

Policy Report
February 2014



Analysis of Impediments to Fair Housing Choice

City of Iowa City

Jerry Anthony

Associate Professor Director, Housing Policy Program

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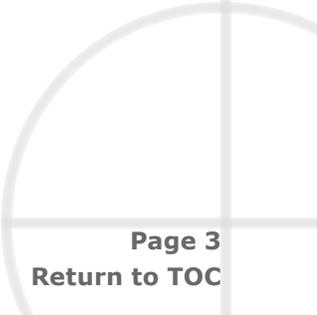
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SECTION I: Introduction and Executive Summary of the Analysis

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A. Introduction

The Civil Rights Act of 1968, Title VIII, commonly known as the Fair Housing Act of 1968 (42 U.S.C. 3601) states that it is the policy of the United States to provide fair housing throughout the country. This Act prohibits discrimination in the sale or renting of housing, the financing of housing, or in the provision of brokerage services, including or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, disability or familial status.

Nationally, fair housing and impediments to fair housing are monitored by the US Department of Housing & Urban Development (HUD). HUD's fundamental fair housing goal is to make fair housing choice a reality through proactive planning and intervention. HUD mandates fair housing planning through the Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) requirements. Each grantee that receives CDBG/HOME funding under Title I of the Housing & Community Development Act is required to further fair housing and fair housing planning by conducting an analysis of impediments to fair housing choice in areas within its jurisdiction. The grantee is also required to take appropriate actions to overcome the effects of any impediments identified and maintain records that record and reflect the analysis and actions taken in this regard.

This report presents the City of Iowa City's assessment of the nature and extent of fair housing concerns, and the impediments to fair housing choice that the residents of the city encounter. The city's last Analysis of Impediments was conducted in 2008 in conjunction with the preparation of the Five-Year Consolidated Plan for the period 2010-2015.

B. Definitions

The Civil Rights Act of 1968, Title VIII (Fair Housing Act, 42 U.S.S., 3601) is a federal law that prohibits discrimination in housing, including the sale, rental, negotiations for, terms and conditions, and services related thereto. Discrimination is prohibited on the basis of race, color, religion, national origin, sex and gender (added in 1974), physical or mental disability (added in 1988), and presence of children in families (added in 1988). The 1988 amendments also provide people with disabilities the right to "reasonable accommodations" (defined as a change in policy, practice or procedure, needed by a person with a disability because of their disability) and a right to "reasonable modifications" (defined as a change of the physical structure, when such modifications are needed because of the person's disability and which would enable the person to fully enjoy the home they occupy).

In the State of Iowa, the Iowa Civil Rights Act (Iowa Code 216) prohibits housing discrimination based on race, color, sex, sexual orientation, gender identity, religion, national origin, mental disability, physical disability, and familial status (presence of children in the home).

The City of Iowa City Code contains clear directions banning discrimination in housing. Title 2, chapter 5 of the code states that:

"It shall be an unlawful or discriminatory practice for any person to:

- A. *Refuse to sell, rent, lease, assign, sublease, refuse to negotiate or to otherwise make unavailable, or deny any real property or housing accommodation or part, portion or interest therein, to any person because of the age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or public assistance source of income of that person.*
- B. *Discriminate against any other person in the terms, conditions or privileges of any real estate transaction because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or public assistance source of income.*
- C. *Directly or indirectly advertise, or in any other manner indicate or publicize in any real estate transaction that any person is not welcome or not solicited because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or public assistance source of income.*

- D. *Discriminate against the lessee or purchaser of any real property or housing accommodation or part, portion or interest of the real property or housing accommodation, or against any prospective lessee or purchaser of the property or accommodation because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents, or public assistance source of income of persons who may from time to time be present in or on the lessee's or owner's premises for lawful purposes at the invitation of the lessee or owner as friends, guests, visitors, relatives or in any similar capacity." (Ord. 95-3697, 11-7-1995).*

Fair Housing Defined

In the light of various pieces of fair housing legislation at the federal, state and local level, throughout this report fair housing is defined as follows:

Fair housing is a condition in which individuals of similar income levels in the same housing market having a like range of housing choices available to them regardless of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents, or public assistance source of income.

Impediments Defined

Within the legal framework of federal and state laws and based on the guidance provided by the HUD Fair Housing Planning guide, impediments to fair housing are defined as:

1. *Actions, omissions or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents, or public assistance source of income.¹*
2. *Policies, practices, or procedures that appear neutral on their face, but which operate to deny or adversely affect the availability of housing to persons because of race, ethnicity, disability, and families with children may constitute such impediments.²*
3. *Impediments to fair housing choice include actions or omissions that:*
 - a. *Are counterproductive to fair housing choice, such as:*
 - *Community resistance when minorities, persons with disabilities and/or low-income persons first move into white and/or moderate- to high-income areas*
 - *Community resistance to the siting of housing facilities for persons with disabilities because of the persons who will occupy the housing.*
 - b. *Have the effect of restricting housing opportunities on the basis of race, color, religion, sex, disability, familial status, or national origin.³*

Protected classes defined

Federal: Race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.⁴

State of Iowa: Race, color, creed, sex, sexual orientation, gender identity, religion, national origin, disability, or familial status of such person.⁵

1 US Department of Housing & Urban Development's HUD Fair Housing Planning Guide Volume 1, p. 2-17; Iowa Code section 216.8 and Code of the City of Iowa City, Title 2 (Human Rights), Chapter 5 (Fair Housing).

2 US Department of Housing & Urban Development's HUD Fair Housing Planning Guide Volume 1, p. 2-17.

3 US Department of Housing & Urban Development's HUD Fair Housing Planning Guide Volume 1, p. 2-17.

4 Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)

5 Iowa Code section 216.8.

Iowa City: Age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents, and public assistance source of income or retaliation.⁶

Fair Housing and Affordable Housing: The notion of “fair housing” is sometimes conflated with that of “affordable housing.” “Affordable housing” refers to the ability of persons/households/families to buy or rent housing, based on income; the term is also used to describe housing for low-income households. Thus the two concepts of “fair housing” and “affordable housing” while intertwined are distinctly different. And an Analysis of Impediments (AI) study is not a study of affordable housing.

C. Study conducted by

This study was conducted by the Housing and Land Use Policy program of the University of Iowa’s Public Policy Center. This program conducts research on land use and housing issues within the city, state and country. More details about this program and the center are available at: <http://ppc.uiowa.edu/housing>.

Much of the secondary data collection was done by the following students of the School of Urban & Regional Planning at the University of Iowa: Jeremy Endsley, Evgeny Chavanin, Michael Saponaro, Kwame Owusu, Stephanie Schrader, Andrew Bassman, Emily Ambrosy, Dana Bartolomei, Kehla West, Gloria Wenman, Ellen Johnson, Travis Kraus, Misty Rebik, Elizabeth Macias, Brendon Smith, Tuya Zorig, Dan Carroll and Thomas Ten Eyck. Of these, three students made exceptionally noteworthy contributions to this report: Jeremy Endsley – who did the HMDA data analysis; Evgeny Chavanin – who made the segregation maps; and Andrew Bassman. Two primary surveys were done by Iowa City’s Housing & Community Development Department using forms designed by Dr. Jerry Anthony. The project was implemented and the report authored by Dr. Anthony.

D. Participants

During the course of this study, information was sought and received from:

- Tracy Hightshoe, City of Iowa City
- Steve Long, City of Iowa City Kris Ackerson, City of Iowa City Karen Howard, City of Iowa City
- Steven Rackis, Iowa City Housing Authority
- Stefanie Bowers, Iowa City Human Rights Commission MaryAnn Dennis, The Housing Fellowship
- Regina Crooks, Family Relations Coordinator, Systems Unlimited
- Danielle Bailey, Case Manager, MECCA Services
- Pat Meyer, Facilities Coordinator, Successful Living
- Jessie Henry, Program Coordinator, Builders of Hope

A draft of this study was presented at the November 21, 2013 meeting of the Housing & Community Development Commission of Iowa City. This meeting was attended by the members of the commission and the public. The latter group consisted of John Sewell (University of Iowa – Geography), Maryann Dennis (The Housing Fellowship), Steven Rackis (Iowa City Housing Authority), Bob Welsh (citizen), Andrew Sotheby (University of Iowa – Sustainability), Tiffeni McClair (citizen), Josh Kasey Befeler (citizens).

A draft of this study was posted on the City of Iowa City website and made available for public comment from November 8, 2013 to November 21, 2013. Various organizations and individuals concerned about local housing issues or involved in provision of housing as a lender, developer or landlord were notified about the draft and the public comment period. Comments were received from Mark Patton (Iowa Valley Habitat for Humanity).

E. Funded

The study was funded with CDBG and HOME administration funds.

⁶ Code of the City of Iowa City, Title 2 (Human Rights), Chapter 5 (Fair Housing).

F. Scope of the Analysis

This AI provides an overview of the laws, regulations, conditions or other possible obstacles that may affect an individual's or household's access to housing. The geographic scope of this study is the City of Iowa City.

G. Methodology used

This analysis used quantitative and qualitative research techniques to examine a variety of local housing issues. Special attention was given to statistical data associated with population, household income, race, residents, citizens with disabilities, and family status in an effort to understand the current demographic conditions in the city. A number of housing issues associated with lending for housing, segregation by class, accessibility and visitability were also examined to understand social and economic issues that may influence a person's ability to secure fair access to housing.

The following are the main data sources used in this analysis:

- US Census data (1990, 2000 & 2010)
- American Community Survey data (various years)
- Iowa City Human Rights Commission Annual Reports
- Iowa City Housing Authority data
- Home Mortgage Disclosure Act data
- US Department of Housing & Urban Development (HUD)
- City of Iowa City's Comprehensive Plan, Zoning Ordinance, Subdivision Regulations, Building Code, and Affordable Housing Location Model
- Proprietary data on housing sales and prices provided by the Boxwood Means Co. through PolicyMap.

Data from public sources was supplemented with information from two targeted groups: persons living or seeking assisted rented housing, and renters in the general population. To get input from the former group of persons, survey forms were mailed out to persons on the mailing list of the Iowa City Housing Authority. A total of 820 forms were mailed out in September 2013; responses were requested within two weeks via reply paid envelopes.

Two hundred and ten responses were received. To get input from the latter group, a web-based survey form was designed and made accessible from a link at the City of Iowa City's webpage. This latter survey was advertised on the city government TV channel and through press releases. The survey was kept open for 16 days and 164 people provided responses. To avoid duplication, the survey link was IP tagged, so only one response could be provided from a computer.

Information was also gleaned from open-ended interviews with representatives of agencies and organizations involved in the provision of assisted rental housing and human rights in Iowa City, specifically the Iowa City Housing Authority, the City of Iowa City Planning & Community Development Department, the Iowa City Human Rights Commission, and The Housing Fellowship.

H. Executive Summary

This report is the City of Iowa City's Analysis of Impediments to Fair Housing, required by the US Department of Housing & Urban Development.

This AI report is based on review and analysis of relevant public policies and practices, census information and census data-based mapping, Home Mortgage Disclosure Act data, surveys and interviews with people involved

in all aspects of fair housing. Overall, the City of Iowa City is actively trying to further fair housing choice for all. In spite of these efforts, there is good reason to believe that impediments to fair housing choice do exist in Iowa City in 2013-2014. The report identifies four impediments to fair housing choice and provides recommendations to overcome them.

Impediments and Recommendations

- 1) **Impediment:** Spatial concentration of minorities in Iowa City is high and requires serious policy attention. A well-accepted measure of spatial concentration is the Index of Dissimilarity. An Index of Dissimilarity score above 60 is widely acknowledged in policy and academic literature to indicate a high degree of segregation. With a Black-White Index of Dissimilarity score of 55 in the year 2010, Iowa City is quite close to being very segregated. Furthermore, Black-White segregation in Iowa City has increased over the last two decades whereas nationwide it has decreased.

Recommendation: Iowa City should adopt a land development policy that would make housing options for minorities available at diverse locations across the city. To this end, we recommend that Iowa City adopt a mandatory inclusionary zoning policy that would apply to new ownership and rental housing development. This would create housing units for low- and moderate-income minority families at diverse locations in the city without using any public subsidies or taxes.

- 2) **Impediment:** The Affordable Housing Location Model used by the City of Iowa City is a well-constructed effort to disperse certain types of assisted housing units across the city. However, this model significantly reduces the parcels of land within the city where new assisted rental units can be built. Furthermore, parcels where new assisted rental units are permissible are reportedly priced higher than parcels where new assisted rental housing cannot be built. In effect then, the well-intentioned Affordable Housing Location Model is constraining the supply of new assisted rental housing. Since assisted rental housing serves large numbers of minority families, the constraint on new assisted rental housing imposed by the model reduces housing options for minority populations.

Recommendation: For projects that require compliance with the Affordable Housing Location Model, the city should provide land at locations permitted by the model at prices comparable to land at locations not permitted by the model. Alternatively, the city should provide cash supplements to such projects to offset land cost differentials.

- 3) **Impediment:** A survey of renters receiving housing assistance showed that landlords discriminate against renters using Housing Choice Vouchers and engage in many illegal practices. Such behavior adversely affects Housing Choice Voucher recipients' search for housing and the quality and location of housing they find. In turn, it affects Housing Choice Voucher utilization rates.

Recommendations:

- a. Iowa City Housing Authority should expand existing landlord education programs to reduce discriminatory behavior.
 - b. Iowa City should modify its City Code to make illegal discrimination based on use of a Housing Choice Voucher in the housing search process.
- 4) **Impediment:** Two surveys of renters showed that many violations of fair housing laws are not being reported because of the fear of retaliation or ignorance about how to report such violations.

Recommendations:

- a. The Iowa City Human Rights Commission should expand its education programs regarding fair housing laws.
- b. Iowa City Human Rights Commission should set up a mechanism for easy and confidential reporting of fair housing violations, perhaps using a web- based format or smart phone technology.

Other issues of concern

i. Minorities in the Iowa City area may not have fair access to residential lending. Analysis of HMDA data showed that the share of home loan applications from minorities are much lower than their share in the population, and that applications from Blacks and Hispanics were being denied at

higher rates than applications from White applicants. We did not have access to credit score, credit history, and income and asset information of loan applicants and therefore cannot conclusively state that minorities are being discriminated against. However, we found large variations in the denial rate differences across the five or six banks that receive the most loan applications from minorities.

Recommendation: While more research is needed to conclude that minorities are being discriminated against in residential lending, the city could implement policies to ensure that banks with which it conducts its business do not discriminate against minorities. To that end, one policy we recommend that the city adopt is a linked-deposit program wherein only those banks that clearly provide fair access in residential lending to minorities and protected classes are considered as potential recipients of the city's banking business.

ii. The residency preference used by the Iowa City Housing Authority in its Housing Choice Voucher and Public Housing programs may have a disparate impact in denying or delaying access to those programs for certain protected classes. Local housing authorities are allowed to use a residency preference, so long as use of this preference does not delay or deny access to protected classes. The Iowa City Housing Authority was unable to furnish data to make this determination.

Recommendation: The Iowa City Housing Authority should conduct a rigorous, third-party review of the impacts of the residency preference every year, and modify or eliminate this preference if disparate impacts on protected classes are found.

SECTION II: Profile of Iowa City

- A. Background**
- B. Census Geography**
- C. Demographic Data**
- D. Income Data**
- E. Employment Data**
- F. Housing Profile**

A. Background

The city of Iowa City is a diverse community in the southeastern part of the state of Iowa. Located on rolling hills on the banks of the Iowa River, it is home to the University of Iowa and headquarters of the educational testing company, ACT. It is well-connected by roads to the rest of the Midwest and is served by two airports – the Eastern Iowa Regional airport in Cedar Rapids (about 20 miles from Iowa City) and the Quad Cities Regional Municipal airport (about 50 miles from Iowa City).

The backbone of the city's economy is the university. The 32,000+ students served by the university create and support numerous jobs within the city and the region. The city has been able to leverage the availability of highly skilled local labor to create a healthy, diverse and booming economy that weathered the Great Recession of 2007-2010 rather well. While many of the jobs are in the service sector – primarily education and health sectors – there are many jobs in the city in the manufacturing sector, too.

Iowa City has a vibrant cultural dimension. It is home to the internationally- renowned Iowa Writers Workshop, hosts writers and artists from all over the world and has been named a UNESCO City of Literature by the United Nations – one of only seven such designations worldwide. The city has many amenities and services that are commonly found in cities of much larger populations. And it has excellent public schools and low levels of crime.

For all these reasons, Iowa City is often placed on lists of best places in the country to live.

Iowa City's diversified economic base, the range of cultural activities, and access to high-quality amenities and services, attracts a large and diverse number of people. It is the fifth largest city (by population) in the state, one of the fastest growing cities in the state among those with more than 20,000 people, and has one of the highest proportions of non-White persons of

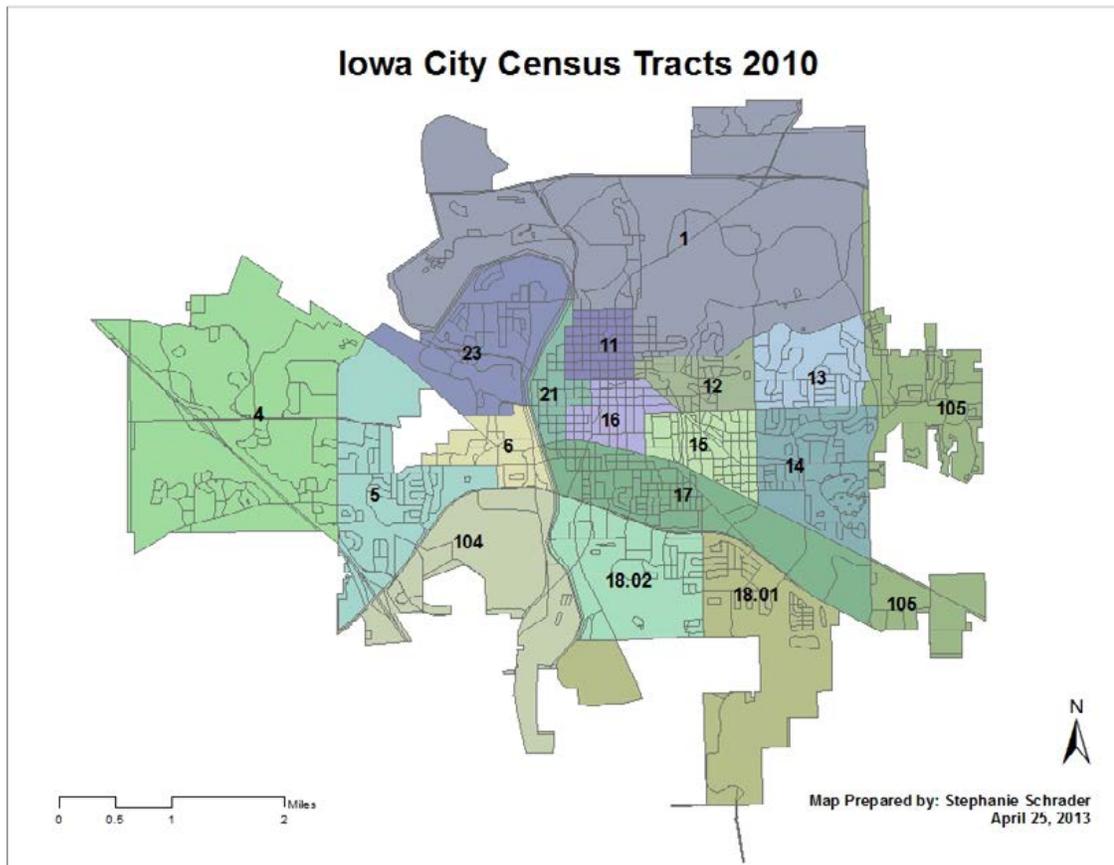
any city in the state. Its real estate market can be termed "hot" and did not experience very significant negative effects during the housing market collapse of 2006-2010. The housing stock of the city has many options for owners and renters; it also has a higher proportion of rental units – given the large number of students – than most cities in the state.

Iowa City has engaged in development planning and planning for housing for many decades. It was one of the first cities to adopt zoning and comprehensive planning in the state and has been a CDBG entitlement community since the inception of the CDBG program. Thus, the city has the institutional capacity to engage in planning, and an informed citizenry that participates actively in planning endeavors.

B. Census Geography

Iowa City has 17 census tracts, which are shown in the below map by tract number. Seven census tracts (1, 4, 5, 14, 17, 104, and 105) fall partially outside the city limits. A subset of the tracts that comprise Iowa City – tracts 6, 11, 16, 21 and 23 – are often referred to as the Pentacrest tracts.

Figure 1: Iowa City's Census Tracts



C. Demographic Data Population

Iowa City's population in 2010 was 67,682. The city has experienced a steady population growth in every decade since 1950 with the largest percentage increase of over 40% occurring in 1960-1970 (see Table 1). The period 1990 to 2000 witnessed the lowest percentage increase in the city's population in the last 60 years. However, population growth rebounded in the 2000s and the city's 2010 population was over 9% above its 2000 population. In the two most recent decades, Iowa City's population growth rate has been well below Johnson County's population growth rate but well above the state of Iowa's growth rate.

Table 1: Population Trends 1950-2010

Year	Iowa City Population	% Change	Johnson County Population	% Change	Iowa Population	% Change	US Population	% Change
1950	27,212		45,756		2,621,073		152,271,417	
1960	33,443	22.90%	53,663	17.28%	2,757,537	5.21%	179,325,675	17.77%
1970	46,850	40.09%	72,127	34.41%	2,825,368	2.46%	203,210,158	13.32%
1980	50,508	7.81%	81,717	13.30%	2,913,808	3.13%	226,545,805	11.48%
1990	59,738	18.27%	96,119	17.62%	2,776,755	-4.70%	248,709,873	9.78%
2000	62,220	4.15%	111,006	15.49%	2,926,324	5.39%	281,421,906	13.15%
2010	67,862	9.07%	130,882	17.91%	3,046,355	4.10%	308,745,538	9.71%

Source: U.S. Census Bureau. American Factfinder. Total Population: SF1 data.

Households

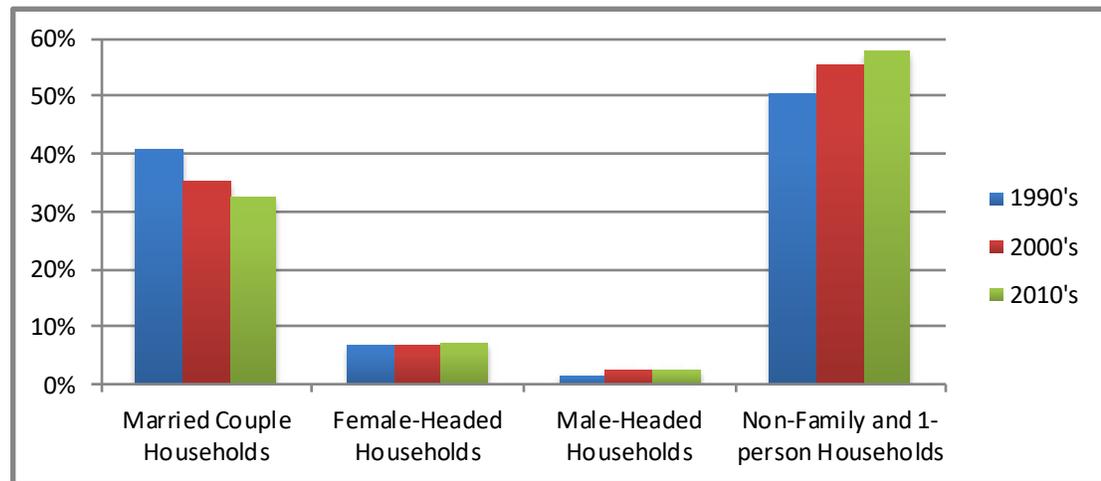
The population of an area can be classified into family households and non-family households. The

US Census defines family households as those that have related persons or married couples, and non-family households as those that consist of either non-related persons living together or a single person living alone. In 2010, there were a total of 27,657 households in Iowa City. Of these, 11,743 (42.5%) were family households. Over 10,600 of the family households had one or more children under 18 living with them. Married couple households were the largest sub-group comprising 32.5% of total households. Female-headed households were a significant presence and their numbers are trending upwards. In 2010, 1,984 households (7.2%) were female-headed households, and the majority of those households (1,282 households, or 4.6%) had related children in the household.

In 2010, there were 15,914 (57.5%) non-family households in Iowa City. Of these, 9,488 (or 34.3% of all households) were one-person households while the rest (6,426 or 23.2% of all households) had more than one person in the household. Students are believed to comprise a significant portion of non-family households, though precise numbers are unavailable.

Over the past two decades Iowa City has seen a declining trend in the proportion of family households, from 49.4% of total households in 1990 to 44.4% in 2000 and to 42.5% in 2010. The largest driver of this change is the decline in the proportion of married couple households; this shrank from 40.6% in 1990 to 35.2% in 2000 and to 32.5% in 2010 (Figure 1). Conversely, non-family and one-person households rose from 50.6% in 1990 to 55.6% in 2000, and again to 57.5% in 2010.

Figure 2: Iowa City Household Type – Decennial Trends in Household Types

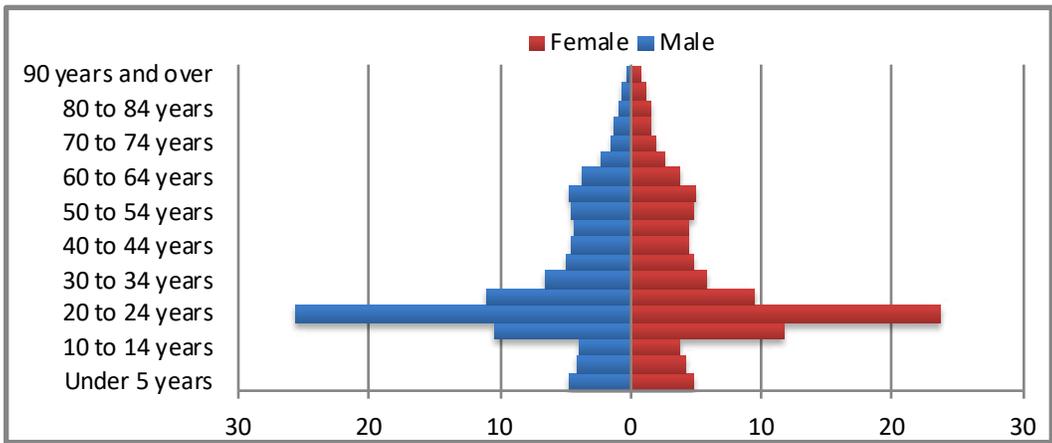


Source: U.S. Census Bureau. American Factfinder.

Population distribution by Age and Sex

Population distribution by age and sex are commonly depicted using population pyramids. Iowa City's 2010 population pyramid shows a clear "youth bulge" - 25.7% of the male population and 23.6% of the female population in Iowa City in 2010 was between 20 to 24 years old (Figure 2). This bulge is not unexpected in a college town. What is perhaps surprising is the absence of a "retiree bulge", given Iowa City's many amenities for retirees and its frequent placements on lists of towns to retire.

Figure 3: Iowa City 2010 Population Pyramid

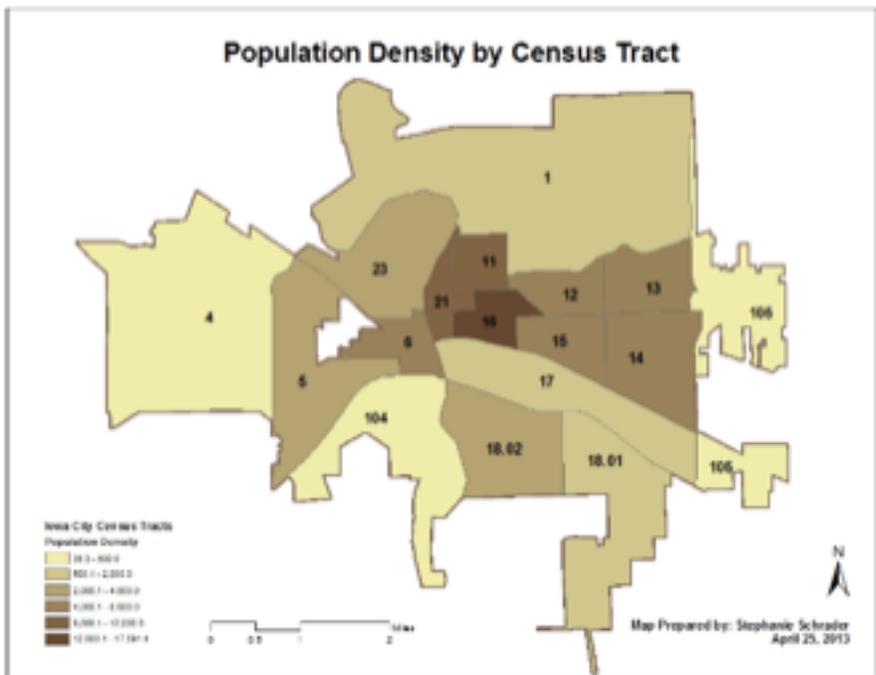


Note: Only alternate age groups are labelled on the vertical axis.

