent) of seniors had a disability, and nearly 7 percent of the population 18 to 64 years of age had a disability.

The Department of Mental Health provides and coordinates housing services for people who are mentally ill. The department works closely with facility and service providers in the county, such as the Madera County Community Action Agency and the Rescue Mission, to ensure that clients receive housing services and other supportive services. Housing programs for persons with disabilities are primarily available through the Housing Authority of the City of Madera. Many of the units identified for seniors are also available to persons with disabilities.

Several workshop participants stated that fair housing issues were not as significant as affordability issues for persons with disabilities. Participants noted that persons with disabilities, especially those collecting SSI, have trouble finding affordable housing. Many residents with disabilities are on the waiting list for the Housing Authority Housing Choice Vouchers program.

Farmworkers

Farmworker households often include extended family members or single male workers. Many farmworker households tend to have difficulties securing safe, decent, and affordable housing due to low incomes, seasonal incomes, and family size. The estimated number of agriculture, farming, fishing, and forestry jobs in 2012 in the city was 5,992, which was about 27 percent of the workforce (persons aged 16 and older).

According to the USDA Census of Agriculture, there were over 14,000 hired farm laborers in the county in 2012. More specifically, 7,110 of those farmworkers worked 150 days or more, while just under 7,000 (6,940) farmworkers worked fewer than 150 days. Statistics on farmworkers is often difficult to gather because the population moves to other cities following the crops based on the seasons.

A special report prepared for the Housing Authority of the City of Madera and the Darrin M. Camarena Health Centers, Inc., in 2007 provides information on the needs of farmworkers in Madera County. The study included surveys of agricultural workers to assess the current health and housing options for agricultural workers in Madera and to identify some of the problems they are facing. The study consisted of surveys of 200 agricultural workers, the Immigrant Voice Survey, and the Agricultural Worker Health and Housing Program (AWHHP) survey, as well as three focus group sessions to discuss current and future health and housing needs of farmworkers. Findings from this study include the following:

- **Large and Growing Families.** Average family size was 5.8 persons, much larger than the Madera average family size. Most of the households had at least one child under the age of 10.

- **Household Income.** A reasonable estimate of the typical hourly pay (or piece work equivalent) for agricultural workers would be \$6.75 to \$8 per hour. This, combined with the high level of underemployment, results in very low household incomes. The average yearly household income for AWHHP participants was \$12,055.
- **Living Arrangements.** The majority of the AWHHP participants were living in houses (67), followed by apartments (24), single rooms (6), and mobile homes (1).
- **Housing Quality.** Almost half of the AWHHP respondents reported problems with insect or vermin infestation. Other problems included heating and cooling, plumbing, electrical wiring, and sewer. Approximately 10 percent in both surveys cited poor quality housing as the reason for their last move.
- **Lack of Affordable Housing.** The need for more affordable housing options, as either apartment complexes or homes, was the focus of much of the discussion at the three focus group meetings.
- **Exploitation by Landlords.** With their low incomes, and in some cases undocumented status, many workers are vulnerable to being exploited by landlords. Landlords may fail to make necessary repairs, leaving tenants to make repairs on their own. In addition, rental deposits are often excessive.

The study concludes that the very low wages paid to agricultural workers, the seasonal nature of farm labor, and the rising housing costs in the Central Valley pose serious constraints on the ability of Madera agricultural workers to secure decent and affordable housing. The ineligibility of undocumented workers for government-sponsored housing programs is a serious problem as well.

The Housing Authority of the City of Madera is responsible for providing assisted rental housing through its public housing farmworker rental units. The Housing Authority owns 100 rural development units of farm labor housing located on three different sites. Residency is restricted to farm labor families that are U.S. citizens or have residency. The farmworker sites operated by HACM are: the 28 units at 1110 Kennedy Street, 28 units at 800 Lilly Drive, and 44 units at 337 Knox Drive.

Homeless Persons

As elsewhere in the nation, homelessness is usually the end result of multiple factors that converge in a person's life. The combination of loss of employment, inability to find a job because of the need for retraining, and high housing costs lead to some individuals and families losing their homes. For others, the loss of housing is due to chronic health problems, physical disabilities, mental health disabilities, or drug and alcohol addictions, along with an inability to access the services and long-term support needed to address these conditions. The cities and counties of Madera and Fresno have joined to form the Fresno Madera Continuum of Care (FMCoC) to work together to prevent, reduce, and end homelessness in the region.

The FMCoC completed a Point-In-Time (PIT) Homeless Street Count in the Fresno and Madera region on January 27, 2014. This FMCoC study involved a day-long data collection strategy, using the personal interview method of individuals on the street, in areas known to be frequented by homeless persons, including the perimeters of emergency shelters, soup kitchens, parks, railways, and under bridges. Community members including homeless service providers, private citizens, public agency representatives, and justice and social service agencies volunteered and participated in the Point-In-Time count of homeless on the street. Volunteer recruitment was facilitated by Poverello House. The community was notified of volunteer opportunities via social network sites, a volunteer match site, referrals from past volunteers, outreach at local colleges, and announcements distributed to service providers. To enroll, volunteers had to complete and submit the Registry Week Volunteer Application. A total of 412 volunteers were recruited from the Fresno and Madera area, and dedicated over 1,500 hours to this effort. Each day approximately 100 volunteers were in attendance. The major findings from the PIT count survey were as follows:

- In the entire Fresno-Madera region, a total of 2,597 homeless individuals were counted. Of those, 714 were sheltered and the majority, 1,883 were unsheltered homeless individuals.
- In the city of Madera, a total of 270 homeless individuals were counted. Of those, 105 were sheltered and 165 were unsheltered.
- Roughly 14 percent of sheltered and 9 percent of unsheltered homeless individuals counted during the PIT count were located in the city of Madera.
- Among the unsheltered population in the Fresno-Madera region, 24.3 percent had been homeless seven or more years, 21 percent four to six years, 20.1 percent two to three years, 14.2 percent one to two years, and 20.4 percent had been homeless for less than one year.
- The 2014 PIT count estimated that there were 22 sheltered individuals in households with both adults and children in the city of Madera. There were no unsheltered families with children counted in the city of Madera. In the Fresno-Madera region, households that include at least one adult and one child are likely to be sheltered in transitional housing or emergency shelters, and are not likely to be unsheltered.
- While nearly all of the homeless veterans in the region are male without children and tend to be unsheltered, female veterans with children tend to live in transitional housing. Additionally, there are no males with children and none of the veterans with children are unsheltered.

A number of private, public, and nonprofit organizations operate and provide services to the homeless such as job training, day care and counseling. For example, The Community Action Partnership (CAP) of Madera County is a prominent local provider which takes a case management approach with all of its program participants to develop personal self-sufficiency plans and ensure appropriate access to all pertinent and available social-service programs in the city and county. The Partnership’s first goal with every client is to establish a consistent source of income. Its second goal is to ensure long-term self-sufficiency. In addition, the Housing Authority of the City of Madera provides low cost public housing, Housing Choice Vouchers for subsidized rent payments, housing for the elderly, and farm labor housing.

There are several different types of facilities and housing targeted to the homeless population. In terms of year round emergency shelter beds in the city of Madera, 38 beds are available to households with adult(s) and child(ren), 108 available to households with only adults, and no beds are available to chronically homeless households, veterans, or unaccompanied youth. In terms of voucher/seasonal/overflow emergency shelter beds in the city of Madera, 12 beds are available to households with adult(s) and child(ren) and no beds are available to households with only adults, chronically homeless households, veterans, or unaccompanied youth. In terms of transitional housing beds in the city of Madera, 32 are available to households with only adults and no beds are available to households with adult(s) and child(ren), chronically homeless households, veterans, and unaccompanied youth. In terms of current (2014) Permanent Supportive Housing beds in the city of Madera, 48 beds are available to households with adult(s) and child(ren), 51 available to households with only adults, 20 available to chronically homeless households, 85 available to veterans, and none available to unaccompanied youth. There are no new Permanent Supportive Housing units/beds under construction. Tables 5 through 7 shows the homeless facilities in the city of Madera.

**TABLE 5
PERMANENT SUPPORTIVE HOUSING
City of Madera
2014**

Project Type	Organization Name	Project Name	Beds Households w/ children	Units Households w/ children	Beds Households without children	Children beds	Veteran beds	Year-round beds	Total beds
Permanent Supportive Housing	CAP	Shunammite Place	0	0	15	15	0	15	15
Permanent Supportive Housing	Housing Authority	VASH Madera	48	13	37	5	85	85	85
	Total		48	13	52	20	85	100	100

Source: Fresno Housing Authority, 2014.

**TABLE 6
TRANSITIONAL HOUSING**

**City of Madera
2014**

Project Type	Organization Name	Project Name	Beds households w/ children	Units households w/ children	Beds households without children	Children beds	Veteran beds	Total beds
Transitional Housing	Madera Rescue Mission	Disciples Housing Program	0	0	24	N/A	0	24
Transitional Housing	Madera Rescue Mission	Women's Transitional Center	0	0	8	N/A	0	8
	Total		0	0	32	0	0	32

Source: Fresno Housing Authority, 2014.

**TABLE 7
EMERGENCY SHELTERS**

**City of Madera
2014**

Project Type	Organization Name	Project Name	Beds households w/ children	Units households w/ children	Beds households without children	Children beds	Veteran beds	Total beds
Emergency Shelter	Community Action Partnership of Madera	Martha Diaz Shelter	2	1	16	N/A	0	18
Emergency Shelter	Madera Rescue Mission	Family Emergency Shelter	20	4	0	N/A	0	20
Emergency Shelter	Men's Emergency Shelter		0	0	76	N/A	0	76
Emergency Shelter	Women & Children Emergency Shelter		16	5	16	N/A	0	32
	Total		38	10	108	0	0	146

Source: Fresno Housing Authority, 2014.

