



## Analysis of Impediments to Fair Housing Choice

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City of Yuba City  
2010



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## I. INTRODUCTION

The U.S. Department of Housing and Urban Development (HUD) has a long-standing commitment to the elimination of racial and ethnic segregation and other discriminatory practices. Based on its obligation under section 808 of the Fair Housing Act, HUD has strongly encouraged the adoption and enforcement of State and local fair housing laws, and the reduction of separation by race, ethnicity or disability status in all of its housing and community development programs. Through its community development programs, HUD seeks to further its goal of increasing equal and free access to residential housing in order to achieve equality of opportunity for all persons regardless of race, color, religion, sex, national origin, disability, or familial status.

This document and the related Action Plan are designed to address and fulfill the fair housing requirements of the Consolidated Plan. Federal regulations require participating communities to certify that they are affirmatively furthering fair housing and conducting fair housing planning by:

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

The Analysis of Impediments (AI) and any future updates are generally required to be conducted in conformance with the Consolidated Plan time frame. This AI update replaces the City's AI of 2005. Action Plans must respond to the impediments identified in the AI and include milestones, timetables, and measurable results for each of the four years following the completion/update of the AI.

City staff and the consultants of the Ramsay Group are currently preparing an update to the City's 2005 Consolidated Plan and are encouraging citizens, local, and regional organizations to assist in gathering information for the Consolidated Plan Process. The preparation of the AI is a cooperative effort between the City of Yuba City and the consultants of Stuart and Graham. Community Development Block Grant Funds are being used to fund the AI and Consolidated Plan.

Two public meetings were sponsored by the City and the Ramsay Group on November 18, 2009 to discuss the Consolidated Plan process and the importance of community involvement in the preparation of the Plan. Those stakeholders attending the meetings included: Ed Anderson, Pathways; Shawn Marmon, Children's Hope; Rich Sebo, A Hand Up; Ron Brasler, A Hand Up; Mike Mannshardt, Hands of Hope; Sue Mannshardt, Hands of Hope; Dylan Saake, California Rural Legal Assistance; Larry Bagley, Sutter County; Amerjit Bhuttal, Sutter County; Ranjit Singh, Del Norte Clinics; Ann Gillen, Claudia Hollis, FREED Center for Independent Living; Brad Luz, Sutter-Yuba Mental Health; Suzanne England, The Salvation Army; Rick Millhollin, The Salvation Army; Bill Williamson, Habitat for Humanity Sutter-Yuba; Patti Clary, Yuba County One Stop & Youth Build; Marsha Krouse-Taylor, Casa de Esperanza; Bill Padgett, Central Valley Homeless Veterans Assistance Program. Stakeholder participants at these two meetings did not express any concerns regarding impediments to fair housing laws.

The third and final public participation meeting held on January 12, 2010, even though well noticed and publicized, did not garner any stakeholder participation. For further information on the public participation process, please see the City's 2010 Consolidation Plan.

The process for the preparation of the Analysis of Impediments to Fair Housing Choice is to identify impediments in the Public and Private sectors of the community where they may exist or any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin that restricts housing choices or the availability of housing choice, or any actions, omissions, or decisions that can have this effect.

The goals of the AI are to: (1) create an ongoing process for the examination of fair housing in Yuba City and the elimination of housing discrimination in the jurisdiction; (2) build working relationships among the various agencies involved with housing provision, both public and private; (3) provide opportunities for racially and ethnically inclusive patterns of housing occupancy; (4) promote housing that is physically accessible to and used by all persons, particularly persons with disabilities; and (5) educate both the public and private sector on the need for benefits of public housing.

During the AI process Stuart and Graham carried out an electronic mail, telephonic, and web based research effort to Local, State, and Federal Agencies to secure any data required by HUD regarding identification of any type of fair housing complaints or issues that may adversely affect fair housing choice in Yuba City.

#### **A. Impediments Identified**

The jurisdiction's AI identified only one impediment to fair housing choice:

1. Possible Discriminatory subprime Lending Practices;

#### **B. Actions to Address Impediments**

1. City staff shall: incorporate HUD brochures on subprime lending practices in the City's First Time Homebuyers and Rehabilitation Programs.

## **II. JURISDICTIONAL BACKGROUND**

#### **A. Demographic Data**

Beginning in 2005, the U.S. Census Bureau began the American Community Survey (ACS) which is a new nationwide survey designed to provide communities a look at how they are changing. Based upon a geographic area's population the ACS collects and produces population and housing information on either an annual, 3-year or 5-year basis instead of every ten years.

Geographic areas such as the City of Yuba City will receive data estimates every 3 years. The current estimates are based on data collected by ACS between 2005 and 2007 and are referred to as the ACS 2006-2008 data.

According to the 2006-2008 ASC data for demographic and housing estimates, the City's total population increased to an estimated 61,503. ACS also estimates the City's number of households increased from the 13,209 reported during the 2000 US Census survey to a current 22,254; an increase of 59%. Of those 22,254 households; 12,166 are owner occupied housing units; 8,605 are renter occupied; and 1,483 units are vacant.

ASC determined that families made up 72 percent of the households in the City while nonfamily households made up 28 percent of all households in the City. Most of the nonfamily households were people living alone, but some were composed of people living in households in which no one was related to the householder. The average household size was 2.9 people.

Current estimates on ethnicity from ACS is as follows:

ETHNICITY	POPULATION	PERCENTAGE
White	42,628	69.3
Black	2,315	3.8
Native American	2,404	3.9
Asian	9,946	16.2
Hawaiian/Pacific Islander	314	.5
Other	8,151	13.3
Total Population	61,503	100%

ACS reports that 24 percent of the people currently living in Yuba City are foreign born and 76 percent are native to the United States; including 57 percent who were born in California.

There is no current ACS data on the predominant language spoken at home, however ACS does report that among people at least five years old living in Yuba City 37 percent spoke a language other than English at home. Of those speaking a language other than English at home, 58 percent spoke Spanish, 42 percent spoke some other language, and 61 percent reported that they did not speak English "very well."