Population Density

With a population density of 2,804 persons per square mile in 2010, Iowa City is one of the densest urban areas in the state. Among Iowa City’s 17 census tracts, tract 16 has the highest population (7,267), as well as the highest population density (over 17,500 people per square mile). No other census tract is as densely populated as tract 16. Tracts 21 and 11 are the next most densely populated, with 8,000 to 12,000 people per square mile (Figure 3). Tracts 4, 104, and 105 on the city’s periphery are less densely populated, with 500 (or fewer) persons per square mile.

Figure 4: People per Square Mile, by Iowa City Census Tracts



Race and Ethnicity

In Iowa City in 2010, out of 27,657 total households, 23,631 households (85.4%) were White. Asians were the second largest racial category with 1,762 households (6.4%), Blacks the third largest group with 1,321 (4.8%) households and Hispanic or Latino ethnicities of any race were the fourth largest group with 1122 (4.1%) households. Over 17.5% of Iowa City’s population in 2010 was non-White. Since this ratio is about twice that of the state of Iowa (8.7%), it is fair to say that racially, Iowa City is significantly more diverse than the state.

Minority households have grown at a higher pace than white households. From 2000 to 2010, White

households only grew 6.2%, whereas Hispanic or Latino households grew 84.8% (see Table 2 below). Thus the number of White households in the city is increasing at a lower rate than the population of the city, while Hispanics households are increasing at a much higher rate than the city's growth rate. Likewise, African-American households (grew 55.2% between 2000 and 2010), households of other races and households of two or more races grew much faster than the city's overall population growth rate.

Table 2: Iowa City 2010 Households by Race and Hispanic Origin

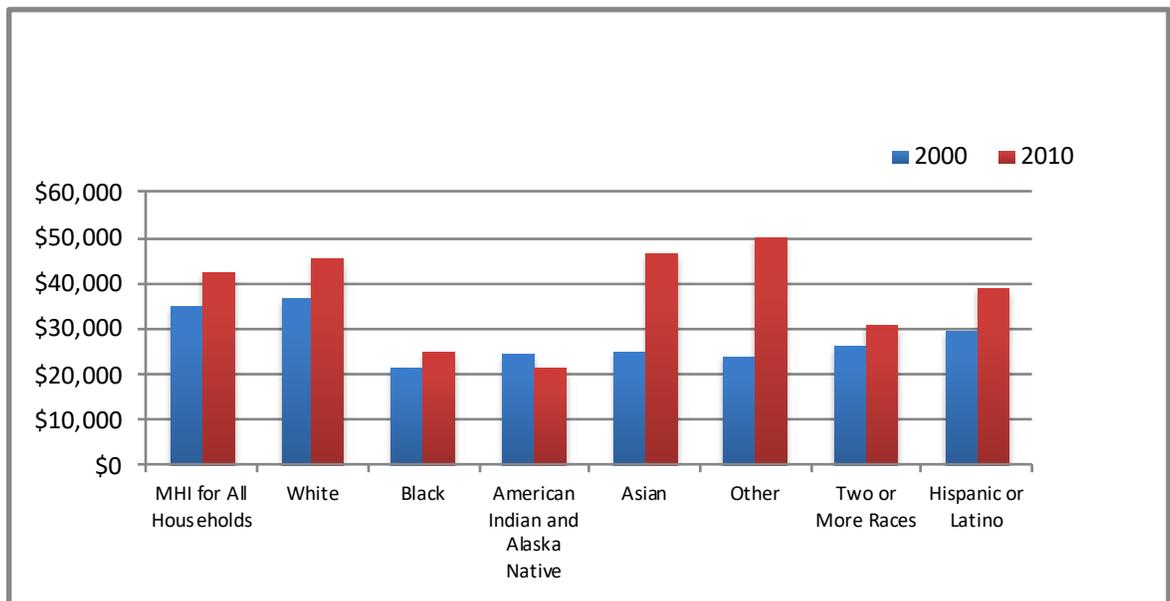
	2000	2010	2010 Margin of Error	Percent Change
Total Householders:	25,202	27,657	+/-625	9.7%
White	22,233	23,616	+/-620	6.2%
African American	851	1,321	+/-206	55.2%
American Indian and Alaska Native alone	87	58	+/-60	-33.3%
Asian	1,454	1,762	+/-182	21.2%
Native Hawaiian and Other Pacific Islander	6	9	+/-17	50.0%
Other Race	257	412	+/-96	60.3%
Two or More Races	314	479	+/-151	52.5%
Hispanic or Latino	607	1,122	+/-178	84.8%

Source: U.S. Census Bureau. American Factfinder.

D. Income

In Iowa City in 2010, the median household income (MHI) for all households was \$42,694. White households had a median income of \$45,293, Blacks/African Americans \$25,010, Hispanics \$39,000 and Asians \$49,938. Compared to 2000, median household income for the city increased significantly; median incomes of all racial and ethnic groups (except one – American Islanders and Native Americans) also rose though at unequal rates (Figure 5). Other race households and Asian households posted the greatest percentage increases, well over that of the entire city and of White households. Hispanic households experienced higher income gains than the city average while African-American households experienced income gains lower than the city average.

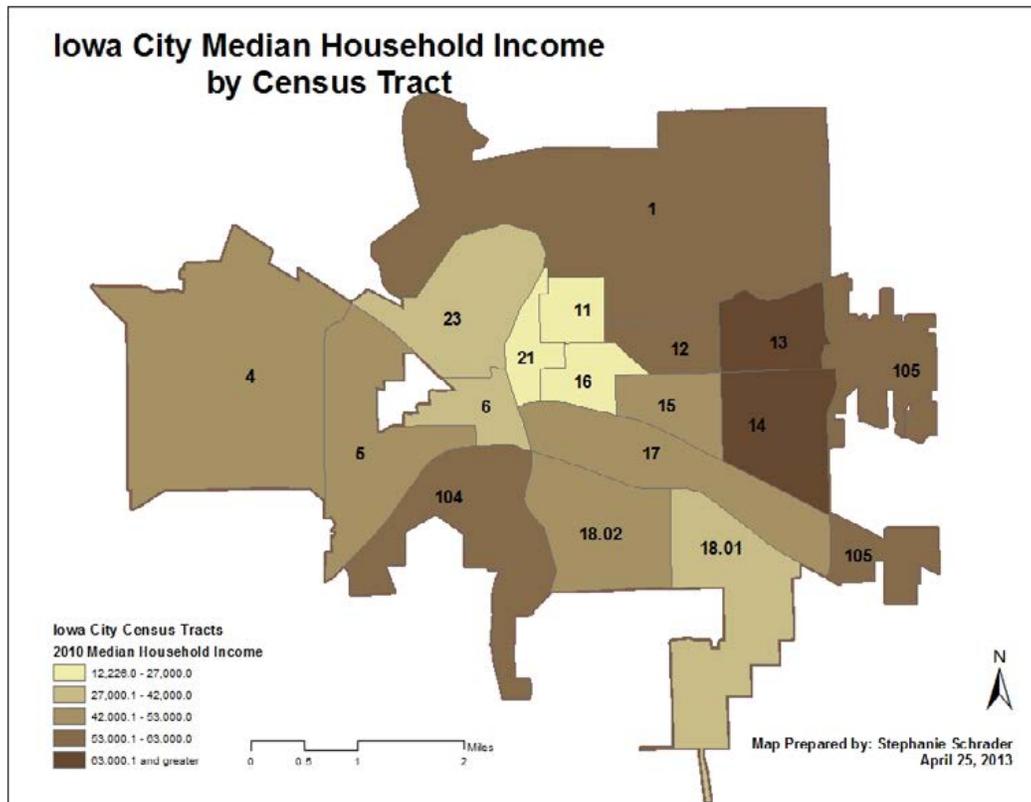
Figure 5: Median Household Income Trends



Source: U.S. Census Bureau. American Factfinder; 2010 ACS 5-Year Estimates.

As can be expected, there is spatial variation in median household income across the city (Figure 6). City neighborhoods contained within census tracts 13 & 14 have the highest median income levels - over \$63,000 - in the city, followed by those within tracts 1, 12, 104 & 105. The Pentacrest area (census tracts 6, 11, 16, 21, and 23) has the lowest median household income in the city - between \$12,000 to \$27,000 - well below the citywide average.

Figure 6: 2010 Iowa City Median Household Incomes



In 2010, the poverty threshold (determined annually by the US Census Bureau) for a family of four was \$22,314. The ACS 2007-2011 five-year estimates show that 26.4 % of households in Iowa City had incomes below this threshold. This was one of the highest poverty rates of any city in the state of Iowa in 2010.

The highest levels of poverty in Iowa City existed in census tracts 11, 16 and 21 – three Pentacrest area census tracts. The lowest levels of poverty were found in census tracts 13 and 14 on the east side of the city. High poverty concentration areas are classified by HUD as *Qualified Census Tracts*.⁷ In 2010, four census tracts in Iowa City met this definition: tracts 6, 11, 16, and 21 – all of which are in the Pentacrest area.

The highest poverty rates are for those whose race is “other”, averaging 45.7%, followed by Hispanic/Latino, then Blacks/African Americans. In census tract 21, 100% of the minorities were below the poverty level.

Table 3 has information on poverty rates by race and location in Iowa City. The largest percentage of Whites living in poverty lived in census tracts 16 (74.3%) and 21 (79.4%). For Blacks/African Americans, the largest percentage living in poverty were in census tracts 23 (100%) and 6 (83.7%). For Asians, the largest percentage living in poverty were in census tracts 15 (100%) and 21 (100%). Finally, Hispanics and Other races both had the highest percentages of poverty in census tracts 16 and 21.

⁷ A HUD-defined Qualified Census Tract is “any census tract in which at least 50% of households have an income less than 60% of Area Median Gross Income or the poverty rate is 25% or higher.

Table 3: Iowa City Poverty by Race, 2010

Census Tract	Population % for whom poverty status is determined	White	Black	Native American	Asian	Hispanic or Latino origin	Other
1	22.1	23.1%	0.0%	**	16.2%	36.3%	**
4	27.3	14.2%	79.0%	0.0%	29.6%	16.8%	54.5%
5	19.7	16.9%	72.9%	0.0%	8.3%	18.0%	54.4%
6	29.8	31.0%	83.7%	**	9.5%	51.7%	**
11	60.0	58.6%	15.9%	**	92.5%	73.0%	**
12	12.8	11.7%	0.0%	0.0%	**	40.0%	**
13	2.1	2.2%	**	0.0%	0.0%	0.0%	**
14	5.7	4.8%	34.3%	**	0.0%	0.0%	**
15	15.9	14.2%	0.0%	**	100.0%	76.3%	41.9%
16	70.7	74.3%	36.4%	10.0%	49.0%	97.8%	100.0%
17	13.8	13.8%	0.0%	**	0.0%	0.0%	**
18.01	16.2	13.9%	0.0%	0.0%	10.3%	25.3%	28.6%
18.02	16.7	12.7%	41.2%	0.0%	0.0%	39.5%	25.6%
21	80.8	79.4%	**	100.0%	100.0%	100.0%	100.0%
23	27.3	25.4%	100.0%	100.0%	25.4%	52.9%	**
104	10.8	10.3%	13.2%	**	**	13.3%	0.0%
105	5.0	3.3%	62.3%	0.0%	13.7%	5.3%	5.9%
Average:	25.7	24.1%	35.9%	21.0%	30.3%	38.0%	45.7%

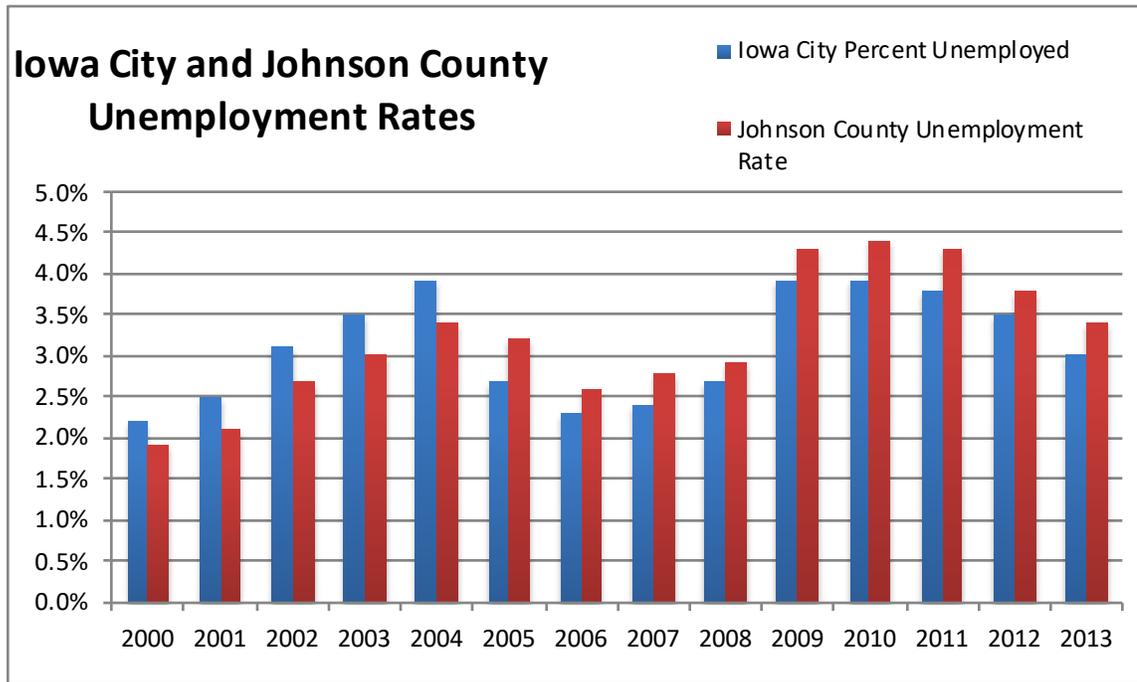
Source: ACS 2007-2011 5-year estimates. . ** indicates that either no sample observations or too few sample observations were available to compute an estimate.

Since a large student population exists in Iowa City, it is prudent to examine poverty by age. Census tracts 16, 11, 21, and 1 had the highest percentages of persons under age 25 living in poverty (from 22%-42.3%). For persons age 25 and over, poverty rates are much lower; the highest rate, 12.4%, was found in census tract 4. The average poverty rate for those aged 25 and over is just 6.5%. Since most students are under age 25, these numbers suggest that the student population has a strong influence on poverty rates in Iowa City.

E. Employment

Iowa City has a vibrant and diverse economy, anchored by the University of Iowa, the largest employer in the state. However, the Great Recession of 2007-2009 did impact Iowa City and has reduced economic development and employment options. And lack of employment could be a barrier to fair housing access. Since 2000, unemployment rates in Iowa City have risen and fallen a couple of times, peaking in 2003 and 2004, falling in 2006 and 2007, then rising again to new peaks in 2009 and 2010 (see Figure 7). From 2011 onwards, these rates have been falling though are still higher than those of 2000. Johnson County has also experienced similar trends, though from 2005 onward county unemployment rates have been marginally higher than those of Iowa City.

Figure 7: Regional Unemployment Rates



Source: Iowa Workforce Development. Information Network. Unemployment rates. Labor Force Data.

Both in 2000 and 2010, the male unemployment rate was marginally higher than the rate for females. Between 2000 and 2010, the unemployment rate for almost all race and ethnic groups increased – Asians were the only exception to this trend.

F. Housing Profile

In 2010, there were 28,568 housing units in Iowa City. This represents an 8.8% increase from 2000. Of these 28,568 housing units, 14,626 (51.2%) were single-family attached or detached units. Multi-family housing units (with two or more units per structure) numbered 13,141 housing units (or 46% of all housing units). Iowa City has a greater percentage of housing units in multi-family structures than the county or the state. This pattern is quite consistent with an urban college town that is home to many student households. Tracts 4, 5, 6, 11, 16, 21 & 23 had higher proportions of multi-family units than the city average.

There were about 800 mobile homes in the city in 2010, a sharp decline from the 1,200 in 2000. These were located in eight of the 16 tracts in the city with significant concentrations in tracts 104 & 105. The proportion of mobile homes in the city is much lower than in the county and the state.

Table 4: Units per Structure by Census Tract - 2010

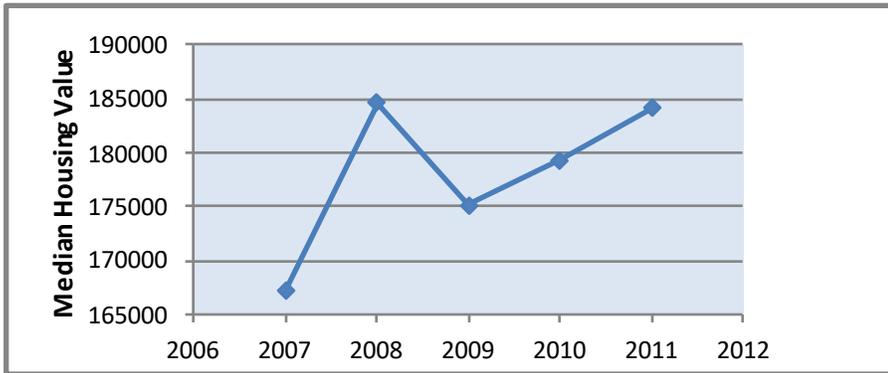
Tract	Total Units	Single family units (detached & attached)	Multi-family units					Mobile home
			2 to 4	5 to 9	10 to 19	20 or more	Total	
1	2,555	62.0%	13.0%	4.2%	8.8%	2.0%	28.0%	9.9%
4	3,032	45.7%	7.5%	19.9%	11.7%	15.2%	54.3%	0.0%
5	3,410	49.5%	9.8%	8.3%	22.8%	9.4%	50.3%	7.0%
6	1,801	20.2%	6.3%	12.8%	16.9%	43.3%	79.3%	10.0%
11	1,691	33.8%	19.2%	21.0%	21.6%	3.4%	65.2%	1.1%
12	883	82.1%	9.3%	0.0%	4.1%	4.5%	17.9%	0.0%
13	1,237	94.1%	0.0%	5.9%	0.0%	0.0%	5.9%	0.0%
14	2,034	79.6%	5.5%	1.7%	7.8%	5.5%	20.5%	0.0%
15	1,300	87.0%	7.8%	0.8%	4.5%	0.0%	13.1%	0.0%
16	2,964	17.6%	9.8%	20.5%	28.6%	23.3%	82.2%	0.0%
17	1,343	86.6%	3.5%	6.3%	2.8%	0.8%	13.4%	0.0%
18 (part)	1,558	63.1%	7.1%	2.4%	15.5%	3.8%	28.8%	8.1%
21	774	6.20%	8.4%	12.8%	34.6%	36.6%	92.4%	1.4%
23	1,192	49.2%	8.0%	15.9%	17.4%	9.6%	50.9%	0.0%
104	2,624	62.3%	5.9%	3.0%	4.3%	7.0%	20.2%	27.5%
105	3,112	59.0%	5.0%	1.7%	4.6%	7.7%	19.0%	22.0%
Iowa City	28,568	51.2%	8.5%	10.1%	15.7%	11.7%	46.0%	2.8%
Johnson County	55,508	59.1%	7.0%	8.6%	12.5%	7.3%	35.4%	5.5%
Iowa	1,332,487	77.4%	6.0%	3.7%	3.8%	5.0%	18.5%	4.1%

Source: U.S. Census Bureau, Census 2010

Owners and renters: As of 2010, 13,092 occupied housing units (48.8%) were owner-occupied and 13,728 (51.2%) were renter-occupied. Owner-occupied housing units increased by 2.2% since 2000. However, in 2010 a majority of households still lived in rental units – a fairly common situation in small college towns across the country. Census tracts 4, 6, 11, 16, 21, and 23 contain a higher percentage of renter-occupied units than the citywide average of 51.2%. Most of these high renter-occupied census tracts are all mostly located about the city center where the University of Iowa is located.

Housing values and rents: The median housing value of Iowa City in 2010 was \$179,300 which is a 32.3% increase from 2000 when the median housing value was \$121,400. The census tract that experienced the largest increase in median house value was tract 23. Iowa City (like much of the United States) saw a decline in housing values due to the Great Recession of 2009. Figure 8 illustrates the housing boom from 2007 to 2008 and then a nearly \$10,000 decline in the median housing value in 2009. After 2009, median housing values have risen but at a much slower rate than had been seen prior to 2008.

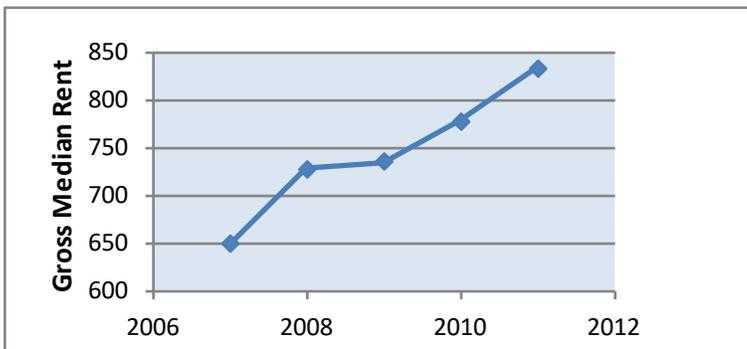
Figure 8: Housing Value 2006 - 2012



Source: American Community Survey 2011

The median gross rent of Iowa City did not see any decline because of the recession. However, from 2008 to 2009, rents stayed almost flat.

Figure 9: Median Gross Rent 2006 - 2012



Source: American Community Survey 2011

Cost-burdened households: The US Department of Housing and Urban Development considers households who pay more than 30% of their income for housing to be housing cost-burdened. Such households experience difficulties affording necessities such as food, clothing, transportation, and medical care, and if they own homes, often have less money to spend on maintenance and upkeep of their homes. Iowa City is home to nearly 2,495 housing cost-burdened homeowner households. Census tracts 1, 6, 11, 15, 17, and 21 have higher rates of cost-burdened owners than the city rate of 28.3%. Of the 13,163 renter households in Iowa City, 63.5% pay 30% or more of their income on monthly housing costs.

Age of housing stock: Older housing units tend to be of poorer quality than more recently constructed ones. Of the owner-occupied housing units in Iowa City, about 28% (3,692 units) were built before 1959. Census tracts 6, 11, 12, 15, 16, 17, 23, and 104 contain the highest percentages of these older units. Of the rental housing stock, 23.5% of the units were built prior to 1959. This makes the city's rental housing stock marginally older than the county's (since only 21.3% of the county's stock was built prior to 1959). Census tract 16 had the highest percentage of units being built before 1959 (64.4%).

Public Housing and Housing Choice Vouchers: The Iowa City Housing Authority (ICHA) manages 81 public housing units. As of February 8, 2013, there were 539 resident applicants on the waiting list for public housing. An additional 2,728 applicants were also on this list, but they were either non-residents or single, non-elderly, non-disabled families.⁸

ICHA also provides about 1,215 vouchers through the Housing Choice Voucher program and 50 units through the Veterans' Affairs Supportive Housing (VASH) program.

As of February 8, 2013, there were 814 resident applicants on the waiting list for Housing Choice Vouchers. An additional 4,952 applicants were on this list, but were either non-residents, or single, non-elderly, non-disabled families.

⁸ From the 2013 Annual Report of the Iowa City Housing Authority, dated April 22, 2013.

Section III: Evaluation of Iowa City's Current Fair Housing Status

- A. Fair housing complaints or compliance reviews where the Secretary has issued a charge of or made a finding of discrimination on a fair housing discrimination suit filed by the Department of Justice or private plaintiffs**
- B. Fair Housing Complaints to the Department of Housing & Urban Development**
- C. Fair Housing Complaints to the Iowa City Human Rights Commission**
- D. Fair Housing Concerns: Patterns and Problems**
 - a. Residential location of minorities in Iowa City**
 - b. Measure of racial segregation in Iowa City**
 - c. Other concerns**
- E. Survey Results**

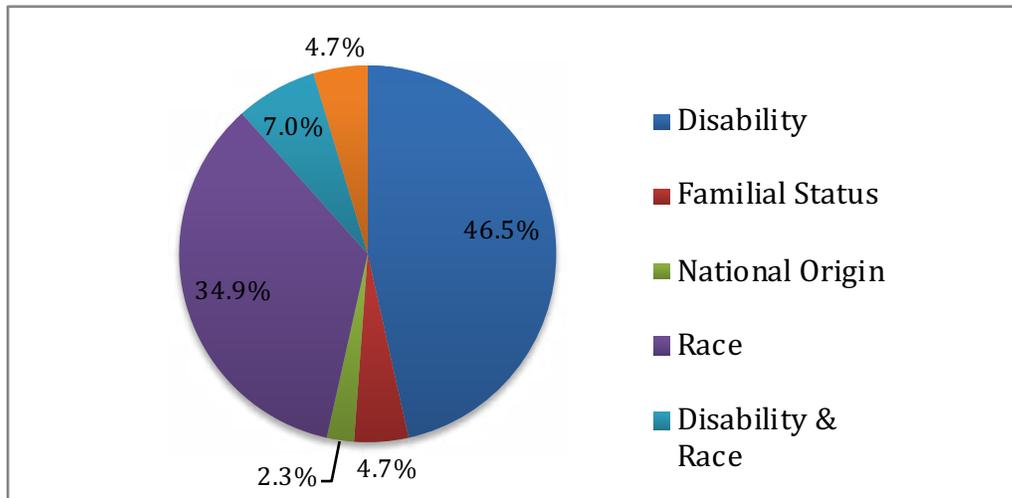
A. Charges or findings of discrimination by the Secretary of the US Department of Housing & Urban Development or fair housing discrimination suits filed by the US Department of Justice or private plaintiff

No such suits, charges or findings have been made in Iowa City.

B. Fair Housing Complaints filed with the US Department of Housing & Urban Development (HUD)

From January 2008 to May 2013, HUD received a total of 43 housing discrimination complaints from Iowa City residents. Of these 43 complaints, about 46% were disability-based discrimination, and 34.9% were race-based complaints. Alleged discrimination based on disability or race were the two most common reasons for filing a complaint (see Figure 10 below). The rest of the complaints were based on a combination of disability and race (7.0%), familial status (4.7%), sex (4.7%), and national origin (2.3%). The largest number of complaints were filed in 2010 (12 complaints), closely followed by 2009 (11 complaints).

Figure 10: HUD Housing Discrimination Complaints by Type of Complaint for Iowa City January 2008-May 2013



Settlements were negotiated for 15 of these 43 complaints, a 34.8% settlement rate. Of these 15 complaints, eight cases involved discrimination based on disabilities alone, three cases involved race only, two cases involved discrimination based on disabilities and one or more other factors, and one case each involved discrimination based on familial status and national origin. These numbers show a concentration in complaints based on discrimination due to disabilities. In the 2008 Analysis of Impediments to Fair Housing Choice, housing advocates for persons with disabilities had claimed that many landlords in Iowa City refuse to provide reasonable accommodation for tenants.⁹ Five years later, clearly much more still needs to be done to ensure fair housing for persons with disabilities.