The Fresno-Madera Continuum of Care (FMCoC) operates several programs that offer housing assistance. As the tables above reveal, there are several program types that offer beds for families, adults, and children on year-round or seasonal bases. The housing program the FMCoC administers with the largest number of beds is the Permanent Supportive Housing program for adults.

Persons with HIV/AIDS

The Madera County Public Health Department administers the countywide AIDS Program. The Department also administers the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program, which provides housing assistance to persons with AIDS. The Public Health Department has indicated that specific data regarding the housing needs of persons with AIDS is not available at the city level. According to data from the California Department of Public Health, a total of 276 cases of HIV/AIDS had been reported in Madera County as of June 2014, with 178 persons currently living with HIV/AIDS. However, it is important to note that these figures are likely an underestimate since not all persons with HIV/AIDS are aware they carry the disease. In addition the 2014 Point In time count reports that five unsheltered and 15 unsheltered adults with HIV/AIDS are homeless in the Fresno-Madera region. As of December 2014 a total of 14 individuals were enrolled in the HOPWA program in the county, and of those, 10 resided in the city of Madera. According to the California Department of Public Health HOPWA Funding Allocation Process Report, published May 2014, the total final allocation for fiscal year 2014-2015 for Madera HOPWA Programs is \$52,602.

According to the Madera County Public Health Department, the total amount of funding available through the program is not adequate to meet existing needs. Public Health officials note that persons with AIDS may also suffer from mental illnesses or have financial problems due to their illness that make it difficult to find housing. Persons with HIV and AIDS in need of housing face a number of barriers, including discrimination where often individuals are afraid to complain about fair housing issues for the fear of being singled out or identified as having HIV/AIDS.

2.4 Housing Profile

This section provides an overview of the characteristics of the local and regional housing markets. The Census Bureau defines a housing unit as a house, apartment, mobile home, group of rooms, or single room that is occupied or intended for occupancy as separate living quarters.

Housing Stock

Table 8 presents comparative data on the housing stock in the city of Madera, Madera County, and California in 2000 and 2014. The table breaks out the total housing stock in each area according to the type of structures in which units are located, total occupied units, and vacancy rates.

As shown in the table, single family detached housing units account for the majority of housing in the city of Madera, Madera County, and the entire state. However, the city of Madera has a slightly larger proportion of single family detached units than the state, and a smaller proportion than the county. From 2000 to 2014 single family detached units increased from 65 to 72 percent of the total housing stock in Madera.

**TABLE 8
HOUSING STOCK BY TYPE AND VACANCY
City of Madera, Madera County, and California
2000 and 2014**

DOF Estimates	Total	Single Family		Multifamily		Mobile Homes	Occupied	Percent Vacant	
		Detached	Attached	2 to 4	5 Plus				
City of Madera									
Units	2000	12,520	8,158	742	1,292	2,027	301	11,977	-
Percent		100%	65%	6%	10%	16%	2%	96%	4%
Units	2014	17,240	12,414	324	2,167	1,886	449	16,117	--
Percent		100%	72%	2%	13%	11%	3%	93%	7%
Madera County									
Units	2000	40,387	30,876	1,336	2,107	2,691	3,377	36,155	-
Percent		100%	77%	3%	5%	7%	8%	89.42%	11%
Units	2014	49,584	39,520	659	3,377	2,614	3,414	43,717	-
Percent		100%	80%	1%	7%	5%	7%	88%	12%
State of California									
Units	2000	12,214,550	6,883,107	931,928	1,024,896	2,804,931	569,688	11,502,871	-
Percent		100%	56%	8%	8%	23%	5%	94.17	6%
Units	2014	13,845,281	8,038,217	972,976	1,119,175	3,154,907	560,000	12,731,223	-
Percent		100%	58%	7%	8%	23%	4%	92%	8%

Source: California Department of Finance (DOF), City/County Population and Housing Estimates, 2014.

Occupancy/Vacancy Rates

Vacant units are essential to the healthy function of the housing market. Vacancies are necessary to facilitate population mobility and have an important role in moderating housing prices. Too few vacancies can have an undesirable upward effect on prices. Conversely, excessive vacancy rates can have an inhibiting effect on investment in housing, including maintenance of rental properties. In most urban housing markets, a vacancy rate of about 4 percent balances both the mobility needs of residents and the investment interests of property owners. An extremely low-vacancy rate, such as 1.5 percent for apartment units, will tend to raise rents and can result in household overpayment, inability to qualify, and possibly overcrowding. Five percent is often used as a rule of thumb for a desirable gross vacancy rate in most urban areas because it allows for about a 4 percent market vacancy rate and about a 1 percent “other vacancy” rate. A 5 percent rate is considered appropriate for Madera.

Vacancy rates in Madera were lower than desired in 2013 for owner-occupied units with a 1.6 percent vacancy rate. The owner-occupied vacancy rate is lower than the countywide rate but the same as the statewide rate. Renter-occupied units had a higher vacancy rate than desired at 5.8 percent. The renter-occupied vacancy rate is similar to the countywide rate but higher than the statewide rate.

TABLE 9 VACANCY RATES	
City of Madera, County of Madera, California 2013	
	Percentage
City of Madera	
Owner-Occupied	1.6%
Renter-Occupied	5.8%
Madera County	
Owner-Occupied	2.1%
Renter-Occupied	5.7%
California	
Owner-Occupied	1.6%
Renter-Occupied	4.5%

Source: U.S. Census Bureau, 3-Year ACS, 2011-2013.

Housing Conditions

In the absence of a recent housing conditions survey, the City must estimate the condition of its housing stock according to the age of the stock. As shown in Table 10, 29 percent of the housing stock was built between 2000 and 2009, which accounts for a strong housing construction cycle the city experienced during this time. Overall housing supply in Madera increased by 5,142 housing units from 2000 to 2009. An estimated 44 percent of housing units were built before 1979. It is probable that many of these older units require some level of rehabilitation and some would require replacement.

TABLE 10 HOUSING STOCK CONDITIONS (AGE OF HOUSING) City of Madera 2013		
Year Structure Built	All Housing Units	Category as Percentage of Total
Built 2010 or later	114	1%
Built 2000 to 2009	5,142	29%
Built 1990 to 1999	2,534	15%
Built 1980 to 1989	1,932	11%
Built 1970 to 1979	3,212	18%
Built 1960 to 1969	1,362	8%
Built 1950 to 1959	1,571	9%
Built 1940 to 1949	589	3%
Built 1939 or earlier	1,000	6%
Total	17,456	100%

Source: U.S. Census Bureau, 3-Year ACS, 2011-2013.

Overcrowding

Typically a housing unit is considered overcrowded if there is more than one person per room and is considered severely overcrowded if there are more than 1.5 persons per room. A “room” in this context includes bedrooms and living rooms, but not kitchen or bathroom facilities. A family of five living in a three-bedroom home with one living room would be calculated as 1.25 persons per room and, therefore, would technically be considered “overcrowded.”

Table 11 shows overcrowding by tenure for occupied housing units in the city and county. As shown in Table 8, 17 percent of occupied housing units in the city were overcrowded in 2012. This 17 percent is made up of the following percentage (out of the total housing units):

- 10 percent had between 1.01 and 1.50 persons per room;
- 4 percent had between 1.51 and 2.0 persons per room; and

- 3 percent had more than 2.0 persons per room.

Only 9 percent (675) of the owner-occupied households in the city were overcrowded, while an estimated 21 percent (3,397) of renter-occupied households were overcrowded. Countywide 5 percent of owner-occupied households and 29 percent of renter-occupied households were overcrowded. These statistics reveal a higher rate of overcrowding in the city than in the county, which can be expected of the primary urban area in a rural county.