The most current data on the predominant language spoken at home in Yuba City was reported in the 2000 US Census and is as follows:

LANGUAGE	YUBA CITY	STATE OF CALIFORNIA
English	71%	61%
Spanish	19%	26%
Asian Pacific Islander	2%	9%
Other	8%	5%

## B. Income Data

According to Census 2006-2008 American Community Survey(ACS) data income estimates, the median household income in Yuba City is \$50,226; lower than the California average of \$61,154. The estimated percentage of households falling into specific income categories, according to ACS, for Yuba City and California are displayed in the following table:

<b>INCOME</b>	<b>YUBA CITY</b>	<b>STATE OF CALIFORNIA</b>
Less than \$10,000	4.3%	5.2%
\$10,000 to \$14,999	8.4%	5.1%
\$15,000 to \$24,999	11.0%	9.4%
\$25,000 to \$34,999	12.3%	9.0%
\$35,000 to \$49,999	13.7%	12.7%
\$50,000 to \$74,999	19.7%	17.8%
\$75,000 to \$99,999	13.6%	12.9%
\$100,000 to \$149,999	10.4%	15.0%
\$150,000 to \$199,999	4.3%	6.4%
\$200,000 or more	2.3%	6.5%
Total	100%	100%

ACS reports that 10.8% of the people currently living in Yuba City are below the poverty level; slightly higher than the California estimate of 9.6%.

### **C. Employment Data**

The percentage of workers by type of employment for Yuba City's and California's civilian population 16 years of age and older as reported by the Census 2006-2008 American Community Survey(ACS) is as follows:

<b>CLASS OF WORKER</b>	<b>YUBA CITY</b>	<b>CALIFORNIA</b>
Private wage & salary workers	71.8%	76.8%
Government workers	19.3%	14.2%
Self-employed workers	8.1%	8.8%
Unpaid family workers	.8%	.2%
Total	100%	100%

The same ACS data on industry sectors in 2006-2008 for the employed population, 16 years and older, states that the leading industries in Yuba City were: (1) Educational services, health care and social assistance jobs comprising 22.6% of the industry sector; and (2) Retail trade comprising 12.2% of the industry sector. The following table illustrates how the industries in Yuba City compare to those statewide.

<b>TYPE OF INDUSTRY</b>	<b>YUBA CITY</b>	<b>CALIFORNIA</b>
Agriculture, forestry, fishing and hunting, & mining	5.5%	2.0%
Construction	9.0%	7.6%
Manufacturing	7.8%	10.5%
Wholesale trade	2.7%	3.5%
Retail trade	12.2%	11.1%
Transportation & warehousing, & utilities	6.9%	4.7%
Information	0.9%	3.1%
Finance and insurance, & real estate & rental & leasing	5.5%	7.2%
Professional, scientific, & management, & administrative & waste management services	7.0%	12.0%
Educational services, & health care & social assistance	22.6%	19.3%
Arts, entertainment, & recreation, & accommodation, & food services	6.8%	9.2%
Public administration	8.1%	4.4%
Other Services	4.8%	5.2%
Total	100%	100%

ACS reports that 12.1% of Yuba City's current civilian population is unemployed, much higher than the California estimate of 6.9%.

**D. Education**

According to 2006-2008 ACS data on education for persons 25 years and older living in the City: (1) 25% had graduated from high school; (2) 10% had an associate degree; (3) 12% had a bachelor's degree; (4) 6% had a graduate degree; and (5) 23% were dropouts who were not enrolled in school and had not graduated from high school.

The table below illustrates how Yuba City residents compare to statewide percentiles on educational attainment.

<b>EDUCATION ATTAINMENT</b>	<b>YUBA CITY</b>	<b>CALIFORNIA</b>
Graduate/Professional Degree	6%	11%
Bachelor's Degree	12%	18%
Associate's Degree	10%	8%
Some College, no Degree	24%	21%
High School Diploma or Equivalency	25%	22%
Less than High School Diploma	23%	20%
Total	100%	100%

The State Employment Development Department (EDD) works in coordination with the Career Training and Education Center (CTEC) and Sutter County One-Stop to offer programs to assist local businesses and job seekers with employment support and provide job seekers with the assistance they need to improve their job skills.

The CTEC opened its doors in March of 1984 and is the local one-stop job center for Sutter County which is located in central Yuba City close to public transportation. CalWORKs and CTEC are partners in both training and assistance for those entering the labor market. CTEC has contracted to provide a four-week intensive employment training, work experience, and community service program.

From the beginning, the ultimate goal of the CTEC concept has been to empower individual self-sufficiency through education, training, jobs, and partnerships with the community, employers, and agencies to provide increased opportunities for success. CTEC is working toward redefining the educational process and has made every effort to be accessible to the schedules of individuals who have daytime obligations by providing many evening classes.

**III. EVALUATION OF JURISDICTION’S CURRENT FAIR HOUSING LEGAL STATUS**

**A. Fair Housing Complaints or Compliance Reviews**

**1. HUD Compliance Review**

According to the City and the Consolidated Area Housing Authority of Sutter County there were no HUD findings of discrimination.

## **2. Fair Housing Complaint**

According to the City and the Consolidated Area Housing Authority of Sutter County there were no HUD findings of discrimination.

## **IV. ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

### **A. Analysis of Public Sector**

#### **1. Zoning and Site Selection**

The placement of new and rehabilitated housing for lower-income households is one of the most controversial issues communities face. If fair housing objectives are to be achieved, the goal must be to avoid high concentrations of low-income housing. The City utilizes the specific plan model for planning and development of affordable housing to ensure that affordable housing is dispersed throughout the City to avoid high concentrations of low-income housing. The City also utilizes a Planned Development Overlay to allow greater flexibility in decreasing lot sizes and setback requirements, up to the maximum levels specified by the General Plan, in order to promote residential cluster developments, which allows for greater housing production at lower costs. Most of the community's proposed affordable housing is located near or on public transportation routes and within walking distance to schools and shopping.

Local government policies that limit or exclude group homes or other housing for homeless persons from certain residential areas may violate the provisions of the Fair Housing Act. This is because they may indirectly discriminate against persons with disabilities and minorities, many of whom are homeless. The City's 2008 General Plan Housing Element provides an analysis of its zoning and site selection policies and was certified by the California Department of Housing and Community Development (HCD) to be in substantial compliance with Housing Element Law.

To avoid discrimination of unrelated individuals living together, the City defines a family as one or more persons occupying a residence and living as a single housekeeping unit as distinguished from a group occupying a board house or hotel.

#### **2. Neighborhood Revitalization**

The City operates affordable housing programs funded by State HOME, Low Income Housing Tax Credits, CDBG, and Redevelopment funds to provide Housing Rehabilitation Loans and First Time Homebuyer Loans to increase and preserve the City's supply of affordable housing.

The City's Senior Handyman Program provides seniors in the community with assistance with minor home repairs when referrals to the program are made from the Senior Center.