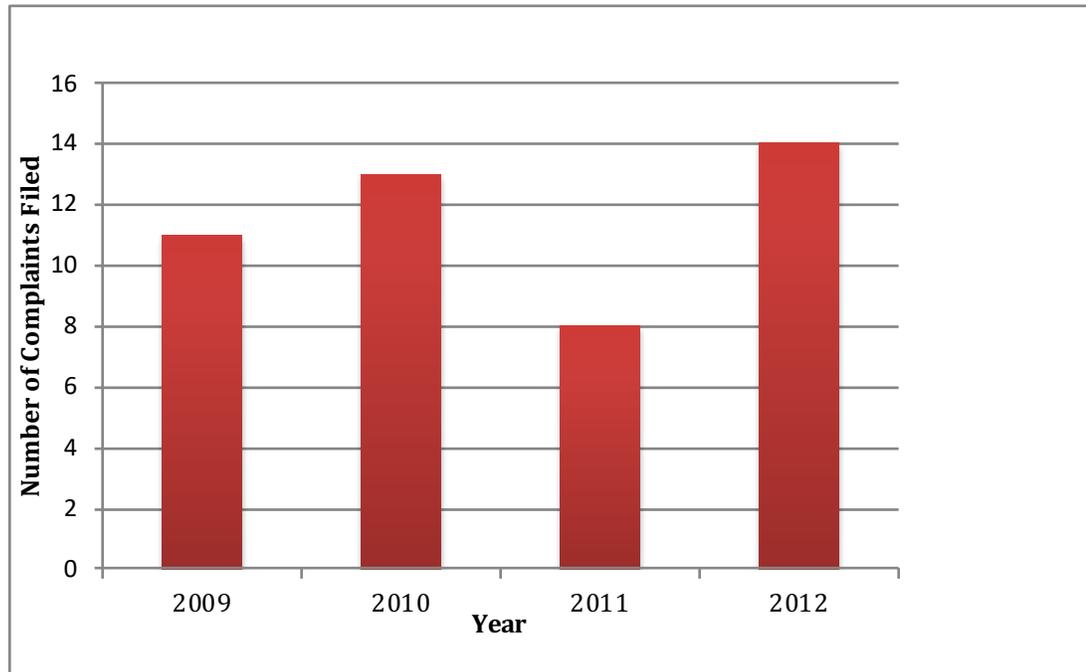
C. Fair Housing Complaints filed with the City of Iowa City Human Rights Commission

The Iowa City Human Rights Commission (ICHRC), founded in 1963, is responsible for the enforcement of local anti-discriminatory laws. Housing discrimination complaints can be filed with the ICHRC on the basis of race, color, creed, religion, national origin, retaliation, age sex, marital status, sexual orientation, familial status, presence or absence of dependents, disability, gender identity, or public assistance source of income.¹⁰ Between 2009 and 2012, there seem to be no drastic changes in the number of housing complaints filed with the ICHRC.

⁹ Ibid., 49.

¹⁰ Mullin & Lonergan Associates, Analysis of Impediments To Fair Housing Choice, 43

Figure 11: Housing Complaints Filed with the Iowa City Human Rights Commission 2009-2012



Source 2009-2012 Iowa City Human Rights Commission Annual Reports

For each housing complaint received, ICHRC staff conducts a neutral investigation of the allegations contained in the complaint. Both parties to a housing complaint can expect the complaint to be handled by competent professionals in a timely fashion.¹¹ Complaints are resolved in a variety of different ways: mediation, conciliation, right to sue, administrative closure, no probable cause, probable cause, satisfactorily adjudicated, or public hearing.

D. Fair Housing Concerns, Patterns, & Problems

a. Residential location of minorities in Iowa City

Race is a significant factor in housing markets across the nation. Despite the relatively large proportion of racial and ethnic minorities in Iowa City, there are clear spatial concentrations where these populations are located. Figures 12 and 13 show the proportion of Blacks and Hispanics in all census blocks of Iowa City in 2010. One can see that there is clear spatial concentration by race.

Spatial concentration of minority populations may occur for various reasons, many of which indicate no malicious or unjust intent. However, the nature and degree of concentration poses challenges for justice and equity especially in the provision of fair housing opportunities for all.

¹¹ For specific information on the process please see Title 2 Chapter 5 of the City Code at http://www.sterlingcodifiers.com/codebook/index.php?book_id=953.

Figure 12: Percentage of Blacks in Iowa City Census Blocks, 2010

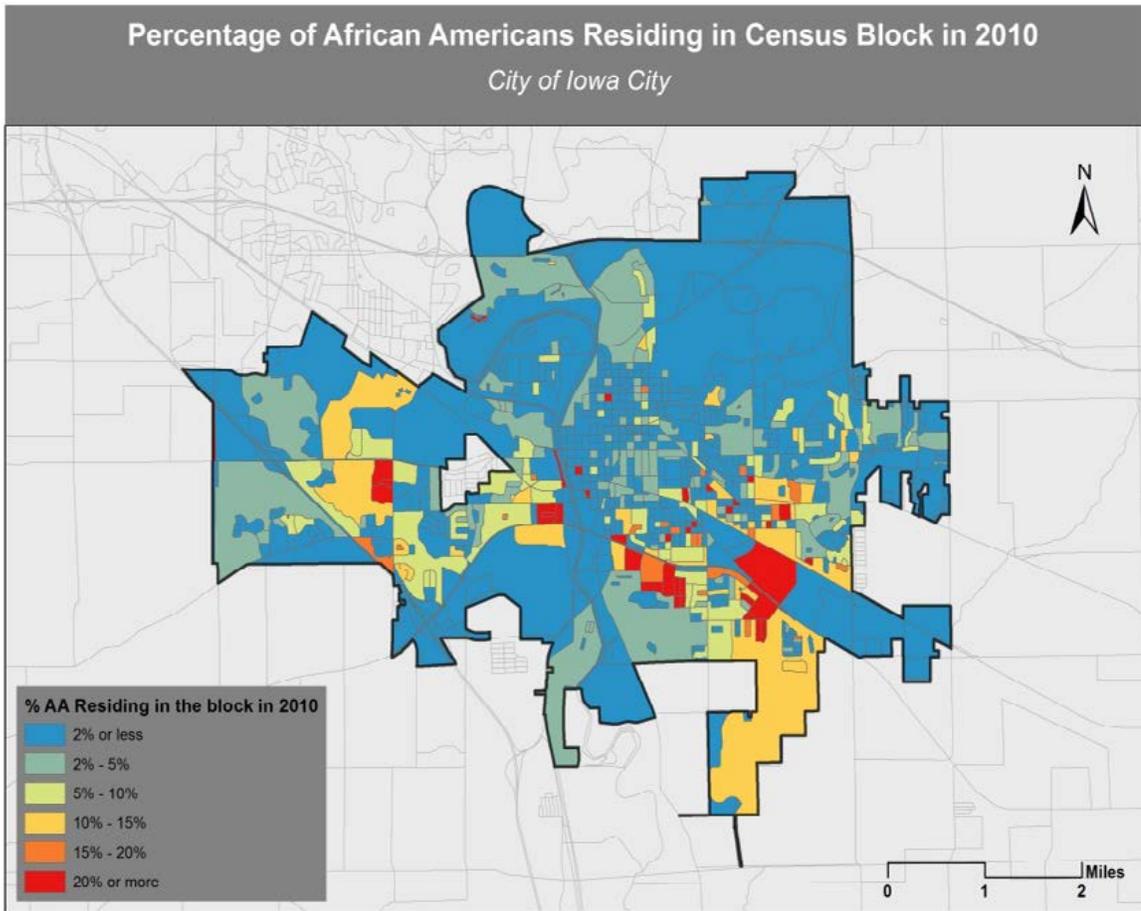
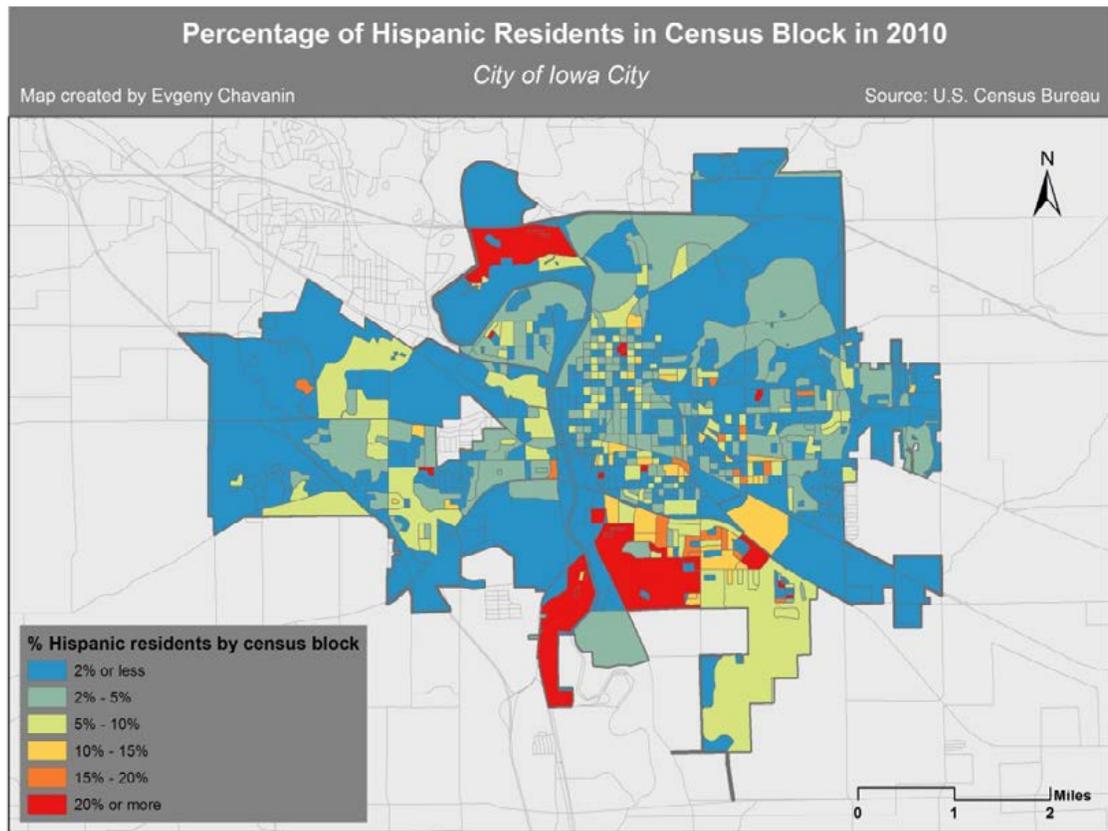


Figure 13: Percentage of Hispanics in Iowa City census blocks, 2010



b. Measuring racial segregation in Iowa City

While there are several well-accepted measures of spatial concentrations of minority populations, one commonly used measure is the Index of Dissimilarity. The Index of Dissimilarity (IoD) measures the evenness of distribution of two groups across the spatial units of a geographic location. For example, an IoD for Blacks/Whites would measure the degree to which Blacks live in exclusively Black spatial areas and Whites live in exclusively White areas. The index score indicates the proportion of either group that would need to move around the city or locality for there to be an even distribution of both groups within the total population. An index score close to zero presents an ideal distribution while an index score closer to 100 presents complete racial segregation.

The mathematical formula used to compute the IoD Black/White is:

$(1/2) \times 100 \times \sum (b_i / B) - (w_i / W) \mid$ where:

b_i = the black population of the i th spatial unit, e.g. census tract

B = the total black population of the large geographic location for which one calculates the index.

w_i = the white population of the i th spatial unit, e. g. census tract

W = the total white population of the large geographic location for which one calculates the index of dissimilarity

We employed census blocks as the spatial unit of analysis in calculating the index to get as fine-grained an analysis as possible and permissible with census data. We calculated the IoD for Blacks versus Whites for 1990, 2000 and 2010 and for Hispanic versus non-Hispanics for 2000 and 2010.

In 1990, Iowa City had 57,590 whites and 1,539 blacks. The IoD Black/ White score for 1990 was 44. This score implies that about 44 percent of blacks or whites living in Iowa City in 1990 needed to move to make the city have an even distribution of Black and Whites across census blocks. In 2000, Iowa City had 55,454¹² Whites and 2,297 Blacks; the IoD Black/White score in 2000 was 52. In 2010, Iowa City had 56,861 Whites and 3,928 Blacks and an IoD Black/White score of 55. The IoD Black/White scores indicate that between 1990 and 2010, even though the number of Blacks in Iowa City increased from 1,539 to 3,928 – a 155% increase – Blacks became increasingly concentrated.

We computed IoD scores for Hispanics for the years 2000 and 2010.¹³ In 2000, the Hispanic population of Iowa City was 1,870, and the IoD score was 42. In 2010, the number of Hispanics in Iowa City increased by 95% to 3,643; the IoD score in 2010 was 41. Thus Hispanics in Iowa City are also spatially concentrated; however, they are less concentrated than Blacks.

c. Other concerns

As a part of this study, we conducted interviews with staff of a few non-profit agencies that provide housing or housing-related services in Iowa City. The interviews were conducted by phone over a two-week period in May, 2013. The interviews were semi-structured with questions regarding the housing services the organizations provide and tenant selection procedures. Interviewees were also asked about their perception of housing discrimination in Iowa City, whether they have heard of fair housing complaints from the populations they serve, the challenges they face in providing housing for the people they serve, and whether the organization faces any sort of constraints (budgetary, legal, or community) in providing housing for the people the population they serve.

Most interviewees believed that housing discrimination was prevalent in Iowa City. However, only one interviewee knew of a client filing a fair housing complaint based on perceived discrimination because of a disability. The interviewee was not sure of the outcome of the complaint, but the client was able to find housing through a church. Another interviewee felt that the reason clients do not file complaints is that their life is complicated enough already.

The top issue identified for clients transitioning out of substance abuse or homelessness programs was trouble finding landlords that will accept Housing Choice vouchers. Most interviewees said the most effective method of procuring housing for their clients is to build personal relationships with landlords throughout the city. One strategy a nonprofit has used is to go to the complex and meet the property manager with the client seeking housing, and mention nothing about the voucher. Many times, after meeting the client, they will accept them as a tenant. However, the respondent noted that the landlords have always made it a point to say that they were making an exception. Some of the clients have a criminal record or have a history of not paying rent, so another nonprofit provides housing references and letters of recommendation. These positive references seem to make it a little easier to find housing.

Most interviewees also expressed concern about the size and location of the housing that their clients find. One respondent brought up the issue of apartment size for clients with disabilities. Because of their disabilities, these clients need more space; however, the apartments that they can afford are not large enough to accommodate their needs. Additionally, most respondents expressed concern about the location of the housing their clients find. The populations served by these nonprofits may be vulnerable, and the neighborhoods that accept Housing Choice vouchers may not be safe for these populations. In addition, some landlords will not accept tenants if they have previous substance abuse issues, no matter how long ago the issue occurred. One respondent mentioned that the neighborhoods where these clients can find housing may threaten the client's substance abuse recovery efforts.

Respondents also identified other barriers to housing their clients. One respondent mentioned that some of their clients would not get calls back from landlords because of the way they sounded on the phone, either because they spoke with an accent or spoke a language other than English. Another

¹² The NRGIS data used for 1990 and US Census Bureau for 2000 suggest a decrease in the total white population in Iowa City though the overall total population for the city increased between the two periods (63,011 in 1990 to 63,653 in 2000). Unfortunately, 1990 race data available from the Census Bureau only provides numbers for the population aged 18 years and above for localities. The NRGIS data for 1990-though an approximation of 731 blocks from GIS clipping- proved more accurate when compared to another 1990 dataset from the National Historical GIS (NHGIS). From the NHGIS 1990 race and total population dataset, we selected 730 blocks from the total blocks for Johnson County that fall within the Iowa City boundaries. Only 620 blocks of the 730 successfully joined in GIS with the following population breakdowns: total - 62,781; white 57,352 and black - 1,548.

¹³ 1990 census data on Hispanics has several well-known measurement errors, so we chose not to compute a 1990 IoD for Hispanics.

respondent noted that landlords screen tenants. Up front they will state that they have no units available, but then they will ask the client about themselves anyway. This implies that they do have units available, but are looking for a particular type of tenant. Another mentioned the application fee. Generally, property managers have application fees that the clients pay, generally \$20-\$30, and are then immediately notified that they will not be considered. Most of the clients served by these nonprofit organizations are on limited incomes, so application fees can be a major setback.

One nonprofit identified opposition from neighbors and community members as the group tried to purchase land, build new homes, or rezone land for the purpose of more dense building. Because of this opposition, the group either builds on land within its current zoning designation or attempts to acquire existing housing, as these two options attract less attention from the community and thus are less likely to draw criticism.

Finally, in these interviews, we solicited opinions on issues like the greatest obstacles in the provision and/or availability of affordable housing and whether and how city policies could be modified to encourage affordable housing development. Three common concerns voiced are noted below. These concerns were reinforced through comments received during public discussion of a draft version of this report.

- A) There is very little land zoned for multi-family rental and it is very difficult to get land rezoned for affordable multi-family developments.
- B) The Affordable Housing Location Model is more of a barrier than an aid. This model prohibits the use of HOME and CDBG funds for development of new affordable rental housing in specific areas of Iowa City. The model exempts housing for elders and persons with disabilities from location restrictions; also rehabilitation of existing rental housing (whether subsidized or not) is not restricted by the model.

The model was adopted to encourage the construction of low-income housing in parts of the city that have very few such units; but many housing advocates say that it has made development of affordable housing even more difficult by limiting the areas where such housing can be built. Housing advocates also say that land prices are too high in many of the areas to which the City is trying to redirect affordable housing development. This decreases the number of new units that can be built.

- C) Inclusionary zoning should be adopted to increase the supply of affordably-priced units. Inclusionary zoning would require developers to set aside some units for low-income families in exchange for additional density or some other concession in new subdivisions and apartments.¹⁴ Housing advocates constantly encounter “NIMBYism” (Not In My Back Yard) behaviors -where it is difficult to get properties rezoned for multi-family or transitional housing because of community opposition. Having a mandatory inclusionary zoning policy would help organizations identify affordable properties and begin the development process without having to spend time and money in administrative and judicial litigation.

¹⁴ Iowa City Scattered Site Housing Taskforce, Scattered Site Housing Taskforce Final Recommendations.

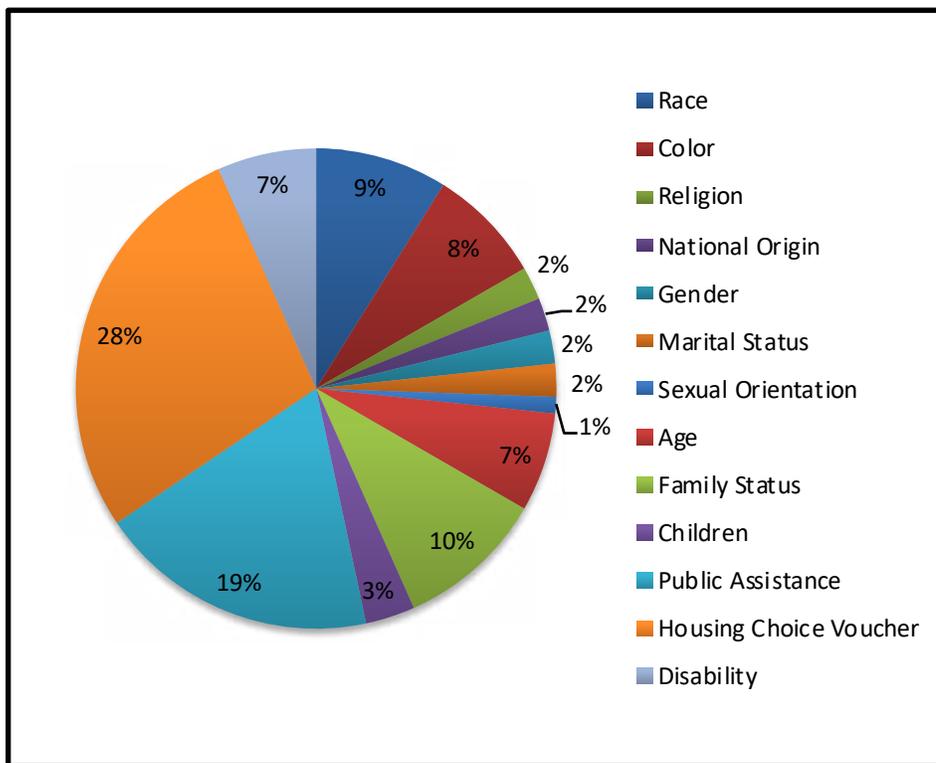
d. Survey Results

Information gleaned from survey of assisted renters

A fairly large number of assisted renters (210) completed and mailed back the survey forms that they received. A copy of the survey form that was used can be found in Appendix 6. Regardless of whether they themselves experienced a discriminatory act or not, 34% of these respondents believed that housing discrimination was a problem in Iowa City today. Discrimination based on use of a Housing Choice Voucher was believed to be the most common form of discrimination (31%), followed by receiving other forms of public assistance (28%), and race, national origin or color (27%). Please note that use of a Housing Voucher is not a protected class under federal, state or local laws. So even if persons with a voucher may feel discriminated against, such discrimination is not illegal.

79% of the assisted renters that responded to the survey reported not experiencing a discriminatory act in the last three years; 21% of the respondents felt that they had been discriminated against. Among those who noted experiencing discrimination, an overwhelming majority felt that they had experienced multiple incidents in a three-year period: 62% felt discriminated against between two to five times and 22% recorded experiencing over five separate incidents of discrimination. The two most perceived reasons for discrimination were both related to receiving some form of public assistance: 28% for using a housing choice voucher and 19% for receiving some other form of public assistance [see Figure 14 below]. It is worth noting that Race and Color were not the most commonly perceived reasons for discrimination. Gender, Marital Status and Sexual Orientation were not perceived to be major reasons for discrimination either.

Figure 14: Perceived Reasons for Discrimination



Many respondents provided brief comments about their experiences. Below are a few of these comments.

“Managements and landlords in Iowa City do not accept Section 8 Housing. Many Managers and landlords don’t want to even consider it. Why do they have Section 8 Vouchers in Iowa City if no one wants to accept it.”

“They get rude and tell you they don’t accept section 8. They hold their hands up & just say ‘No’. Even when you explain that it’s due to disability. They will still say no, you can prove you’re a good tenant but it is soooo hard to find a place that isn’t in a slum or a landlord extorts you.”

"They told me -- Your family is too big -- although these houses are 4 bedroom for 8 household members."

"I went to see the apartment and I was the first person to see it. When I called back to find out if he would rent it to me, he said the landlord was looking to rent to someone older."

"I would set up viewing for an apartment or housing, They would meet me before the showing. Seeing that I'm black they ask me are you on any housing assistance. I say yes. They say Sorry we don't accept that. And they will not want to show the apartment they had listed."

"Quite a lot of property management companies would stop communication with me, or lose their friendliness toward me when I told them I was in the section 8 program."

"Since I am disabled, the landlord felt I couldn't keep unit clean"

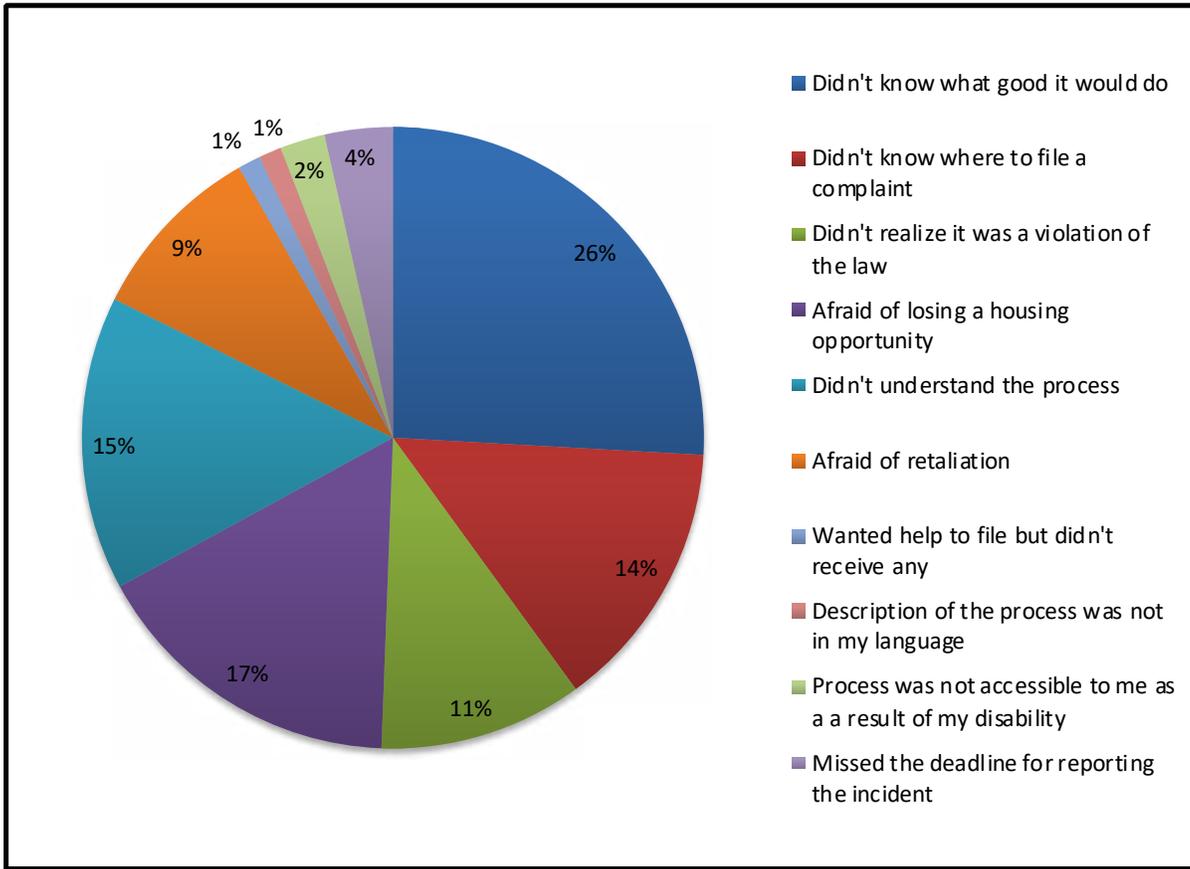
"One woman in whole building complained of draft at windows - she got all new windows. Everyone else complained but no one else got them, although new windows were purchased 4 or 5 years ago and never

installed - her apt. only - rest of windows still in storage. One woman had severe mold around her bedroom window 3 or 4 years and finally they painted over it - gets rental asst. Comment by management: I take care of my kind."

"By never calling me back, after I may have called 4 to 5 times leaving messages about the place. I am black American and I have, a white friend, he told me that, most landlords won't rent to blacks because they tear up the units, they are always fighting and are ignorant. I understand but not every Black American person are not like that."

An overwhelming majority (72.5%) of those that felt discriminated against did not report the discriminatory incident(s); only 27.5% did. The most common reason provided for not reporting the discriminatory incidents was: "Didn't know what good it would do." The next most common reasons were: fear of losing a housing opportunity, not knowing how and where to file a complaint and not realizing that the specific acts of discrimination they experienced were illegal (see Figure 15). Thus, helplessness, fear and ignorance are the major reasons why those discriminated against do not report discriminatory incidents in Iowa City today.