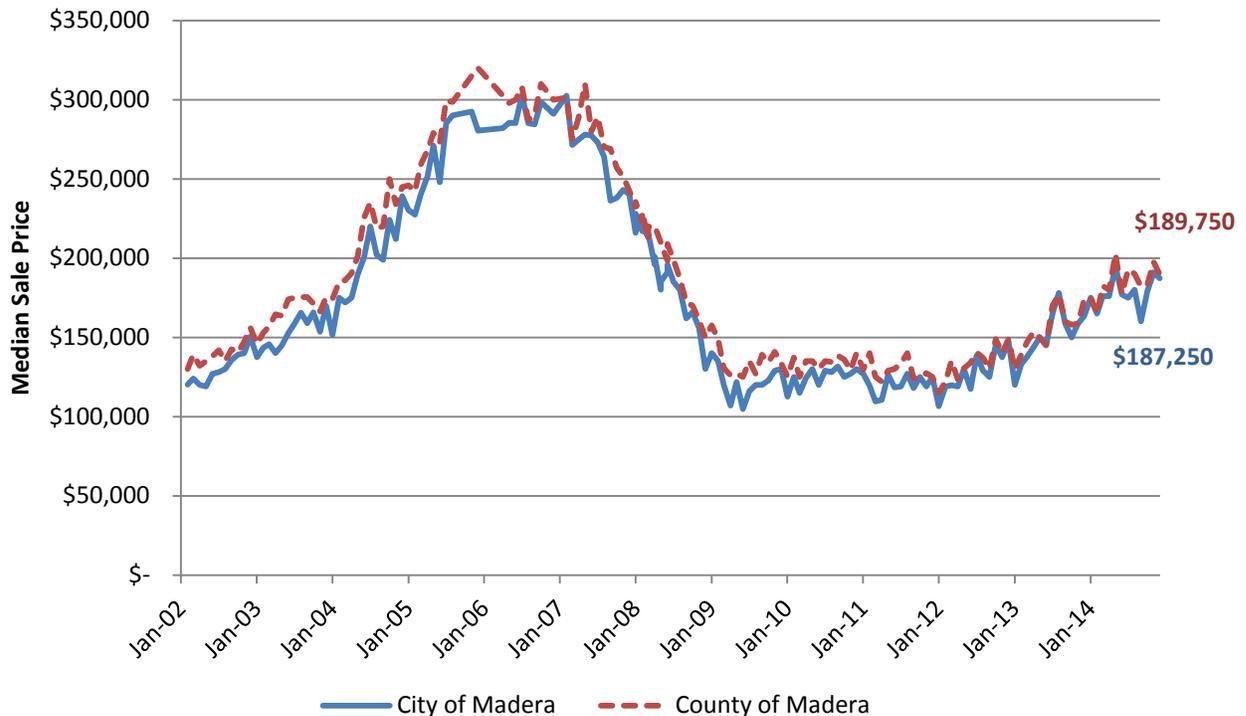
TABLE 11 OVERCROWDING BY TENURE City of Madera, Madera County 2012				
City of Madera			Madera County	
Owners				
Persons Per Room	Households	Percentage	Households	Percentage
0.50 or less	4,662	56%	16,999	66%
0.51 to 1.00	3,013	36%	7,513	29%
1.01 to 1.50	464	6%	942	4%
1.51 to 2.00	156	2%	388	1%
2.01 or more	55	1%	68	0%
Total	8,350	100%	25,910	100%
Renters				
Persons Per Room	Households	Percentage	Households	Percentage
0.50 or less	6,222	39%	2,139	28%
0.51 to 1.00	6,534	40%	3,328	43%
1.01 to 1.50	1,964	12%	1,166	15%
1.51 to 2.00	743	5%	519	7%
2.01 or more	690	4%	544	7%
Total	16,153	100%	7,696	100%
All Households				
Persons Per Room	Households	Percentage	Households	Percentage
0.50 or less	10,884	44%	19,138	57%
0.51 to 1.00	9,547	39%	10,841	32%
1.01 to 1.50	2,428	10%	2,108	6%
1.51 to 2.00	899	4%	907	3%
2.01 or more	745	3%	612	2%
Total	24,503	100%	33,606	100%

Source: HCD Pre-Approved Data Package, ACS Table B25014, 2008-2012.

Housing Prices

Between 1998 and 2010 there was a significant boom and then bust in local housing markets. Commonly referred to as the “housing bubble,” local markets exploded with construction and sales activity fueled by rampant speculation, loosening of credit requirements, and subprime loans for homeowners. According to data from the California Association of Realtors, from January 2002 to January 2006 the median home price in Madera more than doubled, from about \$130,000 to \$320,000, and then fell to below \$200,000 by June 2008 (see Figure 6). This trend was consistent with other jurisdictions in the region and the state. However, in 2009, home prices began to level off. As the economy continues its slow recovery, home prices will likely continue to increase.

FIGURE 6: CHANGE IN HOME SALE PRICES (2002-2014)



Note: December data are partial.

Source: California Association of Realtors, 2002-2008, Data Quick, 2008-2014.

While the drastic decline in median home prices occurred throughout California, the Central Valley was one of the hardest hit markets in the nation. According to data collected by HUD over the 18-month period of January 2007 to June 2008, there were 785 foreclosures in Madera. The foreclosure rate during this time period was 10.2 percent. However, the rate of foreclosures has begun to drop. According to realtytrac.com, the rate is now (2014) 0.17 percent.

Home prices and rents have also begun to slowly recover, but are nowhere near the levels they were prior to 2008. According to DQ News, the median sale price in 2013 was \$151,250, up 18 percent from \$128,000 in 2012. This was similar to the price in Madera County in 2013: \$156,000.

Rents

Annually, the U.S. Department of Housing and Urban Development (HUD) prepares a schedule of Fair Market Rents (FMRs) for the Housing Choice Voucher (HCV) Program (formerly known as Section 8), a Federal program administered by public housing authorities. Other Federal programs use this schedule as a standard to determine rent affordability for very low- to low-income households. The FMR includes the shelter rent and the cost of utilities, except for telephones. HUD sets the FMR to be high enough to provide a wider selection of units and neighborhoods for low-income families and low enough to serve as many low-income families as possible. FMRs are set at the 40th percentile rent (40 percent of the rents should be lower than the FMR and 60 percent should be higher).

HUD defines housing affordability as a household spending no more than 30 percent of their household income on rent and utilities. As shown in Table 12 the average rent of apartments in Madera was under the FMR in 2013, suggesting that rents are generally affordable in Madera.

TABLE 12 AVERAGE RENTAL RATES COMPARED TO FAIR MARKET RENTS City of Madera 2013		
Size	Fair Market Rent	Average Rental Rates
Studio	\$632	\$695
One-Bedroom	\$636	\$542
Two-Bedroom	\$861	\$747
Three-Bedroom	\$1,251	N/A
Four-Bedroom	\$1,372	N/A

Note: Average rental rates are weighted averages based on 2009-2013 American Community Survey (ACS) data. Average rent of three- and four-bedroom units could not be calculated due to the format of the ACS data.

Sources: U.S. Census Bureau, American Community Survey, 2009-2013 average; National Low Income Housing Coalition, 2013.

2.5 Assisted Housing Resources

The availability and location of public and private assisted housing may be a fair housing concern. If such housing is concentrated in one area of a community or a region, a household seeking affordable housing is limited in their choices. Public and private assisted housing and housing assistance must also be accessible to qualified households regardless of race/ethnicity, disability, or other special characteristics. The Housing Authority of the City of Madera is the city's Public Housing Agency. The Housing Authority operates the Housing Choice Voucher (HCV) program and administers Public Housing rental assistance programs to lower-income families.

Housing Choice Voucher Program

The HCV Program (previously Section 8) is a rent subsidy program that helps very low-income families and seniors pay rents for private units. HCV tenants pay a maximum of 30 percent of their income for rent. The local housing authority pays the difference up to a payment standard they establish based on the FMR. The program offers very low-income households the opportunity to obtain affordable, privately-owned rental housing and to increase their housing choices. The owner's asking price must be supported by comparable rents in the area. Any amount in excess of the payment standard is paid by the program participant.

The most recent (December 2014) information provided by the Housing Authority indicates that there were 1,106 household applicants on the waiting list for the HCV program in the city of Madera. Table 13 provides a breakdown of the income, race, and ethnicity of applicants on the HCV waiting list.

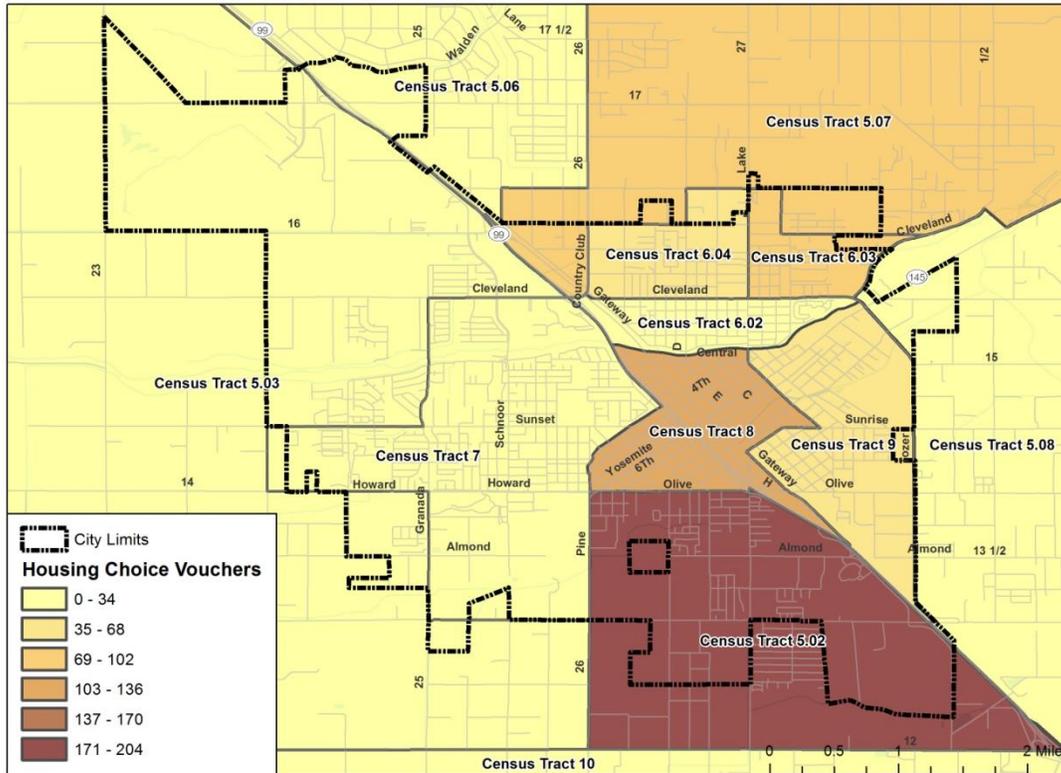
TABLE 13 HOUSING CHOICE VOUCHER WAITING LIST City of Madera December 2014		
Criteria	Number of Applicants	Percent of Total Applicants
Waiting list total	1,106	100%
Income		
Extremely low-income <=30% AMI	799	72.2%
Very low-income(>30% but <=50% AMI)	229	20.7%
Low-income (>50% but <80% AMI)	78	7.1%
Family Type		
Families with children	737	66.9%
Elderly families	49	4.5%
Families with disabilities	70	6.4%
Race/Ethnicity		
American Indian	25	2.3%
Asian/Pacific Islander	27	2.5%
Black/African American	501	45.5%
White Non-Hispanic	122	11.1%
Hispanic/Latino	427	38.6%

Source: Housing Authority of the City of Madera, December 2014.