The City of Yuba City Housing Rehabilitation Program provides low-interest loans to qualified homeowners and owner-investors with qualified tenants for the rehabilitation of residential property located in the City. Special consideration is given to households on fixed incomes, particularly the elderly and disabled. If the home is owner-occupied, the applicant must: (1) occupy the property as their principal residence; (2) Have title to the property; and (3) Have household income

that does not exceed the low-income guidelines established by the U.S. Department of Housing and Urban Development. If the property is not owner-occupied the owner-investor must have title to the property and agree to rent the unit(s) to low-income households for a specified number of years. The program does not base applicant assistance on gender or racial/ethnic background.

To the extent that an amortized loan payment will not cause housing costs to exceed 30% of annual income, rehabilitation costs will be financed as a five percent (5%) interest amortized loan for up to thirty (30) years. Owner-Investors will be offered five percent (5%) fixed rate loans amortized for fifteen (15) years. The loan is due upon sale of property, transfer of title or when borrower no longer occupies the home as his/her principal residence.

Repairs may include roofing, pest control work, plumbing, electrical, flooring, painting, and some types of general property improvements. Energy conservation work like weather-stripping and insulation are encouraged. Improvements such as pools, spas and interior decorating are not eligible.

Yuba City's Housing Rehabilitation Program is operated by Mercy Housing California.

The City is currently preparing a Neighborhood Revitalization Strategy with new program guidelines and implementation measures for improving lower-income neighborhoods. The strategy will be completed in conjunction with the City's 2010 Consolidated Plan.

### **3. Municipal and Other Services**

Municipal and other services provided by the City such as Parks and Recreation Programs, Police and Fire services, Water, Garbage and Sewer services. Street Maintenance and Transportation Services are all delivered equitably throughout the community.

According to the City's Public Works Department all areas of the City are serviced equitably related to Capital Improvement Projects and Replacement Projects. Additionally, maintenance services to the City's infrastructure systems including water, sewer, storm drainage systems, and street and sidewalk maintenance are also provided equitably to all areas of the City.

The Yuba City Police Department's Community Outreach Unit seeks to reduce crime on a citywide basis. The unit operates under the Community Oriented Policing and Problem Solving (COPPS) philosophy, and works in partnership with the community and various agencies to promote proactive problem solving and enhance the quality of life in the City. Some of the services provided by the Crime Prevention and Community Outreach Unit are:

- Public presentations to schools, civic groups and organizations are available free of charge; and
- Tours of the police facility are given to the public by appointment only. The largest groups of tours are given to school-aged children while foreign exchange students are also given the opportunity to learn about the American police services.

The Police Department's Community Outreach Unit also invites community participation in the Citizen Police Academy, a 12-week academy held in the spring and fall each year. Each week, members of the Police Department or the Sutter County District Attorney's office give specialized presentation to teach attendees about the inner workings of the Department; including everything from routine activities to the specialized units and their responsibilities. Each three hour class covers topics that include traffic education and enforcement, gangs, investigative procedures, narcotics and SWAT operations. The Citizen Police Academy promotes a partnership between the Police Department and the Community. Graduates of the Citizen Police Academies leave with a better understanding of law enforcement and its operations, and are given the opportunity to become Volunteers In Policing (VIP).

The School Resource Police Officer (SRO) duties are to maintain peace and order in and around the school sites within the Yuba City Unified School district, and to create positive interaction between students, citizens and educators. With the addition of another high school in the area, there are two SROs in the Police Department. One SRO maintains an office on the Yuba City High School campus while the other has an office at River Valley High School. Both SROs are veteran officers with extensive experience in dealing with the issues and problems that arise in local schools, whether on campus or off.

The Cadet Officer program was established by the Yuba City Police Department to encourage and foster standards of professionalism in law enforcement for young adults interested in careers in Criminal Justice. This youth program offers the cadets interaction with positive role models, insight into police department operations, and an understanding of the obstacles facing law enforcement today. Cadets are required to volunteer at least 16 hours per month to the Department, but often devote many more. Their time is spent assisting dispatch, records and crime analysis personnel, riding with patrol officers, assisting with traffic control and working directly with the public. Qualified candidates for the cadet program are between the ages of 15 and 22, attend school full-time and maintain at least a 2.5 grade point average.

According to the Yuba City Police Department and data from the California State Department of Justice (DOJ) hate crimes are unusual in Yuba City. In 2006, there were no cases of hate crimes against minorities in Yuba City that were referred to the DOJ. In 2007, two cases were referred, one of which resulted in a conviction. In 2008, one case was referred, resulting in one conviction. Hate crimes in the City do not appear to be an impediment to persons living and working in the community.

The Police Department's website, [www.ycpd.org](http://www.ycpd.org), features a Bulletin and News section which includes Crime Prevention Tips each month.

The Yuba City Parks and Recreation Department offers a wide variety of classes and activities for all community members and those that are age 50 and older. An expansive number of sports programs and activities are offered throughout the week for all age groups. Support services, games, arts and creative expression classes, computer classes and lab, dance and exercise, trips and special events are offered for those 50 and older. Scholarships are available through the Rick Balfour and Mayors Cup funds for low-income children 17 and under, and seniors age 50 and older. A recent foundation grant has allowed the City to purchase ADA-accessible play equipment at Gauche Aquatic Park.

The Yuba City Parks and Recreation Department also offers youth sport and enrichment after school programs which are located either in census tracts or school service areas that predominately contain low and moderate-income households. These programs are for school aged children, kindergarten through eight grade. All the programs are free to participants and funded through a variety of grants. The programs include indoor and outdoor games, art projects, entertainment, contests, supervised play, and snacks. The following are a list of the host schools in the program: Andros Karperos; Park Avenue; Gray Avenue; April Lane; and Lincrest.

#### **4. Energy Conservation**

Pacific Gas and Electric Company's Low-Income Energy Management Department is dedicated to assisting low-income, disabled and senior citizen customers through numerous financial assistance programs and community outreach projects in Yuba City. Here is an outline of each of these programs:

##### LIHEAP (Low-Income Home Energy Assistance Program)

Low-income households may qualify for financial assistance via the following programs: (1) The Home Energy Assistance Program (HEAP) which provides a direct payment to an eligible client's utility bill to help offset the cost of heating or cooling their home; (2) The Weatherization Program which provides free energy efficiency upgrades to lower their monthly utility bills; and (3) The Energy Crisis Intervention Program (ECIP) provides assistance to low-income households that are in a crisis situation. Examples include a household that has received a 24 or 48-hour disconnect notice or service termination by their utility company or an energy-related crisis of life-threatening emergency exists in the applicant's household.