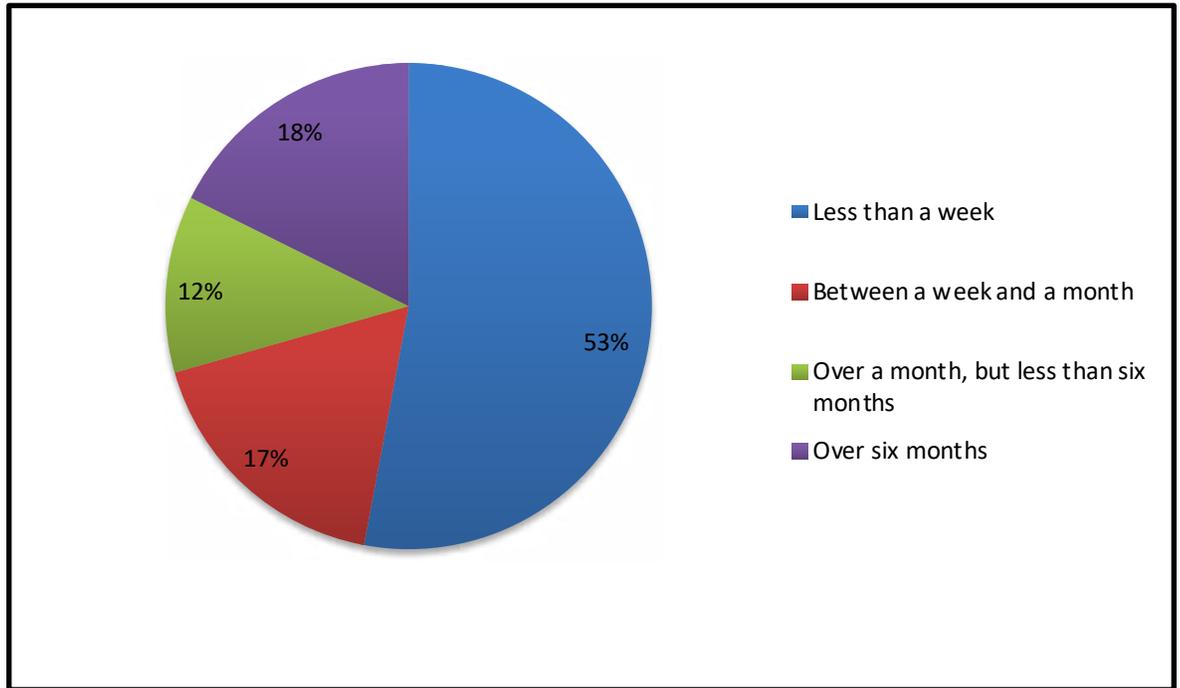
Figure 15: Reasons for not reporting perceived discriminatory incidents



The entity most commonly contacted by those reporting discriminatory incidents was the Iowa City Housing Authority (by 44% of those reporting), followed by the Iowa City Human Rights Commission (19%). That the Iowa City Housing Authority is the most common contact is not surprising since all respondents of this survey received some form of housing assistance. What is surprising though is that less than a fifth of those reporting discrimination chose to report to the Iowa City Human Rights Commission.

When reporting discriminatory incidents, 53% reported within a week of the incident; only 18% waited over 6 months before reporting (see Figure 16 on the next page).

Figure 16: Time elapsed between occurrence and reporting of discriminatory incidents



Many respondents offered comments on how to reduce housing discrimination in Iowa City. The suggestions can be grouped into three categories: increasing awareness about housing discrimination; increasing compliance monitoring and improving methods for reporting of violations; and increase penalties for proven discriminatory incidents. A few suggestions from each category are listed below.

A) Better education:

"Stop judging people because they need help."

"By informing landlords about housing discrimination and the consequences they have to face if they practice it."

"Public education regarding the truth, not myths of specific areas in which discrimination occurs. [For example, one myth is that] Black people are loud, always play loud music or people on disability are lazy and/or crazy."

B) Better enforcement:

"Continuing to monitor all potential discriminatory practices. Just because I have had no problems doesn't mean they don't occur. My opinions are based on hearsay."

"Enforce the rule of Law for the voucher. A Housing authority staff should not say to us: "Ok" go and search for another house with the Landlords who agree to accept our vouc[h]ers."

"This type of form, or a questionnaire sent, as this has been, after renewal agreement. Also, potential renters [should] be informed of rights and to whom or where to report any discrimination."

C) More meaningful punishments:

"Keep pursuing the ones that are doing this to people and continue issuing fines if necessary lock them up in prison now."

"...tough penalties, a discrimination hotline, ability to complain anonymously."

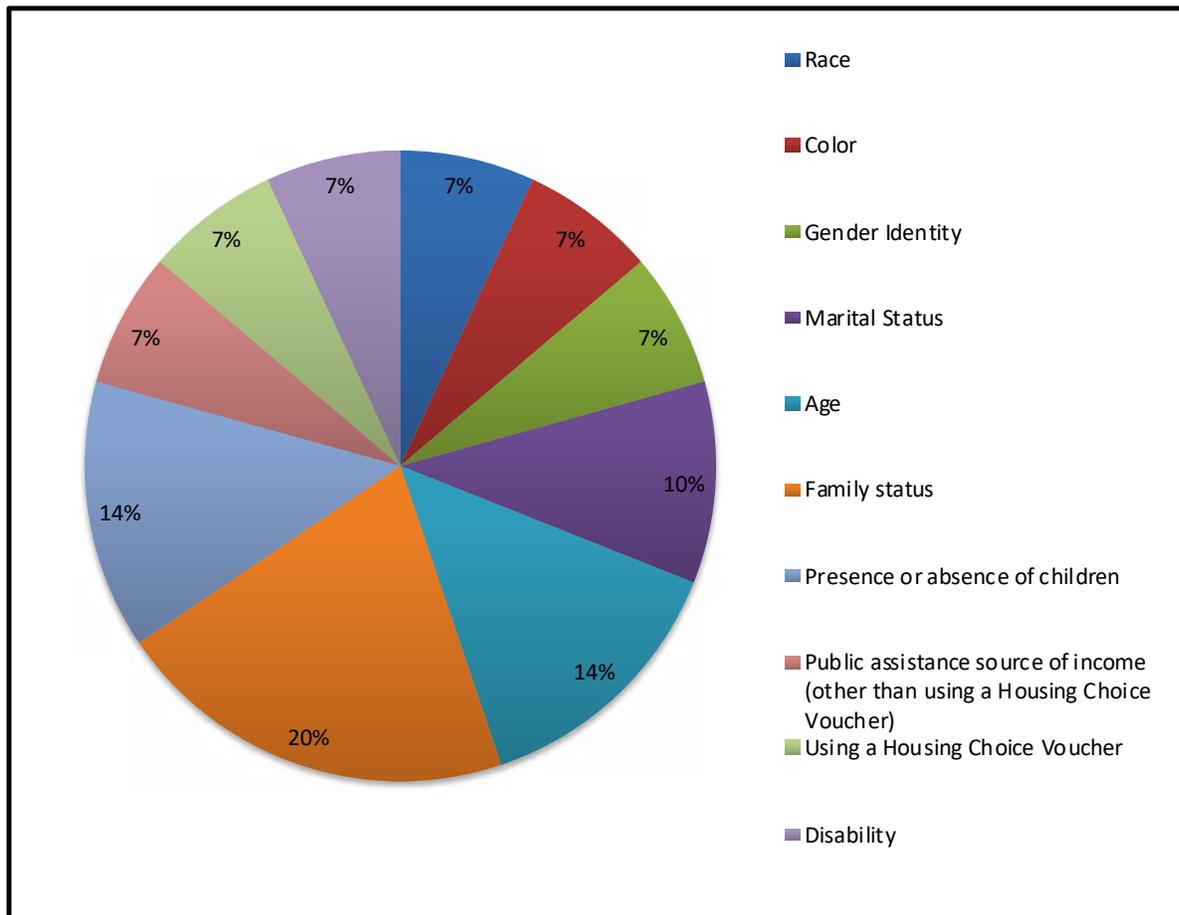
"Creating a specific authority to file complaints..."

Information gleaned from survey of unassisted renters

164 renters completed the online survey form for unassisted renters. The survey form that was used can be found in Appendix 6. 38% of the respondents in this group believed that discrimination was a problem in Iowa City today – regardless of whether they themselves experienced any discriminatory act or not. 13% believed that discrimination was not a problem in Iowa City today and 50% were unsure whether it was or not. Among all respondents, 24% percent believed that race-based discrimination was the most common form of discrimination. Discrimination based on use of public assistance (other than housing vouchers) was believed to be the next most common form of discrimination – 20%.

The vast majority – 88% -- of the respondents in this group reported not experiencing any discriminatory incident personally in the last three years. Among those who noted being discriminated against, an overwhelming majority (74%) felt that they had experienced just one discriminatory incident in the three-year period; 13% felt discriminated against between two to five times and another 13% recorded experiencing over five separate incidents of discrimination. This is in sharp contrast to responses from assisted renters where the majority felt that they had experienced multiple acts of discrimination. The three most commonly perceived reasons for discrimination were family status, age and presence of children (see Figure 17 on the next page). It is worth noting that in this group also, race and color were not the most common perceived reasons for discrimination – on the contrary, these were among the least perceived reasons for discrimination.

Figure 17: Perceived Reasons for Discrimination

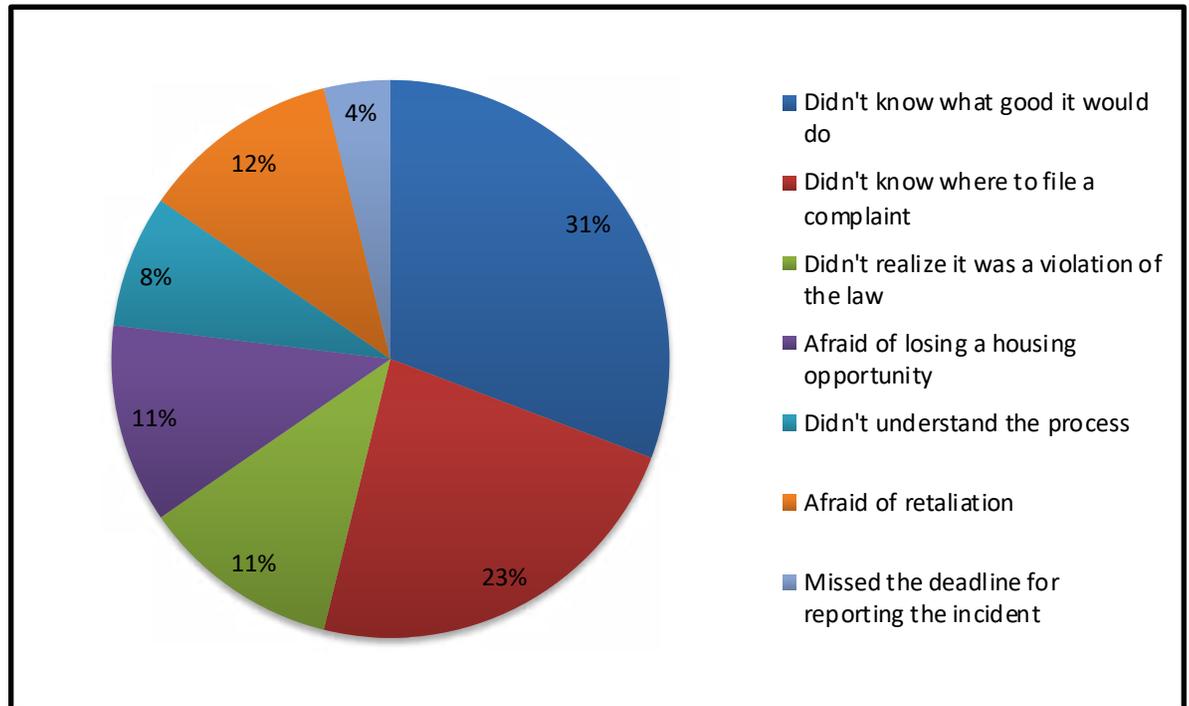


An overwhelming majority (92%) of those that felt discriminated against did not report the discriminatory incident(s). The most common reason provided for not reporting the discriminatory incidents was: “Didn’t know what good it would do.” The next most common reason was: “Didn’t know where to file a complaint” (see Figure 18). Thus, helplessness and ignorance are the two most common reasons why non-assisted renters in Iowa City today do not report discriminatory incidents.

Unassisted renters that reported discriminatory incidents contacted either the Iowa City Housing Authority and/or landlords/property managers. 100% of them reported the incidents between a week

and a month. However, in the survey, only a small number of respondents revealed the agencies they contacted and the time taken to report incidents, so too much cannot be inferred from the above findings.

Figure 18: Reasons for not reporting perceived discriminatory incidents



Similar to assisted renters that responded to the survey, many unassisted renters also provided suggestions on how to reduce housing discrimination in Iowa City. A few of these suggestions are listed below.

A) More education:

“Educate the public about discrimination laws; stop landlords from listing de facto preferences (“perfect for students”) in advertisements”

“Increased access to and awareness of the ability to complain about it. Potentially, legally forcing landlords to provide information on how to report discrimination. This may already occur through posted signs at rental offices, but a small contract acknowledging that tenants know their rights might be offered at every housing showing”

“more education of landlords and property managers about not discriminating and more education for renters about their rights”

B) Better enforcement:

“many landlords feel they can get away with it particularly because many tenants are uninformed and don’t fight back”

“People need to be more proactive about reporting discrimination when it happens. Maybe having a hotline to call to report discrimination and other complaints about landlords would help people”

C) Meaningful punishment:

“Find ways to seriously enforce fair housing opportunity laws. I have been told that many of the thousands of cases reported to HUD every year never get reviewed so I think the property owners aren’t worried about actively”

“Hold landlords in the city accountable - provide an avenue for renters to easily file a complaint and make it well advertised so people know it exists”

E. SECTION IV: Identification of impediments to Fair Housing Choice

A. Public Sector

- a. Zoning and Site Selection**
- b. Neighborhood Revitalization, Municipal and Other Services,**
- c. Employment-Housing-Transportation Linkage**
- d. Iowa City Housing Authority: Housing Options and Tenant Selection Procedures**
- e. Sale of Subsidized Housing and Possible Displacement**
- f. Private Market Affordable Housing**
- g. Property Tax Policies**
- h. Planning and Zoning Boards**
- i. Building Codes regarding Accessibility**

B. Private Sector

- a. Private Restrictive Covenants**
- b. Residential Lending**

C. Public and Private Sector

- a. Fair Housing Enforcement**
- b. Informational Programs**
- c. Visitability in Housing**

A. Public Sector

a. Zoning and site selection

We reviewed the city's zoning code to attempt to identify provisions that could potentially restrict housing choice in Iowa City. We used the following guidelines from HUD's Fair Housing Guide in our review:

- The opportunity to develop various housing types (including apartments, housing at various densities)
- The opportunity to develop alternative designs (such as cluster and planned residential developments)
- If mobile or modular homes are treated as stick-built single-family dwellings
- Minimum lot size requirements
- Dispersal requirements for housing for persons with disabilities in single-family zones
- Limits on number of unrelated persons in a unit based on the size of unit or number of bedrooms

The city's zoning code features five single-family residential zones: RR-1 (Rural Residential), RS-5 (Low-Density Single-Family), RS-8 (Medium-Density Single-Family), RS-12 (High-Density Single-Family), and RNS-12 (Neighborhood Stabilization). The City also has six zones in which multi-family dwellings are permitted: RM-12 (Low-Density Multi-family), RM-20 (Medium Density Multi-family), RNS-20 (Neighborhood Stabilization) RM-44 (High-Density Multi-family), PRM (Planned High Density Multi-family), and MU (Mixed Use).

The city's zoning code permits detached single-family dwellings in all single-family residential zones. The RS-5, RS-8, and RS-12 zones provisionally allow detached zero lots, attached single-family, duplexes and group household dwellings. None of these single-family zones allows new multi-family units. The zoning code permits detached single-family units in all multi-family zones, except in the RM-44 and PRM zones. The zoning code allows attached single-family, detached zero lots, and duplex units provisionally in the RM-12, RM-20, and RNS-20 zones. Multi-family housing could also be located in commercial zones if located above the street level floor of a building. The provisional requirements mentioned above would be expected to impose limited costs to developing housing, except for attached single-family unit in RS-12, RM-12, RNS-20, RM-20, and MU zones, where if four or more units are attached, a certain percentage of the façade must be constructed with brick, stone or masonry. Overall, the zoning code facilitates the production of diverse housing options, a goal that is also stated in the city's Comprehensive Plan. Indeed, from 2011 to 2013, the City of Iowa City issued 384 single-family permits and permits for the development of 690 multi-family units; and these multi-family units are located citywide.

Iowa City allows alternative designs through its Planned Development Overlay Zone (OPD) regulations. An OPD may be requested for any properties zoned residential or commercial, as long as the property contains an undeveloped area of two acres or more, or between one to two acres if certain features, like environmentally sensitive areas, are present. Planned developments must fall into one of the following categories: sensitive areas development, conservation development, neo-traditional development, mixed-use development, infill development or alternative ownership developments such as manufactured housing parks and condominium development (multiple units on the same lot). The OPD regulation allows higher densities and other variances from the zoning code and can lead to a mix of incomes.

The zoning code's definition of mobile home allows mobile homes to be classified as a detached single-family dwelling if converted to real property and taxed as a site-built dwelling. The zoning code treats a modular home as a detached single-family dwelling, too, as long as it is placed on a permanent foundation or slab and is not mobile. While the zoning code does not appear to be overly restrictive for these low-income housing options, the code does not account for terms included in covenants for new subdivisions (see discussion about restrictive covenants in a subsequent section).

Minimum lot requirements for single-family housing in Iowa City appear to be reasonable and not directed at excluding protected populations from owning homes (see Table 7).

Table 7: Minimum lot requirements for single-family housing in Iowa City

Type of unit	RS-5	RS-8	RS-12	RNS-12	RM-12	RM-20	RNS-20
Detached, single-family	8,000	5,000	5,000	5,000	5,000	5,000	5,000
Attached, single-family	6,000	4,350	3,000	N/A	3,000	1,800	2,500
Duplex	12,000	8,700	6,000	6,000	6,000	3,600	5,000

Source: City of Iowa City Zoning Code. Note: Detached, single-family includes zero lot dwellings

The city has no dispersal requirements for housing for persons with disabilities in single-family zones. The zoning code provisionally allows group households in all single-family zones, as long as the residents of the home live as a family or household (for disabled, the “family” means up to eight persons with verifiable disabilities) and the development does not contain separate apartments.

The city’s definition of family limits the number of unrelated persons allowed to reside in a housing unit to a maximum of three. Use of this definition of family could prohibit low-income persons that are unrelated by blood, marriage or adoption, from pooling resources to share a house.

Affordable Housing Location Model

In February 2011, the City adopted a policy for the location of affordable housing for low-income residents funded by CDBG, HOME and discretionary city funds. The process of crafting this policy began with three specific objectives regarding the location of affordable housing in Iowa City:

- to not increase the burden on neighborhoods and elementary schools that already have issues related to concentration of poverty;
- to make neighborhoods more diverse in terms of household income levels; and
- to incorporate the views of the Iowa City Community School District (ICCS) about the location of affordable housing.

Based on these three goals, seven factors for locating affordable housing were identified:

- Distance to existing subsidized and assisted housing (namely transitional, rental, shelter and public housing units) locations excluding projects developed for the elderly and disabled persons. New assisted rental housing needs to be located at least 400 feet (or roughly one city block) away from existing subsidized and assisted rental housing;
- Median household income based on US Census data;
- The change in residential sale prices based on Iowa City Assessor records;
- Mobility, as represented by rate of annual turnover at each elementary school from ICCSD data;
- Elementary school academic performance, as indicated by Iowa Test of Basic Skills (ITBS);
- ICCSD data for percentage of students on free and reduced lunch at each elementary school;
- Crime density based on service calls to Iowa City Police Department pertaining to drugs, alcohol offenses, property crimes and personal injury.

Using these factors, Iowa City created an Affordable Housing Location Model (Res. No. 11-51). The model weights these seven factors differently - 40% weight to distance from existing rental housing, 20% for the mobility rate, 10% for household income, 10% for change in sale prices, 10% for crime density, 5% for ITBS performance, and 5% for free and reduced lunch rate. The entire area within the city was divided into 80-foot by 80-foot squares and each square assigned a score based on these weighted factors. Using this, an Affordable Housing Location Model map was created and a threshold score for funding was established; if a rental project sought funding at a square with a score below the threshold score, it would not be funded.

In effect, the Affordable Housing Location Model map could prevent the location of additional assisted rental housing in almost the entire southeast quadrant of Iowa City. In the rest of the city, there is very little undeveloped land zoned for multi-family uses. In places where multi-family zoned land exists, there are two possible problems: a) NIMBY attitudes that would impede future affordable housing development and b) high land prices that preclude construction of affordable housing.

Assisted rental housing projects for the elderly and disabled, projects for rehabilitation of existing rental (private market or subsidized) housing and projects for new construction or acquisition of owner-occupied housing are excluded from the model. When the model was adopted by the city in February 2011, housing projects approved for funding that had not identified a site were required to find one that conformed to the model.

To quantify the impact of these new policies on multi-family development, we decided to document all of the land that was, as of April 2013, zoned for multi-family where funding would be available. To do this, we overlaid the Affordable Housing Location Model map with the city's zoning map (current as of April 22, 2013). All of the land currently zoned for multi-family residential (RM-12, RM-20, RM-44, MU, and PRM zoning) where funding would be available for assisted rental housing was first identified and then measured for area using the Johnson County Property Information Viewer.¹⁵ The land area identified as multi-family does not include public right of way or land with a rezoning application in progress. Nor does the total land area reflect the current land use of the property—it is simply noted as developed, undeveloped or partially developed as judged by aerial photos from the Johnson County Property Information Viewer.

What we found was this: Iowa City is approximately 24.4 square miles (15,616 acres) in size. There were 581 parcels covering roughly 299.24 acres (or about 1.91% of the total land area of Iowa City) zoned for multi-family residential use that are eligible for funding based on the Affordable Housing Location Model map. There were 287 parcels covering about 226.55 acres zoned for multi-family use and eligible for affordable housing funding located outside of the Central Planning District. Of these 287 parcels, 259 parcels (150.5 acres) appear to be developed, 24 parcels (59.1 acres) appeared to be partially developed, and four parcels (16 acres) to be undeveloped. There are 294 parcels covering 72.69 acres zoned for multi-family and eligible for funding located within the Central Planning District, although all of these appeared to be developed. (See Appendix 1 detailing all of the sites available for multi-family housing funding and zoned for multi-family use).

A study from December 2007 titled "Affordable Housing Market Analysis" for the Iowa City Metro area stated, "There is an absence of developable land zoned for multi-family housing and available for purchase in Iowa City." The Affordable Housing Location Model map seems to have made development of new assisted rental housing even more difficult.

b. Neighborhood revitalization

Neighborhood revitalization is a phrase that brings to mind rebuilding of dilapidated structures or replacement through gentrification. Iowa City does not have any dilapidated or gentrifying neighborhoods. However, neighborhoods that are not dilapidated or being gentrified can also be revitalized.

The City of Iowa City works through various city offices, councils, and commissions to build, maintain, and invigorate the diverse population and residential sections of the city. The Department of Planning and Community Development administers and coordinates activities related to local, state, and federal community development program funding. This office also coordinates many community activities aimed at assisting low to moderate income households, small businesses, and nonprofit organizations. For example, it oversees the Housing Rehabilitation program that provides financial assistance to homeowners to maintain and update their homes with CDBG/HOME funds. Another program it oversees, the Targeted Neighborhood Improvement Program, is a CDBG/HOME program that provides funds to low- and moderate-income homeowners for maintenance and repairs of homes. A unique feature of the program is that half the loan amount is forgiven after five years. The program targets certain older neighborhoods in the city. Participants that meet CDBG/HOME income guidelines and live in targeted neighborhoods qualify for higher assistance amounts. Two other city programs help revitalize communities – the UniverCity program and the General Rehabilitation and Improvement Program (GRIP). Through the UniverCity program, the city buys rental homes in certain neighborhoods, rehabs them and sells them as owner-occupied units for households below a certain income threshold. Since 2010, the city has purchased 46 houses, sold 31 and is currently rehabilitating 15.

The GRIP program complements the CDBG/HOME programs without the same level of income targeting and helps implement the city's Housing Rehabilitation and Historic Preservation programs.

¹⁵ We did not include RNS-12 or RNS-20 zoning.

The City of Iowa City works with formalized and organized neighborhood associations. While not all Iowa City neighborhoods are included in a neighborhood association, this community device is a good way to maintain community cohesion. Many of the neighborhood associations have regular meetings and newsletters adding other avenues of interaction for social capital building and cohesion.

c. Iowa City Housing Authority: Housing Options and Tenant Selection Procedures

The Iowa City Housing Authority (ICHA) is the local Public Housing Authority (PHA). ICHA's jurisdiction is all of Johnson County and Iowa County and the portion of Washington County that is north of Highway 92. ICHA manages a small portfolio of public housing units and administers a large number of housing choice vouchers.

ICHA Public Housing Units: The ICHA, as noted earlier, currently manages 81 public housing units. As of February 2013, 79 of the 81 public housing units were occupied. The waiting list for these units was closed in October 2012¹⁶, and opened on October 11, 2013¹⁷. The majority of those on the waiting list are families with minor children or individuals with disabilities. When a unit becomes available, wait-listed applicants for public housing are first sorted by bedroom size, preference category, and date of application. ICHA conducts a five-year criminal background check through the Iowa Department of Criminal Investigation and the Federal Bureau of Investigation.

According to the ICHA's website, ICHA uses the following preference categories¹⁸:

- 1) Displaced: Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws. This preference is only for disaster victims in the State of Iowa;
- 2) Families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1);
- 3) Adult families (2 or more household members) with no children under 18 years of age who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 4) Elderly, or disabled families who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 5) Families with children under the age of 18 or who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 6) Adult families (2 or more household members) with no children under 18 years of age who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 7) Single, non-elderly, non-disabled families with no children under 18 years of age regardless of residency.

From the ICHA website, it is not very clear if the preference categories are prioritized as listed in the list above; i.e., are displaced persons (list as #1) prioritized over elderly or disabled families that are not residents in ICHA's jurisdiction. Email communication from ICHA's administrator indicated that ICHA's primary preference category is: "Families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction"¹⁹.

ICHA provides applicants their position number on the waiting list. However, wait times cannot be predicted and so are not indicated to the applicants.

ICHA Housing Choice Voucher Program: ICHA manages two voucher programs – the Housing Choice Voucher program and the Veterans' Affairs Supportive Housing program.

The ICHA manages 1,215 vouchers through the Housing Choice Voucher (HCV) program. Demand

¹⁶ Iowa City Housing Authority Annual Report 2013, p. 10.

¹⁷ Whether it is still open in February 2014 is not known.

¹⁸ Iowa City Housing Authority, Preference Categories Waiting List Information. Available at: <http://www.icgov.org/?id=1194>. Last accessed on December 10, 2013

¹⁹ Email communication from the ICHA administrator forwarded to the consultants by Ms. Tracy Hightshoe on November 8, 2013.

for vouchers far exceeds supply and ICHA has a long waiting list of voucher applicants. The waiting list for the HCV program was closed in October 2012²⁰, and opened on October 11, 2013.

Wait-listed applicants for the HCV program are first sorted by local preference category, then by date of application. Then, just as in the case of Public Housing, ICHA conducts a five-year criminal background check through the Iowa Department of Criminal Investigation and the Federal Bureau of Investigation. According to the ICHA, the preference categories for the HCV program is the same as for Public Housing; and the “primary

preference category is families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction.”²¹

For the HCV program too, ICHA provides applicants their position number on the waiting list.

ICHA’s website provides information for voucher recipients to help locate landlords. Links are provided for affordable family housing, housing for elders and disabled persons, project-based affordable housing developments and general rental listings.

Between July 1, 2011 and June 30, 2012, 664 new and moving vouchers were issued. Of these 664 vouchers issued in 2011-2012 (representing about half of all vouchers), only 88% were utilized. 12% of the recipients were unable to find a unit. However, according to the ICHA²², it is nearly impossible to know if the failure to find a unit was because the individuals faced income source or some other form of discrimination, or because they conducted bad searches, had unreasonably high expectations of the kind of housing that could be found, had bad credit, bad landlord references or could not provide the security deposit. Voucher recipients typically need to find a housing unit within 120 days of allotment; but a recipient conducting an active search for a unit is sometimes given a time extension if experiencing trouble finding an appropriate unit. Also, certain local agencies (such as Shelter House and United Action for Youth) occasionally help some voucher recipients in the housing search process.

As noted on the previous page, the ICHA also manages 50 Veterans’ Affairs Supportive Housing vouchers (VASH). According to the ICHA²³, in October 2012, the HUD-VASH program implemented the Housing First concept for the delivery of services. Housing First places permanent housing with support services at the foundation for success and stability, including better access and outcomes with treatment services. The Housing First model minimizes barriers to recovery and focuses on access, rapid engagement, and then sustainment of community-based permanent housing. That means that veterans can move from the streets or shelters directly into permanent housing as quickly and safely as possible. Housing First helps VA focus HUD-VASH on veterans experiencing the most significant challenges to housing stability, including chronic homelessness, severe mental illness, and other significant barriers. In order to participate in the program, applicants must commit to the VA’s 5-year case management program, be income eligible, and not be subject to any lifetime sex offender registry listing requirement.