As shown in Table 13 HCV applicants are primarily Black/African American (45.5 percent) or Hispanic/Latino (38.6 percent). Compared to the overall racial/ethnic makeup of Madera residents, African American residents are over-represented among HCV applicants, making up the majority of applicants, but only 2.9 percent of the total population in the city. The majority of applicants are extremely low-income households (72.2 percent or 799). Of the 1,106 HCV applicants, about 66.9 percent (737) are families with children, 6.4 percent (70) are families with disabilities, and 4.5 percent (49) are elderly families.

Figure 7 shows the general distribution of Housing Choice Vouchers by census tract in the city in 2013. Census Tracts 6.03 (portion), 6.04 (portion), 5.02 (portion), and all of 8 had the highest concentration of Housing Choice Vouchers. These census tracts are located on the northern and southern ends of the city.

FIGURE 7: HOUSING CHOICE VOUCHERS BY CENSUS TRACT

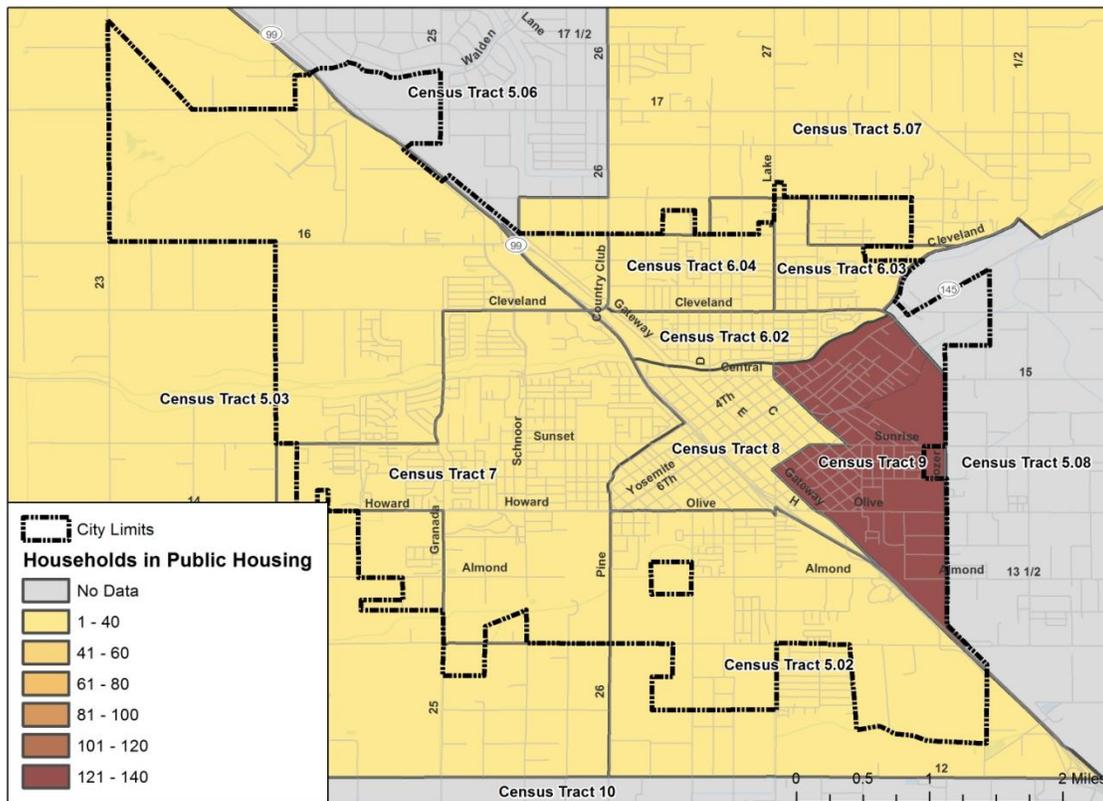


Source: TRF Policy Map, 2013.

Public Housing

The Housing Authority of the City of Madera owns and operates 244 units of conventional public housing. Figure 8 shows where these units are located throughout the city; however, the highest concentrations of public housing units are on the east side (Census Tract 9).

FIGURE 8: LOCATION OF PUBLIC HOUSING UNITS IN MADERA



Source: TRF Policy Map, 2013.

Table 14 shows information about the applicants on the Housing Authority waiting list for public housing in Madera. As shown in the table, the characteristics of the applicants on the waiting list for public housing are similar to those on the waiting list for the HCV program. The majority are Hispanic (71.1 percent). Most applicants (70.9 percent) are extremely low-income households; about 68.9 percent are families with children, and about 13.3 percent are families with disabilities.

TABLE 14 PUBLIC HOUSING WAITING LIST City of Madera December 2014		
Criteria	Number of Applicants	Percent of Total Applicants
Waiting list total	1,287	100%
Income		
Extremely low-income <=30% AMI	912	70.9%
Very low-income(>30% but <=50% AMI)	289	22.5%
Low-income (>50% but <80% AMI)	86	6.6%
Family Type		
Families with children	887	68.9%
Elderly families	84	6.5%
Families with disabilities	171	13.3%
Race/Ethnicity		
American Indian	34	2.6%
Asian/Pacific Islander	27	2.1%
Black/African American	139	10.6%
White Non-Hispanic	175	13.6%
Hispanic/Latino	915	71.1%

Source: Housing Authority of the City of Madera, December 2014.

The Housing Authority provides a fair housing briefing packet to HCV recipients and public housing residents. Information provided includes descriptions of types and examples of unlawful discrimination and avenues available to families who believe they are victims of a discriminatory act. Additionally, Housing Authority staff attend the annual Central Valley Fair Housing Conference.

Other Assisted Housing

Publically-assisted housing is defined as units for which all or part of the costs are subsidized by the public sector so that housing is affordable to lower-income households. This includes units subsidized through programs administered by HUD, the Low Income Housing Tax Credit Program (LIHTC), and the U.S. Department of Agriculture’s Rural Housing Assistance (USDA) program. As shown below, there are a total of 825 assisted housing units in the city of Madera.

TABLE 15 ASSISTED HOUSING UNITS City of Madera 2014				
Property	Address	Total Units	Total Affordable Units	Target Population
Cottonwood Creek	2236 Tozer	40	39	Special Needs
Valle de Las Brisas	101 East Adell Street	81	80	Senior
Madera Apartments	1525 East Cleveland Avenue	68	67	Non-Targeted
Madera Garden Apartments	1600 N. Lake Street	65	58	Non-Targeted
Sunrise Terrace	601 Sunrise Avenue	52	52	Large Family
Sherwood Pointe Apartments	338 Sherwood Way	81	80	Large Family
The Crossings at Madera	120 W. Adell Street	64	63	Large Family
Lakewood Terrace	1995 North Lake St.	76	76	Large Family
Valley Vista	1832 Merced Street	60	60	Large Family
The Village of Madera	501 Monterey Street	75	75	Large Family
Madera Family Apartments	785 Milano	40	40	-
Yosemite Manor	108 P Street	76	76	-
Arborpoint Apartments	300 W. Clark St.	64	32	Large Family
Madera Villa Apartments	2190 Schnoor	136	28	Non-Targeted
Total		978	825	

Source: City of Madera, 2015.

In addition to these assisted multifamily units, there are hundreds of units, many of which are single family homes, that were assisted with Redevelopment Agency funding. These units have affordability restrictions for a variety of lengths from 30 to 55 years.

Licensed Community Care Facilities

A community care facility provides non-medical care and supervision to children and adults. Community care facilities provide a supportive housing environment to persons with special needs in a group situation. In California these facilities are licensed by the Community Care Licensing Division of the California Department of Social Services. Restrictions that deter or prevent these types of facilities from locating in a community may impede access to adequate housing for special needs groups requiring particular housing arrangements.

According to California's Community Care Licensing Division of the Department of Social Services, several licensed community care facilities are located in Madera County, not counting child day care facilities. This includes a diversity of facilities and specialized services such as children's residential group homes, adult residential and day care, and assisted living care for the elderly. Specific facilities by type are as follows:

Children's Residential Group Homes include:

- La Jolla Court
- Promesa, Madera House
- Valley Teen Ranch

Adult Residential Facility (adults ages 18 through 59)

- Coronado ARF
- Desert Moon
- Farr's Family Facility
- Granada House
- Jackson House Kensington
- McAlister Guest Home I
- McAlister Guest Home II
- Taylor Adult Residential Facility
- Thompson Adult Residential Care
- Watt's Residential Ridge Way

Adult Day Care (adults 18 and older)

- Golden Years Adult Day Care
- Heartland Center
- Madera Adult Day Care

- Star Center, ADP
- SVS Oakhurst Adult Day Program

Assisted Living Residential Care for the Elderly

- Cedar Creek Senior Living
- Country Rose Guest Home
- Farr's Family Facility, Elderly
- Golden Years Residential Care Home
- Johnnie's Place
- Loden Board & Care Center
- McAlister's Residential Center for the Elderly
- Oakhurst Board & Care for the Elderly
- Sierra Estates Assisted Living

Downpayment Assistance Program

The City of Madera operates a CalHome first time homebuyer down payment assistance program, with the goal of increasing homeownership opportunities for low-income first-time homebuyers. Through the program the City provides deferred interest housing loans to assist in the purchase of a home located within Madera city limits. This program is limited to the former RDA Target Area. In addition, the City, in collaboration with the County of Madera, administers the Neighborhood Stabilization Program 3 (NSP3). This program provides deferred payment “silent” second priority loans as gap financing toward the purchase price and closing costs of affordable housing units. NSP3 is limited to the HUD target area, which is the Parkwood subdivision area in Madera, and is administered by Self-Help Enterprises.