##### FERA (Family Electric Rate Assistance)

FERA (Family Electric Rate Assistance) is a rate reduction program for large households of three or more people with low to middle-income. It provides more electric use at a lower rate and is designed for customers who exceed the income threshold for the CARE discount program.

##### CARE (California Alternate Rates for Energy)

The CARE Program provides a monthly discount on energy bills for income qualified households and housing facilities. Qualifications are based on the number of persons living in the home and the total annual household income.

##### Energy Partners

Energy Partners is Pacific Gas and Electric Company's free weatherization program. Utility-approved contractors work with low-income customers to make their homes more energy efficient.

##### REACH (Relief for Energy Assistance through Community Help)

REACH is a one-time energy-assistance program sponsored by PG&E and administered through the Salvation Army from 170 offices in northern and central California. Those who have experienced an uncontrollable or unforeseen hardship may receive an energy credit up to \$200, with the credit amount based on the past

due amount of the bill. REACH assistance may be available once within an 18 month period, but exceptions can be made for seniors, the physically challenged and the terminally ill.

#### Third Party Notification Program

PG&E will notify a designated third party when a person, relative, friend or client receives a late notice due to an unpaid PG&E bill. The program may benefit persons who are ill, having financial difficulties, language difficulties or other issues.

### **5. Employment – Housing – Transportation Linkage**

In order to meet the needs of public transportation to serve the region as it changes, the Board of Directors of the Sacramento Area Council of Governments (SACOG), the region's transportation planning and funding agency utilizes the Transportation/Land Use data developed during the Sacramento Region Blueprint Project.

Yuba-Sutter Transit has received regional recognition from the SACOG for outstanding regional efforts in transportation as part of the SACOG Salutes Regional Awards Program. Compared to other urban areas in California, Yuba-Sutter Transit operates what is among the widest range of services at the lowest local cost.

Through the preparation of a Specific Plan, which will govern future growth, the City has planned for the development of multifamily affordable housing along major transportation routes, and the maximum number of residents shall have close access to public transportation, schools, parks, shopping, and employment opportunities.

Yuba-Sutter Transit offers scheduled local fixed route service with 14 buses that range in capacity from 27 to 35 passengers. The local fixed route system provides service every 30 to 60 minutes on six routes with eleven buses operating in Yuba City area. Route service is provided each weekday from 6:30 a.m. to 6:30 p.m. and from 8:30 a.m. to 5:30 p.m. on Saturdays.

Yuba-Sutter Transit surveyed Sacramento commuters and downtown Sacramento employers and used the results to make significant changes to improve their transit access to and from downtown Sacramento. Currently, nine morning and three afternoon schedules operate between Marysville/Yuba City and downtown Sacramento each weekday.

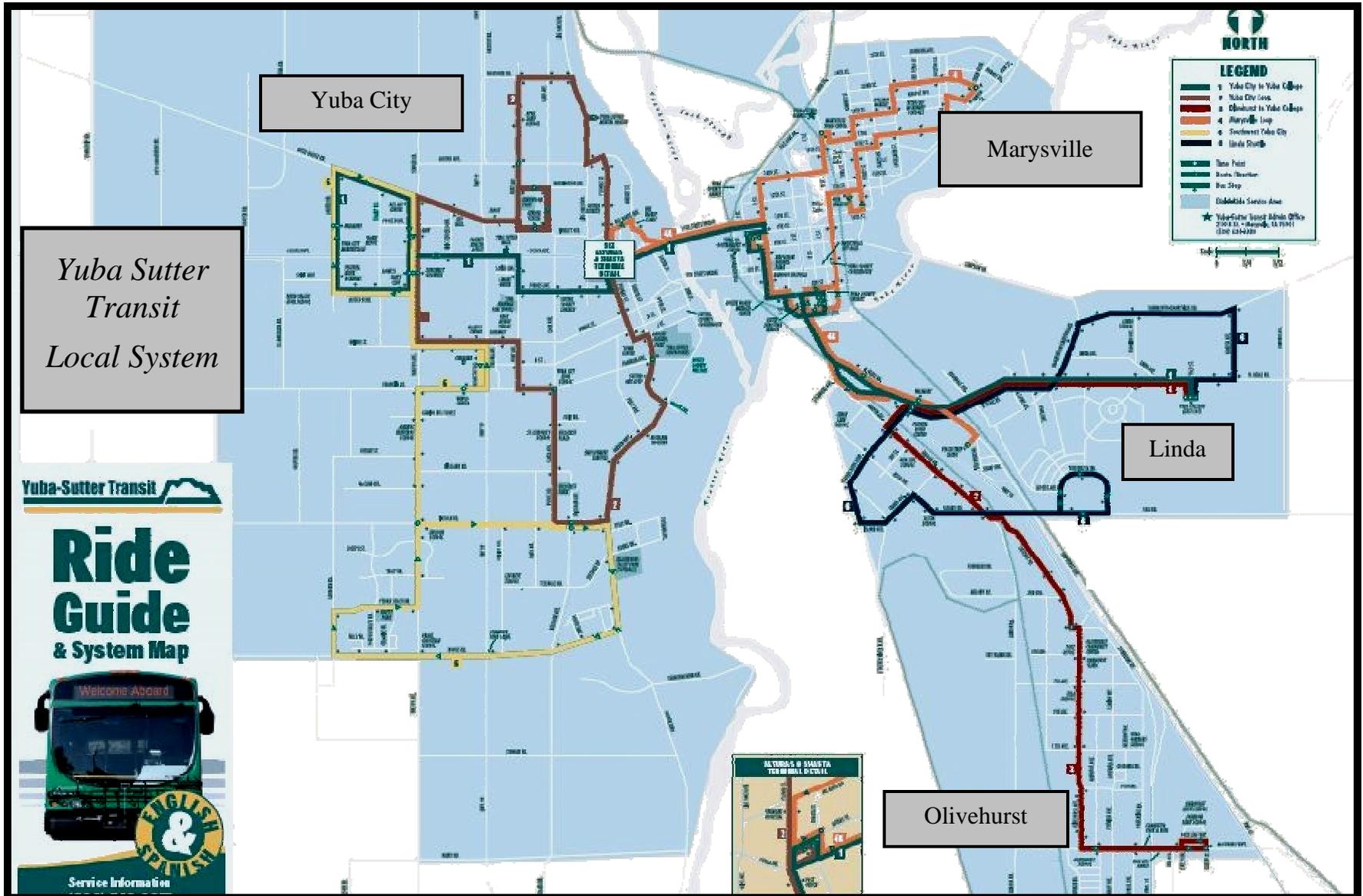
Dial-A-Ride offers curb-to-curb services designed to meet the needs of seniors, persons with disabilities, and general public passengers traveling to or from locations more than half a mile from a fixed route from 6:30 a.m. to 9:30 p.m. on weekdays and from 8:30 a.m. to 5:30 p.m. on Saturdays. On weekday evenings from 6:00 p.m. to 9:30 p.m. (Monday through Friday) there are no passenger eligibility restrictions, and lower fares are available on the Dial-A-Ride service.