Key characteristics of the head of households for participants from all ICHA programs across all of ICHA’s jurisdiction (and not just Iowa City) between October 1, 2011 and January 31, 2013 were as follows ²⁴:

• White Head of Household	790 (57%)
• Households without Minor Children	732 (57%)
• One Person Households	673 (52%)
• Working Households	622 (48%)
• Disabled Heads of Households	569 (44%)
• Households with Minors	(563 (43%)
• Non-Disabled/Non-Elderly Heads of Households	534 (41%)

20 Iowa City Housing Authority Annual Report 2013, p. 10.

21 Email communication from the ICHA administrator forwarded to the consultants by Ms. Tracy Hightshoe on November 8, 2013.

22 Ibid.

23 Ibid.

24 Ibid.

- Black/African-American Head of Household 453 (35%)
- Elderly and Disabled Head of Household 117 (9%)
- Elderly Head of Household 75 (6%)
- All Other Races Head of Household 39 (3%)

The percentage of Non-White and disabled heads of households (listed above) is much higher than in the general population. From this we believe that protected classes are generally not being denied the opportunity to participate in ICHA programs. However, we note some concerns about the residency preference based on how ICHA has two categories of people in its waiting lists for the HCV and the Public Housing programs. We discuss this in the next few paragraphs.

As of February 8, 2013, there were 814 resident applicants on the waiting list for ICHA’s HCV program. An additional 4,952 applicants were on this list, but were either non-residents, or single non-elderly, non-disabled families. Correspondence with the ICHA administrator revealed that:

- a) the 814 resident applicants are primarily from preference category #2 (i.e., families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1));
- b) that the 4,952 additional applicants were from preference categories 3 thru 7.
- c) and that “The simple fact is regarding applicants, is we do not foresee a time when all applicants in the following category will ever be exhausted. This category is our pool of applicants...:

Families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1).”

The primary difference between applicants in preference categories 2 and 3 and those in preference categories 4,5 and 6 is residency. The ICHA was not able to provide demographic data on the additional 4,952 applicants in the waiting list that are from categories 3-7. Since these additional 4,952 applicants include those from preference categories 4, 5, and 6 that could be comprised of a majority of protected class members, it may well be that many protected classes are in effect being denied or delayed access to the HCV program because of the residency preference.

d. Sale of subsidized housing

Since 1998, the Iowa City Housing Authority (ICHA) has sold 26 public housing units. The last unit was sold in August 2006. The units were sold through the tenant-to-owner program, so individuals living in the units were given preference for purchasing them. All units had a 15-year affordability period attached to them when sold. The ICHA has no intentions at present to sell any more units, primarily because the maintenance funding mechanism through HUD provides a per-unit allowance and the current size of the public housing portfolio (of 81 units) is viewed as a good minimum size to run as an efficient public housing program.

e. Private Market Affordable Housing

As of May 2013, there were 1,187 private-market, assisted housing units in Iowa City (see Table 8), created through various programs, such as Low-Income Housing Tax Credits and Project-Based Section 8. Many of the housing units are managed by private property management companies; some are managed by non-profit organizations. Housing Choice Vouchers are accepted at all units except Project-Based Section 8 units. A total of 351, or about 30%, of privately-assisted housing units are reserved for the elderly. Tenant selection requirements for privately-assisted housing vary, although all require tenants to be at or below a certain percentage of Area Median Income (AMI).

Table 8: Private market, assisted units in Iowa City, 2013

Privately-Assisted Housing	Total Units	# of Active Vouchers	Type of Units	Vouchers accepted	Elder housing
Aniston Village	22	13	Separate houses	✓	
Autumn Park Apartments	64	0	1 BR		
Berry Court	14	11	Multiple options	✓	
Builders of Hope	6	2	SRO	✓	
Capitol House	81	0	1 BR		✓
Charm Homes	4		SRO		
Concord Terrace Apartments	30	22	1 & 2 BR	✓	✓
Corridor Woods	6	5		✓	
Ecumenical Towers	81	0	Studio & 1 BR		✓
Emerson Point	54	18	1 BR	✓	✓
Extend the Dream Foundation	3				
Hawkeye Area Community Action Program, Inc	51	7	Multiple options	✓	
Iowa City Housing Authority	81	0	Multiple options	n/a	
ISIS	10	10	Multiple options	✓	
Lexington Place	30	18	1 & 2 BR	✓	✓
Mayors Youth Program	4		SRO		
MECCA	12	3	Multiple options	✓	
Melrose Ridge	18	15	1 & 2 BR	✓	
Pheasant Ridge Apartments (market rate)	17	10	1, 2, & 3 BR	✓	
Pheasant Ridge Apartments (project based)	231	0	1, 2, & 3 BR		
Regency Heights	37	16	1 & 2 BR	✓	✓
Regency Heights II	38	14	1 & 2 BR	✓	✓
Saratoga Springs	16	9	Multiple options	✓	
Shelter House	6		SRO		
Successful Living	37	20	Multiple options	✓	
Systems Unlimited	18	2	Multiple options	✓	
Systems Unlimited	48	0	Multiple options		
The Housing Fellowship	77	51	Multiple options	✓	
United Action for Youth	7		SRO		
Wetherby Condos South LLC	56		Multiple options		
Whispering Garden	12	7	Multiple options	✓	
Witting Rentals	16		SRO		
Total	1,187	253			

Note: Housing Choice Vouchers are not accepted for Project-Based Section 8 housing units

f. Property Tax Policies

Real estate property taxes are not direct impediments to fair housing choice, but taxes do impact housing affordability and influence households' housing choices. Tax increases as a result of rate changes or higher property assessments may be burdensome to low-income homeowners; and tax increases are often passed on to renters through monthly rent costs. Since property taxes are levied without regard to a family's income, property taxes for lower-income families constitute a larger share of their income than for higher-income families, making them "regressive" taxes.

Tax forgiveness or other tax relief policies can help lower-income homeowners. Such policies can be part of an overall, much larger strategy to promote fair housing because they help to preserve homeownership opportunities for groups like minority families, elderly homeowners, low-income households, and persons with disabilities, who otherwise would have only rental options. Additionally, some tax policies provide relief to eligible renters.

Tax assessment process for real property and mobile/manufactured homes: Real estate taxes are levied on land and buildings and provide primary revenue streams for counties, municipalities, and school districts throughout Iowa. County assessment offices establish the market value of each property and then apply a pre-determined ratio to establish a property's assessed value. The taxable value is the value determined by the auditor after application of state ordered "rollback" percentages for the various classes of property. In Iowa City, the taxable value of residential property after the rollback is 52.817% of the assessed value. Thus for example, the taxable value of a property assessed at \$100,000 equals \$52,817.

In Iowa City, a property tax is levied on all real property, though there are some exceptions. For example, affordable rental housing owned and managed by most non-profit housing organizations is exempt from property tax. Property taxes are payable in two equal installments; the first due in September, the second in March of the next year for taxes assessed the previous fiscal year. Several entities receive the tax, including the School District, the City, and the County. The Iowa Department of Revenue's

"An Introduction to Iowa Property Tax" summarizes property tax laws and procedures, and can be viewed online at <http://www.iowa.gov/tax/educate/78573.html>.

Owners of a mobile home or manufactured home located within a mobile home park pay an annual tax based on the square footage of the home and annual household income.

Property tax relief programs that increase access to housing: Many Iowa City residents can take advantage of property tax relief policies made available through state tax codes. Iowa law provides for a number of exemptions and credits, including Homestead Credit and Military Exemption; a brief description of these is provided in Appendix 2. It is the property owner's responsibility to apply for these as provided by law. Application forms for exemptions and credits are available online from the Iowa Department of Revenue: <http://www.iowa.gov/tax/forms/propexcredit.html>.

Impacts of property tax on renters: Renters indirectly pay property taxes as a portion of the rent, and increases in property taxes on landlords may be passed on to tenants in the form of rent increases. Property tax increases can impact landlord/tenant cost burdens several ways, including: a) the landlord absorbs the increase; b) the landlord and tenant divide the increase; c) the increase is passed along entirely to the tenant; and d) the rent increase exceeds property tax increase. The condition of the rental market may impact how rents are affected by property tax increases. In a tight rental market, which may best describe the market in Iowa City, landlords can likely pass property tax increases on to renters.

Some rental units are exempt from property tax, which may benefit tenants. The Iowa Low-Rent Housing Exemption, in particular, exempts property owned and operated or controlled by a nonprofit organization providing low-rent housing for persons at least 62 years old or persons with physical or mental disabilities. Many assisted housing units in Iowa City, especially those built with HOME funds, are exempt from property taxes.²⁵

g. Planning and Zoning Boards

Iowa City has several boards that weigh in on land development decisions. These boards are

²⁵ This property tax exemption sometimes helps projects meet local match requirements for HOME funding.

populated by lay citizens that are appointed by the City Council. The boards are helped in their efforts by well-qualified city staff. The boards include:

- The Planning and Zoning Commission
- The Board of Adjustments
- The Historic Preservation Commission
- The Housing and Community Development Commission

Meetings of these boards and commissions are open to the public and records of all business conducted by them are easily available from the city. Our research did not find any indications that planning and zoning boards in Iowa City were making decisions that were suspect from a fair housing perspective.

h. Building Codes regarding Accessibility

In December 2009, Iowa City adopted the International Building Code, 2009 edition, and the international residential code to provide for the protection of the health, safety and welfare of the citizens of Iowa City. The provisions in the code are intended to implement design features that provide accessibility, usability and visitability for all. All housing projects given public funds from the City of Iowa City need to adhere to the minimum accessibility requirements for all dwelling units. A detailed list of all accessibility requirements is contained in Appendix 3. From our analysis of the building code, we conclude that the building code fosters greater accessibility.

B. Private sector

a. Restrictive Covenants

Many new subdivisions in Iowa City have restrictive covenants. Between January 1, 2009 and April 20, 2013, Iowa City approved final plats for 15 new residential subdivisions. Of these, six (or 40%) have restrictive covenants running with the land (Table 9).

Table 9: Covenants for subdivisions approved in Iowa City from 2009-2013

Year	Subdivision	Covenants
2009	Country Club Estates 3rd Addition	no
	Mount Prospect Part 4	no
	Stone Bridge Estates Part 6	yes
	Hickory Pointe	no
2010	None	
2011	Terra Verde	no
	Rochester Ridge Parts 1 and 2	yes
	Stone Bridge Estates Part 7	yes
	Mackinaw Village Part 3	no
	Walnut Ridge Part 22	no
2012	Mackinaw Village Part 4	yes
	Peninsula Neighborhood Parts 3-5	no
	Cardinal Pointe South Part 3	no
	Brookwood Pointe 2nd Addition	Yes
	Rochester Ridge Part 3	No
	Windsor West Part 2	yes

Source: Johnson County Recorder's Office

In all six subdivisions, the covenants restricted construction and use to single-family residential. Some of the covenants went a step further. One banned industry, business, trade or a profession that would cause annoyance or nuisance to neighbors or entail more than occasional clients or customers. Another disallowed business signage and any "obnoxious or offensive" trade or any business that would draw the general public to the house. All of the covenants required owners to join the Homeowner's Association and pay membership fees and assessments or face a lien on the lot. One covenant allowed no more than three persons unrelated to the owner in possession of the lot to occupy or reside in the dwelling. Clearing, renovating or rebuilding after a fire or natural disaster damage within 90 days of the event was mandated in three of the covenants.

All but one of the covenants placed a minimum on total built-up living area; this ranged from 1,000-1,500 square feet for a one-story structure and 1,400-2,000 for a two-story structure.²⁶ No detached garages, trailers, mobile homes, sheds, shacks or other outbuildings apart from the principal single-family structure were allowed by any of the covenants. Attached garages with a minimum capacity of two cars (but not more than three cars) were mandated by all but one of the covenants. All but two covenants required garages to be serviced by a concrete driveway, and one covenant specified a 20-foot width for the driveway.

All but one covenant restricted the height of the structure to not more than two stories, or not more than two stories and an exposed basement to the side or rear. There were three covenants with setback requirements: minimum front setbacks from 20 feet to 30 feet and side setbacks from five feet to seven feet—just one covenant had a rear setback requirement, which was 20 feet. All but one covenant had limits on materials that could be used for the exterior surfaces of a house: three limited material to brick, stone or horizontal lap siding, with front elevations consisting of between 25% and 50% brick, stone or a combination thereof; another restricted exterior material to some portion in brick with the remainder of vinyl, steel, aluminum, brick, stone, or other permanent type siding

²⁶ The total does not include garages, breezeways, screened porches, open porches, decks, or third story square footage.

material of similar quality. One covenant disallowed flat-roofed dwellings and required a minimum roof pitch.

All but one covenant had clauses mandating that the homeowner plant trees, ranging from one to five trees, and specified the size of the tree that could be planted. Homeowners were responsible for installing sidewalk along the lot's frontage to a specified width in two of the covenants. All but two covenants required yards to be sodded and well-maintained. Only fences made of poly-covered black or green chain link, four feet in height, were allowed by four of the covenants. An exterior decorative yard light with photoelectric sensor and black pole on each lot was required by one covenant.

All of these covenants tend to raise the price of the dwelling unit. Past research in other locations seem to suggest a significant price escalation from such covenants. For example, a regression analysis of properties in Baton Rouge, LA showed that restrictive covenants accounted for a 6% difference in price between similar houses in comparable neighborhoods even ten years after the neighborhoods were originally developed.²⁷ Price increases of this magnitude may have exclusionary effects on protected populations.

b. Residential Lending

It is well known that protected classes often have lesser access to home loans and if they do, often at higher costs. In this section of the report we examine if this is the case in Iowa City. For this, we used data collected and made publicly available by the Home Mortgage Disclosure Act of 1974, commonly referred to as HMDA. By requiring banks and other financial institutions to report the race, gender, age, and other characteristics of loan applicants, HMDA data enables detection of discrimination.

We analyzed 2009-2011 loan activity reported in HMDA disclosures for the Iowa City MSA. Because several census tracts were not fully contained within the City of Iowa City and because HMDA data was not available for areas smaller than census tracts, all figures refer to the Iowa City MSA except where noted. Below we provide an overview of the housing lending activity and describe loan denials by race, ethnicity, and gender.

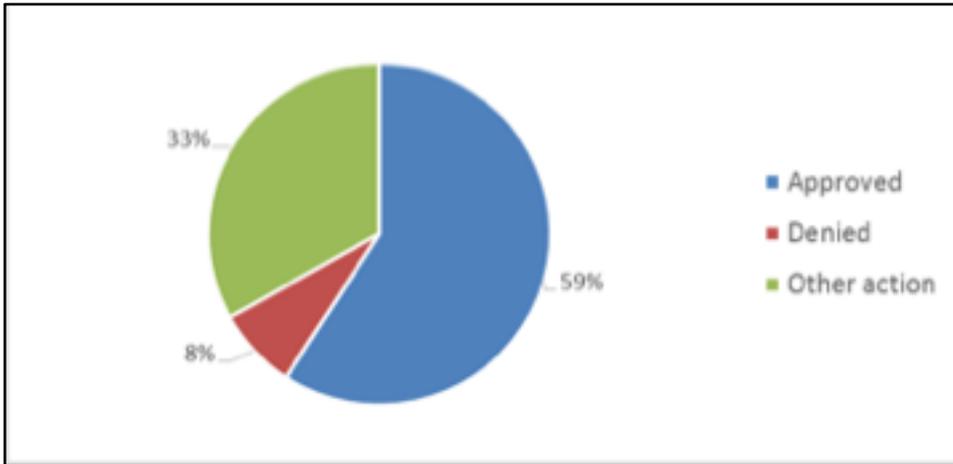
Tabulations of loan applicants by race, ethnicity, gender, and income were created using HMDA in conjunction with population data from the American Communities Survey (ACS) population five-year estimates for 2010. Because income is an important factor in qualifying for a loan we grouped loan applicants into income groups for better comparisons. Loan applicants were grouped into five categories based on Iowa City MSA's area median income in 2010. These income group categories were: < 30% AMI, 30% to 50% AMI, 50% to 80% AMI, 80% to 100% AMI, and > 100% AMI.

Housing loan activity in the Iowa City MSA

Between 2009 and 2011, a total of 34,873 housing loan applications were reported for the Iowa City MSA. 40% of all loan applications were made to banks in Iowa, and 60% to banks incorporated out of the state. Applicants requested loans totaling \$5.4 billion dollars. 59% of all housing loan applications were approved, 8% were denied, and 33% were either withdrawn or deemed incomplete or rejected by the applicant (see Figure 19).

²⁷ Hughes, William & Jeffrey Turnbull. 1996. *Uncertain Neighborhood Effects and Restrictive*

Figure 19: Approval status of all housing loans in Iowa City MSA



Housing loans are classified into four types: a) Conventional loans are loans that are not insured by the government; b) FHA loans that are insured by the Federal Housing administration; c) VA loans that are insured by the Veteran’s Administration and c) FSA/RSH loans that are insured by the Farm Service Agency or the Rural Housing Service. Conventional loans comprised 89% of all loans in Iowa City MSA between 2009 and 2011, while FHA loans made up 7% and VA and FSA/RHS loans made up the remaining 2%. Over 61% of all conventional loans, about 41% of FHA loans, 51% of VA loans and 48% of FSA/RHS loans were approved (see Table 10).

Table 10: Status of all loans by type

Loan Type	Approved		Denied		Other action		Total
	Number	Percentage	Number	Percentage	Number	Percentage	
Conventional	19029	61.02%	2270	7.28%	9888	31.71%	31187
FHA	1019	40.89%	345	13.84%	1128	45.26%	2492
VA	291	50.96%	41	7.18%	239	41.86%	571
FSA/RHS	299	47.99%	34	5.46%	290	46.55%	623
Grand Total	20638	59.18%	2690	7.71%	11545	33.11%	34873

98% of all Iowa City MSA housing loans were for one- to four-family structures. Manufactured housing and multifamily housing loans made up the remainder. 93% of housing loans were made by applicants intending to live in the structure, while 6% were for non-owner-occupied structures.

Refinancing loans made up the majority, 63%, of all housing loans between 2009 and 2011. Home purchase loans comprised only 32% of all housing loans while home improvement loans made up 5%.²⁸

Approval rates for home purchase, refinance, and home improvement loans varied between 53% and 69% (see Table 11). HMDA data indicates that home improvement loans were more likely to be denied by the lending institution, while home purchase and refinance loans were more likely to have another issue preventing them from going through.

Table 11: Status of all housing loans by purpose

Loan Purpose	Approved		Denied		Other action		Total
	Number	Percent	Number	Percent	Number	Percent	
Purchase	7714	69.00%	546	4.88%	2919	26.11%	11179
Improvement	1317	72.52%	241	13.27%	258	14.21%	1816
Refinancing	11607	53.05%	1903	8.70%	8368	38.25%	21878
Grand Total	20638	59.18%	2690	7.71%	11545	33.11%	34873

²⁸ Hughes, William & Jeffrey Turnbull. 1996. Uncertain Neighborhood Effects and Restrictive

Housing loan applications by males outnumbered those made by females by almost three to one from 2009 to 2011 (see Figure 20 below). And women were denied loans 30% of time when their incomes were below 30% AMI, almost twice the rate as men (Figure 21 on the next page). Above 30% AMI, men and women were both denied loans at about the same rate; and the denial rate steadily declined from approximately 15% to 8% as incomes increased.

Figure 20: Loan applications by gender, 2009-2011

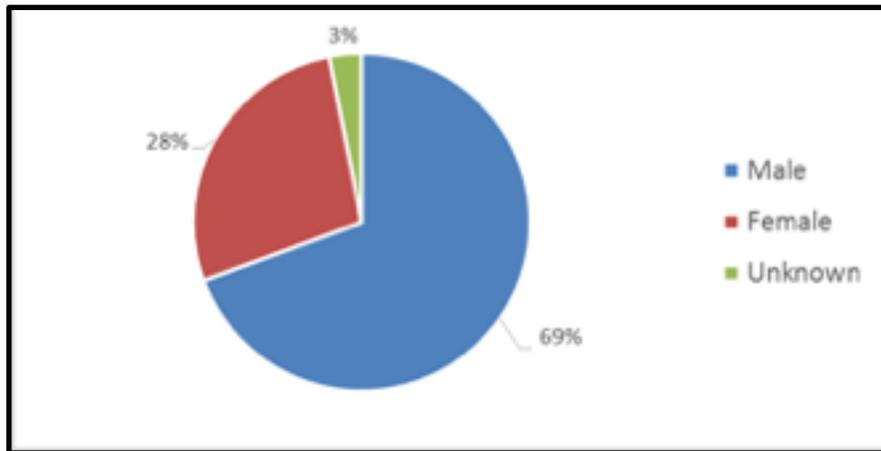
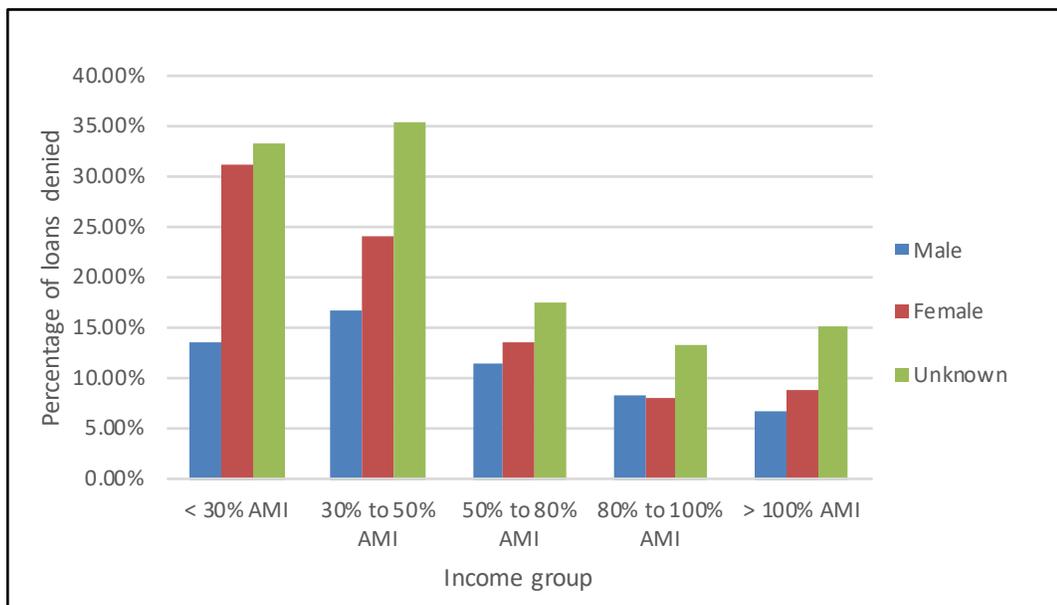


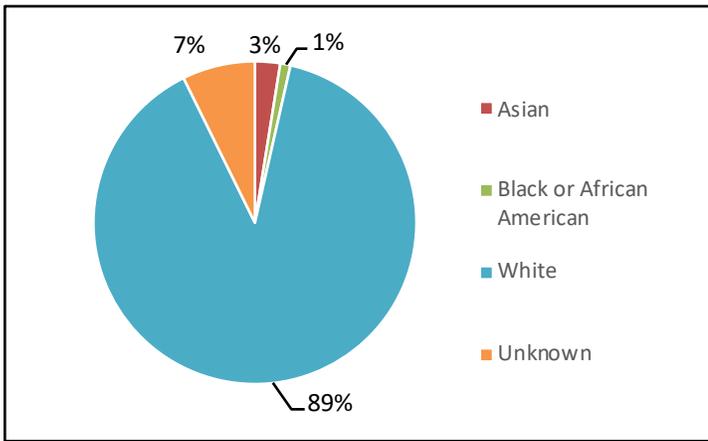
Figure 21: Housing loan denial rate by gender and income



About 89% of loan applicants in the Iowa City MSA were White, followed by Asian applicants at three percent (Figure 22). Black applicants made up about 1% of housing loan applicants, while American Indian and Alaska Native and Native Hawaiians or other Pacific Islanders were each less than 1% of all applicants. 2% of all loan applicants were of Hispanic or Latino origin. 7% of loan applicants were of unknown ethnicity.²⁹

²⁹ The lack of data represented by the unknown race category is a problem since this category accounted for seven percent of all loans and all minorities combined accounted for less than that -- about five percent.

Figure 22: All housing loan applications by race

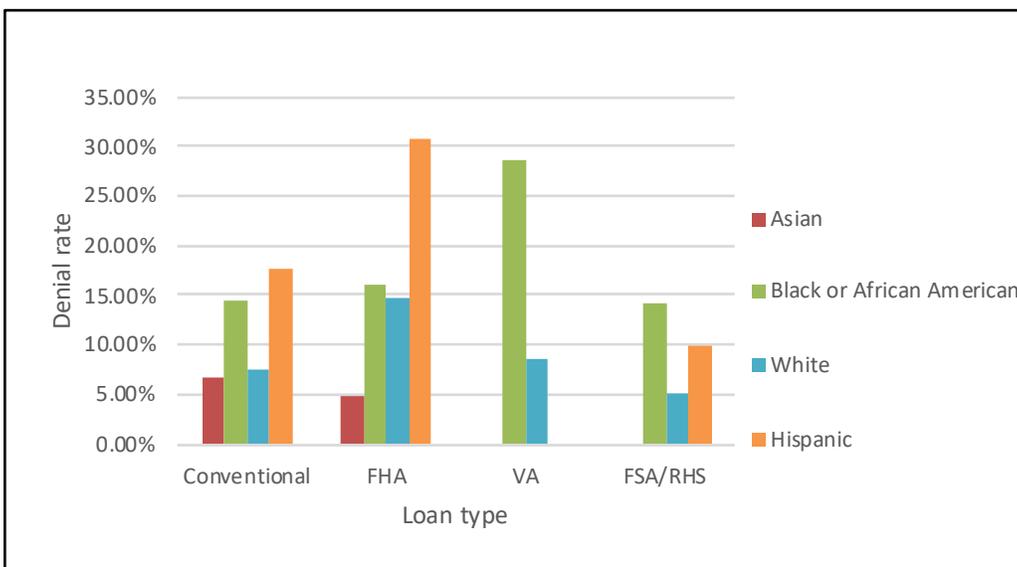


Past studies of disparities in access to lending by race have shown that minorities often have lesser access to lending than Whites. To examine this, we compared the ratios of share of loan applications by share of total population for Blacks, Hispanics, Asians and Whites. A ratio of 1.00 would indicate that an ethnic group’s share of loan applications is consistent with its share of the total population. We found the ratios to be 0.25 for Blacks, 0.38 for Hispanics, 0.51 for Asians and 0.94 for Whites. These ratios indicate that the share of loan applications made by Whites is very close to the White share of the total population; however, for Blacks, Hispanics and Asians, the shares of loan applications are significantly below their shares in the population. This seems to suggest that minorities may not have the same access to lending as Whites in the Iowa City area.

Denials by race and ethnicity

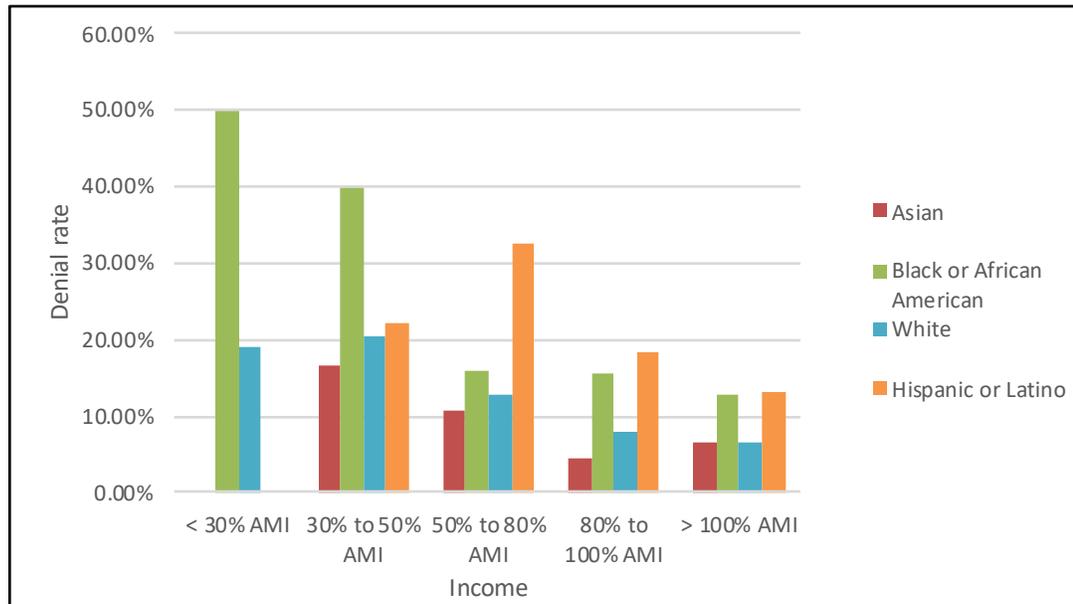
The greatest overall difference in loan denial rates by loan type was between Hispanics and Whites as shown in the Figure 23 below. Hispanics experienced a 10%-point higher denial rate for conventional loans, a 16% point higher denial rate for FHA loans, and a 5% point higher denial rate for FSA/RHS loans than Whites. The next three sections break down the overall loan denial rates by home purchase loans, refinancing loans, and home improvement loans.