Table 16 shows characteristics of recipients of the Downpayment Assistance and the NSP3 Program. Since the 2010/1011 program year, the City has provided assistance to roughly 30 households through these programs. A majority of recipients are Hispanic. As shown in the table, two recipients are extremely low-income households, nine are very low-income, and eight are low-income households. In addition, two people were identified as having a disability.

TABLE 16 CHARACTERISTICS OF DOWNPAYMENT ASSISTANCE AND NSP3 PROGRAM RECIPIENTS City of Madera 2011 to 2015		
	Characteristic	Number
Race ¹	Black	1
	White	7
	Other	21
Ethnicity ¹	Hispanic	24
	Non-Hispanic	5
Income	Extremely Low and Very Low	15
	Low	8
	Moderate	1
	Above Moderate	5
Sex	Male	16
	Female	13
Disability	Yes	2
	No	27
Familial Status	Married	12
	Single	17

Source: City of Madera, January 2015.

¹Race and ethnicity is self-reported and does not necessarily align with the Census definitions of race and ethnicity.

SECTION 3. IMPEDIMENTS TO FAIR HOUSING CHOICE

3.1 Impediments in the Public Sector

Public policies established at the regional and local levels can affect housing development and, therefore, may impact the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment, and an assessment of public policies and practices can help determine potential impediments to fair housing opportunity. This section presents an overview of government regulations, policies, and practices enacted by the City of Madera that have the potential to impact fair housing choice.

California law contains several provisions aimed at removing barriers to housing for lower-income residents and those with special housing needs. As described in this section, the City is currently (2015) in the process of amending its Zoning Ordinance to comply with State law requirements and remove barriers to housing production. Therefore, very few potential impediments remain.

General Plan

Required by California law in every city and county, a general plan establishes a vision and provides long-range goals and policies to help guide a jurisdiction achieve its vision and goals over the long term. Two of the seven State-mandated general plan elements, housing and land use, have direct impacts on the local housing market in terms of the amount and range of housing choice.

Housing Element

California law requires that housing elements be updated on a regular basis. The City is currently (2014) in the process of updating its Housing Element, last updated in 2009. The 2009 Housing Element served a planning period from 2009 to 2014. The housing element is subject to review by the California Department of Housing and Community Development (HCD) for compliance with State law. Housing element law assumes that, for the private market to adequately address housing needs and demand, local governments must provide opportunities for and not constrain development of housing for all income levels. Specifically, through its housing element, the City must do the following:

- Identify available sites that are appropriately zoned and have adequate public infrastructure and services necessary to facilitate the development of a range of housing types.
- Assist in the development of adequate housing to meet the needs of 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.
- Preserve assisted housing developments at-risk of converting to market-rate.
- Promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

The Housing Element contains several policies and actions that seek to remove governmental constraints on housing. These actions are identified throughout this section of the Analysis of Impediments Report.

Land Use Element

The land use element of a general plan designates the general distribution, location, and extent of development of housing, business, industry, open space, community facilities, and other land uses. As it applies to housing, the land use element establishes a range of residential land use densities. Residential land use policy is implemented through zoning districts and development standards specified in the City's zoning ordinance. State law requires that the zoning ordinance be consistent with the general plan.

Residential Land Use Densities

The allowable density range of residentially-designated land is perhaps the one governmental factor that most directly influences the supply and cost of housing in a local housing market. In general, higher densities allow developers to take advantage of economies of scale and reduce the per-unit cost of land, improvements, and construction. Higher residential densities also increase the potential for producing affordable housing.

As shown in Table 17, the General Plan includes four residential designations and Community Commercial and Village Mixed Use designations that permit a range of residential development types.

The Department of Housing and Community Development (HCD) considers 20 units per acre an adequate density, in most cases, to allow for the production of affordable housing in Madera. The City of Madera General Plan allows a range of single family (0 to 50 du/ac) and multifamily (7.1 to 50 du/ac) residential uses. According to Pacific Companies, a local developer, and the Housing Authority of the City of Madera (co-partner with Pacific Companies in a recent affordable housing project called Arbor Point), 15 units per acre is the most ideal density in Madera to achieve economies of scale that allow developers to provide affordable housing units. This is largely due to the relatively lower cost of land in the area and the higher construction costs associated with building more than two stories. The residential densities allowed by the City of Madera General Plan are not an impediment to affordable housing.

**TABLE 17
GENERAL PLAN LAND USE DESIGNATIONS
PERMITTING RESIDENTIAL DEVELOPMENT**

**City of Madera
2014**

General Plan Designation	Residential Use	Density	Minimum Lot Size	Corresponding Zoning Districts
Residential Land Use Designations				
Very Low-Density Residential (VLD)	Single family units	0-2 units/net acre	0.5 acres	--
Low-Density Residential (LD)	Single family units	2.1-7 units/ net acre	6,000 sq. ft.	R-A, R-1, PD
Medium-Density Residential (MDR)	Zero-lot line single family units and all multifamily units	7.1-15 units/ net acre	None	R-2
High-Density Residential (HD)	Single family and multifamily units; intended to be applied to lands within walking distance of existing or planned shopping districts and in Village Centers	15.1-50 units/ net acre	None	R-3
Commercial Land Use Designation				
Community Commercial	Single family and multifamily units	N/A, residential only allowed with special review		Mixed-Use Overlay
Mixed Use Designations				
Village Mixed-Use	This category provides for a mix of uses generally corresponding to the Medium Density Residential, High Density Residential, Neighborhood Commercial, and Community Commercial land use categories. This designation is to be applied in the Village Centers and implemented through standard zoning districts, specific plans, planned development, or other methods.	Villages: 6-8 du/acre; Village Centers: 8-18 du/acre	N/A	Mixed-Use

Source: City of Madera Land Use Element, October 2009.

Zoning Ordinance

The Zoning Ordinance implements the City’s General Plan by establishing zoning districts that correspond with General Plan land use designations. Development standards and permitted uses in each zoning district are specified to regulate the density, type, and design of different land uses (Government Code, Sections 65800-65863). Several aspects of a zoning ordinance that may affect access to housing or limit the range of available housing choices are described in this section. The City is currently (2015) conducting a comprehensive update to the Zoning Ordinance, which will address several of the potential impediments identified in the 2011 Analysis of Impediments to Fair Housing Choice.

Restrictions on Single Family Units in Multifamily Districts

Single and multifamily housing types include detached and attached single family homes, duplexes or half-plexes, townhomes, condominiums, and apartments. Zoning ordinances typically specify the districts in which each of these uses is permitted by right. Zoning ordinances should avoid “pyramid” or “cumulative zoning” which permits lower-density single family uses in multifamily zones. Such practice reduces the potential for multifamily residential development. The City allows single family housing as a permitted use in all residential zones, including higher-density residential districts (i.e., R3). This has the potential to be an impediment to the development of higher-density, multifamily housing.

Density Bonus Provisions

State law (California Government Code Section 65915) requires local governments to grant a density bonus and/or financially equivalent incentives to developers who agree to provide a specified percentage of affordable housing or child care facilities for lower-income families as part of a residential development. The amount of bonus units or incentives depends on the percentage of affordable housing units provided. Developments can receive up to a 35 percent density bonus and up to three incentives. The City is currently (2015) in the process of updating the Density Bonus Ordinance to comply with State law.

Definition of Family

A zoning ordinance can potentially restrict access to housing by defining families in a restrictive manner. California Courts have ruled that an ordinance that defines a “family” as: 1) an individual; 2) two or more persons related by blood, marriage, or adoption; or 3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings stated that defining a family does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the jurisdiction and, therefore, violates rights of privacy under the California Constitution. A zoning ordinance also cannot regulate residency by relying on a definition of family inconsistent with State law.

The City of Madera is currently (2015) in the process of updating its Zoning Ordinance to define “family” as, “One or more persons related by blood or legal status or persons not so related who are functioning as a family or single-housekeeping unit, meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, expenses and responsibilities” This definition of family is not restrictive.

Second Units

A second unit is an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary single family dwelling. A second unit also includes attached or detached efficiency units, or manufactured homes, as defined in Sections 17958.1 and 18007 of the Health and Safety Code.

State law requires localities to allow second units ministerially (i.e., without discretionary review or hearings). To be considered a ministerial review, the process used to approve second units must “apply predictable, objective, fixed, quantifiable, and clear standards.” Applications for second units should not be subject to onerous conditions of approval or public hearing process or public comment. The second unit law also established maximum standards for second units on lots zoned for residential use that contain existing single family dwellings.

The City is currently (2015) in the process of updating its Zoning Ordinance to permit second units on all lots where one single family detached dwelling is permitted, consistent with State law.