Yuba-Sutter Transit has made a concerted effort to better connect with the local Punjabi community with several targeted public outreach campaigns. Sri Guru Nanak Sikh Temple members were featured on promotional posters displayed in both English and Punjabi inside the bus and on bus stop information panels to help encourage Punjabis to try riding the bus. In response to input from the Punjabi community, Route 5 was modified to improve access to the Temple.

In December 2009, the Feather River Air Quality Management District (FRAQMD) Board of Directors extended Yuba-Sutter Transit's Discount Monthly Youth Pass Program through December 2010. The discounted \$5 monthly pass offers unlimited use local fixed route youth for passengers ages 5 to 18. Yuba-Sutter expects to provide up to 140,000 youth pass trips in 2010.

All Yuba-Sutter Transit buses are equipped with bike racks and are wheelchair accessible.

For more information on Yuba-Sutter Transit local bus route services see the transit map on the following page.



## 6. Housing Authority and Other Housing Programs

This section of the AI examines the following policies and procedures for the public housing agency and other housing assistance providers:

- Selection of individuals and families to receive the benefits of federal, state or local publicly assisted housing programs that provide rental or ownership opportunities for lower-income person and families;
- Advertising rental vacancies to the public and establishing and maintaining the waiting lists; and
- Assisting certificate and voucher holders to find suitable rental units throughout the jurisdiction.

There is one major assisted housing provider within the jurisdiction's project area the: Consolidated Area Housing Authority of Sutter County (Housing Authority), which is responsible for the Section 8 Housing Choice Voucher Program and Public Housing. Their admissions and occupancy policies for publicly owned housing are on file with the City.

There are no statements or rules in the Housing Authority's policies that could be construed as discriminatory in tenant selection, nor are there procedures which would exclude or limit the participation of persons in the housing developments they manage. The Housing Authority promotes fair housing through advertisements in the local Appeal Democrat and through the use of banners and pamphlets which are published in English, Spanish and some in Punjabi. The Housing Authority is currently working on translating additional pamphlets and information into Punjabi.

The tenant selection process for the Housing Choice Voucher Rental Assistance Program (a rental subsidy program for low income households) includes the following preferences: (1) Residents of Sutter County; (2) Persons who work or go to school in Sutter County; (3) Veterans or spouses of deceased veterans; (4) Victims of Domestic Violence; (5) Date and time stamp of application; and (6) Household income. The selection process is based upon a point system utilizing the above preferences.

Additionally, the Housing Authority may establish local preferences for selecting applicants from its Housing Choice Voucher Rental Assistance Program (HCV) waiting list. For example, the Authority may give a preference to a family who is: (1) Homeless or living in substandard housing; (2) Paying more than 50% of its income for rent; or (3) To a household who are involuntarily displaced. Families who qualify for any local preferences move ahead of other families on the list who do not qualify for any preference. A minimum of 75% of the HCV units must be occupied by extremely low-income persons. The current waiting list is closed and the average wait for tenant placement is up to thirty six months.

The tenant selection process for Public Housing includes the following preferences: (1) Residents of Sutter County; (2) Persons who work or go to school in Sutter County; (3) Veterans or spouses of deceased veterans; (4) Victims of Domestic Violence; (5) Date and time stamp of application; (6) Household income; (7) Persons living in substandard housing; and (8) Persons who have been involuntarily displaced without housing. The selection process is based upon a point system utilizing the

above preferences. Unit availability fluctuates and units are filled based upon the above criteria and size of family, therefore the waiting time fluctuates between months to over a year.

The Housing Authority also manages the following two farm worker projects:

Richland Housing Farm Labor facility, which consists of 180 units (50-two bedrooms, 118-three bedroom and 12-four bedroom units) constructed in the late 1970's. The Richland Housing project is targeted to farm workers who are permanent residents of Yuba City and do not migrate on a seasonal basis. The Housing Authority states that there have been no significant increases or decreases in demand for housing at Richland. As of January 2010, the number of families on the waiting list varies between 10-14.

Yuba City Migrant Center includes 79 units (62-2 bedroom and 17-3 bedroom units). The Center operates seasonally between April and October. The Housing Authority reports a decline in the demand for migrant farm worker housing in recent years and states that only 54 of the 79 available units were occupied in 2009; a 32% vacancy rate.

The California Human Development Corporation (CHDC) owns and manages the following farm worker housing project:

Mahal Plaza is a 98 unit project containing two, three and four bedroom units. Mahal Plaza gives priority to resident and migrant farm workers. CHDC reports no significant increases or decreases in demand for housing at Mahal Plaza. There are currently 14 families on their waiting list.

Other low-income housing programs, such as the City's Housing Rehabilitation Program and First Time Home Buyer Program have waiting lists based on eligibility, and date/time of application. Neither of these programs base applicant assistance on gender or racial/ethnic background.

The City's Homes2Families Program, funded through Redevelopment Agency Set-Aside and the American Recovery and Reinvestment Act (ARRA) Neighborhood Stabilization Program (NSP) is underway. In this program, homes are purchased by the Redevelopment Agency, renovated, and then managed by the Consolidated Area Housing Authority of Sutter County's Development and Rehabilitation Department. The homes are then offered to the community at an affordable rent. This program serves the City of Yuba City and its residents by eliminating blight in neighborhoods and by offering affordable housing to the community.

To assess whether there are any patterns of concentrations of tenants by race or ethnicity in any assisted housing developments, Stuart and Graham contacted the Housing Authority to obtain racial/ethnic breakdown by Census Tract of Housing Choice Voucher Program participants. The Housing Authority states that it has converted to a new database system which no longer captures this information. However, the Housing Authority does maintain that the patterns of concentrations of tenants by race or ethnicity in any assisted housing developments are reflective of the communities ethnic composition based on the 2000 Census data. Additionally,

the Housing Authority states that in the future it will resume tracking racial/ethnic breakdown by Census Tract of Housing Choice Voucher Program participants in the new database system.