Figure 23: Loan application denials by loan type, race, and ethnicity



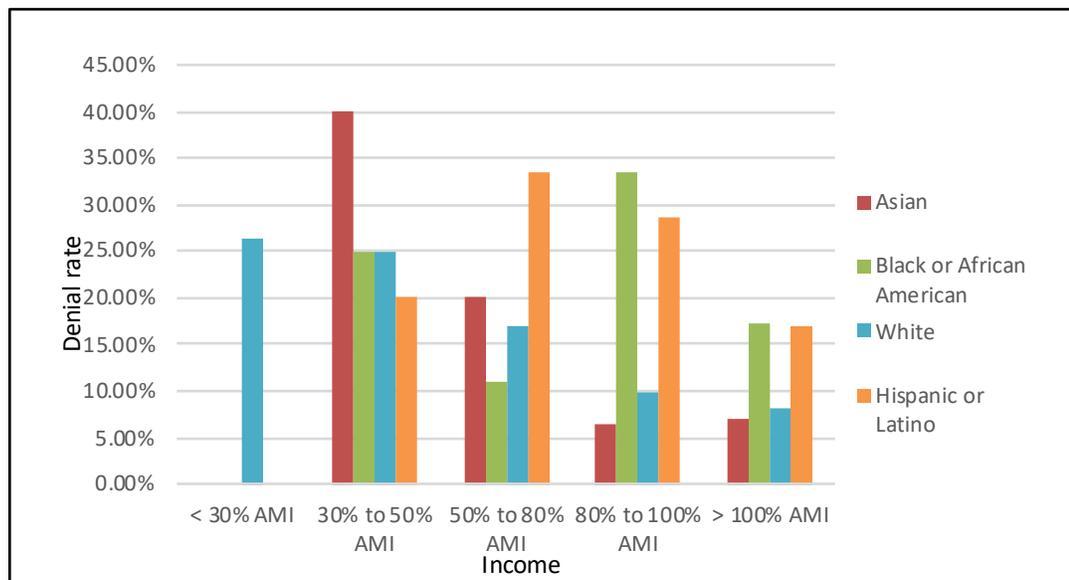
Denial rates for home purchase loans: Blacks experienced the highest denial rates in the less than 30% AMI and 30-50% AMI income categories (see Figure 24). Hispanics experienced the highest loan denial rates in the 50- 80% AMI and 80-100% AMI categories. At income levels over 100% AMI, all groups had similar loan denial rates.

Figure 24: Home purchase loan denial rates by race/ethnicity and income



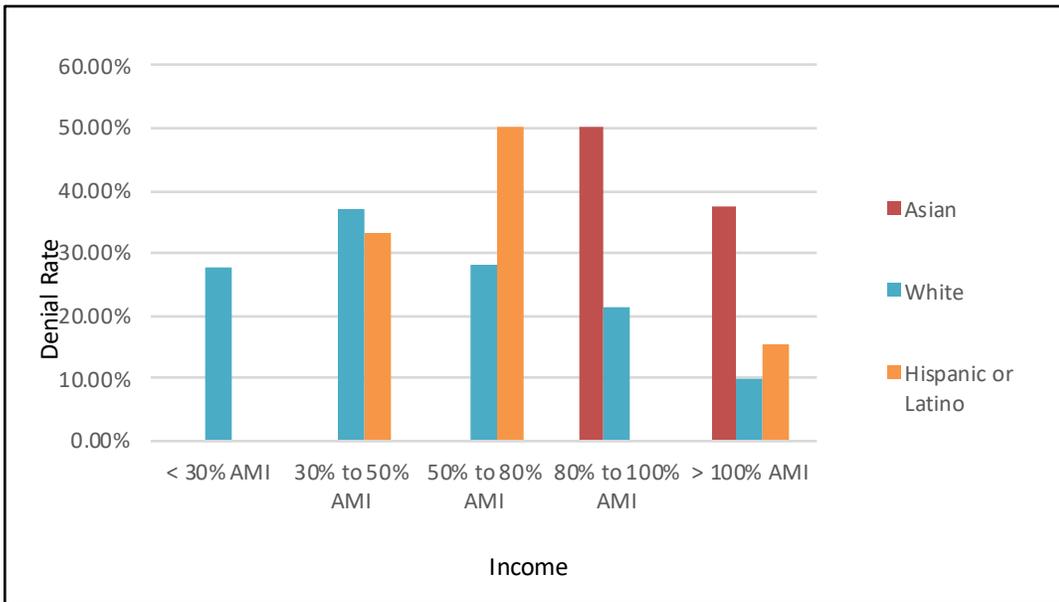
Denial rates for home refinance loans: Home refinance loan statistics were scant for minorities in the <30% AMI income category due to low sample size (Figure 25). The highest denial rate for refinance loans was for Asians in the 30-50% AMI category. In the 50%-80% AMI income group, the denial rate for Hispanics was more than twice that of the Whites. Blacks and Hispanics both experienced higher denial rates than Whites in the 80%-100% AMI and over 100% AMI categories. White applicants had higher denial rates than Hispanic applicants at 30-50% AMI and Black applicants at 50-80% AMI.

Figure 25: Home refinance loan denial rates by race/ethnicity and income



Denial rates for home improvement loans: There were very few minority home improvement loan applications, especially from Blacks. Blacks were excluded from this analysis due to too few observations. The available data show that at income levels higher than 50% AMI, Hispanics and Asians were denied home improvement loans at a higher rate than Whites. At incomes below 50% AMI, there were very few non-White applicants.

Figure 26: Home improvement loan denials by race, ethnicity, and income



Reasons for denial and other actions taken

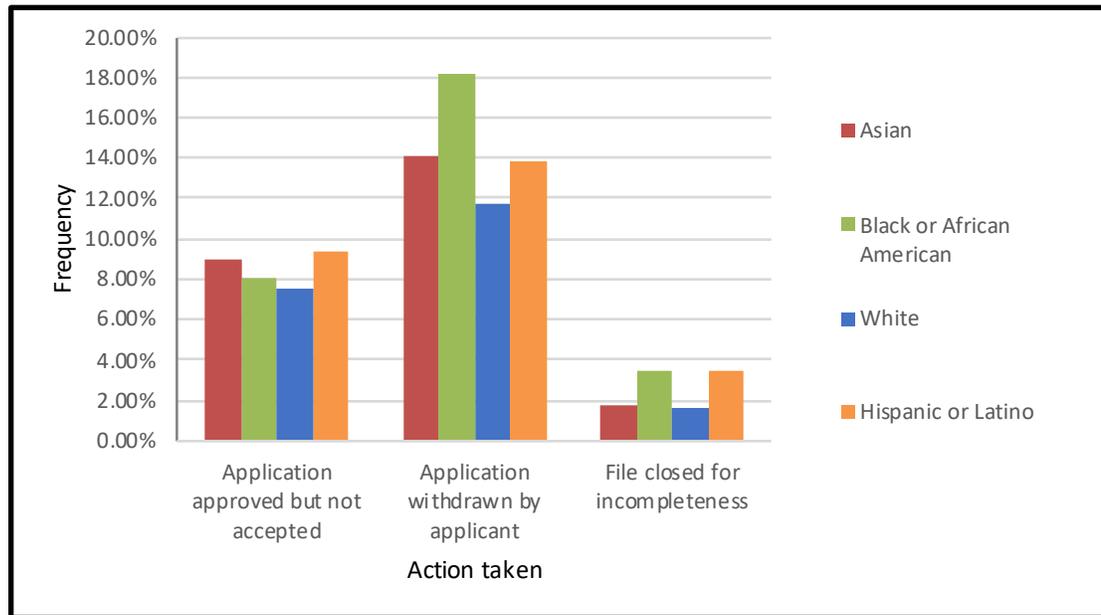
Housing loans were denied by financial institutions for a variety of reasons. Our analysis reveals that credit history, a high amount of debt relative to income, and lack of collateral were the primary reasons for denial among all groups. Blacks had the highest percentage of denials because of a bad credit history, followed by Hispanics, Whites and Asians. Asians had the highest percentage of denials for having high debt-to-income ratios, followed by Hispanics, Whites, and Blacks.

Among minor reasons for loan denial, Blacks and Whites were the only groups to have problems with insufficient cash. Hispanics and Whites were the only groups to have issues with employment history; and Blacks, followed by Hispanics and Whites were most likely to have been denied because

of having unverifiable information. Asian applicants, followed by Whites, Blacks, and Hispanics were most likely to leave loan applications incomplete, while Whites were the only group to be denied due to rejection by mortgage insurers.

Many applicants do not follow through on an application - most withdraw them while others reject an approved loan (see Figure 28). Blacks were the most likely to withdraw an application after it was submitted.

Figure 27: Reasons for housing loans being incomplete by Race and Ethnicity



Lending practices

We examined the lending practices of financial institutions in the area that received at least 20 applications from minority applicants. We found that four of the five lenders that met this threshold denied applications from Black applicants at rates that were between 1.71 and 16.66 percentage points higher than the denial rates for White applicants. We also found that banks denied loans to Black and Hispanic applicants at a higher rate than White applicants. Six banks received at least 20 applications from Hispanics; we found that five out of these six denied applications from Hispanic applicants at rates that were 4.05 to 15.01 percentage points higher than the denial rates for White applicants. We do not have access to credit scores and credit histories of loan applicants, so we cannot conclusively assert that the higher denial rates of Blacks and Hispanics is due to race; however, the differences in Black and Hispanic denial rates across the banks we analyzed, raise concerns about race being a factor in the loan denials.

From prior research on disparities in access to lending by race, it is well known that when minorities are approved for loans, they often receive higher interest rate loans than Whites. We examined whether this was the case in the Iowa City area by comparing the proportion of high cost loans by race (Figure 29). We found that from 2008 onwards, this proportion has declined across all groups. However, a higher proportion of Blacks still have higher cost home loans than Whites, Asians or Hispanics.³⁰

Table 12: Percentage of high-cost loans by race

	2005	2006	2007	2008	2009 Q1- Q3	2009Q4	2010	2011
Whites	7.17%	11.58%	4.78%	4.35%	2.22%	2.06%	0.67%	0.76%
Blacks	13.64%	22.22%	28.57%	25.00%	0.00%	0.00%	13.33%	20.00%
Asians	0.00%	4.00%	0.00%	0.00%	3.45%	0.00%	0.00%	0.00%
Hispanics	4.76%	0.00%	13.33%	0.00%	0.00%	0.00%	0.00%	0.00%

Source: HMDA data as reported by PolicyMap©.

³⁰ A high cost loan is one where the Annual Percentage Rate (APR) on the loan is higher than a benchmark number by a certain amount. Between 2004 and 2009Q3, the rate spread on a loan was the difference between the Annual Percentage Rate (APR) on the loan and the treasury security yields on the date of the loan's origination. Rate spreads were only reported by financial institutions if the APR was three or more percentage points higher for a first lien loan, or five or more percentage points higher for a second lien loan. From 2009Q4 onwards, the rate spread on a loan is the difference between the Annual Percentage Rate (APR) on the loan and the estimated average prime offer rate (APOR). Rate spreads are only reported by financial institutions if the APR is more than 1.5 percentage points higher for a first lien loan, or more than 3.5 percentage points higher for a second lien loan.

C. Public and Private Sector

a. Fair Housing Enforcement

Founded in 1963, the Iowa City Human Rights Commission (ICHRC) is the local agency responsible for enforcing the anti-discrimination laws stated in the City Code. The general responsibilities of the ICHRC are: educating the public about civil rights and illegal discrimination, enforcing the Human Rights Ordinance, cooperating with other organizations committed to civil rights and furthering the goals of the Human Rights Ordinance by organizing programs designed to eliminate racial, religious and cultural intergroup tensions.

ICHRC is composed of Iowa City residents who serve three-year terms and are appointed by the City Council. When appointing residents to the ICHRC, consideration is given to the cultural, religious, racial, social and economic backgrounds of potential appointees to guarantee a diversity of ideas and interests. The ICHRC meets every month and the meetings are open to the public. Commission members are assisted by two ICHRC staff – a Human Rights Coordinator and Human Rights Investigator. ICHRC staff serve as impartial third party to investigate complaints alleging discrimination in housing, education, employment, credit and public accommodation. ICHRC's FY 2013 budget was \$235,530.

ICHRC accepts complaints related to employment, education, credit, public accommodation, and housing on one or more of these 15 factors: age, race, marital status, national origin, sexual orientation, disability, creed, sex, familial status, presence or absence of dependents, color, religion, retaliation, public assistance source of income, and gender identity.³¹ If someone believes that they have been discriminated against, they can file a complaint with the ICHRC. A person has 300 days to file a complaint of discrimination after the alleged discriminatory act. Complaint forms (in English and Spanish) are available at the ICHRC's webpage, in the office during business hours, and via standard mail when so requested. When a request is made for a mail-in complaint form, a self-addressed stamped envelope is included in the mailing. Complaints are reviewed and written opinions prepared using appropriate legal analytical frameworks. And the Human Rights Coordinator makes a determination as to whether probable cause exists.

Generally, the largest number of complaints received by the ICHRC is related to employment discrimination followed by housing discrimination complaints.^{32, 33, 34}

The 2012 ICHRC Annual Report states that persons with disabilities are the most cited characteristic for alleged discriminatory conduct³⁵ in all complaints filed with the Commission. The next most common characteristic is race-based complaints, followed by illegal retaliation and sex, respectively. Overall, when reviewing the reports from these four years, disability tends to be the leading characteristic for which persons cite discrimination.

It took the ICHRC an average of 180 days during FY 2009-2012 to resolve complaints though the time period fluctuated quite a bit from year to year: 174 days in 2009, 212 days in 2010, 113 days in 2011, and 222 days in 2012. The majority of cases filed between fiscal years 2009-2012 were found to have no probable cause; some of the cases were mediated and for others a right to sue was issued.³⁶

Iowa City's Human Rights Ordinance prohibits discrimination in housing on the basis of age, color, creed, familial status, national origin, presence/ absence of dependents, public assistance source of income (other than housing vouchers), race, religion, retaliation, sex, gender identity, and sexual orientation. Discriminatory practices noted in Chapter Five of the Human Rights Ordinance include:

- Refuse to sell, rent, lease, assign, sublease, refuse to negotiate or to otherwise make unavailable, or deny any real property or housing accommodation or part, portion or interest therein, to any person on the basis of the protected classes.
- To discriminate against any other person in the terms, conditions or privileges of any real estate transaction.
- Directly or indirectly advertise, or in any other manner indicate or publicize in any real

31 Iowa City Code Section 2-5-1.

32 Iowa City Human Rights Commission, Iowa City Human Rights Commission Annual Report for FY 2012, 40.

33 Iowa City Human Rights Commission, Iowa City Human Rights Commission Annual Report for FY 2011, 16.

34 Iowa City Human Rights Commission, Iowa City Human Rights Commission Annual Report for FY 2010.

35 Ibid., 41.

36 Human Rights Commission Fiscal Year reports 2009-2012.

estate transaction that any person is not welcome or not solicited.

- Discriminate against the lessee or purchaser of any real property or housing accommodation or part, portion or interest of the real property or housing accommodation, or against any prospective lessee or purchaser of the property or accommodation because of their age, color, creed, familial status, national origin, presence/ absence of dependents, public assistance source of income, race, religion, retaliation, sex, gender identity and sexual orientation.

Between 1999 and 2007, ICHRC received 23 complaints that alleged discrimination in housing. Since then the number of complaints filed to the ICHRC have increased significantly. In fact, between 2009 and 2012, ICHRC received a total of 46 housing discrimination complaints. [A detailed listing of the bases for housing discrimination complaints is in Appendix 4.]

ICHRC staff also use a wide variety of enforcement tools to ensure fair housing in addition to investigating complaints. These include:

- Fielding calls from the public concerning fair housing
- Assisting walk-ins inquiring about fair housing
- Monitoring Craig's List and other social media sites for unlawful advertisements
- Preparing fair housing content for City's CAPER and Consolidated Plan
- Offering mediation to the Complainant and Respondent in fair housing complaints
- Addressing fair housing concerns in response to inquiries from the public and then based on the outcome, informing all parties about fair housing laws and offering needed materials or training
- Monitoring advertisements in the local newspapers for unlawful advertisements
- Conducting fair housing testing (scheduled for Spring 2014)

b. Informational Programs

Educational and outreach programs are necessary to inform jurisdictional officials, employees, and citizens of the community about fair housing issues within the community. Most of these programs are conducted by the ICHRC. These include but are not limited to:

- Running an anti-discrimination advertisement in the classified sections of local papers twice a week
- Displaying fair housing flyers (see a sample in Appendix 5).
- Running a fair housing advertisement on local TV.
- Advertising fair housing at other relevant venues, such as the website of the University of Iowa Legal Services
- Producing and making available fair housing brochures (in English and Spanish).
- Placing handbills in City water bills describing fair housing and the resources available to further it
- Providing free fair housing trainings to community groups, organizations, City boards/ commissions, landlords and realtors
- Participating in anti-discrimination programs and events
- Sending information to realtor/landlord list-serves providing information on fair housing resources and training opportunities
- Providing information on fair housing to many entities including Johnson County Social Services and Iowa City Housing Authority

In 2013, ICHRC planned to:

- Sponsor public forums on the issues pertinent to human and civil rights in the community.
- Update educational materials on civil rights and make sure materials are available in large quantities to reach everyone in the community.
- Translate outreach materials into Spanish.
- Offer fair housing training to City Boards and Commissions that make recommendations to

Council on housing matters.

- Outreach to the community on how to file a civil rights complaint.

In addition to the fair housing programs conducted by the ICHRC, several public, private, and non-profit organizations conduct and/or sponsor programs and events to increase awareness about fair housing. These organizations include the Iowa City Housing Authority, The Housing Fellowship, Hawkeye Area Community Action Program (HACAP), Iowa City Shelter House, Housing Trust Fund of Johnson County, and the Iowa City Area Association of Realtors.

c. Visitability in housing

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

- 1) has at least one no-step entrance
- 2) has doors and hallways wide enough to navigate a wheelchair through
- 3) has a bathroom on the first floor big enough to accommodate wheelchair entry into it and to close the door.

SECTION V: Assessment of Current Public and Private Fair Housing Programs and Activities in Iowa City

The basis for all fair housing activities in Iowa City is the Iowa City Code. Title 2, chapter 5 of this code contains clear and explicit guidelines banning discriminatory practices in housing. The code also defines protected classes. Iowa City's definition of protected classes is broader and more inclusive than either the state or federal definition. When considered together the guidelines and definition of protected classes demonstrate that the city has very stringent regulations in place to ensure that discriminatory practices do not provide impediments to fair housing choice.

The document guiding all land development in Iowa City is the comprehensive plan. This plan was adopted in 1998 and underwent a significant update in May 2013. Both the 1998 plan and the recent update show a strong commitment to the provision of different housing options for the diverse population of the city. The 2013 update's vision statement for housing is this:

"Iowa City is a community of neighborhoods with safe, attractive, and affordable housing options to serve residents throughout their lifetimes. To this end, the City of Iowa City will support policies that preserve and enhance the character of existing neighborhoods while encouraging diverse and affordable housing options in all neighborhoods—new and old."³⁷

To achieve this vision, the 2013 comprehensive plan lists five goals. These are:³⁸

- a) Encourage a diversity of housing options in all neighborhoods.
- b) Improve and maintain housing stock in established neighborhoods.
- c) Maintain and improve the safety of all housing.
- d) Preserve the integrity of existing neighborhoods and the historic nature of older neighborhoods.
- e) Support sustainability initiatives to create more energy efficient development.

The plan also lists between two to ten strategies to meet each of these goals by 2030. With the vision, goals and strategies for housing contained in its comprehensive plan, the City of Iowa City demonstrates a strong commitment to providing a variety of housing choices for its citizens.

Iowa City's zoning ordinance allows for the creation of a wide variety of housing types throughout the city. The city's building code allows for construction of good quality housing throughout the city. Neither the zoning ordinance nor the building code contain restrictions on development that may pose impediments to fair housing for protected classes. In effect, the zoning ordinance and building code help implement the housing goals contained in the City's comprehensive plan.

The Iowa City Human Rights Commission (ICHRC) is the local agency responsible for enforcing the anti-discrimination laws of the city as well as for increasing awareness about discriminatory practices and how to combat them.³⁹ Since its inception in 1963, the ICHRC has processed hundreds of complaints of discrimination and expanded its education activities multiple times. The education activities use a variety of media, in multiple languages, at a variety of venues at different times of the day and different days of the week, thereby providing multiple opportunities for people to attend. The ICHRC has well-qualified staff that provide excellent support for the enforcement and education functions of the ICHRC. All in all, with the limited resources that it has, the ICHRC is doing a commendable job in enforcing fair housing laws and educating the public about discrimination in housing and how to avoid it.

Many other public, private and non-profit entities in Iowa City conduct programs to increase the awareness about fair housing. These include: the Iowa City Housing Authority, The Housing Fellowship, Hawkeye Area Community Action Program (HACAP), Iowa City Shelter House, and the Housing Trust Fund of Johnson County. Fair housing programs are also conducted by the Iowa

³⁷ City of Iowa City. IC2030 – Comprehensive Plan update. Available at: <http://www.icgov.org/site/CMSv2/file/planning/ic2030/CompPlanUpdate/1013/Section4,Housing1013.pdf>. Accessed on December 3, 2013.

³⁸ Ibid.

³⁹ These are listed in detail on pages 61-63 of this report.

City Area Association of Realtors (ICAAR). Realtor members of ICAAR are required to participate in continuing education courses; one of these, offered in December 2013 was titled “Preserving Dignity: Real Estate Issues in Fair Housing.”⁴⁰

Based on conversations with two local bankers, area banks seemingly pay careful attention to fair housing issues.

The Fair Housing Act of 1988 prohibits advertising with respect to the sale or rental of a dwelling that may indicate any preference, limitation, or discrimination (or intention of making such preference, limitation or discrimination) because of color, race, religion, sex, disability, familial status, or national origin. This Act also described the use of words, photographs, symbols, or other approaches that are considered discriminatory. We reviewed the website of one widely circulated local newspaper, the Iowa City Press-Citizen. We found that their real estate pages do have the phrase “Equal Opportunity Housing” (along with the HUD logo that accompanies that phrase) at the bottom of the page. However, they are not prominently placed on the webpage; one does have to search for the logo and the phrase to find them. Clicking on the phrase takes one to a detailed explanation of fair housing, and how and to whom suspected violations of the Fair Housing Act need to be reported (visit http://www.homefinder.com/company/Equal_Housing_Opportunity).

Review of actions based on potential impediments identified in the last AI study completed in 2008

The last AI study identified three potential impediments and made recommendations to address them. These were:

- a) “Achieving substantial equivalency between the federal Fair Housing Act and the Iowa City Human Rights Ordinance”.⁴¹ If this was achieved then the city could receive a certification of substantial equivalence and enter into a memorandum of understanding with HUD that would enable it to participate in HUD’s Fair Housing Assistance Program. This in turn would make the city eligible to receive up to \$100,000 per year (up to \$300,000 over three years) in capacity building funds that could be used for fair housing enforcement and education activities. The 2008 AI recommended that the City actively seek substantial equivalency (as described above) to receive federal financial support for its ongoing fair housing activities.

Response to this recommendation: Staff of the Commission plan on revisiting substantial equivalency in 2014 and reevaluating based on current budget projections. Staff of the Iowa City Human Rights Commission (ICHRC) revisited the potential for achieving substantial equivalency between the Iowa City Human Rights Ordinance and the federal Fair Housing Act in 2008. Even though communities that achieve substantial equivalency are eligible to receive funds for capacity building (e.g., funds to be used for increased awareness), such certification would require the ICHRC to provide in the ordinance for the prevailing party to collect attorney fees. In addition, the ordinance would also have to state that the ICHRC would provide the complainant with an attorney at no cost to the complainant if the complainant chooses to pursue their claim in court. Both of these requirements obligate the ICHRC (i.e., the city) to pay for such costs. The costs had the potential to be very high and would be financially straining to the already occurring recession and small Human Rights Budget. Because the city processes and investigates housing complaints with or without federal funds, it was decided to reevaluate becoming substantially equivalent at a future time.

- b) “Fair housing education and training to members of appointed boards and commission”.⁴² There was a concern that appointees to public boards and commissions,

40 The learning objectives of this course are: 1. Recognize that changing population trends increases the concern for providing equal professional service to all. 2. Identify the four major fair housing violations. 3. Review and identify the fair housing laws. 4. Review and list the protected classes. 5. Name occasions when a customer/client may encounter discrimination. 6. Describe how to answer potentially illegal questions without damaging customer/client relationships. 7. Identify terms, phrases, symbols, or illustrations that convey discriminatory intent. 8. Anticipate and apply responses to real life situations. Review and explain the various enforcement procedures. 10. Recognize illegal fair housing activities and fine-tune enforcement choices.

41 City of Iowa City. May 2008. Analysis of Impediments to Fair Housing Choice, p.80

42 Ibid.

such as the Planning & Zoning Commission and the Housing & Community Development Commission, may not have a working knowledge of fair housing laws when making decisions on housing issues. This in turn, it was feared, could reduce community sensitivity to fair housing issues. The 2008 AI recommended that the Iowa City Human Rights Commission provide annual training to public boards and commissions, especially these three – the Housing & Community Development Commission, the Planning & Zoning Commission and the Board of Adjustment.

Response to this recommendation: The ICHRC continues to be a resource and provides training to City staff and members of the City's appointed Boards and Commissions on a yearly basis when so requested. The Housing & Community Development Commission requests ICHRC training seminars every other year, or when there is a large number of new members on the commission.

- c) "Commitment to affordable housing activities".⁴³ In 2007-8, the Iowa City housing market was at the tail end of a housing boom. The 2008 AI noted that because of that boom area developers were producing higher-end market rate housing; consequently, few affordable units were being developed by the private market. It recommended that the city and the Community Development Office continue its commitment to affordable housing activities.

Response to this recommendation: The city allocated and completed more housing projects in the last two to three years than any time in the previous 10 to 12 years. In fiscal 2011, the city received an additional \$2.7 million in program income that greatly increased funding for affordable housing – especially affordable rental housing. Since 2011, the following affordable housing projects have been funded: eight rental homes (townhomes) in the Mackinaw development (by The Housing Fellowship, nine single-family homes for affordable rental (by Isis), five homes for homeownership (by Habitat), four single-family homes for rental (by The Housing Fellowship/ UniverCity project), six SRO units (by Shelter House), seven SRO units (by United Action for Youth), eight SRO units (by the Mayor's Youth Initiative), four SRO units (by Charm Homes) and 56 rental units rehabilitated for new affordable rental (by Wetherby Condos South, LLC). Between 2008 and 2013, the City has also created 141 units of owner-occupied housing through the Single-Family New Homes program. The city has also acquired 46 homes through a new program called UniverCity; 31 of these homes have been sold already while 15 are currently under renovation. These 187 owner-occupied homes had a variety of income restrictions, but most of the households were below 80% of the median income.

In fiscal 2013, the city assisted a total of 40 households through HOME- funded housing activities -- 32 rental units, two first-time homebuyers, and six single-family home rehab projects. Of the 32 renter households that were assisted, 66% were non-White. Of the two first-time homebuyers, one was White and the other Black. And among the six existing homeowners, one was Black and the rest were White. Overall, of the 40 households assisted through HOME-funded housing activities in fiscal 2013, 60% were non- White.