Manufactured Housing and Mobile Homes

Manufactured housing can provide quality housing at an affordable price. The recent trend in State legislation has been to encourage homeowners to place and finance manufactured homes on single family lots. As a result, mobile homes as well as factory-built housing may now be taxed as real estate and may be set on permanent foundations, like conventional site-built housing.

California law (Government Code Sections 65852.3 and 65852.4) prohibits local jurisdictions from excluding manufactured homes from all lots zoned for single family dwellings; in other words, limiting the location of these homes to mobile home parks is forbidden. However, the law does allow the local jurisdiction to designate certain single family lots for manufactured homes based on compatibility for this type of use. The City of Madera Zoning Ordinance permits manufactured housing in residential zones upon approval by the Zoning Administrator. Therefore, the Zoning Ordinance does not act as a constraint to manufactured housing.

Emergency Shelters

In effect since January 1, 2008, Senate Bill (SB) 2 (Cedillo, 2007) requires the City to allow emergency shelters without any discretionary action in at least one zone that is appropriate for permanent emergency shelters. The law also requires that the City 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. Those standards may include:

1. The maximum number of beds or persons permitted to be served nightly by the facility;
2. Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone;
3. The size and location of exterior and interior on-site waiting and client intake areas;
4. The provision of on-site management;
5. The proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet apart;
6. The length of stay;
7. Lighting; and
8. Security during hours that the emergency shelter is in operation.

The City is currently (2015) in the process of updating its Zoning Ordinance to permit emergency shelters by-right in the C-2 (Heavy Commercial) zone, in compliance with State law.

Transitional and Supportive Housing

Transitional housing is defined by California law as rental housing for stays of at least six months, but where the units are recirculated to another program recipient after a set period. It may be designated for a homeless individual or family transitioning to permanent housing. This housing can take many structural forms, such as group housing and multifamily units, and may include supportive services to allow individuals to gain necessary life skills in support of independent living.

Supportive housing is defined by California law as housing with on-site or off-site services with no limit on the length of stay and occupied by a target population (i.e., low-income person with mental disabilities, AIDS, substance abuse, or chronic health conditions; or persons whose disabilities originated before the age of 18). Services linked to supportive housing are usually focused on retaining housing, living and working in the community, and/or health improvement.

California law requires that transitional and supportive housing types be treated as residential uses subject only to those restrictions that apply to other residential uses of the same type in the same zone. The City is currently (2015) in the process of updating its Zoning Ordinance to comply with State law and permit transitional and supportive housing in all zones permitting residential uses, subject to the same permit requirements of other residential uses of the same type in the same zone.

Group Homes

Currently (2015) the City of Madera considers group homes part of the “foster homes, day care facilities, rehabilitation center, and other related facilities which provide housing for six or fewer unrelated persons” category. The Madera Zoning Ordinance allows group homes and other related facilities (six or fewer persons) in residential zones upon administrative approval. Administrative approval does not require an application or staff review. Group homes that provide housing for more than six persons are allowed in residential zones upon obtaining a conditional use permit from the Planning Commission. These facilities are also allowed with a conditional use permit in the Light Commercial (C-1) and Heavy Commercial (C-2) zones. Group homes are not permitted in any other zones. The City’s provisions for group homes do not act as a constraint.

Reasonable Accommodation Procedures

The Fair Housing Act prohibits discrimination against applicants or residents because of their disability and from treating persons with disabilities less favorably than others because of their disability. In addition, the Act makes it unlawful for persons to refuse to make reasonable accommodations in “rules, policies, practices, or services” when necessary for persons with disabilities. Reasonable accommodation refers to a change, exception, or an adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling or public and common areas.

The City is currently (2015) in the process of updating its Zoning Ordinance to formalize a reasonable accommodation procedure to remove housing constraints for persons with disabilities and will make information available about requesting reasonable accommodation

Building Codes and Accessibility

The City has adopted the 2007/2008 Uniform Building Code with no additional local provisions. The City actively enforces ADA requirements, as well as Title 24 of the California Administrative Code, which regulates disabled accessibility to facilities. While the City has considered universal design elements, the City has not adopted these code provisions.

Transit Services

City transit services provide access to employment centers, educational opportunities, and shopping. In addition, there are special options available to seniors and persons with disabilities. The City operates two bus services: Madera Area Express (MAX), a fixed-route system, and Dial-A-Ride, a general public demand-response system. All buses are wheelchair accessible and the City provides discounted fare for Seniors, the disabled, and Medicare cardholders. Overall, the transit system connects residents with major employment areas of the city, shopping opportunities, the Madera Community Hospital, and city services.

MAX is available weekdays from 7:00 a.m. to 6:30 p.m. and on Saturdays from 9:00 a.m. to 4:00 p.m. The MAX system consists of two routes using four buses throughout the day. Route 1 operates on a 35-minute headway from Cleveland Avenue and Schnoor Avenue through Central Madera, with alternating route ends operating hourly to the Madera County Government complex on Road 28 and the Madera Community Hospital. Route 2 operates on a 70-minute headway from Cleveland Avenue and Schnoor Avenue to Community Hospital via Howard Road. MAX provides over 140,000 passenger trips per year with approximately 12,500 service hours. The fare is \$0.75 for a one-way trip. Half fare (\$0.35) is in effect from 10:00 a.m. until 2:00 p.m. for senior, disabled, and Medicare riders.

Dial-A-Ride is a general public transit system primarily serving the elderly and disabled. Dial-A-Ride provides an alternative service for passengers preferring the convenience of curb-to-curb transportation due to age, disability, or distance from a transit route. Although Dial-A-Ride is available to any member of the general public, its first priority is to provide complementary paratransit service in response to the Americans with Disabilities Act (ADA). The service operates weekdays from 7:00 a.m. to 6:30 p.m., Saturdays from 9:00 a.m. to 4:00 p.m., and Sundays from 8:30 a.m. to 2:30 p.m. The one-way DAR fare within the fixed route area, other parts of the city, and parts of the county is \$1.00 for ADA riders and seniors and \$2.00 for the general public. The fare for all riders in the DAR service area outside the \$1.00 county area is \$2.00 for all riders. Dial-A-Ride operations take place within the Madera urban area, covering a five-mile radius from the downtown area, and transport approximately 70,000 riders annually. The City provides an ADA-Paratransit brochure in both English and Spanish.

3.2 Impediments in the Private Sector

Equal Opportunity in Mortgage and Home Improvement Financing

The majority of potential homeowners within the United States require a loan to finance the cost of purchasing a home. Under the Home Mortgage Disclosure Act (HMDA), most banks, savings associations, and many mortgage brokers must disclose the racial, gender, and income characteristics of all home loan applicants and whether or not these applications were approved. This data makes it possible to analyze lending experiences for different groups and the performance of individual lenders. The HMDA data presented in this section applies to the Madera-Chowchilla Metropolitan Statistical Area (MSA).

As shown in Table 18, 700 households applied for conventional home loans and 792 households applied for government insured home purchase loans in the Madera-Chowchilla MSA in 2013. The majority of loan applicants (40.2 percent) were upper-income households earning 120 percent or more of the area median income (MI). Moderate-income (80 to 119 percent of MI) and lower-income (less than 80 percent of MI) households accounted for 27.3 percent and 32.5 percent of loan applicants, respectively.

Analysis of loan application disposition considers both approval and denial rates, primarily because withdrawal of applications can significantly affect these rates. Analyzing both approval and denial rates provides a clearer view of loan activity and trends by allowing multiple points of comparison. The approval rate of conventional loans as expected, increased with income.

Overall for conventional loans, White applicants had higher approval rates (71.7 percent) and lower denial rates (12.1 percent) than non-White applicant approval rates (62.7 percent) and denial rates (17.9 percent). For nearly every income category White applicants had higher approval rates and lower denial rates than non-White applicants (except for 100-119 percent median income, where non-Whites had a higher approval rating). The nine percent difference in approval rates between Whites and non-Whites is similar to the difference in approval rates based on income. This indicates that race and ethnicity may be a similar factor of loan approval rates than income in the Madera-Chowchilla MSA.

Federally-backed loans are those guaranteed or insured by a Federal government agency, such as FHA or VA home loans. Because these loans are Federally-guaranteed, they offer additional means of acquiring financing for home purchases for those unable to qualify for conventional home loans. As shown in Table 18, 792 applications were made for government-backed loans to purchase homes within the Madera-Chowchilla MSA in 2013. Upper-income applicants represented 30.4 percent of these loan applications, while moderate-income households represented 13.3 percent of applicants, and lower-income households comprised 45.6 percent of applicants. Overall, denial rates are slightly higher for government-backed loans than conventional loans. The approval rates varied by income and by race. White applicants had higher approval rates than non-White applicants.