The Housing Authority's admissions application contains a section on the application where applicants can select a preference for one assisted housing project over another. During the application process an applicant can refuse one unit and maintain their position on the waiting list. After the first refusal of a unit, each additional rejection is reviewed on an individual basis. If an applicant is willing to accept the unit offered, but is unable to move at the time of the offer and presents clear evidence of his/her inability to move, the rejection is justifiable. If necessary, the Executive Director may approve additional waivers without the applicant going to the bottom of the waiting list.

The Housing Authority actively assists all certificate and voucher holders, including those with disabilities, to find suitable housing by providing a monthly list from rental agencies announcing vacancies, a list of current apartments for rent, and a master list of names and addresses, number of units, and other data on multifamily developments. As of January 2010, the Housing Authority has 803 Housing Choice Vouchers.

The Housing Authority also actively promotes mobility through cooperative efforts with other agencies in the metropolitan area and region. The Housing Authority does not discourage or reject applications from lower income households that do not reside in its jurisdiction by imposing residency or other local preferences. In fact, the Housing Authority assists certificate and voucher holders from other jurisdictions. Housing Authority staff encourage certificate and voucher holders to look for housing in all neighborhoods in the jurisdiction, regardless of certificate and voucher holders' ethnicity.

There have been no HUD assisted or insured housing providers (including the Housing Authority) that have been found in noncompliance with any civil rights laws or regulations since the City's last Analysis of Impediments in 2005. In an effort to continue to promote fair housing, the Housing Authority works with Sacramento Fair Housing to sponsor two fair housing seminars for landlords annually. In December 2009, California Rural Legal Assistance provided fair housing training for Housing Authority staff.

To ensure compliance and monitoring of programs, the City continues to submit performance reports and annual plans as required by HUD and by the State Department of Housing and Community Development (HCD), which administers the HOME program. The City also uses IDIS for reporting, setting up, funding and drawing down funds for its Community Development Block Grant program. The Redevelopment Agency also submits an annual housing report to HCD detailing all expenditures from the low and moderate-income housing fund.

In an effort to promote fair housing, the City's Community Development Department or its administrative subcontractor provides loan counseling to all of its borrowers prior to closing on first-time homebuyer or housing rehabilitation loans. Information on fair housing is marketed to the general public through newspaper articles, City newsletters, the City's Website, at community events, and with flyers available at the Community Development Department's front counter.

## **7. Low Income and Racial/Ethnic Concentrations**

The areas of the City where the low-income and ethnic/racial concentrations areas overlap one another is east of Highway 99 and south of B Street to the Feather River. For additional data on the areas of the City (Census Tract Block Group) where low-income and ethnic/racial concentrations exist see the City's 2010 Consolidated Plan.

## **8. Sale of Subsidized Housing and Possible Displacement**

Based on consultation with the Department of Housing and Community Development (HCD), a review of the California Housing Partnership Corporation study regarding units at risk of conversion and direct contact with property owners and management of the assisted units, no units within the City are at high risk of converting to market rate within the next five years.

Two projects (Live Oak Apartments and Sutter Village) are owned by private, for-profit developers whose contracts for HUD Project Based Section 8 assistance are renewed annually. Both owners were contacted and expressed their intent to continue to maintain the projects as affordable.

The owners of Kingwood Commons (which was identified as "at risk" in the 2002-2007 Housing Element) opted out of the Section 8 contract in 2002. However, Kingwood Commons was acquired by the Housing Authority, using a combination of Tax Exempt Bond Financing and Agency Set-Aside Funds. The project remains affordable, secured by the 55-year regulatory agreement.

According to the City's Planning Department, no units of affordable housing will be destroyed during the next five years. The City's Residential Anti-displacement and Relocation Assistance Plan adopted in 1996 closely follows the provisions of the Uniform Relocation Act when tenants of affordable housing are displaced. The Plan includes replacement of said units within a three year time frame; establishing alternative facilities to house persons who must be temporarily displaced during rehabilitation; provision of reasonable protection of the tenants whose dwelling units are subjected to condominium conversion; and provision of HUD-funded counselors or consultants to give homeowners and renters information on the assistance available to help them remain in the neighborhoods while revitalization efforts are underway.

## **9. Property Tax Policies**

Property tax assessments are statutorily mandated by the State of California as a means to fund government services in Sutter County and throughout the State.

The City of Yuba City has sought to reduce the impact of property taxes on residents by adopting the Yuba City Redevelopment Plan Area to revitalize the blighted sections of the community. In the past the City has utilized the CDGB funds, City General funds, Redevelopment Funds, Transportation Enhancement Activities Funds to revitalize blighted business districts. The City has also investigated the use of the State's Business Improvement District Program to stimulate economic development in the Redevelopment Plan Area.

The Redevelopment Low and Moderate Income Housing Fund (20% Housing Set Aside) are used to increase the number of affordable housing units throughout the City.

#### **10. Planning and Zoning Boards**

The City realizes that Boards, Commissions and Task Forces play an important role in City government by assisting and advising the City Council in formulating and implementing policies and to develop recommendations to the City Council.

Boards and commissions are established by ordinance, while task forces are usually established by a motion or resolution to address particular projects or specific areas of concern. Task forces generally are given a defined period of time to accomplish their tasks.

The City has an open recruitment policy for Boards, Commissions and Task Forces where all citizens are encouraged to apply. The City Clerk is responsible for advertising vacancies on the City's website and in the Appeal Democrat, the local newspaper.

The City has no policies or practices affecting the representation of all racial, ethnic, religious, and disabled segments of the community on Boards, Commissions or Task Forces.

#### **11. Building Codes (Accessibility)**

The City has adopted the California Building and Fire Codes and the California Energy Efficiency Standards as the basis of its building standards. The City has also adopted the Uniform Code for the Abatement of Dangerous Buildings and the International Property Maintenance Code. Permits are required for all electrical and plumbing work and other major home improvements and modifications. The City also requires the installation of sprinklers for multi-family developments (three or more units).

The City's building codes represent basic construction standards within the State of California and do not place additional undue financial burdens on contractors who construct or rehabilitate units of affordable housing.

It is the policy of the City to do whatever possible to assist persons with disabilities to have access to housing. The City's 2008 General Plan Housing Element is certified by the State Housing and Community Development Department to have no negative zoning or regulatory policies relating to the accommodations for persons with disabilities.