All-in-all, the city is on course to meet all its housing goals for the current five-year period, with the possible exception of the goal for the Tenant Based Rental Assistance Program.

⁴³ Ibid.

SECTION VI: Conclusions and Recommendations

The City of Iowa City is committed to providing fair housing choices for all residents of Iowa City. The Code of the City of Iowa City has a very broad definition of discriminatory behavior, a very inclusive definition of protected classes and is clear in its lack of tolerance for discriminatory behavior in the housing market. The City's Comprehensive Plan envisions a city with a variety of housing options for the city's diverse population. The city's Zoning Ordinance allows for construction of a variety of housing types at difference price points. And the city's Building Code does not impose conditions that could restrict fair housing choice for protected classes. Yet in spite of all of the above, based on the information collected and presented in previous sections of this report, it is difficult to conclude that all protected classes have fair access to housing in Iowa City in 2013-14.

I. Spatial concentration of minorities. Maps depicting residential location by race and the index of dissimilarity calculations both show high degrees of spatial concentrations of Blacks and Hispanics. While some of the spatial concentration of the minority populations is likely a consequence of personal and household preferences exercised by minority persons and families, most of it cannot be explained away by such preferences alone. Information gleaned from the survey of assisted renters and from interviews of local non- profits engaged in providing housing and related services, corroborate the findings from the spatial concentration maps and dissimilarity calculations.

Across the country, discriminatory attitudes of individuals and institutions in the housing market create impediments to fair housing choice that cause minorities to be spatially concentrated in certain geographic areas. In 2013, they seem to do so in Iowa City as well.

The Black-White Index of Dissimilarity (IoD) scores for Iowa City have consistently and significantly increased over time from 1990 to 2010. Cities with a score less than 30 are viewed as well integrated, those with a score between 30 and 60 as moderately segregated, and those with scores above 60 as very segregated.⁴⁴ With a Black-White IoD score of 55 in the year 2010, Iowa City is quite close to being very segregated. In the last two decades, the level of racial segregation across the country has declined significantly. A recent report by the Manhattan Institute that analyzed segregation in the US using data from the last 13 US censuses, concluded that: "As of 2010, the separation of Blacks from individuals of other races stood at its lowest level in nearly a century."⁴⁵ The study also states that: "In 657 out of 658 housing markets tracked by the Census Bureau, segregation is now lower than the average level of segregation marked in 1970."⁴⁶ Some large Midwestern cities, such as Chicago, Detroit and Indianapolis, experienced significant decreases in racial segregation between 2000 and 2010. Dramatic decreases in segregation occurred even in Iowa.

For example, Waterloo, the most segregated city in the state in 1970 with a Black-Non-Black IoD score of 87.5 in 1970, saw its 2010 IoD score drop to 61.6 by 2010.⁴⁷ Against this backdrop of decreasing racial segregation, the high Black-White IoD score in Iowa City in 2010 and its increasing trend over the past two decades stand out in stark contrast.

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The city's Affordable Housing Location Model is a well-intentioned move to de-concentrate low-income populations and minority households⁴⁸; however, by itself its potential to allow minorities to locate in widely dispersed locations across Iowa City is small. The reasons we so conclude are as follows: the Index of Dissimilarity calculations indicate that for Blacks to be well-dispersed in the city, 55% of either the Black or the White population of the city would have to relocate. Likewise, for Hispanics to be well-dispersed, 41% of either the Hispanic or the White population would have

44 Massey, Douglas & Nancy Denton. 1993. *American Apartheid*. Harvard University Press.

45 Glaeser, Edward & Jacob Vigdo. 2012. *The End of the Segregated Century: Racial Separation in American Neighborhoods, 1890-2010*. Manhattan Institute; available online at http://www.manhattan-institute.org/html/cr_66.htm.

46 Ibid.

47 Ibid, Table 4

48 Because of the high correlation between low income and minority status.

to relocate. Since relocation is practically impossible, regulating the location of future development is the only way to achieve population dispersal. Between 2000 and 2010, minority populations increased at much higher rates than the White population and the overall population of the city (see Table 2). In absolute terms, between 2000 and 2010, the number of Black households increased by 570 and the number of Hispanic households increased by 515, at an average annual rate of 57 and 52 families, respectively. Assuming that about half of these households⁴⁹ would need housing assistance, to accommodate just the new minorities households, about 55 new assisted units would have to be made available each year. However, the supply of new assisted housing in recent years (2011-2013) has been much short of that. Between 2011 and 2013, only 51 new assisted CDBG/HOME assisted units were built, at an average rate of 26 per year. This high rate was possible only because of unusually high program income in Fiscal 2011 for the CDBG/HOME programs. Program incomes in future years are not anticipated to be this high; hence future production levels are likely to be much lower than in 2011-2013. Not all of the CDBG/HOME assisted units are accessed by minorities. Of the HOME assisted units (across all HOME assisted programs) in fiscal 2013, 60% of the units were accessed by non-White households. Thus, presumably 16 of the 26 new units produced through CDBG/HOME programs each year are accessible to non-White households. The Affordable Housing Location Model can at best disperse the 26 units produced annually through CDBG/HOME programs. Of these, as noted above, only 16 are likely available for minorities. But the presumptive demand for assisted housing from new minority households being added to the city's population each year is 55 units per year.⁵⁰ Thus the Affordable Housing Location model, if implemented correctly, will only have a small (though measurable) effect in dispersing minority families. To make a meaningful difference in ensuring that spatial concentrations of minority populations in Iowa City does not continue to increase, more impactful policies need to be adopted.

II. Planning and zoning documents. City planning and zoning documents generally allow for the development of a wide variety of housing types in diverse locations across the city. However, over the last decade or more, developers and builders have either not made use of these opportunities (or have been unable to make use of these opportunities) to build affordably priced housing in diverse locations across the city. Indeed, almost a decade ago, the City of Iowa City's Scattered Site Taskforce concluded that assisted housing is concentrated in certain sections of the city. That task force also noted that the zoning ordinance in force at that time allowed for development of multi-family housing only in certain parts of the city. The zoning ordinance currently in force allows for construction of multi-family housing in more locations than prior zoning ordinances. But even so, if developers choose not to build affordably priced owner and renter housing units that are accessible to minorities and other protected classes in diverse locations across the city, then such flexible zoning guidelines have limited effect in increasing fair housing opportunities. This problem is compounded when the few developers that are willing to try building affordably priced owner and renter housing units (with or without public assistance) in diverse locations are thwarted by the NIMBY attitudes of neighbors.

III. Affordable Housing Location model. Acknowledging that assisted housing in Iowa City is concentrated in certain locations in the city and recognizing the social dis-benefits from this situation, the City of Iowa City created an Affordable Housing Location Model that is aimed at dispersing most types of new assisted rental housing. This is laudable. However, in practice it seems that the use of this model has reduced the supply of new assisted rental housing. The major reasons for this unintended consequence are that there are far fewer locations now where new assisted rental housing can be built, and land prices and NIMBY opposition at these locations are reportedly higher than at places where the model disallows development.

IV. ICHA's Housing Choice Voucher program. This program is large and provides 823 units (as of February 4, 2013), accounting for 4.8% of the total rental units in Iowa City.⁵¹ The waiting list for the HCV program (across the entire jurisdiction of the ICHA) is very long – 814 resident applicants (as of February 8, 2013) and another 4,952 applicants.⁵² The long waiting list is one indication of the lack of affordably priced rental housing in the Iowa City metro area. Parenthetically, since 40% of the 814

⁴⁹ We make this assumption for two reasons. One, because 53% of the resident waitlisted applicants on the Public Housing waitlist on February 8, 2013 were non-White and 51% of the resident applicants on the HCV waitlist on February 8, 2013 were non-White. And two, because 71% of Black families and 49% of Hispanic families in Iowa City in 2010 were at or below 80% AMI and thus income qualified for most housing assistance programs.

⁵⁰ In addition, there is very large backlog of unmet affordable housing need among minorities.

⁵¹ Iowa City Housing Authority Annual Report 2013, p. 6.

⁵² Iowa City Housing Authority Annual Report 2013, p. 11.

resident applicants on the waitlist were Black – a number well above the percentage of the city (and metro) population that is Black - one can surmise that the long- waiting list (relative to the number of vouchers) impedes housing choices of Black resident applicants.⁵³ A similar argument can be made about disabled persons: they constituted 38% of the 814 wait-listed resident applicants.⁵⁴

Information from the Center on Budget and Policy Priorities indicates that overall voucher utilization rates in the Iowa City area have ranged between 89% in 2006 to 102% in 2012.⁵⁵ ICHA's voucher utilization rate between July 1, 2011 and June 30, 2012 was 101%.⁵⁶ In December 2013, according to a news report in the local newspaper,⁵⁷ the voucher utilization rate was 94%. For some reason different sources provide different voucher utilization rates. In any case it is clear that in Fiscal 2011, of the 664 new and moving vouchers issued (representing about half of all vouchers) only 88% were utilized; 12% (or about 78 vouchers) expired.⁵⁸ Whenever the voucher utilization rate is below 100%, a significant amount of federal funding for addressing affordable housing needs in Iowa City is being lost. This is disconcerting. Because protected class populations comprise a large percentage of the applicants that are either recipients of vouchers or are wait-listed resident applicants, unutilized vouchers reduce housing choices for protected classes.

Inability to use an allocated voucher can occur because of recipient-related factors such as ill-informed searching, non-diligent searching, unreasonably high expectations about housing options possible with an HCV, lack of security deposit, bad credit, or bad landlord references. Failure to use can also occur because of landlord-related factors such as: a) landlords perceiving the administrative burdens of renting to HCV recipients as being too high, or b) landlords perceiving HCV tenants as persons that could generate a lot of complaints from neighbors because of anti-social and criminal behavior, or c) landlords engaging in discriminatory behavior towards HCV recipients seeking to lease. Finally, failure to utilize could also occur because of illegal steering by real-estate agents in the search process. If the failure to utilize is either in part or in whole caused by illegal discriminatory behavior in the housing search and leasing process, then fair housing violations are occurring.

Information from the survey of assisted renters and interviews with representatives of local non-profits indicate that HCV recipients face discriminatory behaviors from landlords. Illegal discriminatory behavior involving race were reported in both of the above sets of information. We also found reports of landlords rejecting potential renters primarily because they would be using a HCV – a practice that is currently legal by federal, state and city code in Iowa City.

More generally, discriminatory behaviors by landlords could constrain housing choices even if HCV recipients are able to use their voucher. This constrained choice might result in HCV recipients being concentrated in certain parts of the city – usually in high poverty and high minority population neighborhoods that are often served by under-performing schools. We do not know about the quality of neighborhoods that HCV recipients were able to locate in Iowa City in 2013-14; nor do we know about the quality of K-12 schools that children of HCV families were able to access.⁵⁹ Nationally though, it is well documented that HCV recipients locate in city neighborhoods with higher poverty and minority population rates than the average for the city. This may well be true in Iowa City also.

V. Residential lending. Our analysis of residential lending in the Iowa City metro area shows that Blacks, Hispanics and Asians have lesser access to residential lending than Whites. We also found that Black and Hispanic home loan applicants experience higher rejection rates than Whites. Since loan applications are adjudicated on multiple criteria, including credit scores and credit histories of the applicants that were not available for our analysis, we cannot definitely conclude that Blacks and Hispanics have unfair access to residential lending. Nonetheless, the large differences in rejection rates do raise some concerns in this regard. Likewise, the fact that in some banks the rejection rates for Black and Hispanic applicants are similar to those of Whites while in other banks they are not, also raise concerns.

53 Ibid.

54 Ibid.

55 Center on Budget and Policy Priorities. Iowa Housing Voucher Data. Updated November 11, 2013.

56 Email communication from the ICHA administrator dated 11/19/2013

57 Adam Sullivan. 2013. "Iowa City to lay off 2 employees" in the *Iowa City Press-Citizen*, p. 1, December 4.

58 Email communication from the ICHA administrator forwarded to the consultants by Ms. Tracy Hightshoe on November 8, 2013.

59 We sought addresses of all current HCV from the ICHA. We were informed by the ICHA administrator and by Iowa City's Legal department via emails in November 2013 that the City of Iowa City and the ICHA consider addresses of HCV properties sensitive information that cannot be shared even for a HUD-mandated study.

VI. Private restrictive covenants. Our analysis of residential subdivisions platted between 2009 and 2012 shows the prevalence of private restrictive covenants, created and imposed by homeowners associations that at the onset (and for many subsequent years) are controlled by the development company (or by individual developers) that created these subdivisions. Many of these covenants impose design features that could potentially increase costs of construction within those subdivisions, and create impediments to protected classes' housing choice.

VII. Residency preference of the HCV and Public Housing programs. The Iowa City Housing Authority (ICHA) uses "preferences" for sorting wait- listed applicants. Use of such preferences is allowed by HUD regulations (see 24 CFR 982.207(b)(1)). The preferences used by ICHA for waiting lists for the HCV and Public Housing programs are:

- 1) Displaced: Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws. This preference is only for disaster victims in the State of Iowa;
- 2) Families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1);
- 3) Adult families (two or more household members) with no children under 18 years of age who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 4) Elderly, or disabled families who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 5) Families with children under the age of 18 or who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 6) Adult families (two or more household members) with no children under 18 years of age who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- 7) Single, non-elderly, non-disabled families with no children under 18 years of age regardless of residency.

Preferences #2 through #6 incorporate Iowa City's residency preference. Preferences #2 and #3 suggest that applicants that have a legal domicile in ICHA jurisdiction presumably have higher priority over those in preference categories #4, #5 and #6 (that describe characteristics of people that do not have a legal domicile in ICHA jurisdiction). Or to state it another way, wait- listed applicants from preference categories #2 and #3 have a legal domicile in ICHA jurisdiction, while wait-listed applicants in preference categories #4, #5 and #6 do not have a legal domicile in ICHA jurisdiction.

HUD allows localities to use "residency" in the local housing authority's jurisdiction as a preference, so long as use of that does not delay or deny access to HCV or Public Housing to members of protected classes. Below is the HUD regulation about the use of a "residency" preference.

[24 CFR 982.207(b)(1)]

"(b) Particular local preferences— (1) Residency requirements or preferences. Residency requirements are prohibited. Although a PHA is not prohibited from adopting a residency preference, the PHA may only adopt or implement residency preferences in accordance with non- discrimination and equal opportunity requirements listed at §5.105(a) of this title.

(ii) A residency preference is a preference for admission of persons who reside in a specified geographic area ("residency preference area"). A county or municipality may be used as a residency preference area. An area smaller than a county or municipality may not be used as a residency preference area.

(iii) Any PHA residency preferences must be included in the statement of PHA policies that govern eligibility, selection and admission to the program, which is included in the PHA annual plan (or supporting documents) pursuant to part 903 of this title. Such policies must specify that use of residency preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on race, color, ethnic origin, gender, religion, disability or age of any member of an applicant family."

Both the HCV and Public Housing programs of the ICHA have long waiting lists. As ICHA's 2013 annual report shows, each waiting list is clearly divided into two categories – “resident applicants” and others. For example in ICHA's 2013 annual report, the HCV program is shown to have 814 “resident applicants” and “an additional 4,952 applicants.” It seems that the main difference between the 814 “resident applicants” and the other wait-listed applicants is that the former category is composed entirely of people in preference category #2 and the latter category has people from preference category #3 (that by definition are residents) and people from the preference categories #4, #5 and #6 (that by definition are not residents) and people from Preference category #7. Now according to the ICHA administrator,

“The simple fact is regarding applicants, is we do not foresee a time when all applicants in the following category will ever be exhausted. This category is our pool of applicants . . . Families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1)”⁶⁰

The preference category referenced in the above statement is preference #2 in ICHA's preferences. From the ICHA administrator's statement it is clear that wait-listed applicants that are not “resident applicants” will, in effect, never get a HCV or Public Housing unit. This, by itself, is not a problem. But are people that are not “resident applicants” primarily from protected classes? If yes, then the residency preference has a disparate impact on protected classes because it is, in effect, delaying or denying them access to HCV and Public Housing programs.

To ascertain if there is a disparate impact as noted above, we requested the ICHA to provide us a tabulation of the characteristics of all wait-listed applicants that are not preference category #2 applicants. The ICHA declined to make this information available while noting that it does have this information.

Recommendations

I. **Impediment:** Spatial concentration of minorities in Iowa City is high and requires serious policy attention. A well accepted measure of spatial concentration is the Index of Dissimilarity. An Index of Dissimilarity score above 60 is widely acknowledged in policy and academic literature to indicate a high degree of segregation. With a Black-White Index of Dissimilarity score of 55 in the year 2010, Iowa City is quite close to being very segregated. Furthermore, Black-White segregation in Iowa City has increased over the last two decades whereas nationwide it has decreased.

Recommendation to overcome this impediment:

Iowa City should adopt a land development policy that would make housing options for minorities available at diverse locations across the city. To this end, we recommend that Iowa City adopt a mandatory inclusionary zoning policy that would apply to all new ownership and rental housing development. While the generally understood benefit of a mandatory inclusionary zoning policy is an increase in the number of reasonably-priced owner and rental units that families with incomes below 80% AMI can afford, an equally important but less well-recognized benefit is the scattered locations at which these new housing units gets built. For this reason, we recommend a mandatory inclusionary zoning policy as mechanism to “scatter” new housing for low- and moderate income families. This would create housing units for low- and moderate-income minority families at diverse locations in the city *without using any public subsidies or taxes.*

A mandatory inclusionary zoning policy would also be completely consistent with a sample policy contained in pages 3-13 and 3-14 of HUD's Fair Housing Planning guide. In those pages, HUD advocates the following action for the creation of affordable housing outside minority or low-income areas:

“Enact legislation by X date mandating site selection policies for affordable housing for all localities of 50,000 or more in population. The goal is to deconcentrate communities by race and income and encourage the construction of affordable single-family and multi-family housing throughout the jurisdiction.”

⁶⁰ Email correspondence received from the ICHA administrator on November 20, 2013.

This HUD policy suggests creation of affordable *single-family* and *multi-family housing*, and assisted as well as *unassisted* affordable housing. A mandatory inclusionary zoning policy would do this very effectively.

Between 2011 and 2013, the City of Iowa City approved 384 permits for the development of Single Family and 690 permits for the development of multi-family units. Both types of units were located all over the city. The presumptive demand for assisted ownership and rental housing from new minority households in Iowa City each year is 55 units. [This does not account for the existing backlog of assisted housing need for minority households]. Of these, 16 could be met with CDBG/HOME supported housing programs. [Again, this is an unreasonably optimistic assumption because CDBG/HOME income is not expected to be as high as it was in fiscal 2011 which allowed for this high rate of production.] This leaves a net shortfall of assisted housing for new minority households at 39 units per year. An effective and significant policy mechanism to disperse minorities across the city would be to require all new housing developments – be it ownership or rental -- to include a certain percentage of assisted units within them. Since minorities would presumptively be able to avail of 60% of the units, if 65 such units are created each year it would provide 39 units each year that minorities would have access to. Given that between 2011 and 2013, approximately 192 permits for single family units and 345 permits for multi-family units were issued per year, for a total of 537 units per year, allocation of 65 of these for low-income households seems a feasible proposition. We believe that short of such a significant intervention, the existing spatial concentration of minority populations is going to increase even further in the next five years.

II. Impediment: The Affordable Housing Location Model used by the City of Iowa City is a well-constructed effort to disperse certain types of assisted housing units across the city. However, this model significantly reduces the parcels of land within the city where new assisted rental units can be built. Furthermore, parcels where new assisted rental units are permissible are reportedly priced higher than parcels where new assisted rental housing cannot be built. In effect then, the well-intentioned Affordable Housing Location Model is constraining the supply of new assisted rental housing. Since assisted rental housing serves large numbers of minority families, the constraint on new assisted rental housing imposed by the model reduces new housing options for minority populations.

Recommendation to overcome this impediment:

For projects that require compliance with the Affordable Housing Location policy, the City should provide land at locations permitted by this model at prices comparable to land at locations not permitted by this model. Alternatively, the City should provide cash supplements from non-CDBG/HOME sources that offset land cost differentials to such projects.

III. Impediment: A survey of renters receiving housing assistance showed that landlords discriminate against renters using Housing Choice Vouchers and engage in many illegal practices. Such behavior adversely affects Housing Choice Voucher recipients' search for housing and the quality and location of housing they find. In turn, it affects Housing Choice Voucher utilization rates. Information from the Center on Budget and Policy Priorities indicates that overall voucher utilization rates in the Iowa City area have ranged between 89% in 2006 to 102% in 2012. In Fiscal 2011, of the 664 new and moving vouchers issued only 88% were utilized; 12% (or about 79 vouchers expired).

Recommendations to overcome this impediment:

- a) To address landlord-side problems regarding HCV recipients search for housing, the ICHA should expand existing landlord education programs aimed at busting the myths about HCV tenants and the HCV program.
- b) To address landlord-side problems regarding HCV recipients search for housing and the location of housing found through successful searches, the City should modify the City Code to expand the definition of protected classes to make discrimination based on use of a HCV as a rent supplement illegal.

Title 2, Chapter 5 of the Code of the City of Iowa City addresses fair housing issues. Several sections of this code describe protected classes thus:

“age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or public

assistance source of income of that person”

We recommend that the public assistance source of income protection be extended to include Housing Choice Voucher use by amending the definition of protected classes to read:

“age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or public assistance source of income (including Housing Choice Vouchers) of that person”

Many states and cities have source of income protection laws that make it illegal to discriminate against people seeking to lease a house with a HCV voucher. Studies have shown that such laws increase voucher utilization rates⁶¹ and help voucher recipients find housing in lower poverty and lower minority population neighborhoods⁶² than possible without such laws.

- c) To reduce tenant-side problems that result in failed searches, the City should encourage local-nonprofits involved in the provision of housing and related services for low-income persons to help HCV recipients in their search for housing.

IV. **Impediment:** Two surveys of renters showed that many violations of fair housing laws are not being reported because of the fear of retaliation or ignorance about how to report such violations.

Recommendations to address this impediment:

- a) That ICHRC expand its education programs regarding fair housing laws.
- b) That ICHRC set up a mechanism for easy and confidential reporting of fair housing violations, perhaps using a web-based format or smart-phone technology.

Other issues of concern

i. Minorities in the Iowa City area may not have fair access to residential lending. Analysis of HMDA data showed that the share of home loan applications from minorities are much lower than their share in the population, and that applications from Blacks and Hispanics were being denied at higher rates than applications from White applicants. We did not have access to credit score, credit history, and income and asset information of loan applicants and therefore cannot conclusively state that minorities are being discriminated against. However, we found large variations in the denial rate differences across the five–six banks that receive the most loan applications from minorities.

Recommendation: While more research is needed to conclude that minorities are being discriminated against in residential lending, the City could implement policies to ensure that banks that it conducts business with do not discriminate against minorities. To that end, one policy we recommend that the City adopt is a linked-deposit program wherein only those banks that clearly provide fair access in residential lending to minorities **and protected** classes are considered as potential recipients of the city’s banking business.

ii. The residency preference used by the Iowa City Housing Authority in its Housing Choice Voucher and Public Housing programs may have a disparate impact in denying or delaying access to those programs for certain protected classes. Local housing authorities are allowed to use a residency preference, so long as use of this preference does not delay or deny access to protected classes. The Iowa City Housing Authority was unable to furnish data to make this determination.

Recommendation: The Iowa City Housing Authority should conduct a rigorous, third-party review of the impacts of the residency preference every year and modify or eliminate this preference if disparate impacts on protected classes are found.

61 Freeman, Lance. 2012. The Impact of Source of Income Laws on Voucher Utilization. *Housing Policy Debate*.

62 Freeman, Lance and Yungjing Li. Do Source of Income (SOI) Anti-Discrimination Laws Facilitate Access to Better Neighborhoods? Paper presented at the Association of Public Policy and Management Fall Research Conference, November 2012.

SECTION VII: Signature Page

By my signature I certify that this Analysis of Impediments to Fair Housing for the City of Iowa City is in compliance with the intent and directives of the Community Development Block Grant program regulations.

Thomas M. Markus City Manager

Date: _____

APPENDICES

Appendix 1: Properties zoned multi-family and available for funding for affordable housing in Iowa City

Location	Zoning	Parcels	Size (in acres)	Development status
Iowa City (w/out Central Planning District)				
J St.	RM-12	5	1.32	developed
Muscatine and S. 1st Ave.	RM-20	1	13.19	undeveloped
Willow Street and Muscatine Ave.	RM-20	1	2.53	developed
Terrence Ln and Muscatine Ave.	RM-12	3	2.76	undeveloped
3410 Muscatine Ave.	RM-12	1	2.59	developed
Charlotte Ln.	OPD/RM-12	1	2.13	partially developed
E. Court St. and Huntington Dr.	RM-12	2	10.32	developed
Cayman St.	RM-12	38	11.39	developed
201 N 1st Ave.	RM-20	1	4.55	developed
2315 Rochester Ave.	RM-20	1	1.96	developed
535 N. 1st Ave.	OPD/RM-12	1	1.02	developed
Rochester Ave. and N. 1st Ave.	RM-12	17	12.38	developed
Conklin Ln. (north of Oakland Cemetery)	RM-12	22	51.17	partially developed
1122 N. Dubuque St.	OPD/RM-20	1	1.12	developed
Haywood Dr.	RM-20	1	5.79	partially developed
600 Taft	RM-20	1	1.5	developed
Valley Ave. and Lincoln Ave.	PRM	38	9.52	developed
S Riverside Ct.	RM-44	8	2.77	developed
Oakcrest St.	RM-44	14	4.34	developed
415 Woodside	RM-12	1	0.39	developed
Greenwood Dr and Miller Ave.	RM-20	6	8.1	developed
George St. and Spring St.	OPD/RM-12	24	3.5	developed
Jeffrey St. and Earl Ct.	RM-12	85	44.98	developed
Aber Ave.	RM-12	11	8.93	developed
1715 Mormon Trek	RM-12	1	5.59	developed
Dublin Dr. and Melrose Ave.	OPD/RM-12	1	9.82	developed
4435 Melrose Ave.	P1/RM-12	1	2.89	developed
Subtotal		287	226.55	
Central Planning District				
618 N. Dodge	RM-12	1	0.13	developed
505 E. Jefferson	RM-44	1	0.96	developed
N. Lucas and E. Jefferson	RM-44	5	1.49	developed
E Washington and S Dodge	RM-12	34	6.93	developed
E. Burlington and S. Summit	RM-44	3	0.8	developed
S. Lucas	RM-12	8	2.51	developed
Bowery, Van Buren, Johnson	RM-44	42	14.53	developed
Dodge, Van Buren, Johnson	RM-44	51	11.55	developed
E. Harrison	PRM, OPD/ PRM	17	5.89	developed
N. Clinton	PRM	27	6.24	developed
N. Dubuque	RM-44	36	8.27	developed

W. Burlington and W. Court	RM-44	1	3.4	developed
Jefferson and Gilbert	MU	28	3.65	developed
Prentiss and Capitol	PRM	32	6.34	developed
Subtotal		294	72.69	
Total		581	299.24	

Data sources: City of Iowa City Affordable Housing Location Model map (www.icgov.org/?id=1354) and City of Iowa City Zoning Map as of April 22, 2013 (<http://www.icgov.org/?id=1796>)

Note: Parcels of land can be re-zoned; the information presented in this table is an accurate snapshot of where assisted affordable rental housing can be located at one point in time, April 22, 2013.