TABLE 18
DISPOSITION OF HOME LOANS¹ BY PERCENTAGE OF MEDIAN INCOME (MI) AND RACE/ETHNICITY
Madera-Chowchilla MSA
2013

		Less than 50 percent MI		50 to 79 percent MI		80 to 99 percent MI		100 to 119 percent MI		120 percent or more MI		Total		Total	
		White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³		
Conventional Home Purchase Loans	Total Applications Received	20	31	49	73	54	34	47	33	251	108	421	279	700	
	Approved ⁴	#	13	19	33	34	39	20	31	23	186	79	302	175	477
		%	65.0%	61.3%	67.3%	46.6%	72.2%	58.8%	66.0%	69.7%	74.1%	73.1%	71.7%	62.7%	68.1%
	Applications Denied ⁵	#	6	8	8	18	8	6	4	5	25	13	51	50	101
		%	30.0%	25.8%	16.3%	24.7%	14.8%	17.6%	8.5%	15.2%	10.0%	12.0%	12.1%	17.9%	14.4%
	Other ⁶	#	1	4	8	21	7	8	12	5	40	16	68	54	122
%		5.0%	12.9%	16.3%	28.8%	13.0%	23.5%	25.5%	15.2%	15.9%	14.8%	16.2%	19.4%	17.4%	
Government Insured Home Purchase Loans	Total Applications Received	14	71	45	182	55	79	46	59	133	108	293	499	792	
	Approved ⁴	#	8	41	31	120	39	55	42	39	97	78	217	333	550
		%	57.1%	57.7%	68.9%	65.9%	70.9%	69.6%	91.3%	66.1%	72.9%	72.2%	74.1%	66.7%	69.4%
	Applications Denied ⁵	#	3	15	8	32	7	12	1	9	20	16	39	84	123
		%	21.4%	21.1%	17.8%	17.6%	12.7%	15.2%	2.2%	15.3%	15.0%	14.8%	13.3%	16.8%	15.5%
	Other ⁶	#	3	15	6	30	9	12	3	11	16	14	37	82	119
%		21.4%	21.1%	13.3%	16.5%	16.4%	15.2%	6.5%	18.6%	12.0%	13.0%	12.6%	16.4%	15.0%	

¹Refinance loans are excluded from the analysis. Loans are also made by lenders that are not subject to HMDA. Data on these loans are unavailable.

²White, non-Hispanic.

³Non-White, others including Hispanics.

⁴Does not include applications approved but not accepted.

⁵Does not include applications withdrawn or files closed for incompleteness.

⁶Includes applications approved but not accepted, withdrawn by applicant, and incomplete applications.

Source: Home Mortgage Disclosure Act (HMDA) data, 2013.

SECTION 4. ASSESSMENT OF CURRENT FAIR HOUSING

4.1 Fair Housing Practices in Madera

Typically, fair housing services for renters and homebuyers include the investigation and resolution of housing discrimination complaints, discrimination auditing/testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. Tenant/landlord counseling is another fair housing service that involves informing landlords and tenants of their rights and responsibilities under California law and mediating conflicts between tenants and landlords. While the City of Madera has had limited resources to devote to these activities, it has worked with other organizations and agencies in the past to promote fair housing in Madera.

Fair Housing Organizations

Fair Housing Council of Central California

The Fair Housing Council of Central California (FHCCC) has worked with the City in the past in a number of areas to promote fair housing. The FHCCC is a private, non-profit agency that facilitates equal access to apartments, homes, mortgage loans, and insurance policies for residents of the Central Valley. As an operating member of the National Fair Housing Alliance, the FHCCC is dedicated to educating the housing industry and community in regard to State and Federal housing laws; conducting research into the nature and extent of housing, lending, and insurance discrimination; and enforcing the Federal Fair Housing Act to increase housing opportunities for all people. The FHCCC provides services and accepts complaints from residents throughout the Central Valley. Its activities include developing and implementing auditing and testing programs to assess discriminatory practices in the housing market. During the period that the organization was under contract with the City (2002-2007), FHCCC served as the primary contact for residents with fair housing complaints.

California Rural Legal Assistance

California Rural Legal Assistance (CRLA) is a non-profit legal and political advocacy group that promotes the interests of migrant laborers and the rural poor. While CRLA's mission is much broader than fair housing issues, CRLA does deal with fair housing complaints on behalf of its clients. Specifically related to housing, CRLA addresses matters involving tenants' rights, sub-standard housing, lockouts and utility shut-offs by landlords, housing discrimination, farmworker housing, rent deposit refunds, and eviction defense. CRLA has a regional office located in the City of Madera.

Housing Authority of the City of Madera

The Housing Authority of the City of Madera provides fair housing information to its Housing Voucher participants to assist them as they look for housing and negotiate with property owners. Also, like previously mentioned, the Housing Authority provides a fair housing briefing packet to HCV recipients and public housing residents. Additionally, Housing Authority staff attend the annual Central Valley Fair Housing Conference.

Resources for Independence Central Valley

The Resources for Independence Central Valley is a non-profit advocacy organization that assists people with disabilities in living more independently. The Resources for Independence Central Valley provides housing-related services, which include information and referral, landlord/tenant advocacy, home modification resources, apartment referral list, and homeowner/rental assistance.

Auditing and Testing in Madera

In October and November 1998 FHCCC conducted an Audit of Race and Familial Status Discrimination in the city of Madera, with the results presented to the City Council in June 1999. Sixteen paired tests were conducted on 12 apartment complexes in Madera. Testing sought to uncover discrimination based on race, the presence of children, and the number of children. Based on race, African Americans experienced discrimination in 88 percent of their attempts to enter into a rental agreement. Families with children experienced discrimination in 71 percent of their attempts to enter into a rental agreement. Recommendations from the audit included the following:

- Conduct fair housing training for housing providers, consumers, faith-based, educational, and civic groups;
- Investigate and resolve fair housing violations;
- Encourage recipients of CDBG funds to integrate their mission with the goal of promoting fair housing; and
- Work in a collaborative effort to proactively further fair housing.

Nine years later, in October 2007, FHCCC conducted a similar audit. Fifteen properties were audited within Madera. Properties were located in different parts of the city and were all apartment complexes. These properties represented about 80 percent of available rental properties at the time of the audit. Tests were set up as pairs, with one African-American profiled as the “protected” tester and one White tester profiled as the “control” tester. Two sets of pairs were used in the audit. Results indicated that the African-American tester was treated differently or given different information than the White tester 75 percent of the time. Only three projects treated both testers the same and provided the same availability and rental information. Seven administrative lawsuits were filed by the FHCCC as a result of this testing.

4.2 Public Participation

The City held two focus group meetings and a Community Forum to gather information on local fair housing issues and elicit suggested actions for City consideration. The City conducted its outreach efforts for the AI in conjunction with its outreach for the 2015-2020 Consolidated Plan and 2016-2024 Housing Element Update in order to encourage a broader community dialogue on housing and community issues.

Focus Group Meetings

On December 18, 2014, the City held two focus group discussions, one with service providers and the other with real estate development professionals. The City held the Focus Group Meetings at the City Administration Building located at 205 West 4th Street, Madera, California from 10 am to noon and the other from 2 pm to 4 pm. The City geared the discussion with service providers towards organizations that provide affordable housing; services to low-income households, including homeless services and housing counseling; and organizations that provide services to special needs groups, such as farmworkers, seniors, the disabled, and youth. The City geared the discussion with real estate development professionals towards individuals in the real estate sector, including for profit and non-profit developers.

The City provided public notice of the workshops and provided names of invitees from its community participation lists. The invitees were notified by email, with follow-up email notices and phone calls. Workshop participants included representatives from the Resources for Independence Central Valley, Community Action Partnership of Madera County, City of Madera, Aspiranet, The Housing Authority of the City of Madera, Madera County Workforce Investment Center, Madera County Department of Mental Health Behavioral Health Services, HOPE house, Madera Rescue Mission, the Madera Unified School District, the Building Industry Association of Fresno/Madera Counties, and the Madera Realtors Association.

The discussion focused a lot on the housing needs of Madera residents. In terms of fair housing issues, some participants noted discrimination for particular populations in Madera, specifically former foster youth and people with criminal records. Overall, participants felt that there was a lack of knowledge about tenants rights and a need for more education.

Community Forum

On January 20, 2015, the City held a Community Forum to solicit input from residents and workers in the city on the level of need for various types of improvements and the major issues affecting the community. The City held the Community Forum at the Frank Bergon Senior Center located at 238 South D Street, Madera California from 5:30 pm to 7:30 pm. The City publicized the community forum using email announcements, phone calls, and flyers (in both English and Spanish) posted throughout the City Administration Building. In addition the City announced the forum in the Madera Tribune, the local newspaper several weeks leading up to the forum date.

A total of 20 individuals participated in the Community Forum and provided input, through breakout group discussions, on what they considered to be the top community issues affecting Madera and provided feedback on what they considered to be the housing, economic, and community development priorities in the city. The interactive format of the forums solicited strong participation, wherein all attendees were provided the opportunity to participate in the conversation. The City provided Spanish translation services, and one of the breakout group discussions was conducted in Spanish.

While fair housing issues were only one focus of the Community Forum, several participants discussed discrimination that they had directly or indirectly experienced in Madera. They felt that there was a lack of knowledge on fair housing issues and lack of understanding of the process for filing complaints. Participants recommended that the City do more to educate the community of fair housing issues and the process for filing complaints.

Agency Interviews

The City and its consultants also interviewed representatives from the Fair Housing Council of Central California (FHCCC) and California Rural Legal Assistance (CRLA) to gain further understanding of fair housing issues.

The representative from CRLA noted, while CRLA's mission is much broader than fair housing, some residents contact them about fair housing issues, such as discriminatory actions by property owners. Race/ethnicity has been the predominant issue for both Latinos and African Americans. There have also been complaints regarding sexual preference and disability. The representative felt that effective education and outreach are needed, and suggested participating in radio programs targeted to Latinos and working through the Hispanic Ministerial Association. The representative also felt it was important to have a local organization serving as the fair housing contact and conducting testing when discrimination is reported.

The representative from FHCCC said that while they have not done any systematic testing in Madera since the previous AI was adopted, FHCCC has done testing as part of specific discrimination complaints. The representative discussed the lack of outreach and information for residents and property owners.