Building code standards are upheld through code enforcement. Code enforcement activities strive to promote and maintain a safe living environment and address building condition issues before they progress to the point of requiring more extensive repairs. The City's Code Enforcement Officer operates a fair and unbiased enforcement program to inspect properties that may represent hazardous and/or dangerous building conditions. In the past five years, all code enforcement violations have been corrected through compliance measures and no housing units have been destroyed.

## **B. Analysis of Private Sector**

### **1. Lending Practices**

To assess the impact of local lending practices on fair housing choice, the most recently published 2008 Home Mortgage Disclosure Data (HMDA) was reviewed. The data analyzed was published by the Federal Financial Institutions Examination Council (FFIEC) under the Home Mortgage Disclosure Act enacted by Congress in 1975, which requires mortgage lending institutions to publicly disclose information about their home lending activity.

HMDA data includes the disposition of applications for mortgage credit during each calendar year, the location of the properties related to those loans, and personal demographic and other information about the borrowers. Each September, the FFIEC releases summary data pertaining to lending activity from the previous calendar year. Therefore, the most current HMDA data available for analysis is for calendar year 2008.

According to the National Low-Income Housing Coalition, subprime lenders target homeowners with credit blemishes, people of color in racially concentrated neighborhoods and women with unscrupulous lending practices which may lead to owners facing foreclosures and declining home values. For this reason, HUD requires all jurisdictions to analyze HMDA data to determine if citizens in the community have been targets of subprime lenders. The FFIEC cautions that higher-priced lending is not necessarily indicative of subprime lending activity and that there are a number of factors that can alter the incidence of reported higher-priced lending without any corresponding changes in subprime lending activity. The current FFIEC methodology for determining the incidence of subprime loans is flawed and therefore the HMDA data is not able to specify which loans are subprime. In order to protect those borrowers who have credit blemishes, are women, or are people of color in racially concentrated neighborhoods from unscrupulous lending practices, the City identifies subprime lending practices as a possible impediment to fair housing choice.

The 2008 HMDA data reflect the difficulties in the housing and mortgage markets. Reported loan application and origination volumes fell sharply from 2007 to 2008 after already falling considerably from 2006 to 2007. The reduction in lending occurred among all groups of borrowers regardless of race, ethnicity, or income, although lending for some groups declined more sharply than for others.

The table on the next page depicts the City's 2008 Income and HMDA data by census tract. The table shows the number of loans originated and denied per census tract according to the borrowers percentage of median household income and minority population. According to HUD, the City's median household income for a family of four in 2008 was \$53,800.

**CITY OF YUBA CITY  
2008 INCOME AND HOME MORTGAGE DISCLOSURE DATA BY CENSUS TRACT**

<b>Census Tract</b>																	
501.01	501.02	502.01	502.02	503.01	503.02	504.00	505.01	505.03	505.04	506.01	506.03	506.04	507.00	508.00	509.00	510.00	511.00
<b>Percentage of Median Household Income</b>																	
111%	66%	74%	67%	124%	83%	151%	102%	132%	160%	149%	119%	150%	89%	114%	110%	118%	127%
<b>Minority Population</b>																	
34%	34%	49%	47%	28%	60%	31%	45%	40%	50%	29%	26%	26%	55%	19%	43%	45%	23%
<b>Loans Originated per Tract</b>																	
87	61	26	44	47	69	253	59	137	151	145	82	39	151	67	19	41	25
<b>Loans Denied Per Tract</b>																	
47	41	23	28	25	48	134	51	94	96	65	47	24	134	49	*23	38	*34
<b>Percentage of Loans Denied per Tract</b>																	
54%	67%	88%	64%	53%	70%	53%	86%	69%	64%	45%	57%	61%	89%	73%	...	93%	...
<p style="text-align: center;"><i>Data Sources: (1) 2008 Federal Financial Institutions Examination Council (FFIEC) Census Report on Demographic Information; and (2) 2008 Home Mortgage Disclosure Data (HMDA) Aggregate Table 1: Disposition of all types of Purchase Loan Applications on 1 to 4 Family and Manufactured Home Dwellings.</i></p> <p style="text-align: center;"><i>*Conflicting HMDA Data is italicized, i.e.: more loans being denied than originated, HMDA has no explanation for this conflict in data.</i></p>																	

The City's 2008 Income and HMDA data in the table above indicates that some loan denials occurred in census tracts where the minority populations were comparatively low and/or median income was comparatively higher than other areas of the City. For instance, in census tract 510.00 where applicants earn 118% of the median household income and the minority population is at 45%, you might expect the denial rate to be much lower instead of the highest in the City where 93% of loan applications were denied. After analysis of the statistics in the table, there exists no clear pattern of loan discrimination in census tracts based upon high concentrations of low-income households and/or minorities. Although it appears as though there was a high percentage of loan denials across the board, once loan denials by race for the City of Yuba City were compared to the National average, the concern is diminished.

The table below compares the most recent 2008 Home Mortgage Disclosure Data by loan type for loan denials by race for the City of Yuba City and the Nation.

**Percentage of Loan Denials by Loan Type and Race**

Race	Loans Denied in Yuba City	Loans Denied Nationwide	Percentage Difference
<b>FHA and VA Purchase Loans</b>			
American Indian	13%	18%	-5%
Asian	26%	17%	+9%
Black or African Amer.	26%	22%	+4%
Hawaiian/Pacific Isl.	14%	18%	-4%
White	13%	14%	-1%
Hispanic	14%	20%	-6%
<b>Conventional Purchase Loans</b>			
American Indian	18%	32%	-14%
Asian	19%	17%	+2%
Black or African Amer.	44%	36%	+8%
Hawaiian/Pacific Isl.	36%	26%	+10%
White	17%	17%	0%
Hispanic	24%	29%	-5%
<b>Refinance Loans</b>			
American Indian	66%	53%	+13%
Asian	48%	29%	+19%
Black or African Amer.	63%	47%	+16%
Hawaiian/Pacific Isl.	61%	43%	+18%
White	41%	29%	+12%
Hispanic	55%	43%	+12%

After reviewing loan type for loan denials by race for the City of Yuba City and the Nation in the table above, the largest percentage difference spread occurred with refinance loans where Asian applicants were denied 19% more often citywide than nationwide. However, Asian loan applicants fared better with purchase loan applications. Otherwise, the data above does not present any conclusive evidence of loan discrimination based on race in the City.