Appendix 2: Summary of Iowa property tax relief programs available to residents of Iowa City

- i) *Iowa Homestead Credit: This was originally adopted to encourage home ownership through property tax relief; the current credit is equal to the actual tax levy on the first \$4,850 of actual value. Qualified homeowners in Iowa City save approximately \$192 annually with the Iowa Homestead Credit. To be eligible for this credit, a person/family must own and occupy the property as a homestead on July 1 of each year, declare residency in Iowa for income tax purposes and occupy the property for at least six months each year. Persons in the military or nursing homes who do not occupy the home are also eligible. The claim is allowed on the property for successive years without further filing as long as the property is used for purposes specified in the original claim.*
- ii) *Iowa Military Exemption: This reduces the taxable value of property for military veterans. The current credit is equal to the actual tax levy on the first \$1,852 of actual value. Qualified homeowners in Iowa City save approximately \$73 annually with the Iowa Military Exemption. To receive this credit, one must be a qualified veteran, must own the property on July 1 of each claim year and must file a claim for this on or before July 1.*
- iii) *Disabled Veteran Tax Credit: This credit equals the entire amount of the tax levied on the homestead. Use of this credit makes the recipient ineligible for any other real property tax exemption for veterans. This credit is available to disabled veterans with a combined annual income for the veteran and the spouse cannot exceed \$35,000. The surviving unmarried spouse and any child who are beneficiaries of a deceased veteran may continue to claim the credit. Claims for this credit need to file on or before July 1.*
- iv) *Iowa Low-Rent Housing Exemption: This provides a tax exemption for low-rent housing until the original housing development mortgage is paid in full or expires. Property owned and operated or controlled by a nonprofit organization providing low-rent housing for persons at least 62 years old or persons with physical or mental disabilities is eligible for this exemption. Owners of eligible properties must file an application with the assessor no later than February 1. The claim is allowed on the property for successive years without further filing as long as the property is used for purposes specified in the original claim.*
- v) *Iowa Disabled and Senior Citizens Property Tax Credit/Rent Reimbursement: This was incorporated into the Homestead Tax Law to provide property tax or rent relief to elderly homeowners and homeowners with disabilities. The rental units in which the applicants lived for the reimbursement period must be subject to property tax. Credit and reimbursements vary based on payments and income, with rates adjusted annually based on an indexation factor. The credit or reimbursement can be at most \$1,000 per year. Only persons that are 65 years old or older or totally disabled, and meet annual household low income requirements are eligible for this credit. A property owner must file a claim with the county treasurer by June 1 preceding the fiscal year in which the property taxes are due. Renters must file with the Department of Revenue by June 1 to claim reimbursement for rent paid in the prior calendar year. The director or county treasurer may grant extensions of time to file. For renters, the Iowa Department of Revenue website provides a list of rent reimbursement assistance sites in Iowa. The Heritage Area Agency on Aging located in Cedar Rapids provides guidance for residents of Iowa City.*
- vi) *Iowa Special Assessment Credit: This was established in conjunction with the Disabled and Senior Citizens Property Tax Credit. The credit gives 100% assistance to qualified homeowners who are required to pay special assessments. Special assessments are charges against real estate parcels that are identified as having a direct and unique benefit from a public project. To qualify for this, persons 65 years old or older or totally disabled, and meet annual household low income requirements. The claimant must file a claim with the county treasurer by September 30 of each year.*
- vii) *Iowa Mobile Home Reduced Tax Rate: This was enacted as a supplement to the Disabled and Senior Citizens Property Tax Credit. The objective is to provide mobile, manufactured and modular home owners with equivalent aid. Mobile homes and modular homes are taxed as real estate only when located outside of a mobile home park. Modular homes are always taxed as real estate, whether or not they are located within a mobile home park. Reduced tax rate is determined by household income. To be eligible for this, persons must be an Iowa resident, 23 or older, and meet annual household low income requirements. In 2013, household income cannot exceed \$21,335. To claim this rate, on or before June 1 of each year, each mobile, manufactured and modular home owner eligible for a reduced tax rate must file a claim with the county treasurer.*

Appendix 3: Accessibility Requirements of the Iowa City Building Code

Minimum accessibility requirements for all dwelling units in the Iowa City Building Code include:⁶³

- 1) **Interior doors:** At least one bedroom, one bathroom and all other passage doorway header widths, on the level served by the designed step-less entrance, must be framed to accommodate a minimum 38" clear rough opening. The framing for the doorway width opening may be reduced to accommodate any door size provided public funds are not used in which the minimum door clear opening shall be thirty-two inches (32") when the door is open ninety degrees (90), measured between the face of the door and the opposite stop. Note: A 34" door hung in the standard manner provides an acceptable 32" opening. [Exception: Doors serving closets twenty-four inches (24") or less in depth.]
- 2) **Switch and outlet requirements:** All wall switches, controlling light fixtures, fans, all temperature control devices and all receptacles shall be located in an area between fifteen (15) and forty-eight (48) inches above finished floor. The height will be determined by measuring from the finished floor to the center of the device. When the control or receptacle placement is prohibited by the height of the window or design feature, alternative locations may be approved by the building official.
- 3) **Electrical panel requirements:** Electrical panels shall be located so that the individual circuit breakers are located between 15" and 54 "above the floor.
- 4) **Sanitation facilities:** There must be at least one bathroom containing a shower, water closet (toilet) and lavatory (sink) and either a shower, or bathtub, or combination bath/tub located on the level of the dwelling to be accessed by a step-less entrance. The room must be designed in a manner that will provide a minimum of thirty inches (30") by forty-eight inches (48") clear floor space at the water closet and lavatory. The clear floor space shall not be obstructed by a doorway swing; however, clear floor space at fixtures may overlap if sufficient maneuvering space is provided within the room for a person using a wheelchair or other mobility aid to enter and close the door, use the fixtures, reopen the door and exit. Doors may swing into the clear floor space provided at any fixture if the maneuvering space is provided. Maneuvering space may include any knee space or toe space available below bathroom fixtures. [Exception: 1. If public funds are not used and a proposed bathroom design shows a shower, bathtub or combination tub/shower can be provided within the room or an adjoining room than the shower or bathtub is not required. 2. The building official may waive this requirement based on the determination that strict compliance is financially impractical.]
- 5) **Wall Reinforcement:** A bathroom must be provided with wood blocking installed within wall framing to support grab bars as needed. The wood blocking, when measured to the center, will be located between thirty-three inches (33") and thirty-six inches (36") above the finished floor. The wood blocking must be located in all walls adjacent to and behind a toilet, shower, or bathtub.
- 6) **Step-less Entrance:** At least one building entrance must be designed, without encroaching into any required parking space, that complies with the Iowa City Building Code standard for an accessible entrance on an accessible route served by a ramp in accordance with section R311.8 or a no-step entrance. The accessible route must extend from a vehicular drop-off, or parking to a building entrance. The entry door must have a minimum net clear opening of thirty-two inches (32"). Iowa City code only requires one parking space for single-family dwellings. [Exceptions: 1. If public funds are used the step-less entrance must be provided. 2. The building official may waive this requirement based upon the determination that strict compliance is financially or environmentally impractical. Split-level and townhouse style homes may be exempted.]
- 7) **Garages:** Must be wired for power-operated overhead doors.
- 8) **Decks:** All exterior decks and patios surfaces adjacent to the level served by the designed step-less entrance must be built within four inches (4") of the dwellings finish floor level or top of threshold whichever is higher.

⁶³ Iowa City, Iowa City Code: Title 17, Building and Housing Code. Retrieved from: http://www.sterlingcodifiers.com/codebook/index.php?book_id=953

Appendix 4: Basis for the housing complaints, 2009 to 2012

In FY09

- 1) Marital Status, Disability, Familial Status.
- 2) Race, Marital Status, Sexual Orientation, Sex, Presence or Absence of Dependents.
- 3) Marital Status, Sex, Familial Status, Retaliation.
- 4) Age, Disability, Race, Sex, Public Assistance Source of Income.
- 5) Age, Race, Disability, Public Assistance Source of Income, Sex.
- 6) Race.
- 7) Age, Race, Sex, Disability, Color, Religion, Retaliation.
- 8) Disability, Retaliation.
- 9) Disability, Retaliation.
- 10) Race, National Origin, Disability, Familial Status, Presence or Absence of Dependents, Color, Public Assistance Source of Income, Gender Identity.
- 11) Race, National Origin, Disability, Color, Gender Identity.

In FY10

- 1) Race.
- 2) Race, Color, Retaliation.
- 3) Race, Color, Retaliation.
- 4) Race, Color, Disability, Sex, Color, Gender Identity.
- 5) National Origin.
- 6) Public Assistance Source of Income.
- 7) Disability.
- 8) Color.
- 9) Race, Color.
- 10) Age, Gender Identity, Public Assistance Source of Income, Race, Marital Status, National Origin, Sexual Orientation, Disability, Creed, Sex, Familial Status, Religion.
- 11) Disability.
- 12) Disability, Retaliation.
- 13) Marital Status, Familial Status, Presence or Absence of Dependents, Disability, Public Assistance Source of Income.

In FY11

- 1) Race, Sex, Sexual Orientation.
- 2) Age, Public Assistance Source of Income.
- 3) Age, Race, Color, Disability, Sex, Familial Status, Public Assistance
- 4) Source of Income.
- 5) No protected characteristic checked.
- 6) Race, Familial Status, Color.
- 7) Presence or Absence of Dependents, Retaliation, Public Assistance Source of Income.
- 8) Age, Sex.
- 9) Race, Color, Disability, Public Assistance Source of Income.

In FY 12

- 1) Age, Disability, Retaliation.
- 2) Age, Marital Status, Familial Status, Presence or Absence of Dependents.

- 3) Age, Marital Status, Familial Status, Presence of Absence of Dependents.
- 4) Age, Marital Status, Familial Status, Presence of Absence of Dependents.
- 5) Familial Status, Presence or Absence of Dependents.
- 6) Disability, Retaliation.
- 7) Sex, Retaliation.
- 8) Age, Race, Color, Marital Status.
- 9) National Origin, Creed, Familial Status, Religion, Disability, Retaliation.
- 10) Disability, Sexual Orientation.
- 11) Race, Retaliation.
- 12) Familial Status, Absence or Presence of Dependents.
- 13) Race, National Origin.
- 14) No protected characteristics checked.

Appendix 5: Sample fair housing poster



FAIR HOUSING

in Iowa City ensures all people the lawful right to be considered:

For the house of their choice,
In the neighborhood of their choice,
In the price range they can afford;
And to receive fair, legal and equal
treatment and services in the terms
and conditions of buying, renting or
borrowing.

People who believe they or someone they know might be victims of housing discrimination should file a complaint immediately by contacting:

Iowa City Human Rights Commission
City Hall
410 E. Washington Street
Iowa City, IA 52240
319-356-5022

There is **NO CHARGE** for services of the Commission
Complaints Must Be Filed within **300 Days** of the Alleged Incident

The Iowa City Human Rights Ordinance prohibits discrimination in housing based on:
Race, Color, Creed, Religion, National Origin, Disability, Sex, Sexual Orientation, Public Source of
Income, Gender Identity, Familial Status, Marital Status, Presence or Absence of Dependents.



Appendix 6: Survey Forms

Survey form used for survey of assisted renters

11/13/13

Qualtrics Survey Software

Default Question Block

PURPOSE OF THIS SURVEY

The City of Iowa City is conducting a survey to evaluate fair housing conditions in the area. You are being invited to participate in this survey because you either receive rental assistance or live in a rental unit that receives or has received public funding. We want to find out what your experiences have been like in searching for or living in a rental unit in Iowa City in the past three years. Your input is extremely valuable!

The information that you provide will be kept anonymous and confidential -- so please DO NOT write your name or address or phone number anywhere in the survey form. Responses will be summarized, so individual responses will not be reported in anyway.

Please be honest and complete in your answers. Please take the survey only once.

If you have any questions about the survey, please call Ms. Tracy Hightshoe in the Iowa City Housing & Community Development department at 319-356-5244 or Tracy.Hightshoe@iowa-city.org.

We THANK YOU in advance for completing this survey!

WHAT IS FAIR HOUSING?

Fair housing is a right protected by federal, state and local laws. Fair housing laws apply to rental housing, homes for sale, advertising of homes, home loans and home insurance.

In Iowa City, it is an unlawful or discriminatory practice for any person to:

A. Refuse to sell, rent, lease, assign, sublease, refuse to negotiate or to otherwise make unavailable, or deny any real property or housing accommodation or part, portion or interest therein, to any person because of the age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender, sexual orientation, presence or absence of dependents or public assistance source of income of that person.

B. Discriminate against any other person in the terms, conditions or privileges of any real estate transaction because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender identity, sexual orientation, presence or absence of dependents or public assistance source of income.

C. Directly or indirectly advertise, or in any other manner indicate or publicize in any real estate transaction that any person is not welcome or not solicited because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender identity, sexual orientation, presence or absence of dependents or public assistance source of income.

D. Discriminate against the lessee or purchaser of any real property or housing accommodation or part, portion or interest of the real property or housing accommodation, or against any prospective lessee or purchaser of the property or accommodation because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents, or public assistance source of income of persons who may from time to time be present in or on the lessee's or owner's premises for lawful purposes at the invitation of the lessee or owner as friends, guests, visitors, relatives or in any similar capacity.

EXAMPLES OF UNLAWFUL OR DISCRIMINATORY PRACTICE AGAINST RENTERS:

1. The rent or deposit quoted is higher than advertised.
2. The manager/landlord says the unit is rented but the unit is actually still available.
3. The manager/landlord says, "You probably won't like it here," "We've rented out the family units" or "There is no place for your children to play"
4. The manager/landlord denies your request to make minor modifications to your unit to accommodate your disability.
5. The manager/landlord refuses to make repairs to your unit because of your age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender identity, sexual orientation, presence or absence of dependents or public assistance source of income.
6. The manager/landlord harasses you or your children, or your friends, guests, visitors, or relatives that are at your home for lawful purposes because of either your or their age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender, sexual orientation, presence or absence of dependents or public assistance source of income.

1. Have you ever experienced any of form of unlawful discrimination when searching for or living in rental housing in Iowa City in the last 3 years that were because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender, sexual orientation, presence or absence of dependents or public assistance source of income?

- Yes, I have
- I think I may have
- No, I have not
- Not sure
- Other

If you answered "No, I have not" or "Not sure" or "Other", then please skip to Question 15.

2. How many times do you believe you were unlawfully discriminated against in the last 3 years?

- Just once
- 2-5 times
- Over 5 times

3. Did this discrimination occur when you were (select all that apply):

- Searching for a unit to rent when receiving public assistance (other than a Housing Choice Voucher)
- Searching for a unit to rent using a Housing Choice Voucher
- Searching for a unit to rent without any form of public assistance
- Living in a rental unit

4. Who do you believe discriminated against you? (select all that apply)

- Property manager/Landlord
- Government housing program staff person
- Other

5. On what basis do you believe you were discriminated against? (select all that apply)

- Race
- Color
- Religion
- National origin
- Gender Identity
- Marital Status
- Sexual Orientation
- Age
- Family status
- Presence or absence of children

- Public assistance source of income (other than using a Housing Choice Voucher)
- Using a Housing Choice Voucher
- Disability

6. In what type of property did the act(s) of discrimination occur? (select all that apply)

- Apartment
- Single-family detached rental house
- Public/subsidized rental housing unit
- Trailer or mobile home that you rented
- Sub-leased space

7. Please describe the act(s) of discrimination.

Text input field for describing the act(s) of discrimination.

8. In the past three years, have you been denied flexibility or a "reasonable accommodation" in the rules, policies, or practices that you need because of a disability?

- Yes, I have
- I think I may have
- No, I have not

If yes, what was your request?

Text input field for describing the request if the answer to question 8 is yes.

9. If you believe you have been discriminated against, have you reported the incident?

- Yes, I have
- I plan to
- No, I have not

10. If you did not report the incident(s), why not? (select all that apply)

- Didn't know what good it would do
- Didn't know where to file a complaint
- Didn't realize it was a violation of the law
- Afraid of losing a housing opportunity
- Didn't understand the process
- Afraid of retaliation
- Wanted help to file but didn't receive any
- Description of the process was not in my native language

- Description of the process was not in my native language
- Process was not accessible to me as a result of my disability
- Missed the deadline for reporting the incident

11. If you did report the incident(s), to which agency or person did you do so? (select all that apply)

- Police
- Iowa City Human Rights Commission
- City of Iowa City
- Iowa City Housing Authority
- Landlord or property manager

12. If you did report the incident(s), what was the longest period of time that you waited before reporting the incident?

- Less than a week
- Between a week and one month
- Over a month, but less than six months
- Over six months

13. If you did report the incident(s), were you happy with the way your complaint was handled?

- Yes
- No

14. If you did report the incident(s), do you know what the outcome was?

- Yes
- No

15. How well informed are you about housing discrimination?

- Very informed
- Somewhat informed
- A little informed
- Not at all informed

16. Do you believe housing discrimination is a problem in Iowa City?

- Yes
- No
- I am not sure

17. If you think housing discrimination is occurring, what types do you think are most prevalent? (select all that apply)

- Discrimination based on race, national origin or color

- Discrimination based on age
- Discrimination based on religion
- Discrimination based on gender identity or sexual orientation
- Discrimination based on marital status or family size or the presence or absence of dependents
- Discrimination based on public assistance source of income (such as receiving a Social Security Income check but not a Housing Choice voucher)
- Discrimination based on receiving a Housing Choice voucher
- Discrimination based on disability

18. What can be done to prevent housing discrimination?

19. What is your age?

- 18 to 21
- 22 to 30
- 31 to 40
- 41 to 50
- 51-60
- 61 or older

20. What is your race or ethnicity?

- White, Non-Hispanic
- Black or African-American
- Asian
- Native American
- I identify as Hispanic or Latino, of any race or combination of races.
- I identify with more than one racial category, but do not identify as Hispanic or Latino
- Other

21. What is your gender?

- Male
- Female
- Other or prefer not to say.

22. Where do you live currently?

- In Iowa City
- Outside Iowa City but within Johnson County
- Outside Johnson County

23. What is your sexual orientation?

- Heterosexual
- Homosexual
- Other or prefer not to say.

24. Is a language other than English regularly spoken by you or members of your household?

- We only speak English at home
- I or others in my household primarily speak a language other than English at home. That language is:

25. What is the highest level of education you have completed?

- Some high school
- Graduated from high school or received a GED
- Some College
- Associates or 2-year degree
- Bachelors or 4-year degree
- Some graduate school
- Graduate or other advanced degree

26. Are you employed?

- Yes
- No

27. Do you have any type of disability?

- Yes
- No

28. What is the total number of people in your household?

- 1
- 2
- 3 - 4
- 5- 7
- 8
- More than 8

29. How many adults (i.e., people aged 18 or more) are there in the household?

- 1
- 2

- 3 - 4
- 5 - 7
- More than 7

30. How many children are there in the household? (If someone is counted as a dependent for tax purposes, please count them as a child.)

- 0
- 1
- 2
- 3 - 4
- 5 - 7
- More than 7

31. What was your household's total income from all sources in the year 2012?

- Less than \$19,999
- \$20,000 to \$29,999
- \$30,000 to \$39,999 per year
- \$40,000 to \$59,999 per year
- \$60,000 to \$79,999
- \$80,000 or more

THANK YOU VERY MUCH! We truly appreciate your time and the responses that you provided.

Survey form used for survey of un-assisted renters

11/13/13

Qualtrics Survey Software

Default Question Block

PURPOSE OF THIS SURVEY

The City of Iowa City is conducting a survey to evaluate fair housing conditions in the area. If you are currently a renter in Iowa City (or have been one in the last three years), we invite you to participate in this survey. We want to find out what your experiences have been like in searching for or living in a rental unit in Iowa City in the past three years. Your input is extremely valuable!

The information that you provide will be kept anonymous and confidential -- so please DO NOT write your name or address or phone number anywhere in the survey form. Responses will be summarized, so individual responses will not be reported in any way.

Please be honest and complete in your answers.

If you receive housing assistance, such as a Housing Choice Voucher or live in public housing, and have already filled out a survey either online or using a paper form, you should not fill out this survey. We have received your information already -- Thank you!

If you have any questions about the survey, please call Ms. Tracy Hightshoe in the Iowa City Housing & Community Development department at 319-356-5244 or Tracy.Hightshoe@iowa-city.org.

We THANK YOU in advance for completing this survey!

WHAT IS FAIR HOUSING?

Fair housing is a right protected by federal, state and local laws. Fair housing laws apply to rental housing, homes for sale, advertising of homes, home loans and home insurance.

In Iowa City, it is an unlawful or discriminatory practice for any person to:

A. Refuse to sell, rent, lease, assign, sublease, refuse to negotiate or to otherwise make unavailable, or deny any real property or housing accommodation or part, portion or interest therein, to any person because of the age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender, sexual orientation, presence or absence of dependents or public assistance source of income of that person.

B. Discriminate against any other person in the terms, conditions or privileges of any real estate transaction because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender identity, sexual orientation, presence or absence of dependents or public assistance source of income.

C. Directly or indirectly advertise, or in any other manner indicate or publicize in any real estate transaction that any person is not welcome or not solicited because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender identity, sexual orientation, presence or absence of dependents or public assistance source of income.

D. Discriminate against the lessee or purchaser of any real property or housing accommodation or part, portion or interest of the real property or housing accommodation, or against any prospective lessee or purchaser of the property or accommodation because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents, or public assistance source of income of persons who may from time to time be present in or on the lessee's or owner's premises for lawful purposes at the invitation of the lessee or owner as friends, guests, visitors, relatives or in any similar capacity.

EXAMPLES OF UNLAWFUL OR DISCRIMINATORY PRACTICE AGAINST RENTERS:

1. The rent or deposit quoted is higher than advertised.
2. The manager/landlord says the unit is rented but the unit is actually still available.
3. The manager/landlord says, "You probably won't like it here," "We've rented out the family units" or "There is no place for your children to play"
4. The manager/landlord denies your request to make minor modifications to your unit to accommodate your disability.
5. The manager/landlord refuses to make repairs to your unit because of your age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender identity, sexual orientation, presence or absence of dependents or public assistance source of income.
6. The manager/landlord harasses you or your children, or your friends, guests, visitors, or relatives that are at your home for lawful purposes because of either your or their age, color, creed, disability, gender identity, marital status, familial status, national origin.

<https://s.qualtrics.com/ControlPanel/Ajax.php?action=GetSurveyPrintPreview&T=1Dq9g2>

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race, religion, gender, sexual orientation, presence or absence of dependents or public assistance source of income.

1. Have you ever experienced any of form of unlawful discrimination when searching for or living in rental housing in Iowa City in the last 3 years that were because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, gender, sexual orientation, presence or absence of dependents or public assistance source of income?

- Yes, I have
- I think I may have
- No, I have not
- Not sure
- Other

If you answered "No, I have not" or "Not sure" or "Other", then please skip to Question 15.

2. How many times do you believe you were unlawfully discriminated against in the last 3 years?

- Just once
- 2-5 times
- Over 5 times

3. Did this discrimination occur when you were (select all that apply):

- Searching for a unit to rent when receiving public assistance (other than a Housing Choice Voucher)
- Searching for a unit to rent using a Housing Choice Voucher
- Searching for a unit to rent without any form of public assistance
- Living in a rental unit

4. Who do you believe discriminated against you? (select all that apply)

- Property manager/Landlord
- Government housing program staff person
- Other

5. On what basis do you believe you were discriminated against? (select all that apply)

- Race
- Color
- Religion
- National origin
- Gender Identity
- Marital Status
- Sexual Orientation
- Age

- Family status
- Presence or absence of children
- Public assistance source of income (other than using a Housing Choice Voucher)
- Using a Housing Choice Voucher
- Disability

6. In what type of property did the act(s) of discrimination occur? (select all that apply)

- Apartment
- Single-family detached rental house
- Public/subsidized rental housing unit
- Trailer or mobile home that you rented
- Sub-leased space

7. Please describe the act(s) of discrimination.

8. In the past three years, have you been denied flexibility or a "reasonable accommodation" in the rules, policies, or practices that you need because of a disability?

- Yes, I have
- I think I may have
- No, I have not

If yes, what was your request?

9. If you believe you have been discriminated against, have you reported the incident?

- Yes, I have
- I plan to
- No, I have not

10. If you did not report the incident(s), why not? (select all that apply)

- Didn't know what good it would do
- Didn't know where to file a complaint
- Didn't realize it was a violation of the law
- Afraid of losing a housing opportunity
- Didn't understand the process

- Afraid of retaliation
- Wanted help to file but didn't receive any
- Description of the process was not in my native language
- Process was not accessible to me as a result of my disability
- Missed the deadline for reporting the incident

11. If you did report the incident(s), to which agency or person did you do so? (select all that apply)

- Police
- Iowa City Human Rights Commission
- City of Iowa City
- Iowa City Housing Authority
- Landlord or property manager

12. If you did report the incident(s), what was the longest period of time that you waited before reporting the incident?

- Less than a week
- Between a week and one month
- Over a month, but less than six months
- Over six months

13. If you did report the incident(s), were you happy with the way your complaint was handled?

- Yes
- No

14. If you did report the incident(s), do you know what the outcome was?

- Yes
- No

15. How well informed are you about housing discrimination?

- Very informed
- Somewhat informed
- A little informed
- Not at all informed

16. Do you believe housing discrimination is a problem in Iowa City?

- Yes
- No
- I am not sure

17. If you think housing discrimination is occurring, what types do you think are most prevalent? (select all that apply)

- Discrimination based on race, national origin or color
- Discrimination based on age
- Discrimination based on religion
- Discrimination based on gender identity or sexual orientation
- Discrimination based on marital status or family size or the presence or absence of dependents
- Discrimination based on public assistance source of income (such as receiving a Social Security Income check but not a Housing Choice voucher)
- Discrimination based on receiving a Housing Choice voucher
- Discrimination based on disability

18. What can be done to prevent housing discrimination?

19. What is your age?

- 18 to 21
- 22 to 30
- 31 to 40
- 41 to 50
- 51-60
- 61 or older

20. What is your race or ethnicity?

- White, Non-Hispanic
- Black or African-American
- Asian
- Native American
- I identify as Hispanic or Latino, of any race or combination of races.
- I identify with more than one racial category, but do not identify as Hispanic or Latino
- Other

21. What is your gender?

- Male
- Female
- Other or prefer not to say.

22. Where do you live currently?

- In Iowa City

- Outside Iowa City but within Johnson County
- Outside Johnson County

23. What is your sexual orientation?

- Heterosexual
- Homosexual
- Other or prefer not to say.

24. Is a language other than English regularly spoken by you or members of your household?

- We only speak English at home
- I or others in my household primarily speak a language other than English at home. That language is:

25. What is the highest level of education you have completed?

- Some high school
- Graduated from high school or received a GED
- Some College
- Associates or 2-year degree
- Bachelors or 4-year degree
- Some graduate school
- Graduate or other advanced degree

26. Are you employed?

- Yes
- No

27. Do you have any type of disability?

- Yes
- No

28. What is the total number of people in your household?

- 1
- 2
- 3 - 4
- 5-7
- 8
- More than 8

29. How many adults (i.e., people aged 18 or more) are there in the household?

- 1
- 2
- 3 - 4
- 5 - 7
- More than 7

30. How many children are there in the household? (If someone is counted as a dependent for tax purposes, please count them as a child.)

- 0
- 1
- 2
- 3 - 4
- 5 - 7
- More than 7

31. What was your household's total income from all sources in the year 2012?

- Less than \$19,999
- \$20,000 to \$29,999
- \$30,000 to \$39,999 per year
- \$40,000 to \$59,999 per year
- \$60,000 to \$79,999
- \$80,000 or more

32. Which of these options below best describes you?

- You currently rent and do not have a Housing Choice Voucher or live in Public Housing
- You have a Housing Choice Voucher or live in Public Housing

33. Are you a full-time student currently?

- No
- Yes

THANK YOU VERY MUCH! We truly appreciate your time and the responses that you provided.

Appendix 7: List of acronyms used in the report

ACS	American Community Survey
AMI	Area Median Income
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations
CRA	Community Reinvestment Act of 1977
FHA	Federal Housing Administration
FSA	Farm Service Agency
HACAP	Hawkeye Area Community Action Program
HCV	Housing Choice Voucher
HMDA	Home Mortgage Disclosure Act of 1975 HOME
HOME	Investment Partnership Program
HTFJC	Housing Trust Fund of Johnson County
HUD	United States Department of Housing and Urban Development
ICAAR	Iowa City Area Association of Realtors
ICHA	Iowa City Housing Authority
ICHRC	Iowa City Human Rights Commission
IoD	Index of Dissimilarity
LIHTC	Low Income Housing Tax Credit
MSA	Metropolitan Statistical Area
P & Z	Planning and Zoning
PCD	Planning and Community Development
PH	Public Housing
PHA	Public Housing Authority
RHS	Rural Housing Service
SRO	Single Room Occupancy
THF	The Housing Fellowship
VA	Veterans Administration
VASH	Veterans' Affairs Supportive Housing