2010 Public Workshops

The City held two public workshops in 2010 as part of the previous AI update. The first workshop was with social service providers, with a focus on situations residents encounter when seeking housing. Members of the real estate, lending, and development community were invited to the second workshop to discuss fair housing issues affecting renting or buying a home.

Workshop participants included representatives from the Madera Redevelopment Agency, Madera Housing Authority, Madera County Community Action Partnership, Madera County Planning Department, Madera County Public Health, Madera County Department of Social Services, Darrin M. Camarena Health Center, Heartland Opportunity Center, as well as several real estate and mortgage brokers. The telephone interviews were with representatives from the City of Madera, the Madera Housing Authority, California Rural Legal Assistance, Fair Housing Council of Central California, Disability Rights California, Resources for Independence Central Valley, the Madera County Board of Realtors, the California Apartment Association (Fresno Branch), and Building Industry Association of Fresno/Madera Counties.

The observations and comments from the workshop participants and interviewees are summarized below:

Housing Issues Residents Face

- Residents do not know fair housing law.
- Tenants do not know where to call with fair housing and other housing problems. City Code Enforcement is often the first place that tenants call although Code Enforcement can help with code violations only.
- Property owners and managers might be savvy enough not to explicitly discriminate.
- For persons with disabilities, limited income (often SSI only) to pay for housing is the biggest problem, but there can be accessibility and accommodation problems as well.
- Some common problems, such as bad credit or lack of funds for a security deposit, are not fair housing issues.
- Lack of affordable housing in the city is a problem and results in employees commuting from Chowchilla, Selma, and even Atwater to work in Madera.
- There is no agency in Madera that provides credit counseling. Poor credit affects ability to rent or buy a home.
- Previous audits of rental housing developments have shown differential treatment between groups.

Suggested Actions

- The City should provide fair housing educational programs and work with other agencies to do so. Educational programs need to be presented at a level that participants can understand. It is important to also consider language barriers.
- The City should work with the school district to develop a fair housing education program, particularly for high school students.
- There is a need for an education program on foreclosures, including information about 90-day eviction notice requirements for renters in foreclosed homes.

- There is a need for a housing hotline, possibly in partnership with other jurisdictions.
- The City should make a decision about how to process and refer fair housing complaints because there is currently no procedure.
- The City should track fair housing complaints and devise a format to encourage other agencies to track and report fair housing complaints for the City.
- The City should resume a testing/auditing program.
- The City should increase awareness of rights for persons with disabilities, ADA issues, and services available.
- The City needs to form partnerships to address the increase in hate crimes.

4.3 Fair Housing Complaints, Compliance Reviews, or Discrimination Suits

Fair Housing Agency Complaints

Complaints alleging housing discrimination can be filed at the Federal and State level. At the Federal level complaints are filed with HUD’s Office of Fair Housing and Equal Employment Opportunity (FHEO). FHEO administers the Fair Housing Assistance Program (FHAP) which awards and manages the Fair Housing Initiatives Program grants and proposes fair housing legislation. Complaints can be submitted to the central HUD office or to field offices located in each state.

Table 19 shows the number of cases closed with HUD from October 1, 2010, to September 30, 2014. Cases filed in one year are not necessarily closed in the same year. None of the complaints filed were based on national origin, sex, or familial status. The most common type of complaints filed were cases that dealt with a disability.

TABLE 19 HOUSING COMPLAINTS FILED WITH HUD’S OFFICE OF FAIR HOUSING AND EQUAL EMPLOYMENT OPPORTUNITY City of Madera 10/1/2010 to 9/30/2014							
Year	Type of Complaint Filed ¹						
	Race	National Origin	Sex	Disability	Familial Status (Children)	Retaliation	Total
2011	0	0	0	0	0	1	1
2012	0	0	0	0	0	0	0
2013	1	0	0	2	0	1	3 ²
2014	0	0	0	1	0	0	1
Total	1	0	0	3	0	2	5²

¹ There were no complaints filed based on national origin, sex, or familial status. All other complaints were filed with FHEO’s Fair Housing Assistance Program (FHAP).

² One complaint case had two bases (Disability and Retaliation) counted as a single case.

Source: San Francisco Regional Office, HUD Fair Housing, January 2015.

At the State level the California Department of Fair Employment and Housing processes fair housing complaints. From November 2010 to January 5, 2015 there were no fair housing complaints filed in the city of Madera, or against the City of Madera or the Housing Authority of the City of Madera.

Section 504 Compliance

Section 504 of the Federal Rehabilitation Act of 1973 prohibits discrimination based on disability in any program receiving Federal financial assistance. This includes provisions for providing reasonable modifications in all rules, policies, and procedures. Programs must be readily accessible to and useable by individuals with disabilities. Major alterations or construction of dwelling units must provide at least 5 percent of units accessible to people with mobility impairments and at least 2 percent of units accessible to people with visual or hearing impairments. According to the FHEO there have been no Section 504 complaints filed against the City or the Housing Authority of the City of Madera during the period of October 10, 2010, to September 30, 2014.

Hate Crimes

When people are kept from moving or locating in certain neighborhoods by a fear of hate crimes, this constitutes a fair housing violation. To a certain degree, hate crimes can also be an indicator of discrimination. Hate crimes are committed because of a bias against race, religion, disability, ethnicity, or sexual orientation. Examples of hate speech include name-calling, epithets, and the display or distribution of hate material in public places, and the display of offensive hate-motivated material on one's property. Freedom of hateful speech is constitutionally protected as long as it does not interfere with the civil rights of others.

In an attempt to determine the scope and nature of hate crimes, the Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program collects statistics on these incidents as reported by local law enforcement agencies. Because motivation is subjective, it is sometimes difficult to know with certainty whether a crime resulted from an offender's bias. Moreover, the presence of a bias alone does not necessarily mean that a crime can be considered a hate crime. According to the FBI, only when law enforcement investigation reveals sufficient evidence to lead a reasonable and prudent person to conclude that the offender's criminal actions were motivated, in whole or in part, by his or her bias, should an incident be reported as a hate crime.

The Madera Police Department provided hate crime data since 2009. While there were no hate crimes reported in 2009, there were a total of nine hate crimes reported in 2010. However, the total number of reported hate crimes per year has decreased since 2010. In 2011 a total of two hate crimes were reported; in 2012 a total of three; in 2013 a total of two; and in 2014 no hate crimes were reported.

SECTION 5. FAIR HOUSING ACTION PLAN

The previous chapter summarize conclusions and presented a list of recommendations to help address the impediments. This chapter builds upon the previous analysis and presents a list of specific actions the City is planning to undertake in order to address the impediments.

Access to Information

Action 1: The City of Madera will provide fair housing information on its website as well as links to housing services and resources, fair housing, and consumer information on housing choices. The City will make available such information at local service centers, City offices, the Housing Authority office, the public library, and other public facilities.

Timeframe: FY 2015/16

Priority: High

Action 2: The City will provide education on fair housing to City staff members who administer and oversee housing programs and code enforcement activities so they can respond to phone calls from the public about fair housing and landlord/tenant issues.

Timeframe: FY 2016/17

Priority: Medium

Fair Housing Services and Outreach

Action 3: The City will continue to work with local agencies to designate an organization that will act as the lead agency for fair housing issues and formalize a system for processing fair housing complaints in Madera.

Timeframe: FY 2015/16

Priority: High

Action 4: The City will seek opportunities to work with a fair housing organization to conduct an auditing program of fair housing problems in the city.

Timeframe: Ongoing

Priority: Medium

Action 5: The City will work with partner agencies, including fair housing service providers, the Housing Authority, California Rural Legal Assistance, local apartment and realtor associations, and disability rights groups to reach out to landlords and property managers about fair housing issues. This outreach may include: compiling mailing lists of rental property owners and managers to provide informational materials regarding fair housing rights and responsibilities, including rights of persons with disabilities; and conducting fair housing workshops.

Timeframe: FY 2016/17

Priority: Medium

Public Policies and Programs

Action 6: The City will continue to comply with antidiscrimination requirements, including all applicable Federal regulations as demonstrated in the City's application for Community Development Block Grant, HOME, and other Federal funds.

Timeframe: Ongoing

Priority: High

Action 7: The City will continue to implement policies and programs identified in its Housing Element and implement Zoning Ordinance amendments necessary to further fair housing.

Timeframe: Ongoing

Priority: Medium

Action 8: The City will continue to implement the recommended actions in the *City of Madera ADA Self-Evaluation and Transition Plan* to modify its policies, practices and procedures to avoid discrimination against people with disabilities.

Timeframe: Ongoing

Priority: High

APPENDIX A: SOURCES

California Association of Realtors

California Department of Fair Employment and Housing

California Department of Finance

California Rural Legal Assistance (telephone interview)

City of Madera ADA Self-Evaluation and Transition Plan, 2009

City of Madera Housing Element, 2009

City of Madera Consolidated Plan, 2010-2015

City of Madera Police Department

Fair Housing Council of Central California (telephone interview)

Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program

Fresno-Madera Continuum of Care Point-in-Time Count, 2014

Home Mortgage Disclosure Act (HMDA) data, 2013

Housing Authority of the City of Madera

U.S. Department of Housing and Urban Development. HUD User Data Sets. Fair Market Rent, 2013

U.S. Department of Housing and Urban Development Fair Housing, San Francisco Regional Office

U.S. Census Bureau, American Community Survey

U.S. Census Bureau, 2010 Census

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APPENDIX B: ADOPTING RESOLUTION

Placeholder