## **2. Access to Insurance**

On April 26, 2003, the California Supreme Court decided that the State must collect and disclose to the public the data it has collected from insurance companies to determine whether insurers are engaged in discrimination against consumers based on their race, income, or the ZIP code where they live. Insurers are now required to file certain basic data with the California State Department of Insurance to verify whether an insurer is violating prohibitions against redlining.

The most recent 2006 Insurance Commissioner's Report on underserved communities in California does not identify the City of Yuba City as "underserved" for home, personal auto, commercial peril or fire market insurances. Whether a community is considered to be "underserved" is based upon three criteria contained in the California Code of Regulations section 2646.6(c) (1) (a-c) as follows:

- a. The proportion of uninsured motorists is ten percentage points above the statewide average;
- b. The per capita income of the community, as measured in the most recent U.S. Census, is below the fiftieth percentile for California; and
- c. The community, as measure in the most recent U.S. Census, is predominantly minority.

Communities that are considered "underserved" are those with little or no insurance protection. Absence of or inadequate insurance protection can be detrimental to people's lives. Therefore the California Department of Insurance will continue to encourage the insurance industry to invest and to make insurance accessible and affordable to the "underserved" communities.

## **3. Real Estate Practices**

All Realtors in California are required to sign the National Association of Realtors Code of Ethics at time of licensing and are required to attend a three hour course on ethics prior to their license renewal every four years. Ethics violations, including those associated with racial steering, illegal advertising practices, discrimination by race, discrimination against racially integrated neighborhoods, or discrimination against low income neighborhoods are reported to the Sutter Yuba Association of Realtors (SYAR) and are directed to the association's ethics tribunal for investigation. According to the Executive Officer of Sutter/Yuba Association of Realtors, since her employment began 20 years ago, there have been no complaints of discriminatory practices reported to the Association.

In further discussions with the SYAR executive officer, Realtors are also required to have an additional 42.5 hours of continuing education every four years to renew their licenses. SYAR regularly and routinely offers classes on various subjects related to real estate practices for their members and affiliated lender members. According to the executive officer of SYAR, the association is a tight knit organization that would have knowledge of unfair or discriminatory lending practices to minorities and low-income households (higher points, interest rates, fees, subprime rates) and unfair appraisal practices associated with minorities or low-income households. The executive officer of SYAR has no knowledge of any unfair or illegal rental, sales, or lending practices against minorities and low-income households in Yuba City.

## **C. Public and Private Sector**

### **1. Fair Housing Enforcement**

Fair Housing complaints brought to the City's attention are directed to either Legal Services of Northern California or the California Rural Legal Assistance (CRLA). Both organizations are advocates for migrant workers and low-income persons in Yuba City and provide legal services and fair housing information to ensure their interests are presented and protected. The City works with both entities to coordinate actions and activities that further the goals of fair housing in the community.

### **2. Informational Programs**

The Housing Authority promotes fair housing through advertisements in the local newspaper, the use of fair housing banners, and pamphlets published in English, Spanish, and Punjabi.

Information on fair housing and events are marketed to the general public through brochures, newspaper articles, City newsletters, the City Website, and at community events.

## **D. Fair Housing and Equal Opportunity**

According to the City and Housing Authority there have been no determinations of unlawful housing discrimination by a court or a finding of noncompliance by HUD under Title VI of the Civil Rights Act of 1964 or Section 504 of the Rehabilitation Act of 1973.

## **V. ASSESSMENT OF PUBLIC AND PRIVATE FAIR HOUSING PROGRAMS AND ACTIVITIES**

As part of the City's General Plan 2008 Housing Element Program Accomplishments, the City describes the housing programs and activities recently and currently underway, including specific accomplishments which promote fair housing. As reported in the Housing Element, the housing programs and activities have served and continue to serve the community well. The City plans to continue those programs and activities throughout the 5-year General Plan Housing Element Planning Cycle. For specific information on these housing programs and activities, including farm worker housing, please refer to the City's 2008 Housing Element.

## **VI. CONCLUSIONS**

### **A. Public Sector**

After a review of local laws and ordinances relating to the possible impediments to fair housing choice in the public sector, the City has no knowledge of impediments of the following nature:

- Local building, occupancy, and health and safety codes that may affect the availability of housing for minorities, families with children, and persons with disabilities;

- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of public (assisted) and private housing such as: the provision of essential municipal services (e.g., water, sewage, electricity, public transportation, roads);
- Real estate property tax assessments;
- Building codes;
- Accessibility standards that do not meet the accessibility requirements of the Fair Housing Act (42 U.S.C. 3604, Section 804(f)(3)(C));
- Equalization of municipal services;
- Local zoning laws and policies (e.g., minimum lot size requirements, dispersal requirements for housing facilities for persons with disabilities in single-family zones, and restrictions on the number of unrelated persons in dwellings based on size of unit or number of bedrooms);
- Demolition and displacement decisions pertaining to assisted housing and the removal of slums and blight (e.g., relocation policies and practices affecting persons displaced by urban renewal, revitalization, and /or private commercialization or gentrification in low-income neighborhoods);
- Public policies that restrict the provision of housing and community development resources to areas of minority concentration, or policies that inhibit the employment of minority persons and individuals with disabilities;
- Public policies that restrict the interdepartmental coordination between other local agencies in providing housing and community development resources to areas of minority concentration or to individuals with disabilities;
- Planning, financing, and administrative actions related to the provision and siting of public transportation and supportive social services that may inhibit or concentrate affordable housing opportunities for persons with disabilities;
- Policies and practices affecting the representation of all racial, ethnic, religious, and disabled segments of the community on planning and zoning boards and commissions.

## **B. Private Sector**

After a review of local laws and ordinances relating to the possible impediments to fair housing choice in the private sector, the City has no knowledge of impediments of the following nature:

- Real Estate practices concerning steering or blockbusting, deed restrictions, Trust or lease provisions, conversions of apartments to all-adult, or inaccessible design;
- Property management firms' "occupancy quotas";

- Banking and insurance policies and practices pertaining to the financing, sale, purchase, rehabilitation, and rental of housing that may affect the achievement of fair housing choice within the jurisdiction;
- The discriminatory provision of Realtor services.

## **VII. RECOMMENDATION**

After the review of local laws and ordinances relating to the possible impediments to fair housing choice in the public and private sector, the City should continue to operate as usual.

## **VIII. SIGNATURE FOR ADOPTION**

I certify that the attached Analysis of Impediments to Fair Housing has been reviewed and adopted by the City Council of the City of Yuba City.

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Steven Jepsen  
City Manager

Date